

GUNTHORPE- PF/21/2656– Single storey detached domestic outbuilding (Retrospective) Old School House, Bale Road, for Mrs Deborah Boon.

- Target Date: 22nd November 2021

- Extension of time: 28th January 2022

Case Officer: Ms A Walker

Householder Application

RELEVANT SITE CONSTRAINTS

Areas Susceptible to Groundwater SFRA - Classification: $\geq 25\%$ $<50\%$

Countryside LDF

Listed Building Cases - LBII/038/1423819 Grade: II Address: Old School House, Bale Road, Gunthorpe, Melton Constable, NR24 2NX

LBII/038/1423819, Listed Building Status- The OLD SCHOOL HOUSE AND BOUNDARY WALL BALE ROAD, GUNTHORPE. Grade II Listed.

RELEVANT PLANNING HISTORY

ENF/21/0157, Enforcement Enquiry.

PF/21/0545, to install moveable 4x3M timber clad garden shed to Northwest corner of the property. Application withdrawn- invalid.

PF/20/2074, for the erection of a garden annex room to the south west corner of the garden. Application Withdrawn

IS3/20/1813, to install a garden Annexe. Application withdrawn- invalid.

THE APPLICATION

The application seeks retrospective permission for a single storey detached domestic outbuilding for use as an art studio. The proposal site is located on Bale Road, outside the village of Gunthorpe within the curtilage of the grade II listed Old School.

REASONS FOR REFERRAL TO COMMITTEE

Referred to committee by Councillor R Kershaw for the following reasons (summarised):

- Very little harm caused by the outbuilding. Every attempt has been made to lessen its impact (reduced size, colour change, less conspicuous position). Applicant is prepared to remove the existing shed. The existing property has been restored to a high standard within which there is insufficient studio space. Studio would enable the carrying out of the applicant's profession in a sustainable fashion, reducing travel.
- Much local support.
- The public benefit of the restored Grade II building and the removal of a shed replaced by the proposed outbuilding outweighs the harm in this instance.
- The argument regarding economic benefit being very small is debatable as the Studio could form part of Open Studios which brings in considerable income to North Norfolk as well as allowing the applicant to carry on her painting locally.

PARISH COUNCIL

No response received from the Parish Council.

REPRESENTATIONS

Case officer notified of an objection via telephone, but no subsequent formal written objections have been received to date.

2 letters of support, one signed by 43 residents. Summary of supporting comments:

- New residents have completed beautiful, tasteful and sympathetic works to the property, which has been transformed into a stunning, aesthetically pleasing home and workspace.
- The exterior timber clad buildings are pleasing to the eye and blend beautifully with the landscape perfectly complementing the main house. Takes into account the grey flint.
- Welcome signs of life at the Old School House which have been sadly lacking for tens of years when it was barely used as a weekend home.
- It is wonderful to have professional artists join our rural community who provide much needed services in the local community and area and contribute to our local economy.

CONSULTATIONS

Conservation and Design - 'As you will be aware, when this outbuilding was first proposed Conservation & Design concerns were expressed about its impact upon the setting of 'principal' Grade II Listed Building (reproduced below for convenience). This culminated in the proposals subsequently being withdrawn and advice offered on what might be more acceptable from a heritage point of view. Unfortunately this proved unacceptable to the applicant who then took the decision to erect the building largely as originally proposed without the benefit of planning permission - hence our Combined Enforcement team became involved. What this does mean, however, is that we are now able to assess the actual impact of the building rather than the assumed impact.

In this regard, it is considered that the initial concerns have to some extent been reaffirmed. From certain vantage points, the building does indeed block and impinge upon views of the heritage asset and thus it does detract from its general setting and overall significance. This said, we must be honest and say that the impact is not as pronounced or as acute as first thought. This appears to be due to three contributory factors: -

1. The size of the outbuilding has been reduced from the originally proposed 7 X 4m down to a more manageable 5 X 3.5m.
2. The black stained finish which was originally proposed, and which would have resulted in a relatively dense and jarring appearance, has been replaced with an altogether softer natural finish which blends better with the stone dressings and mortar on the main building.
3. Rather than being sited close to the road and perpendicular to the old school (as per the 1st image below), the building has instead been set back slightly and angled to follow the line of the boundary wall (as per the 2nd image). In this new position, it has slightly less presence on site and is partly screened by a couple of trees/bushes. It is therefore more recessive within the wider landscape views, particularly from the SW.



For these reasons, the level of competition, and thus the heritage harm, has been mitigated to some degree and can now be considered towards the lower end of the 'less than substantial' spectrum for NPPF purposes. This said, as para 199 of this document makes clear, great weight must be given to the conservation of heritage assets irrespective of the level of harm. Hence, unless it is considered that there are other material planning considerations or public benefits accruing from the proposals to outweigh the identified harm, the Local Planning Authority is obliged to refuse this application.

Conversely, if it is ultimately considered that the planning balance tilts towards the retention, the planting would need to be retained on the SW boundary and then supplemented with additional native hedging to further soften the building. Additionally, there would also be a need to remove the shed which has also been brought onto site without the benefit of planning permission. This currently works in tandem with the studio and exacerbates the impact upon the setting of the listed building by virtue of its upfront position on site.'

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):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EN 2 – Protection and Enhancement of Landscape and Settlement Character

EN 4 – Design

EN 8 - Protecting and Enhancing the Historic Environment

EN 10 – Development and Flood risk

CT 5 - The transport impact of new development

CT 6 - Parking provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 16 - Conserving and enhancing the historic environment

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design & Heritage
3. Amenity
4. Flooding risk
5. Highways

APPRAISAL

1. Principle of development

The proposal is located outside the village of Gunthorpe which is designated as Countryside under Policy SS 1 of the Core Strategy. Policy SS 2 of the Core Strategy limits development in Countryside policy areas to that which requires a rural location to protect the character of the rural environment. Policy SS 2 does, however, permit alterations to existing rural residential properties which includes the construction of domestic outbuildings for ancillary use such as a garden room, shed or annexe. The proposal is, therefore, acceptable in principle and complies with Policy SS 1 and Policy SS 2.

2. Design & Heritage

The detached studio is located to the south west elevation of the old school house and takes the form of a modern wooden cabin, measuring 3.5x5m with a pitched roof and clad in weathered Larch timber cladding stained in dark brown. Following consultation from the Conservation and Design Officer, who is of the opinion that from the original submission (PF/20/2074), 'the level of competition, and thus the heritage harm, has been mitigated to some degree and can now be considered towards the lower end of the 'less than substantial' spectrum for NPPF purposes. This said, as para 199 of this document makes clear, great weight must be given to the conservation of heritage assets irrespective of the level of harm. Hence, unless it is considered that there are other material planning considerations or public benefits accruing from the proposals to outweigh the identified harm, the Local Planning Authority is obliged to refuse this application.' Therefore it is considered that this is an on balance refusal. Although the level of harm identified is at the lower end of 'less than substantial', it is nevertheless harm that has to be outweighed by public benefits. It is recognised that there is an argument put forward in favour of the economic benefits associated with supporting a small business (independent artist), however, it is unfortunately not considered that this is sufficient enough to outweigh the harm. Therefore, the finely balanced conclusion is that the application is not considered to be in accordance with policy EN 8 of the Core Strategy nor meets the requirements of Paragraph 199 of the NPPF.

3. Amenity

Due to the rurality of the dwelling and distance from the neighbouring properties, the proposal is not considered to have a significant adverse impact on the amenity of any neighbouring properties in terms of overlooking, overshadowing or overbearing. The use of the outbuilding as a private art studio is not considered to cause significant issues in terms of amenity. The proposal is therefore acceptable in terms of amenity and complies with Policy EN 4 in this regard.

4. Flooding risk

The site lies within an area designated as 'Areas Susceptible to Groundwater Flooding'. The SFRA does not show the likelihood of groundwater flooding occurring and does not take account of the chance of flooding from groundwater rebound and only isolated locations within the overall susceptible area are actually likely to suffer the consequences of groundwater flooding. Given the scale and nature of the proposal it is considered that this is unlikely to cause detriment in this designation. The scheme is therefore acceptable under Policy EN 10 and NPPF (Section 14).

5. Highways

The scheme does not affect the current parking and access and is not considered to have an adverse impact on highway safety. As such, it is considered to be acceptable under policies CT 5 and CT 6 of the adopted Core Strategy.

Conclusion

This is a finely balanced recommendation. The proposal is considered to be acceptable in terms of the principle, amenity, flood risk and highways related matters. The proposal is however, ultimately considered unacceptable due to the level of heritage harm caused to the setting of the grade II listed building and is therefore not considered to be in accordance with the requirements of the Development Plan. There are considered to be insufficient material considerations nor sufficient public benefits identified, to outweigh this heritage harm. Refusal of the application is therefore recommended.

RECOMMENDATION:

REFUSAL for the following reason:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

EN 8 - Protecting and Enhancing the Historic Environment
National Planning Policy Framework (2021) – Paragraph 199

In the opinion of the Local Planning Authority, the detached domestic outbuilding is considered to cause a level of heritage harm to the grade II listed Asset which is not considered to be sufficiently outweighed by other material or public benefits. In the opinion of the Local Planning Authority there is no justification to permit the retention of the outbuilding which is considered contrary to policy EN 8 of the adopted North Norfolk Core Strategy and paragraph 199 of the National Planning Policy Framework (July 2021).

Final wording of reasons for refusal to be delegated to the Assistant Director - Planning.