

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1374/F	CASE OFFICER	Natalie Levett
LOCATION:	GRESSENHALL Bramble Farm, Litcham Road Gressenhall	APPNTYPE:	Full
APPLICANT:	Mr Kevin Townsend Bramble Farm, Litcham Road Gressenhall	POLICY:	Out Settlement Bndry
AGENT:	Jon Boon Architects The Enterprise Centre University Drive	ALLOCATION:	N
PROPOSAL:	Construction of a rear first floor extension, construction of a porch to the front elevation and conversion of farm shop to a domestic garage		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is reported to Planning Committee at the request of the Ward Member.

KEY ISSUES

- Principle of Development
- Design and Impact upon the Character of the Area
- Impact upon Amenity
- Impact upon Highway Safety
- Impact upon Ecology
- Impact upon Trees

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for a first floor rear extension and erection of porch to the front elevation of an existing dwellinghouse. Full planning permission is also sought for the conversion of a vacant on-site farm shop into a domestic garage.

The application was originally submitted for the conversion of the former farm shop to a holiday let and the construction of a triple garage with a store over.

SITE AND LOCATION

The application site is located on the south side of Litcham Road, approximately 100m to the east of the Settlement Boundary of Gressenhall.

Within the application site is the existing dwellinghouse, the former farm shop located to the north west of the

dwellinghouse, and agricultural buildings to the south. The application site is surrounded by open space.

EIA REQUIRED

Not required.

RELEVANT SITE HISTORY

- 3PL/2018/0755/O: Demolition of existing agricultural buildings for self-build building plot for a single detached house with detached garage - undetermined at time of writing
- 3PN/2017/0029/UC: Prior approval for proposed change of use of agricultural building to dwellinghouse (C3) - refused and dismissed at appeal
- 3PN/2016/0014/UC: Change of Use of agricultural building to dwelling - refused
- 3PL/2008/0990/F: Re-positioning of farm shop & change of use from garage to cutting room for farm shop (amendment to 3PL/2007/1367/F) - approved
- 3PL/2007/1367/F: Proposed permanent agricultural dwelling with garage incorporating farm shop - approved
- 3PL/2006/0827/F: Pig weaner shed - approved
- 3PL/2006/0166/F: 2 no. 10 ton feed bins - approved
- 3PL/2003/1248/F: Pole barn and polytunnel - approved
- 3PL/1999/0773/F: Sheep and cattle winter store - approved
- 3PL/1997/1010/F: Winter store/lambing shed - refused

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.07	Town Centres
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.03	Replacement Dwellings and Extensions in the Countryside
DC.07	Employment Development Outside of General Employment Area

DC.09	Proposals for Town Centre Uses
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.18	Community facilities, recreation and leisure
DC.19	Parking Provision
DC.20	Conversion of buildings in the countryside
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable.

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

Given the traffic which could be generated by the existing retail use this Authority would not wish to restrict the grant of permission for the conversion of the shop to a domestic garage.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The previous proposals only impacted on the old Farm Shop. The amendments include proposed works on the house including a rear first floor extension and new porch. No assessment of the potential for the house to support roosting bats was included in the Preliminary Ecological Appraisal report (Greenlight Environmental Consultancy; December 2017). An updated report needs to be submitted including further information on the suitability for bats of the buildings where development is proposed before the application can be determined. An assessment of the house against the criteria in the Natural England's Bat Mitigation Guidelines detailing suitability will be necessary, and this may lead to the need for further surveys. All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species.

NATURAL ENGLAND

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes but suggest enhancements to consider.

TREE AND COUNTRYSIDE CONSULTANT

Based upon the fact that the additional building shown on the supplied tree survey no longer forms part of this application, an updated AIA and method statement will not be required.

ECONOMIC DEVELOPMENT

No comments to make.

GRESSENHALL P C

Objected to the original proposal. However, pertinent comments include that the house has an agricultural restriction yet no farming takes place on the site and the access is considered dangerous.

PRINCIPAL PLANNER MINERAL & WASTE POLICY No Comments Received

REPRESENTATIONS

A site notice was displayed on 9th July 2018 and advertised in the EDP. No neighbours were consulted because there are none. No representations were received.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The application seeks planning permission for the conversion of a farm shop to a domestic garage. The application form states that the farm shop is closed and this was clear on the site visit.

1.2 Policy CP7 on Town Centres seeks to support the vitality and viability of town centres by permitting appropriate retail, leisure, cultural and business proposals in those defined areas. Town centre uses will be restricted in other locations. Policy DC18 relates to the protection of key services and facilities. The application site is not within a defined town centre or local service centre and thus the proposal for loss of retail floorspace in this location would not be harmful to the vitality and viability of town centres or local service centres.

1.3 Policy CP14 on Sustainable Rural Communities aims to support and protect key local services in rural locations; a farm shop could be described as a key local service. Whilst no justification has been submitted with regard to the loss of the farm shop in this case, the farm shop was a relatively small private enterprise that whilst providing a service, would not have been meeting day-to-day needs. Such needs would be more likely met at Gressenhall's Village Store or at a larger store in Dereham, some 3.5 miles to the south so arguably complies with Policy CP14.

1.4 Policy DC20 on Conversion of Buildings in the Countryside sets out that the re-use of existing buildings in the countryside for residential purposes will only be permitted where the commercial use of the building has been shown to be unviable. No details have been submitted as part of the application demonstrating that the farm shop was unviable, although it is noted it has been closed for some time and given the relatively small-scale commercial use, it is considered the conversion to a garage is acceptable having regard to policy DC20.

1.5 As a result, it is considered that the principle of conversion of the former farm shop to a domestic garage is acceptable.

1.6 Policy DC3 relates to Replacement Dwellings and Extensions in the Countryside and sets out that extensions to existing dwellings in the countryside should not result in a dwelling that is disproportionate to the scale of the original dwelling and the size and design of the extension should be appropriate to the landscape character of the location thus the principle of development is acceptable.

2.0 Design and Impact upon the Character and Appearance of the Area

2.1 In accordance with policy DC16 on Design, all new development should achieve the highest standards of design; this is echoed in the NPPF (2018). Consideration should be given to local character, materials,

scale, layout and the surrounding landscape. Policy DC3 on Replacement Dwellings and Extensions in the Countryside sets out that extensions to existing dwellings in the countryside should not result in a dwelling that is disproportionate to the scale of the original dwelling and the size and design of the extension should be appropriate to the landscape character of the location. Policy CP11 on Protection and Enhancement of the Landscape aims to ensure that the landscape of the District will be protected for the sake of its own intrinsic beauty and its benefit to the rural character.

2.2 The first floor rear extension would be an addition of a floor over the existing rear single storey offshoot element of the dwelling. The extension would have a pitched roof. The ridge of the roof would be approximately 0.5m lower than the ridge of the existing dwellinghouse. The chimney of the existing single storey would be extended upwards as part of the extension. The extension would introduce at first floor level, two windows in the south elevation and two pitched dormer windows on both the east and west elevation.

2.3 The proposed materials of the first floor extension would match the existing dwellinghouse, that is, interlocking clay pantiles, brick, white painted softwood windows and black UPVC rainwater goods. The proposed materials are acceptable.

2.4 The proposed first floor extension would be within the existing footprint of the dwellinghouse so there would be no impact in terms of layout, but it would increase the scale of the dwellinghouse. The volume of the dwellinghouse would not be increased disproportionately. The impact of the increase in scale created by the proposed extension would be reduced through the slightly lower ridge height and windows on all elevations. The size and siting of the proposed extension would not have a significant impact on the openness or rural character of the area.

2.5 A porch is proposed to the front elevation of the dwellinghouse. The porch is proposed to have open sides and a pitched roof. The scale of the proposed porch is acceptable. Details of the materials of the proposed porch have not been provided; this could be managed through a planning condition, should planning permission be approved (albeit construction commenced part way through the process).

2.6 The proposed conversion of the farm shop to a garage would involve the insertion of two up and over garage doors to the eastern elevation. The doors would have boarding to match the existing cladding on the building. The insertion of the two doors as proposed would not be harmful in design terms and are therefore acceptable.

2.7 Overall, the proposal is considered acceptable in design terms, having regard to policies DC16, DC3 and CP11.

3.0 Impact upon Amenity

3.1 Policy DC1 requires that development would not have unacceptable effects on the amenities of the area or the residential amenity of neighbouring occupants, or future occupants of the development site.

3.2 There are no adjacent neighbours that would be affected by the proposals in terms of disturbance, privacy, overshadowing or over-dominance. The effect on the landscape created by the proposed first floor extension and front porch is not considered to be harmful and thus the proposal is not considered to represent harm to the amenities of the area. The proposal is in accordance with Policy DC1.

3.3 Application 3PL/2018/0755/O for outline permission for the demolition of an existing agricultural building for a self-build building plot for a single detached house with detached garage to the south (rear) of the dwelling remains undetermined at the time of writing. The Council does not have any design standards but it

is considered that, if approved, separation distances would be acceptable and conditions could be imposed relating to boundary screening if approved.

4.0 Impact upon the Highway

4.1 Policy DC19 sets out the Council's car parking standards and Policy CP13 together with the NPPF outlines matters regarding highway safety.

4.2 The Highway Authority has advised that, given the traffic which could be generated by the existing retail use, they would not wish to restrict the grant of permission for the conversion of the shop to a domestic garage.

4.3 As a result, the proposal complies with Policy CP13 and DC19 together with the principles of the NPPF (2018) relating to highway safety.

5.0 Impact upon Ecology

5.1 Policy CP10 seeks the protection of the natural environment.

5.2 Natural England has raised no objection with regard to the impact on the surrounding SSSI, although makes suggestions for enhancement of the area. Having considered those suggestions, it would not be reasonable to include as part of this application, although the details can be outlined in an informative note on the decision notice.

5.3 The ecologist has advised that, in terms of buildings, the previous proposals only impacted on the old Farm Shop. The amendments include proposed works on the house including a rear first floor extension and new porch. No assessment of the potential for the house to support roosting bats was included in the Preliminary Ecological Appraisal report (Greenlight Environmental Consultancy; December 2017). An updated report needs to be submitted including further information on the suitability for bats of the buildings where development is proposed before the application can be determined. An assessment of the house against the criteria in the Natural England's Bat Mitigation Guidelines detailing suitability will be necessary, and this may lead to the need for further surveys. All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species.

5.4 As a result, there is insufficient information to determine the application. The applicant's agent has been asked to provide the required information, which would be reconsulted upon before formal determination. The applicant has confirmed that this is being undertaken and will be submitted in due course.

6.0 Impact upon Trees

6.1 Policy DC12 seeks to protect the District's trees and hedges. The Tree and Countryside Officer raised an objection to the original submission. However, given that no extensions to the former farm shop are proposed and that the extensions to the dwelling do not impact upon the existing trees and hedges, no objection has been raised. As a result, the proposal complies with Policy DC12.

7.0 Other Matters

7.1 The Parish Council objected to the original proposal, although no comments were received as a result of the consultation process that commencement on 9th July 2018 following application revisions. However,

pertinent comments include that the house has an agricultural restriction yet no farming takes place on the site and the access is considered dangerous.

7.2 The highway safety has been assessed above. With regard to the agricultural restriction, the existing house was granted planning permission under reference 3PL/2007/1367/F. One of the conditions imposed was:

"The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 336 of the Town & Country Planning Act 1990, or in forestry, or a dependant of such person residing with him or her, or a widow or widower of such a person, and to any resident dependants.

Reason for condition:-

The Local Planning Authority's policy for this rural area is to resist the erection of dwellings which are not essential to the needs of local agriculture."

7.3 The applicant advised that they own 6.7 acres of land, of which 4 acres is designated as a County Wildlife Site that cannot be touched due to a legal agreement on this basis. The condition allows inhabitants to be solely, mainly or last employed in the locality in agriculture. It is understood that the applicant was employed in the locality in agriculture, as a result, the applicant is currently entitled to live in the dwelling. Any changes to those inhabiting the dwelling would have to comply with the condition.

7.4 For clarity, the condition would be imposed on this permission if approved.

8.0 Planning Balance and Conclusion

8.1 The application is for the construction of a porch to the front of the property, a rear first storey extension and the conversion of the former farm shop to a domestic garage. Whilst no information has been submitted to justify the viability of the shop, in this instance, the principle is considered acceptable, subject to conditions, although regrettable that works have commenced prior to determination of the application.

8.2 The additional information requested by the ecologist is outstanding, thus the application is recommended for delegated powers to be granted to the Director of Place to issue conditional approval if, following the submission of the required ecological information, this is acceptable and no new issues arise or to refuse the application if the ecological information is unacceptable.

RECOMMENDATION

Planning Permission

CONDITIONS

- 1 Full Permission Time Limit (3 years)**
The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.
Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.
- 2 In accordance with submitted plans NEW 2017**
The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.
Reason for condition:-

To ensure the satisfactory development of the site.

3 External wall and roof materials to be agreed

Within one month of the date of this permission, details of all external materials used for the construction of the porch shall be submitted to and approved in writing by the Local Planning Authority. Only such agreed materials shall be used in connection with this approval. The external materials for the first floor extension and the conversion to a domestic garage shall be undertaken in accordance with the submitted details.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

4 Non-standard landscaping condition

The existing trees/hedges on the site shall be retained. Should any die or be removed without the written consent of the Local Planning Authority, they shall be replaced during the next planting season with a tree(s) or hedging of a species, size and in the same location to the satisfaction and written agreement of the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of trees and hedges in accordance with Policies DC16 and DC12 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009).

5 Agricultural worker's dwellings

The occupation of the dwelling and the use of the domestic garage hereby permitted shall be limited to a person solely or mainly working or last working in the locality in agriculture, as defined in section 336 of the Town and Country Planning Act 1990 (as amended), or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason for condition:-

For clarity as imposed on the permission for the construction of the dwelling and because the site of the development is outside an area where the Local Planning Authority normally permits residential development and permission has been granted in this instance having regard to the agricultural need for a dwelling on the site in accordance with Policy CP14 of the Adopted Core Strategy and Development Control Policies Development Plan Document (2009).

6 Potential Ecological Conditions

Ecology Condition(s).

7 No additional windows at first floor

Notwithstanding the provisions of Class A & C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order)(with or without modification), there shall be no additional windows or other opening constructed at first floor level or above in the southern elevation of the existing dwelling and the development hereby permitted or enlargement or alteration of the openings hereby approved.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of trees and hedges in accordance with Policies DC16 and DC12 of the adopted Breckland Core

Strategy and Development Control Policies Development Plan Document (2009).

8 No PD for classes A B C D & E

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), no further extensions, roof alterations, porches or ancillary buildings as defined within Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be erected or brought onto the land.

Reason for condition:-

In the interests of the satisfactory appearance of the development and/or the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

9 No PD rights for garages and ancillary buildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification), express permission will be required in respect of any garage, car port or similar structure for garaging of a motor vehicle or free standing ancillary building, as defined within Classes E of Part 1 of Schedule 2 of that Order. Express permission shall have been granted only when an appropriate planning application is first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the amenities of adjoining residents in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

10 No alterations to garage

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order)(with or without modification), the domestic garage hereby permitted shall not be converted into any other form of accommodation.

Reason for condition:-

In the interests of the satisfactory appearance of the development and to ensure adequate off street parking provision in accordance with Policies DC1 & DC16 and that no additional accommodation is provided in an area where residential development would not normally be permitted in accordance with Policies CP14 and DC2 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009).

12 Variation of approved plans

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.