

Replacement of Outbuilding at Cuckstool Cottage

Design and Access Statement -

Cuckstool Cottage lies between the southern edge of Castle Acre castle and the north bank of the River Nar on the south-east side of Cuckstool Lane. The owners wish to have a dedicated studio space to expand their art and craft activities.

The complex of outbuildings in the north corner of the garden at the property includes a dilapidated 6.5m x 3.2m x 2.7m ex-military garage/workshop on a 7.5m x 4m concrete base, with asbestos/cement sheet walls on a timber frame and a corrugated plastic-over-felt roof. Initially, the solution was seen as being to renovate this building. However, the fabric of the workshop was deteriorating, already producing quantities of asbestos cement dust. Renovation and reconstruction would only add to this health hazard. The most straightforward solution was therefore to have the building safely removed and to replace it with a shed/studio of similar footprint on the existing concrete foundation.

The requirements for a new building were:

- to make optimal use of the existing concrete foundation/base;
- to provide a cost-effective flexible working space that could be used throughout the year for 'purposes incidental to the enjoyment of the dwelling house';
- to provide a low and simple profile which would be unobtrusive and in harmony with surrounding buildings as viewed both from the castle ruins and neighbouring properties;
- to be erected without major construction work, quickly and within the constraints of access. (Access of large delivery vehicles to the last 50 metres of Cuckstool Lane is compromised by a 2.7 metre wide bottleneck between a telegraph/electric pole and the street wall of the cottage. This makes direct delivery of large components problematic).

A robust and utilitarian log-cabin-style building was recognised as offering ease and speed of erection, good insulation for economic all-year-round use, and the cost-effective provision of a versatile and flexible working space. The cabin selected is the "Gijs" design by Tuindecò UK based in Norwich. Built of engineered interlocking 45mm Swedish spruce logs the 5.75 metre by 3.85 metre cabin fits well onto the existing concrete base. The double glazed windows and double doors, all on the south-west elevation, are shaded from the sun and sheltered from the weather by a 1.85 metre front apron roof extension. This elevation will

only be visible from inside the garden. The shallow-pitched, black- shingled roof will be hidden from the lane and the moat path by extending the existing hedge to the north corner of the property. Only the north-west side of the pitched roof will be visible from the castle wall. The external timber will have a dark pine protective treatment, weathering to blend in with surrounding fence and nearby outbuildings on the neighbouring property. The roof and internal floor will both have 50mm PIR insulation board throughout.

Residential use of the building is not envisaged so electricity and telecommunications will be the only internal services provided. The interlocking structure of the cabin timbers means that the building can be readily dismantled/recycled in the future should this be required or necessary.

With minimal disruption, the proposed development replaces an unsightly and deteriorating health hazard, with a simple, less obtrusive, and useful building for 'purposes incidental to the enjoyment of the dwelling house'. We request that approval should be given.

Current Position

For health and safety reasons all parts of the garage/workshop have been removed except for the roadside wall which provided vehicle access through an 'up-and-over' door and contains no asbestos. This currently acts as a temporary fence and will be removed and replaced with a pedestrian gate when the hedge is extended. There will then be no vehicle access at this point.

The shell of the cabin has been assembled on the site. This requires explanation which is provided by the attached Planning Narrative.

D C Morris
Cuckstool Cottage
9/12/2020

Planning Narrative

1. On 12/03/2019 we emailed the Planning Office as follows:-

"Among the outbuildings in our garden on Cuckstool Lane, which is in the Castle Acre Conservation Area, we have a large (6.5Mx3.2M) garage/workshop erected by the former owner. We should like to replace this with a summer house/studio using the existing foundations and similar footprint. The existing, ugly, building is a former military garage constructed of asbestos/cement sheet cladding on a timber frame. We have explored the regulations and costs for having it removed and have a provisional arrangement with a contractor licensed for asbestos removal and disposal. However, before committing to completely removing the building, we should like to check if there are any planning approval or construction requirements entailed by a basically like-for-like replacement and should appreciate your early advice."
2. We received the following reply on 14/03/2019:-

"Unfortunately without more information I am unable to tell you whether it would require planning permission. I would recommend submitting an application for lawful development. The application form can be filled in online on the Planning Portal: <https://www.planningportal.co.uk/applications> Your application type would be "Lawful Development Proposed Use". The result of this application would tell you whether or not planning permission would be required, and if not, also serves as formal proof that a development is lawful."

"I will say however that the development you are suggesting would likely not need planning permission, it depends whether the property is listed, how tall the outbuilding will be etc. The full regulations can be found in Class E, of Part 1, of Schedule 2 of the Town and Country (General Permitted Development) order 2015 (as amended), but if there is any doubt I would recommend submitting an application for lawful development."
3. We viewed this reply as encouraging, noting that it made no mention of a requirement for approval for removal of an outbuilding. Since the health and safety aspect of the removal of the dilapidated building was becoming urgent, we went ahead with engaging the licensed demolition contractor to complete the asbestos removal. We hold the appropriate disposal certificate. The roadside wall, with an 'up-and-over' garage door contained no asbestos and

remains in place. Decision on the replacement building required further research and consideration and was left on hold for the time being.

4. At the beginning of 2020 we were in a position to start looking at the options and to decide what type and description of building would fit the space and meet the 'lawful development' requirements. Then came the initial Covid 19 'lockdown'. This slowed down the selection process since communication with suppliers became difficult but, as the initial pandemic wave receded, we realized that future commercial uncertainty and disruption meant that we needed to come to a decision and to act.
5. At the beginning of August we decided on the Tuin 'Gijs' cabin and placed an order with the supplier. At that time no delivery date could be given and our expectation was that the earliest delivery time would be before early 2021. At the end of the month we were advised that deliveries would start in October. We therefore booked for delivery in mid-October: to secure our place in a lengthening queue; to ensure availability of essential protective treatments that were in short supply; and to take advantage of better weather before late November. We were then able to prepare an application for 'Lawful Development Proposed Use' as suggested by the planning office. Making sure, as we thought, that we had met all the requirements for Lawful Development we started an application on 13th September, finally lodging it on 28th September.
6. Delivery was then delayed to the end of October and an independent erection team, recommended by the supplier, engaged. On 15 October the Case Officer from planning visited the site and advised us that the decision would be made at a meeting on 23rd November, not in late October as we had expected. (We subsequently found that this information was in an attachment to the acknowledgement of our application on 28th September that we had overlooked).
7. This posed a problem. A further postponement of delivery could cause considerable delay and the future availability of the erection team was by no means certain. The delivery package would block entry to the main driveway and could not be left there for an extended period. It needed to be opened and dismantled as soon as possible. However, having removed the predecessor building we did not have adequate shelter to store all the timbers for a lengthy period. With winter cold and damp there would be a risk of warping and distortion causing subsequent difficulty in building and long term problems.

8. The answer to this problem was to assemble the cabin on site **in order to store it**. A key feature of the cabin style of construction is that the walls interlock without fixings and only the doors, windows and roof are screwed or nailed. The assembly of the cabin is thus readily reversible. The cabin would therefore be put together but not fitted out, the timber would be proofed but not painted. When Lawful Development was declared, or Development planning permission given, the building could be completed. If permission was not granted it could be disassembled if this was the requirement. A further advantage was that the building could be viewed *in situ*.

9. On 23rd November we were advised that Lawful Development had not been approved. The reason given was that
"The proposal site is not within an area of outstanding natural beauty, the Broads, a National Park or a World Heritage Site but is on Article 2(3) land as the property is located with [sic] a Conservation Area. As such, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse. This outbuilding is located between the side elevation of the dwellinghouse and the boundary."
This was not an outcome that we had expected although, no doubt, we should have done. On a map it makes sense to treat the road side of a house as 'the front elevation' and a perpendicular wall as 'a side elevation'. We understand and accept the officers' decision that the proposed development does not meet this criterion for lawful development permitted under Class E.

10. In real life, however, Cuckstool Cottage has a street door but it doesn't make sense to use it. The *de facto* front of the house is on the driveway side. All the outbuildings at Cuckstool Cottage (except for the garage on the driveway) are in the higher area of the garden close to the road. To place them further to the south would be put them at risk of flooding. (See photograph). That is why the site for proposed re-development is where it is. ('The Last House' next door has similar outbuilding orientation and for the same reason).

11. We believe that the proposed development removes an unsightly and deteriorating health hazard and, with minimal disruption, replaces it with a simple, less obtrusive and useful building.