

Change of use of existing
garage / studio to
ancillary accommodation
for 5 years.

(retrospective) 1 Church
Farm Barn, Gayton.

Planning, Design and Access Statement
(including Heritage Impact Assessment) on
behalf of OHPM Ltd.



3D Planning - Town Planning Consultancy

Planning, Design and Access Statement in support of an application for the change of use of existing garage / studio to ancillary accommodation for 5 years. (retrospective) 1 Church Farm Barn, Gayton.

Introduction

Paragraph: 034 Reference ID: 26-034-20140306

This Planning Statement incorporates statements in accordance with local and national planning guidance and is to be read alongside the submitted plans and documents.

The role of this statement is to aid decision making. This is achieved by communicating the process employed to inform the development by considering the form, character, structure and impact of the proposed development in the context of its surroundings (as set out in Note 1 below which is extracted from the Planning Policy Guidance note on Design 2014).

This statement includes an assessment of the scheme against the policies of the adopted Development Plan and other material planning policy considerations.

The application should also be considered within the context of the National Planning Policy Framework (NPPF). The key principles of national government planning policy are set out in this document and surround the concept of creating developments that are sustainable and of high quality in terms of design, sustainability, socially inclusive and protect the environment.

A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applications to explain how the proposed development is a suitable response to the site and its setting and demonstrate that it can be adequately accessed by prospective users.

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Proposal

The application is made for the retrospective change of use of an existing garage and studio at 1 Church Farm Barns, Gayton to residential accommodation ancillary to and related to the residential use of 1 Church Farm Barn to enable continued occupation by the current occupiers.

The current owners purchased the overall property in 2020 with a view to living in 1 Church Farm Barn, however the degeneration in the health of one of the owners means that he is wheelchair bound, and the wheelchair cannot fit through any of the doors of the main house due to the narrowness of the doors and the significant step.

This being the case and thinking that the conversion of the annex to ancillary accommodation did not need planning permission the owners carried out a conversion of the garage / studio to a disabled access one bed unit of accommodation.

The owners then let the main house as holiday accommodation and continue to manage and service the main house as explained later in this statement and retain use of part of it as office, laundry and 'spare bedroom'.

It is important to confirm that my clients do not intend to create a new and separate dwelling but retain the occupation of the 'annex' and incidental accommodation to the man house justified by the functional and physical connections between the two.

Site

Location – Garage and studio within curtilage of 1 Church Farm Barns, Gayton, Norfolk.



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Existing Use –

Church Barn Farm is an established residential property which is currently rented out for short term holiday accommodation.

The annex as shown on the layout plans accompanying the application was previously garage and ‘studio’ see estate agent’s property details.

The annex has been converted to ancillary accommodation to facilitate occupation by the current owners, one of whom is ill with a degenerative medical condition that means that he is wheelchair bound and unable to climb steps.

Site features – the wider site contains the main dwelling – the annex and the wider curtilage with access and parking.



View of annex from man house upstairs window.



Photo of main house from annex

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Planning background

The property was purchased Dec 2020 at which time the annex was sub divided as set out in the estate agents plans below, with half being garage and half described as studio/ annex – but note that this already included a toilet with mains electric and foul water connections.

Following the purchase of the house the owner’s husbands condition worsened and access to and within the main house became impossible due to being wheelchair bound and the width of the doors being too narrow; in addition, the significant step, up to the rear doors meant that ramped access was not possible.



Mrs Connaughton manages the let on the main house and cleans/ replaces laundry within it and the store for spares/ linen for the let is also assessed from door 1.

The internal arrangement of the main property is such that an internal door enables the rooms off door 1 to be sealed off from the remainder of the holiday let and as such the annex currently has exclusive access to 3 rooms in the main house as shown opposite with the red colour wash.



- The owner uses these rooms as;
- Utility room /laundry shared with the main house as there is no laundry facilities within the annex.
 - Cupboard/storeroom for spare laundry for the main house as well as storage of other essentials for the main house.
 - What is shown on the plans as office is a dual use office and spare bedroom for family visitors to the owner’s annex.

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Planning policies

Policy DM 7 – Residential Annexes

Development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling
- It is ancillary and subordinate in scale to the principal dwelling;
- Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;
- Occupation of the annexe is subsidiary to that of the main dwelling; and
- Not capable of sub-division.

Development of residential annexes outside the development boundaries of settlements will also be judged against the criteria in Policy DM5: Enlargement or Replacement of Dwellings in the Countryside.

Policy Approach

C.8.4 In principle, annexes will be permitted in the defined settlements as listed in Policy CS02 Settlement Hierarchy providing they comply with other relevant planning policies relating to design, amenity and access in the Borough's Local Plan. Stricter criteria will apply to applications for annexes in the wider countryside to ensure that the countryside is protected from adverse development.

Design and Access

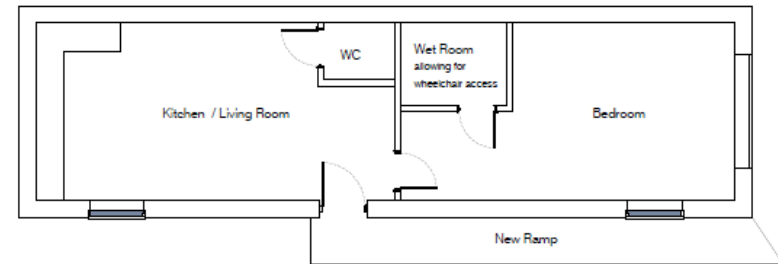
The section below addresses the key list of attributes required to be considered within the design and access statement, i.e.- the amount; layout; scale; landscaping and appearance of the scheme.

Amount; Temporary change of use to ancillary accommodation associated with 1 Church Farm Barn.

Layout; See floorplan extract opposite.

Modified Ground Floor Plan

Scale 1:100



View from entrance to kitchen/ living room

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View of wet room



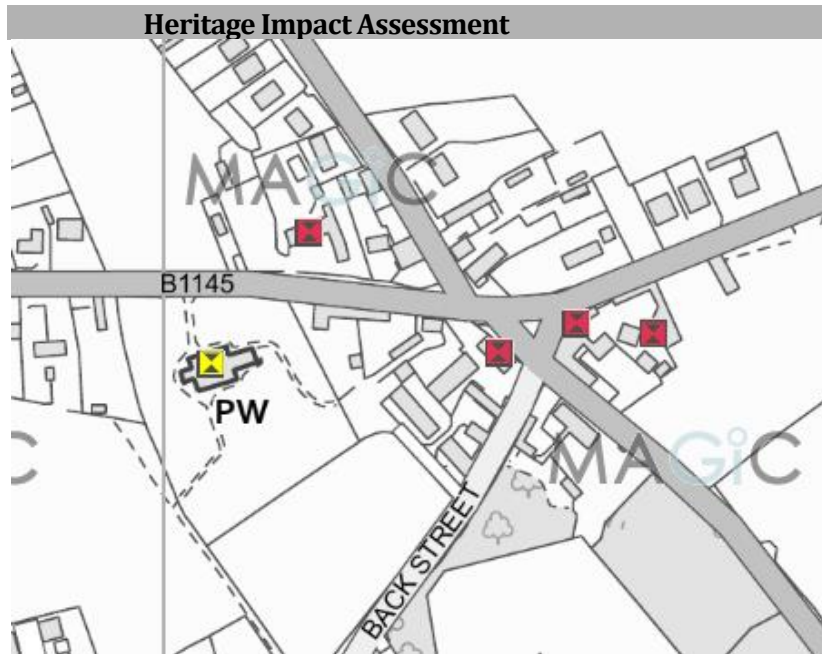
view from entrance to bedroom.

Scale/ appearance; unchanged- no additional alterations to the form of the building are proposed – however as the application is retrospective it is noted that the only visual changes that the development involved are the sealing off of the former garage door and creation of a ramped access to the annex.

Access; and parking unchanged.



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In considering the potential impact of the proposal which is an internal conversion of an existing building with only very minor external changes it is clear that that proposal will have none to minimal impact on the setting of the listed buildings and as such will cause 'less than substantial harm' as set out in para 202 and that the impact is to the lower end of this wide spectrum.

Para 202 requires that the perceived harm be weighed against the benefits derived from the proposal and in this case, it enables Mr Connaughton to remain in the annex and within the village.

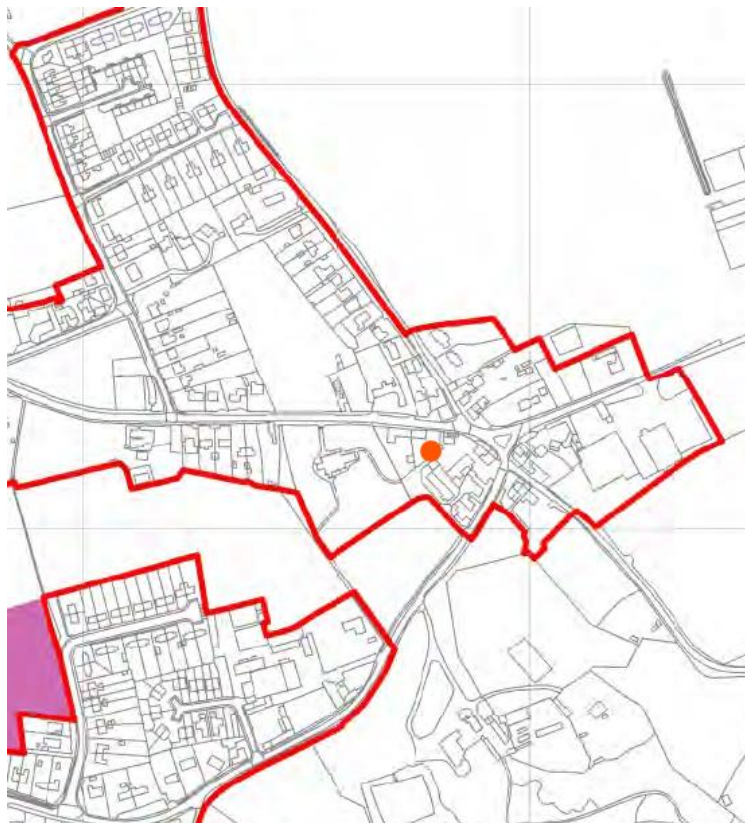
- The site is not within a conservation area.
- It is not a listed building, nor does it lie within the curtilage of any listed buildings.
- It lies adjacent to the curtilage of listed buildings and within the nominal setting of listed buildings.
- We are not aware of any non-designated heritage assets in the vicinity.
- Therefore, the heritage impact derives from proximity to the setting of the listed buildings

The NPPF requires application which potentially could impact on heritage assets to assess this potential harm at para 194; this requires a proportionate approach to the assessment.

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Planning issues

The site lies within the centre of Gayton which is a defined settlement within the Core Strategy and SADMP and as such is in principle a suitable location for a residential annex pursuant to DM7.



The application is for use of the annex as accommodation ancillary to the main house.

A separate and confidential medical report is submitted setting out Mr. Connaughton’s medical condition.

Caselaw-reference is made to Planning Inspectorate (“PINS”) case (APP/R5510/X/18/3206551. and whilst accepting this was a CLUDE appeal rather than planning appeal the issues raised by the inspector are clearly material.

The Inspector accepted that the additional primary accommodation was not incidental to the enjoyment of the existing dwellinghouse as would have been in class e. However, this didn’t mean that a material change of use had necessarily occurred such that planning permission would be required.

Rather the question was whether the annexe would result create a separate dwellinghouse (hence, planning unit) was considered; In reaching his decision, the Inspector took a number of factors into account. These included:

- Occupiers of the converted building: in this case they were the current owners of main dwelling,
- Ownership of the site: in this case the site would remain owned by the appellants. The main house and annexe would not be split into separate titles;
- Access to the site: the current single access to the highway would continue to serve the house and annexe with no separation of the two properties;
- Garden and parking: there was no demarcation between the two properties;

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- Access to a shared space: the entrance to the outbuilding and the main dwelling onto a shared courtyard (indicating a close physical connection between the two units);
- Postal address and utilities: there would be no separate bills or addresses;
- Relative floor space: the area dedicated to residential use within the annexe would not be unduly large in comparison to the associated dwelling.
- Taken together, these indicated that no separate planning unit would be created.

Throughout the pre application discussion with council officers, the LPA has maintained a view that it considered that the annex is a separate dwelling.

However, we remain of the view that it is ancillary as there is;

- common ownership within the same title
- physical connections- use of the 3 rooms in the main house.
- common access and parking
- shared garden

KLWN planning policy DM7 raises a number of criteria against which annexes are to be judged.

It remains in the same ownership and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling.

The connection in terms of management and servicing between the annex and the main dwelling clearly show that the annex is occupied in conjunction with the main dwelling.

It is ancillary and subordinate in scale to the principal dwelling;
The annex building is clearly subordinate in scale and appearance to the main dwelling.

Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;

The parking and access are shared.

Occupation of the annexe is subsidiary to that of the main dwelling;

The service and management functions of the owners means that in scale and functional terms the occupancy is subsidiary.

Not capable of sub-division.

As stated in the introduction it is not the applicant's intention to create a separate dwelling on site; the reliance of the annex on some rooms within the main house for storage and laundry is such that a separation to create a separate dwelling would not be practical in fictional terms- also the garden would need significant reconfiguration to create separate garden areas which would be likely to harm the amenity of the dwellings.

Within the submission we have set out the personal and medical circumstances which can be a material consideration in decision making.

Conclusions

Having regard to the material planning policy in DM9 as well as the movement to facilitate flexible living and lifetime homes – it is considered that the proposal is in accordance with policy aims.

The applicant's husband's medical condition was the trigger for the conversion of the annex to ancillary accommodation and remains a significant driver for its retentions as sadly his condition is deteriorating.

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There are strong material links that maintain the occupancy of the annex as ancillary to that of the letting of the main house in terms of ownership, occupants of the annex service and maintain the main house and they use of part of the main house as additional accommodation to the annex which does not have a utility room or adequate storage.

Therefore, the functional and ownership linkages are sufficient to tie the occupation of the annex to the main dwelling as ancillary accommodation.

It is reiterated that the change of use to ancillary accommodation is sought only for a temporary period of 5 years and that in planning terms it causes no material harm in terms of visual impact or adverse impact on neighbour amenity.

It is therefore requested that the temporary permission be granted.