

**Supporting statement for application ref**

**Change of use of existing dwelling house outbuilding to a separate 1 bed detached dwelling.**

**Date /3/2023**

**Applicant Mr David Pugh**

The applicant has submitted this application as a lay person and apologises for the omissions of the correct detail provided in the application ref PF/22/1121 and subsequent appeal APP/Y2620/W/22/3303744 and hopes that in this application corrects the errors and drawings and missing information and now clearly shows the merit in the granting of planning permission for the change of use requested.

The proposed change of use of the proposed 1 bedroom dwelling will be in the future to provide a suitable home for the applicants parent who is now 85 years old and currently living independently at her home which she owns (6 Brian Rd Leicester LE4 0AY). As time passes her need for more support would necessitate a move near to the applicant thus preparations are being made now with this change of use application.

Until the time the applicants mother needs the accommodation the applicant would rent the property to a local person providing a much needed smaller property in an area of predominately larger properties. The NNDC core strategy, local plans and neighbourhood development plans all make reference to provision for people with disabilities and allowing them to live in the community and this proposal clearly would provide provision to meet this aim. This proposal would comply with Part 3 of the town and country planning act 1990 amended section 63 (4) & 76 (1a)

The provision of an additional small property within the Happisburgh village would also assist in the NNDC policy of replacement of properties lost to sea erosion.

The proposed change of use to a 1 bedroomed dwelling is within a conservation area however the structure is existing and has been in place since construction in the 1990s therefore there would be no new or detrimental visual impact to the street scene other than the removal of the recently erected ornamental well in the driveway ( this is not a real well it is above a soak away utilising an old redundant septic tank).

This resubmitted and revised application for change of use provides additional clarification and information to support the application for a change of use to an existing outbuilding to a 1 bed dwelling and alterations to the driveway /parking provision to provide the NNDC required specified requirements for both the proposed 1 bed dwelling and existing dwelling house the Wishing Well. This application has taken into account all the objections raised by NNDC planning dept, Highways dept, and local parish council and reasons for the dismissal on appeal by the planning inspectorate.

The objections raised for application ref PF/22/1121 and subsequent appeal APP/Y2620/W/22/3303744 by NNDC planning authority were :-

The decision of the local planning authority had the application been determined As the appeal is against the failure by the local planning authority to give notice within the prescribed period of a decision on an application for planning permission, the council confirms it would have refused planning permission for the following reasons:

1. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that the proposed development would provide acceptable living conditions for its future occupiers and that there would not be harm to the living conditions of the occupiers of nearby dwellings. The proposal is therefore contrary to Policy EN 4 of the adopted North Norfolk Core Strategy.
2. The proposal does not incorporate adequate on-site vehicular parking and manoeuvring facilities to the standard required by the Local Planning Authority and would result in the loss of existing on-site turning facilities which in the opinion of the Local Planning Authority, would lead to the reversing of

vehicles onto the highway which would give rise to conditions detrimental to highway safety. The proposal is therefore contrary to Policies CT 5 and CT 6 of the adopted North Norfolk Core Strategy.

The Highways department raised safety issues were-

That could occur by vehicles reversing out of the driveway onto the highway and the lack of evidence of the correct provision of the correct sized spaces and number of them for the proposed two separate properties if approval was granted.

**This applications rectification of the above are :-**

**The issues raised regarding Highways issues have been clarified in this application with the detailed drawing that provides the evidence (ref DRW no 2023/3 & 2023/4 & 2023/6 ) that the NNDC and Highways required parking and turning provision can be provided within the proposed existing and proposed change of use dwelling and meeting the NNDC regulations and design guidance for parking spaces and turning areas required.**

**NO reversing out onto the highway would be required as the NNDC required dimensions for an on site shared turning area between the two separated proposed dwellings has been provided in DRW no 2023/4 & 2023/6 which the removal of the existing ornamental well from the driveway.**

**NO additional on street parking would be expected as in this application the amendment of the proposed dwelling reduced to a single bedroom property has reduced the NNDC requirement to a single space is proposed in this revised application. The existing Wishing Well dwelling house parking provision remains the same as existing as per the NNDC requirement of 3no parking spaces ref DRW no 2023/4 & 2023/6 .**

The effect of the proposal on the highway.

The application PF/22/1121 failed to provide detailed specific drawings to prove an acceptable parking and turning area for two properties ie 2no spaces for the proposed dwelling and 3no for the original dwelling house.

**The issues raised regarding Highways have been clarified with the detailed drawing that provides the evidence (ref DRW no 2023/4 & 2023/6 )that the NNDC and Highways required parking and turning provision has been provided within the proposed existing and proposed change of use dwelling.**

NNDC requirement for a GIRAMS approval.

The Local Planning Authority, as competent authority, cannot conclude it is satisfied that there is no reasonable doubt as to the absence of adverse effects on the integrity of European sites in relation to GIRAMS and Nutrient Neutrality. The proposal therefore conflicts with the aims of the Conservation of Species Habitats Regulations 2017 (as amended) and Policy EN 9 of the adopted North Norfolk Core Strategy. Planning Policies relevant to the determination of the appeal North Norfolk Core Strategy SS 1 - Spatial Strategy for North Norfolk SS 3 - Housing EN 4 – Design EN 8 - Protecting and enhancing the historic environment EN 9 - Biodiversity and geology

**This application would be in line with the need to not effect the environment. In Section 24 &25 of the appeal APP/Y2620/W/22/3303744 decision :- The NNDCPA has in appeal APP/Y2620/W/22/3297965 decision item 14 the LPA confirmed they are satisfied that the same development would have no adverse effect on the integrity of the habitat.**

Additional objections raised for application ref PF/22/1121 by the local parish council were :-

The Council objected to this application on the basis that the Council felt that the proposed application would cause highways issues and issues with lighting In order to minimise light pollution

**This application has accepted the parish council reconsiderations regarding external lighting ( Drw 2023/10 )**

**The Highways issue objection was not specific by the parish council therefore so rectified in the Highways answer within this application document.**

The comments raised by the appeals inspectorate for application ref PF/22/1121 in the appeal Section 5 & 6 of APP/Y2620/W/22/3303744 regarding NNDC ongoing enforcement action effecting his decision as doubt of if the existing structure complies with the planning permissions granted.

**This has be resolved by the NNDC enforcement department have now concluded their investigation and have confirmed No breach of planning has occurred and my current use of the structure is compliant. See Drw 2023/18 confirms All the enforcement actions have been concluded with no action by NNDC enforcement team other than closing the ongoing case regarding The Wishing Well.**

In Section 9 of the appeal APP/Y2620/W/22/3303744 the inspector who carried out the appeal stated there are two main issues which guided his decision ie :-

There is no clarity of adequate living conditions due to application PF/22/1121 failing to provide detailed specific drawings to prove an acceptable amount of windows and light within the structure and to prove the required space within the building to conform to the NNDCPA design requirement for a minimum 20 m<sup>2</sup> of habitable floor area.

**This application has provided clear details the habitable floor area in drw nos 2023/2 & 2023/3 which prove the area to be 34.54 m<sup>2</sup> which complies with NNDC authority minimum design requirement and also with a total floor area of 52m<sup>2</sup> exceeds the National guidance of a minimum new dwelling size 37m<sup>2</sup> for a total floor area.**

**There was reference by the appeals inspector to the legitimacy and drawings with room window position evidence of the existing windows which the attached drawings ref DRW no 2023/5, 2023/1, 2023/2 clarifies.**

Amenity space requirement

**This application conforms to the North Norfolk Design Guide which states that: "Private garden areas should be of adequate size and shape to serve their intended purpose. They therefore need to reflect the likely number of occupants within each dwelling and have an aspect which is substantially free from shading from trees and buildings during the year. It is therefore recommended that the area of a plot given over to private amenity space should normally be no less than the footprint of the dwelling on that site". Drw 2023/6 & 2023/16 shows the proposed amenity space to be 46.32 m<sup>2</sup> which is in excess of the building footprint which is 40.64m<sup>2</sup>.**

Access to the proposed building

**The proposed buildings access via the existing door to the North elevation as shown on Drw 2023/5, therefore no realistic effect on the privacy of all the surrounding dwellings including the Wishing well.**

General items

**The designation of the area as a conservation area has no bearing on this application as there is no development or visual changes that impact the conservation area or surrounding properties.**

**The existing structure is more than 1 meter from all other dwellings boundaries including the Wishing Well the donor property in this application and has NO additional windows required and no high level windows overlooking neighbouring properties other than a single window overlooking the donor property the wishing well however this is a bathroom window with obscured glass .**

**This applications existing structure is set well back from the frontage boundary and is in line or behind the main existing street scene line of buildings line and is of course existing therefore the proposed Class C3 1 bedroom dwelling change of use of the structure as in keeping and infill occupancy. The existing structure and proposed continues to not extending towards the road frontage any further than the adjoining properties either side ie Wayside Stores & Farthings.**

Policy and regulations

The town and country planning (use classes order 1987 provides the category of Class C3 Dwelling usage for both the existing use and proposed use, would not be effected by this application. Guidance states - Movement from one primary use to another within the same use class is not development, and does not require planning permission. **This application for a change of use does NOT change the use.**

Paragraph: 012 Reference ID: 13-012-20140306 -Revision date: 06 03 2014. The North Norfolk core strategy clearly identifies need for smaller properties see section 3.2.2 Dwelling Mix and Type The Strategic Housing Market Assessment (SHMA) (iii) identifies a preponderance of larger, detached dwellings in the existing housing stock / it is important to use new housing development to address this shortage of smaller starter homes and this is proposed by requiring a high proportion of all new homes to be smaller property. **The applicant proposes this application meets this policy.**

#### **Local Plans, Core strategy, Neighbourhood development plans**

All have content promoting the need to allow smaller properties in areas where there is demand to retain local people in property of a suitable size for their needs.

The NNDC core strategy, local plans and neighbourhood development plans all make reference to provision for people with disabilities and allowing them to live in the community and this proposal clearly would provide provision to meet this aim.

Approval of this application would provide a much needed smaller property in this area and much needed dwelling more suitable for the high number of the elderly likely to have disability needs and with a disability requiring a 24/7 carer. This proposal would comply with Part 3 of the town and country planning act 1990 amended section 63 (4) & 76 (1a).

The North Norfolk core strategy clearly identifies need for smaller properties see section 3.2.2

**Dwelling Mix and Type** The Strategic Housing Market Assessment (SHMA) (iii) identifies a preponderance of larger, detached dwellings in the existing housing stock / it is important to use new housing development to address this shortage of smaller starter homes and this is proposed by requiring a high proportion of all new homes to be smaller property, the applicant proposes this application meets this policy

#### **The National Government Permitted development Act**

The re purposing of existing structures to provide much needed homes is a core element to its existence.

#### **Summary**

**Approval would not increase in future traffic usage of both the new or/and existing dwelling house within the boundaries of the land as there is NO overhaul size increase of dwelling accommodation with the combined accommodations to the existing use.**

**Approval would not create additional on street parking as approved parking provision has been fully provided within the parking area.**

**Approval would not require any vehicles to reverse out either of the separate properties as a approved turning area has been provided.**

Approval would create a new 1 bedroom dwelling house with adequate space and amenity as the provision exceeds local and national guidelines to space provided.

Approval would not create any detrimental lighting to the area as provision has been included in this application works specification.

Approval would not result in any detrimental visual impact to the street scene as the proposal is visually as existing .

Approval of this application of a change of use would not affect the privacy and visual impact to the surrounding domestic dwelling houses as the use and new 1 bedroom dwelling in this proposal is as existing.

Approval would provide a future solution to a social need in enabling supported independent living in her own home for the applicants 85 year old mother due to being able to live close to a number of relatives who already live in the village in the existing adjoining dwelling house.

Approval would be a benefit to the village by approving the change of use of the structure by improving the diversity of the local housing provision within the Happisburgh area.

Approval would provide additional revenue to the Local area as local rates would apply separately to the new dwelling.

Approval would provide a coastal erosion replacement home within the village outside the erosion bands.

Approval would not practically effect the domestic dwelling usage of the structure.

For the reasons set out in this statement and specified drawings submitted the applicant respectfully requests approval as all reasons stated for refusal in past applications have been rectified in this application.

If there are any further information required please do not hesitate to contact me.

Regards

Mr David Pugh

Wishing Well, The Street, Happisburgh, Norfolk. NR12 0AB