

## Supporting Statement

for: **Application for a Lawful Development Certificate for an Existing Use**

at: **'Johnnies Barn', part of Lime Kiln Cottage, Holt Road, Cley-next-the-Sea NR25 7TZ**

### Introduction

This application for a Lawful Development Certificate, for an existing use, is submitted to North Norfolk District Council Planning Section to seek regularisation of a current (existing) holiday let use of a previously converted annexe building within the grounds of Lime Kiln Cottage, Holt Road, Cley-next-the-Sea, Holt, Norfolk NR25 7TZ.

The following details and evidence have been collected and are presented in support of the application made. Specific documents relative to support this application are submitted alongside this covering document.

### The Site, and Planning History

Lime Kiln Cottage has the following Planning History associated with it. (Information taken from the NNDC Planning website) It's location within the village is presented on the supporting plan.

Remove - Small Yew & Elder to south of property - Replant with 1 Damson to west boundary area -Prune back on main stem of Holm Oak below split at 4m from ground level  
Ref. No: TW/23/1044 | Status: Raised No Objection

CONVERSION OF BARNs TO ANCILLARY RESIDENTIAL ACCOMMODATION  
Ref. No: PF/05/0873 | Status: Decided

Conversion of existing detached outbuilding to single bedroom holiday let  
Ref. No: IS2/20/0059 | Status: Advice Given

PROPOSED COVERSION OF OUTBUILDINGS INTO STUDIO/ HOBBY ROOM  
Ref. No: PF/74/0403 | Status: Decided

UTILITY ROOM AND STORE  
Ref. No: HR/75/0992 | Status: Decided

The applicable reference to this application is PF/05/0873, detailed above, which permitted the conversion of barns on the site to ancillary residential accommodation, and which was approved on 25<sup>th</sup> July 2005, and works subsequently completed on 29<sup>th</sup> March 2009.

## History and Use of Development

With the approved works under PF/05/0873 being approved in 2005, and completed March 2009 the converted accommodation was used by the applicant as ancillary habitable space until August 2013.

During the initial period of conversion, the applicant suffered a change in personal circumstances which included significant reduction in earning ability, income, and assets. The barn was rarely used as ancillary accommodation due to the family structure and needs being altered. By 2013, the applicant was divorced, and having to rent accommodation in London where their son was attending school. Living costs had also increased at that time, in part as a result of the change in personal circumstances and letting out the converted barn as a small-scale self-catering accommodation was the only means of continuing to cover all associated costs of the property. The change of use from ancillary residential to small-scale holiday let was not sought at that time as the applicant had been advised that they could run the conversion as Bed and Breakfast accommodation following a visit by, and on-site discussion with, an officer from NNDC. The applicant was not aware of any potential breach of planning regulations at the time.

The current use, as small-scale holiday let accommodation, has been continuous since being agreed with the same Letting Agency in April 2013 and actioned in July 2013, and has been advertised and let throughout that period, with consistent lettings, confirmed by the Lettings Agency in their supporting letter submitted with this application. This is also confirmed by .pdf statements connected to the Lettings Agency, which are available to provide further confirmation, and cover the period from August 2013 to September 2023.

## Supporting Evidence and Justification for Lawful Development

The original approval notice, issued on 25<sup>th</sup> July 2005, for application PF/05/0873 contained four conditions, and all are compliance conditions. The relevant condition for consideration in this Lawful Development application is condition 3. Which states:

*3) The accommodation hereby permitted shall be occupied solely for purposes which are incidental to the use of the property as a dwellinghouse and shall not be used as a separate dwellinghouse or as holiday accommodation.*

*Reason for condition:*

*3) The site lies in an area of Countryside as defined in the North Norfolk Local Plan whereby proposals for new independent dwellinghouses are not normally permitted, and the restriction is necessary to accord with Policy 5 of the adopted North Norfolk Local Plan. In addition, the site is in an area at risk from flooding (Policy 48) and the existing vehicular access is considered unsuitable for additional movements associated with a separate residential unit. (Policy 148)*

On the reasons for condition 3, the vehicular access was subsequently improved via planning approvals granted to adjoining properties after 2005, with further approvals being granted by North Norfolk District Council after 2005 to allow conversion of further barns to a dwelling which is served by the same access to the public Highway. These are dated 2015, and all works associated with these have been completed. The access widening was improved to facilitate separate residential unit after the 2005 approval in this instance.

The evidence presented in this application to support the Lawful Development is as follows:

- 1.) Letter from the 'Blakeney Cottage Company' – The sole Letting Agent since agreement in April 2013 and actioned in July 2013, which confirms that they have acted on behalf of the applicant since July 2013, and the property has been let throughout the year, every year. It also confirms that parking is provided on site within the allocated parking area for Lime Kiln Cottage.
- 2.) Copy of the signed agreement with the Blakeney Cottage Company – July 2013.
- 3.) .pdf statement copies provided (subject to any commercial sensitivity being omitted/censored etc) which cover the period of lettings with the Blakeney Cottage Company.

With the converted barn being used as private ancillary accommodation from its completion in March 2009 until April 2013, and then its use changed to a small-scale holiday let from July 2013 to present day, for the reasons stated in the previous section, the current use as a holiday let accommodation has been continuous for a period of 10 years and 4 months since agreement and action was made with the sole Lettings Agency from July 2013.

A previous pre-application enquiry in 2020 was submitted to establish principle of converting a large outbuilding to the front of the site into a unit of holiday accommodation. The response received on this was favourable, citing the following information:

*'Policies SS2 and EC2 permits the principle of the conversion of buildings in designated 'Countryside' policy areas where they meet a range of policy criteria, including the building being structurally sound and suitable for conversion without extensive works. Therefore, subject to the submission and acceptability of a structural survey with any future planning application, the principle of the conversion of the building to tourist accommodation is considered acceptable and complies with the requirements of Policies SS2 and EC2 of the adopted Core Strategy.'*

This establishes the principle of holiday accommodation within the immediate area is viable and could be supported. Likewise, the principle of converting a building for holiday use is acceptable as no amendments to the physical form of the previously approved ancillary conversion were made. Therefore, the existing use as a holiday let ensures the building retains its character as part of the wider area and should be compliant with Policy EN8 of the adopted Core Strategy, and Section 16 of the NPPF.

Officer opinion on the pre-application enquiry also allowed for sufficient parking provision on the site for two properties, which in that case was for Lime Kiln Cottage and a possible holiday accommodation unit, which was ultimately not pursued with via a further planning application.

It is believed that to regularise the planning situation to confirm the current use, this application with the submitted evidence as presented demonstrates the use has been continuous for longer than a period of 10 years and is now exempt from Planning enforcement to the relevant condition 3. of planning permission granted under PF/05/0873.

# Norfolk and Norwich Architecture Ltd.

A proactive approach towards successful determination is desired, and if the Local Authority, or one of the consulted parties require additional information, or wish to discuss the information and evidence submitted, please contact Norfolk and Norwich Architecture Ltd.

Prepared by

**Simon Pegg**

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