

## **Committee Report**

**Item 7D**

**Reference:** DC/21/00101  
**Case Officer:** Averil Goudy

**Ward:** Thurston.

**Ward Member/s:** Cllr Harold Richardson. Cllr Wendy Turner.

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Planning Application - Change of use of Common Room to dwelling house (bungalow) to include parking upgrades. (Retention of works to building under COVID 19 permitted development).

### **Location**

8A School Close, Norton, Bury St Edmunds, Suffolk IP31 3LZ

**Expiry Date:** 10/03/2021

**Application Type:** FUL - Full Planning Application

**Development Type:** Minor Dwellings

**Applicant:** Mid Suffolk District Council

**Agent:** N/A

**Parish:** Norton

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** Yes - DC/20/01566

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

The application site is owned by Mid Suffolk District Council and Mid Suffolk District Council is the applicant.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF - National Planning Policy Framework

CS01 - Settlement Hierarchy

CS05 - Mid Suffolk's Environment

FC01 - Presumption In Favour Of Sustainable Development

FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development

GP01 - Design and layout of development

H16 - Protecting existing residential amenity

H19 - Accommodation for special family needs

T09 - Parking Standards  
T10 - Highway Considerations in Development

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

#### **A: Summary of Consultations**

##### **Town/Parish Council**

###### **Norton Parish Clerk**

The Council has no comment to make on this application as the work has already been undertaken.

##### **County Council Responses**

###### **SCC - Highways**

No objection, subject to condition.

###### **SCC - Rights of Way Department**

No comments received.

##### **Internal Consultee Responses**

###### **Strategic Asset Management**

No comments received.

#### **B: Representations**

At the time of writing this report no representations have been received.

### **PLANNING HISTORY**

No relevant planning history.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1. The application site is a modest plot comprising of seven single storey buildings. Nos. 1 to 8 School Close were formerly used as sheltered housing accommodation. The residential units are now used as general needs housing. The building is made up of eight residential units, with a central building being the former shared common room.

- 1.2. The site is within the defined settlement (Built Up Area) boundary of Norton. The nearest neighbours are nos. 9 to 12 School Close to the west and Long Ridge to the south. Norton C of E Primary School is situated to the northwest.
- 1.3. School Close is accessed via The Street in Norton. The parking area is situated within a layby on School Close, to the west of the application site. There is a mature hedgerow to the northern and eastern boundaries of the site. School Close is also a Public Right of Way (PROW) which continues north.

## **2.0 The Proposal**

- 2.1. The proposal seeks planning permission for the change of use of the common room to a dwellinghouse to include parking upgrades. The works have already been completed using Permitted Development Rights; thus, the proposal seeks to retain these works following the expiry of the emergency Covid-19 Permitted Development Rights.
- 2.2. The common room was previously intended to provide a focal point for the tenants within the sheltered housing units. However, owing the fact that site has been de-sheltered and as services have reduced, the common room has fallen into disuse and is no longer required.
- 2.3. The change of use works included the conversion of the common room into a two-bedroom residential unit, to include a living room, kitchen and two bathrooms. The proposal does not seek any extension to the existing building.
- 2.4. The application seeks the retention of the following alterations to the fenestration of the building: Change from double to single access door and change to the window arrangement to western elevation; Change to window arrangement on northern elevation; Change of window arrangement on the southern elevation; and addition of window to the eastern elevation. In addition, black Hardi plank cladding has been introduced to areas where glazing or uPVC panels have been removed.
- 2.5. The proposal also seeks the retention of the alterations to the parking arrangements. The parking is located within a layby on School Close to the west of the site. As part of the conversion works, an additional seven parking spaces have been provided on site, to which six are general use and one is for disabled use. The total parking provision is therefore six general use parking spaces, three disabled spaces, and an ambulance drop off/pick up area.

## **3.0 The Principle Of Development**

- 3.1. In 2020 the Government released updated Permitted Development Rights to allow for emergency development by a Local Authority or a health service body. The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020 allows for development by/on behalf of a local authority on land within their ownership/leased/occupied or maintained by it for preventing an emergency, reducing, controlling or mitigating the effects of an emergency or taking other action in connection with an emergency.
- 3.2. The change of use of the common room to a dwellinghouse at School Close has been completed under these Permitted Development Rights. The Permitted Development Rights were temporary and expired on 31<sup>st</sup> December 2020. After this date, the Rights require the use to cease and within the 12-month period following the date the use ceased the land must be restored to its previous condition.

- 3.3. Planning permission is therefore sought to retain these works to create a permanent two-bedroom general needs residential unit within an established development.
- 3.4. Determination of the application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019, which requires proposals which accord with an up to date development to be approved without delay. However, various factors affect whether a development plan can be considered 'out-of-date'.
- 3.5. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old. Policies should be given weight according to their consistency with the NPPF.
- 3.6. Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker. There will be many cases where restrictive policies are given sufficient weight to justify refusal despite their not being up to date.
- 3.7. Policies GP1, H16, H19, T09 and T10 of the Mid Suffolk Local Plan (1998) and policies CS1 and CS5 of the Mid Suffolk Core Strategy are the most relevant policies for assessing this application. Full weight is given to these policies as they are consistent with the aims of the of the National Planning Policy Framework 2019 in terms of achieving sustainable development.
- 3.8. The Council can currently demonstrate that it has an adequate 5-year housing land supply measured at 7.67 years.
- 3.9. Policy CS01 of the Core Strategy Development Plan states that the majority of new development will be directed to settlements included in the Settlement Hierarchy, with a primary focus on towns and key service centres. Some provision is also given to meeting the local housing needs in primary and secondary villages. The application site is within the settlement boundary for Norton, designated as a primary village in the Core Strategy Settlement Hierarchy.
- 3.10. The principle of development in terms of creating a permanent two-bedroom residential unit is acceptable, subject to compliance with the detailed requirements of policies GP1, H16, H19, T09 and T10 which are considered below.

#### **4.0 Nearby Services and Connections Assessment Of Proposal**

- 4.1. The application site is within the settlement boundary for Norton, designated as a primary village in the Core Strategy Settlement Hierarchy (CS1). As a primary village, provision is given for housing which meets local housing needs. Norton is considered to be served with sufficient facilities and services to meet daily needs. It benefits from a Primary School, Village Hall, Recreation Grounds, Public House, Service Station and Convenience Store and a Bed and Breakfast. There is also a daily bus service (3 or 4 services a day) to Stowmarket and Bury St Edmunds.
- 4.2. Thus, as an application for general needs housing, the proposal is considered to be in accordance with the requirements of CS1.

#### **5.0 Site Access, Parking And Highway Safety Considerations**

- 5.1. The proposal seeks the retention of works to create a new two-bedroom residential unit and parking upgrades, such that it engages parking considerations. In respect of policies T09 and T10 of the Local Plan and Paragraph 109 of the NPPF, development should not adversely affect the highway network and associated safety.
- 5.2. The parking is located within a layby on School Close to the west of the site. As part of the conversion works, an additional seven parking spaces have been provided on site, to which six are general use and one is for disabled use. The total parking provision is therefore six general use parking spaces, three disabled spaces, and an ambulance drop off/pick up area.
- 5.3. In accordance with the adopted Suffolk County Council Guidance for Parking, a two-bedroom property is required to have two parking spaces.
- 5.4. The Highways Authority have been consulted on the application and have no objection, subject to the implementation of a condition the parking and manoeuvring areas on site. Given that the works have already been completed, it is not considered necessary to impose the condition.
- 5.5. In summary, the proposed development is providing a significant betterment of the parking arrangements. There are no impacts on highway safety significant to warrant refusal.

## **6.0 Design And Layout**

- 6.1. The proposal seeks retention of works completed under Covid-19 Permitted Development Rights to create a new two-bedroom residential unit and parking upgrades at School Close. The proposal does not seek any extension to the existing building. The external fenestration has been altered to facilitate the change of use and comply with Building Regulations.
- 6.2. Section 12 of the NPPF requires inter alia that local planning authorities seek to promote and reinforce local distinctiveness as well as design. Paragraph 127 of the NPPF states that decisions should ensure that developments, amongst other things, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character, and function well and add to the overall quality of the area.
- 6.3. Mid Suffolk Policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings, and respect the scale and density of surrounding development, materials and finishes should be traditional, or compatible with traditional materials and finishes and should respect local architectural styles where appropriate.
- 6.4. The alterations to the external fenestration and materials were required to make the building a habitable residential unit and comply with Building Regulations. The alterations are appropriate and of a detailed design having regards to the host building and surrounding area. The materials are complementary and in keeping with the host building and wider area. The proposal is considered to not constitute over development of the plot and not harm local distinctiveness. As such the proposal is considered to be in accordance with Local Plan Policy GP1 and Paragraph 127 of the NPPF.

## **7.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

- 7.1. The proposal would not affect the existing trees or landscaping. Due to the residential land use of the site without significant landscaping the proposal is not considered to risk harm to protected species or biodiversity.

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

8.1. N/A

## **9.0 Heritage Issues**

9.1. There are no nearby heritage assets that would be affected by the proposed development. The application is acceptable in this regard.

## **10.0 Impact On Residential Amenity**

10.1. The site is within a residential area, with a mixture of single-storey and two-storey detached and semi-detached properties. The building subject to the conversion is situated centrally within the existing general needs residential complex. Views of the proposal are achievable from the highway and surrounding residential properties. However, the proposal seeks the retention of a change of use and minor external alterations only. The building is in keeping with the existing built form. The proposal is not considered to have a detrimental impact on the visual amenity of any nearby properties.

10.2. Whilst the proposal would result in an increase in fenestration to the east (rear) elevation, the outlook and views are across agricultural fields to the east. In respect of the other fenestration alterations (including the changes to the window arrangements) these views are existing. Given the layout of the buildings, the proposal is not considered to result in any direct overlooking or loss of privacy.

10.3. The betterment of the parking area would not have an adverse impact on the residential amenity of any neighbouring properties. The increased parking provision would reduce congestion and highway parking to the benefit of nearby properties and primary school to the north.

10.4. It is considered that the proposal will not have a significant impact on residential amenity of any nearby properties to warrant refusal of the application.

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## **PART FOUR – CONCLUSION**

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### **13.0 Planning Balance and Conclusion**

13.1. The change of use of the common room to a dwellinghouse to include parking upgrades has been completed under the emergency Covid-19 Permitted Development Rights. A two-bedroom dwellinghouse in this location is in keeping with the existing character and form of the development and surrounding area. The proposed parking upgrades result in a betterment of the site overall, such that it would not impact highway safety. The proposal would have no detrimental impact on the privacy and amenity of nearby neighbouring properties. The proposal would not result in a significant impact to any heritage assets. Overall, the retention of these works is not considered to result in any demonstrable harm to any matter of planning substance and this proposal seeks to make good alternative use of the former common room.

13.2. The proposal accords with the NPPF and policies with the Development Plan and is therefore considered acceptable. This application is recommended for approval pursuant to its compliance with Local Plan policies GP1, H16, H19, T09 and T10 and Section 12 of the NPPF.

## **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to GRANT planning permission.

**(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Standard time limit
- Approved Plans (Plans submitted that form this application)

**(2) And the following informative notes as summarised and those as may be deemed necessary:**

- Pro active working statement