



Appeal Decision

Site visit made on 25 January 2022

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 1st April 2022

Appeal Ref: APP/L2630/W/21/3277607

Waveney House, Bungay Road, Scole, Norfolk IP21 4DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Teresa Griffin against the decision of South Norfolk Council.
 - The application Ref 2021/0663, dated 30 March 2021, was refused by notice dated 25 May 2021.
 - The development proposed is the conversion and extension of an existing garage to form a holiday let.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of an existing garage to form a holiday let at Waveney House, Bungay Road, Scole, Norfolk IP21 4DX, in accordance with the terms of the application, Ref 2021/0663 dated 30 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 808-01 (Existing Plans, Elevations and Sections), Drawing No. 808-02 (Revision B) (Proposed Plans), Drawing No. 808-03 (Revision B) (Proposed Elevations & Sections) and Drawing No. 808-04 (Site & Location Plans).
 - 3) The premises shall be used for holiday use and for no other purpose. No person shall occupy any part of the accommodation for a period exceeding six weeks. Furthermore, no person shall occupy the accommodation within a period of two weeks following the end of a previous period of occupation by the same person.

Main Issue

2. The main issue is whether the proposed extension comprises “major extension” for the purposes of local policy.

Reasons

3. Policy DM2.10 of the South Norfolk Local Plan 2015 (the SNLP) states that the change of use and conversion of buildings in the countryside for employment uses (including holiday accommodation) will be supported where, amongst other matters, the building(s) to be re-used are standing and of adequate

external dimensions to accommodate the proposed use, without the need for the erection of major extensions.

4. The supporting text sets out that the policy's purpose is to avoid harm to the character and appearance of the building, setting and countryside. The Council will additionally have regard to the possible effect on the amenity and living conditions of neighbouring occupiers and the environment including important habitat and species which are protected under legislation.
5. The garage proposed for conversion is a small single storey structure which lies between the host dwelling and an existing unit of holiday accommodation.
6. Policy DM2.10 does not define "major extensions". However, it does not suggest that the need for an extension in such circumstances automatically results in unacceptable conflict with the development plan. The appellant submits that the proposed extension would comprise an increase in internal floor area of 12%, and this is uncontested by the Council. The proposal would consequently result in an increase in the floor area of the garage so limited that, in the absence of substantive contradictory evidence, it would not be a disproportionate addition and could not be described as "major".
7. The policy concern is the only reason for refusal referred to by the Council. I do not identify the proposal to cause any unacceptable harm with regard to the matters set out in the policy's supporting text, as indicated above.
8. Thus, the proposed extension does not comprise "major extension" for the purposes of local policy. The proposal consequently complies with Policy DM2.10 of the SNLP, the aims of which are set out above. Further compliance exists with Policy DM2.12 of the SNLP, which requires proposals to comply with Policy DM2.10.

Conditions

9. The plans condition is imposed because this creates certainty for all parties.
10. A condition limiting the new accommodation's occupancy to holiday use only is necessary in view of its unsuitability for permanent occupation due to its limited scale, and in accordance with the provisions of Policy 2.12 of the SNLP.
11. I have not imposed the suggested condition to require the keeping of an occupancy register because it has not been demonstrated to be reasonable and because the planning authority may enforce the occupancy condition, bearing in mind their powers of investigation and particularly to issue a Planning Contravention Notice under section 171C of the Town and Country Planning Act 1990.

Conclusion

12. There are no material considerations that indicate that the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

C Beeby

INSPECTOR