

Application for Determination

Parish: Smallburgh

Reference: BA/2013/0008/FUL **Target date:** 22.03.2013

Location: The Old Post Office, School Lane, Smallburgh

Proposal: Change of use from former post office to residential

Applicant: Miss Shadow Hall

Recommendation: Approve subject to conditions

Reason referred to Committee: Third party objection

1 Description of Site and Proposals

- 1.1 The site is within the small rural parish, Smallburgh, on the main A149 through road which runs from Smallburgh to North Walsham (Yarmouth Road). The application site is a small plot containing a two storey semi-detached property with residential accommodation to the ground floor rear and first floor. A former Post Office and general store area is situated on the ground floor front, facing Yarmouth Road. A garden area extends out to the north side of the property. The property's residential accommodation shares a rear access with the neighbouring property known as 'The Post Office Cottage'. This access exists to the south of the plot off School Road. The Post Office and general store had no official customer parking area but customers tended to park on a small lay-by/bus stop which sits immediately adjacent to the application site.
- 1.2 The surrounding area is predominately residential with a car sales garage situated opposite the application site and a public house to the north.
- 1.3 The application is for the change of use of the former Post Office and general store area into residential space to be used as an extension to the existing residential accommodation. The former Post Office and store area is approximately 33m².

2 Site History

In 1988 the separation of ex. dwelling into two dwellings plus extension to rear of Post Office was approved- BA/1988/3464/HISTAP

3 Consultation

Broads Society - No objection provided that:

- A viability study confirms that the present use of the building would be uneconomic.
- It is important that local views are given due weight.

Parish Council - No comments.

District Member - No response.

North Norfolk Planning Department - No response.

Highways Authority - No objection as there are existing off-street parking arrangement for the residential accommodation which accords with the current standards.

4 Representation

1 Neighbour objection on ground of:

- They have use of our driveway to access their property. There is only room for one car, as there are now two cars, this means they have to reverse out onto School Road
- Parking turning area (of the residential accommodation) should be big enough to take two vehicles
- Shame to have shop closed permanently
- Customers parking in the lay-by seemed to work

5 Policies

5.1 Adopted Core Strategy (2007)
[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS22- Preservation of Employment Sites

5.2 Adopted Development Management Plan DPD (2011)
[DMP DPD - Adoption version.pdf](#)

DP11- Access on Land

DP27- Visitor and Community Facilities and Services

5.3 Material Planning Consideration- National Planning Policy Framework (2012)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

6 Assessment

6.1 The main issues to consider in the determination of this application are the principle of the development, impact on highways and impact on neighbouring amenity.

6.2 Principle

6.2.1 In terms of the principle of the development, community facilities, such as shops and Post Offices provide essential services that contribute to the sustainability of communities. The loss of such facilities would result in people having to travel further to meet their everyday needs, which can have a particularly adverse impact on those who do not have the ability to travel easily, such as the elderly, as well as undermining the creation of sustainable communities. Accordingly, both the NPPF and the Development Plan Policies support the retention of local services and community facilities in villages. Specifically, Policy DP27 of the Development Management Policy Development Plan Document (2011) sets criteria for their protection.

6.2.2 In order to maintain a level of local servicing, the Authority will therefore seek to protect existing community facilities and services and will only approve proposals which would lead to their loss where it can be robustly demonstrated that the facility is no longer suitable or viable for its community use. Development proposals that would result in the loss of existing community facilities will therefore be expected to robustly demonstrate that the business is no longer economically viable through the submission of relevant financial information in the form of a viability assessment. Policy DP27 specifically explains that proposals for a change of use will only be considered appropriate subject to the satisfaction of two criteria, namely if there is an equivalent facility available in the locality to serve the same need (criteria a) or it can be demonstrated via a viability assessment that the current use is economically unviable (criteria b). The applicant has submitted information which goes some way to justify the change of use and prove the use as unviable.

6.2.3 The information which has been submitted by the applicant argues that the premises are no longer viable as a Post Office/ village store due to the changes in the way the Post Office remunerates its operators, changes in shopping habit and patterns, plus the availability of more choice locally in, for example, Stalham. No information has been provided covering the last three years of accounts as the premises have been disused. The period of closure is likely to have severely compromised the viability.

6.2.4 An independent surveyor, on behalf of the Authority, has undertaken an assessment of the information submitted by the applicant to test its robustness. This assessment concluded that whilst the trading accounts for the last three years has not been submitted as evidence of viability in order to demonstrate compliance with policy DP27, taking into account the location, type of property and the potential for a general store business, it is not

considered that the property would be viable as a shop. On this basis, it is considered the applicant has therefore demonstrated non-viability in accordance with policy DP27. It is also acknowledged that whilst the NPPF is supportive of the retention of local services and community services in villages it also outlines that planning policies should avoid long term protection of sites where there is no reasonable prospect of the site being used for that purpose. It is therefore, regrettably concluded that the proposal to convert to full residential is acceptable in this instance.

6.3 Highways

6.3.1 In terms of the impact on highways, it is considered that there would be a significant improvement in highway safety, as whilst utilising the shop customers were parking in a small lay-by which contains a bus-stop, off a busy through-road, Yarmouth Road. On occasions the bus had to stop off the lay-by and in the main road whilst customers were parked in the lay-by. The removal of the shop will limit the use of the lay-by and improve the highways issue. It is therefore considered that highway safety would be improved as a result of the proposal. The Highways Authority is satisfied that the appropriate level of off-road parking is being provided for the residential use and therefore has no objection.

6.4 Neighbouring Amenity

6.4.1 Given the site is predominantly residential it is not considered that the conversion of the front room to use as further residential space would be such a change to cause a disturbance to neighbouring residents. In terms of the shared driveway and parking issue, this is a situation that exists and as only one unit of accommodation would remain, the proposal being effectively an extension to the existing use, it is not considered that the situation would be further exacerbated by the change in use. It is therefore considered that there will be no adverse impact on neighbouring amenity as a result of the proposals.

7 **Conclusion**

7.1 Policy DP27 requires that proposals for the change of use of community facilities and services will only be permitted if (a) there is an equivalent facility available in the locality to serve the same need or (b) it can be demonstrated that the current use is economically unviable. It is considered that the applicant has demonstrated compliance with both criteria (a) and (b) of policy DP27 of the Development Management Policies DPD (2011) and the proposal is subsequently considered to be acceptable.

8 **Recommendation**

8.1 Approve subject to the following conditions:

- Time limit
- Plans submitted

9 Reasons for Recommendation

- 9.1 In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with National Planning Policy Framework and policies CS22 of the Core Strategy (2007) and DP11, DP27 and DP28 of the Development Management Policies DPD (2011).

Background papers: BA/2012/0008/FUL

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List of Appendices: APPENDIX 1: Site Location Plan

APPENDIX 1

