

<b>ITEM:</b>		<b>RECOMMENDATION:</b> REFUSAL
<b>REF NO:</b>	3PL/2018/1150/F	<b>CASE OFFICER</b> Mark Simmonds
<b>LOCATION:</b>	ATTLEBOROUGH Land off Long Street Attleborough	<b>APPNTYPE:</b> Full <b>POLICY:</b> Out Settlemnt Bndry <b>ALLOCATION:</b> N <b>CONS AREA:</b> N <b>LB GRADE:</b> N <b>TPO:</b> N
<b>APPLICANT:</b>	Mr David Reynolds c/o Agent	
<b>AGENT:</b>	Plandescil Ltd 42-44 Connaught Road Attleborough	
<b>PROPOSAL:</b>	Residential dwelling on existing agricultural unit to provide housing for farm manager	

**REASON FOR COMMITTEE CONSIDERATION**

This application is referred to Planning Committee as it has been called in by a Ward Councillor.

**KEY ISSUES**

Principle of development  
Essential need for dwelling  
Impact on the character and appearance  
Impact on neighbouring amenity  
Highway impact and safety  
Other Matters

**DESCRIPTION OF DEVELOPMENT**

The proposal is for the erection of a residential dwelling on an existing agricultural unit to provide housing for a farm manager.

**SITE AND LOCATION**

The site is on land off Long Street, Attleborough which is to the west and outside of the defined settlement boundary of Attleborough. The site area is 830 sq. metres. The existing use of the site is described as agricultural and storage.

**EIA REQUIRED**

No

**RELEVANT SITE HISTORY**

3AG/2018/0018/AG- Prior approval application for a Dirty Water Lagoon -Prior approval not required.  
(30/07/2018)

3AG/2018/0012/AG - Application for prior approval for an Agricultural store-No prior approval required.  
(13/06/2018)

### **POLICY CONSIDERATIONS**

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.09	Pollution and Waste
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

### **OBLIGATIONS/CIL**

Not applicable

### **CONSULTATIONS**

#### **ATTLEBOROUGH TC**

Supports the proposals.

#### **NORFOLK COUNTY COUNCIL HIGHWAYS**

The site is located some distance from the highway and is served by an existing farm track which joins Long Street via an existing surfaced access shared with Anglian Water.

The access arrangements have recently been altered so that the farm track now directly connects into Long Street and mud and debris are being transported out onto the highway.

For the avoidance of doubt my response is made in respect of the details included on Drawing 23785/SK03 which shows the original access being reinstated and a hedge planted where the unauthorised access has been established.

On the basis that the dwelling is required in connection with the adjacent farm holding and that no new access will be created onto Long Street I would not wish to raise an objection in principle. Recommend conditions.

**CONTAMINATED LAND OFFICER**

Recommends conditions

**REPRESENTATIONS**

The site notice was displayed from 24.10.2018 - 14.11.2018 and two neighbours consulted

No representations have been received.

**ASSESSMENT NOTES**

1.0 Principle of development

1.1 The application seeks planning permission for the erection of a residential dwelling for a farm manager which the planning statement confirms is for the applicants son whom works for the business. The application site is not within a defined Settlement Boundary. The proposal would therefore conflict in principle with policies SS1, DC2 and CP14 of the Core Strategy and Development Control Policies Development Plan Document (2009), which seek to focus new housing within defined Settlement Boundaries.

1.2 However, paragraph 11 of the NPPF (2019) states that where an authority does not have an up-to-date Development Plan or five year housing land supply, the relevant local policies for the supply of housing, as referred to above, should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.3 The Statement of Five Year Housing Land Supply as at 31st March 2018 was confirmed at the Planning Committee on the 30th July 2018. The five year supply is not being currently met, although the council will prioritise work on establishing a five year housing land supply target. The emerging new local plan is currently at examination and when adopted, new policies and allocations will be able to be included within the five year housing land supply, which will ensure the Council is able to meet this. In these cases the NPPF makes provision, in principle, for Local Planning Authorities to positively consider sites that are not within defined Settlement Boundaries. This must be balanced against other policy requirements and aims including securing sustainable development, protecting the countryside, and good design.

1.4 The NPPF constitutes guidance for LPAs and decision takers, and is a material consideration in the determination of planning applications to achieve sustainable development. The NPPF identifies three objectives of sustainable development:

- Economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places
- Social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services and
- Environmental, through the protection and enhancement of the natural, built and historic environment.

1.5 Paragraph 8 of the NPPF also stresses that these objectives are interdependent and need to be pursued in mutually supportive ways; therefore, a balanced assessment against these three roles is required.

1.6 In terms of the economic criteria, the proposal would provide one additional dwelling and would therefore make a positive, albeit small, contribution to the housing supply and longer-term economic benefits through the additional household spend within the wider area that would be generated.

1.7 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. The site is outside of the defined settlement boundary which has very limited services and facilities within the immediate locality, poor footpath links and very limited bus service.

1.8 The site is approximately 2 miles from the centre of Attleborough, therefore residents of this proposed dwelling would be reliant on a private vehicle to meet their needs. There are very limited services and facilities within the immediate locality and public transport is very limited. Therefore this is not considered to be sustainable development and the proposal is contrary to Policies DC2 and CP14 of the adopted Breckland Core Strategy and Development Control Policies (2009) and paragraphs 8 and 11 of the National Planning Policy Framework (2019).

## 2.0 Essential need for a rural workers dwelling

2.1 Paragraph 79 of the NPPF (2019) states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

2.2 Policy CP14 ( Sustainable Rural Communities) is relevant in the assessment of the application. Village and countryside communities will be supported by appropriate development in order to make them more sustainable. The Local Service Centre villages identified in the Spatial Strategy will be the focus for service provision and enhancement in the rural areas and will accommodate the scales of development set out in the distribution policies. In the smaller villages and rural communities the type and scale of development will reflect the need to maintain the vitality of these communities. Housing in villages not identified for a specific level of growth in the settlement hierarchy, residential development will only be permitted where:

- a. There are suitable sites available inside the limits of a defined settlement boundary; or
- b. It is an affordable housing scheme for local needs in accordance with the Council's 'exceptions site policy':  
or
- c. It involves the appropriate re-use of a rural building; or
- d. It provides a site for gypsy and travellers or travelling showpeople; or

e. It is a dwelling required in association with existing rural enterprises where it complies with the requirements of national guidance in relation to new dwelling houses in the countryside; or

f. It is a replacement of an existing dwelling.

2.3 Therefore, the application is to be considered in the context of the essential need for a dwelling in association with existing rural enterprises in line with Policy CP14 and the NPPF at paragraph 79 a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

2.4 The application states that the dwelling is for the applicants son and the need is for the running of the business which is defined in the planning statement as "specialising in the emptying of septic tanks and drain unblocking among many other services such as grass cutting and the clearance of snow for the local community."

2.5 This is not considered to be a rural enterprise where an onsite presence is essential. Also, there is no compelling evidence to demonstrate that the demands of the business are such that an additional worker needs to be readily available on site. It is acknowledged that the applicants are known locally as an agricultural business, however, this business fails to meet the terms of a rural enterprise and there is no justification for an additional permanent dwelling on site to serve an essential need.

2.6 Therefore, based on the above, the proposals fail to comply with paragraph 79 of the NPPF (2019) and Policy CP14 of the Core Strategy.

### 3.0 Impact on Character and Appearance:

3.1 Policy DC16 requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

3.2 The proposal seeks to erect a two-storey, five bedroom chalet style property, built in traditional Norfolk red brick with a black pantile roof. The dwelling would have a total footprint of 126.5m<sup>2</sup> and a height of 6.05m. The dwelling would be visible from Long Street and although the materials proposed would be suitable, it is considered that the chalet style design would be out of character with the area, a more traditional style property would be more suitable. The proposed dwelling therefore does not represent an acceptable form of development and would harm the character and appearance of the surrounding area.

3.3 Therefore, the proposals would not comply with Policy DC16 or paragraph 127 of the NPPF (2019)

### 4.0 Impact on neighbouring amenity

4.1 Policy DC1 seeks to protect residential amenity. The proposed development would be remote from other dwellings and the nearest property would be 'The Hollies' approximately 44 metres to the west which is hidden by existing mature trees and hedgerow. It is concluded that the proposal would offer an acceptable level of residential amenity for future or neighbouring occupants, compliant with Policy DC1.

### 5.0 Highways

5.1 Policy CP4 of the Core strategy seeks to ensure that all access and safety concerns are resolved in new developments. Policy DC19 requires sufficient parking for all new development.

5.2 Access to the proposed dwelling will be via the existing access off Long Street.

5.3 The Highways Development Management Officer has considered the proposal and comments that - visibility from the existing access is below standard, however, the access exists and already generates farm traffic . If the business is already being run from the site lawfully then I may have difficulty in objecting, in particular if other businesses run from the site and utilise this access, but would need further confirmation in this respect. The site is located some distance from the highway and is served by an existing farm track which joins Long Street via an existing surfaced access shared with Anglian Water. The access arrangements have recently been altered so that the farm track now directly connects into Long Street and mud and debris are being transported out onto the highway.

For the avoidance of doubt my response is made in respect of the details included on Drawing 23785/SK03 which shows the original access being reinstated and a hedge planted where the unauthorised access has been established. If permission is granted, conditions have been specified.

Therefore there is no substantiated reason to refuse the application on Highways grounds.

## 6.0 Contamination

6.1 The Contaminated Land Officer has been consulted and they confirm that based on the information provided there are no objections providing the development proceeds in line with the application details and subject to conditions to alleviate environmental concerns.

## 6.2 Flood Risk & Drainage

6.3 The Site location is in a flood zone 1 but is on the edge of flood zone 3 area.

6.4 The foul sewage is proposed to be disposed of through a package treatment plant with soakaways for surface water drainage which is considered acceptable and could be secured by conditions.

## 7.0 Conclusion

7.1 In terms of the overall planning balance of the scheme the proposal is not considered to be a rural enterprise where an onsite presence is essential. Also, there is no compelling evidence to demonstrate that the demands of the business are such that an additional worker needs to be readily available on site. Therefore, based on the above, the proposals fail to comply with paragraph 79 of the NPPF (2019) and Policy CP14 of the Core Strategy.

7.2 In addition the distance to services and amenities would mean that residents of this proposed dwelling would be reliant on a private vehicle to meet their needs. There are very limited services and facilities within the immediate locality and public transport is very limited. Therefore this is not considered to be sustainable development and the proposal is contrary to Policies DC2 and CP14 of the adopted Breckland Core Strategy and Development Control Policies (2009) and paragraphs 8 and 11 of the National Planning Policy Framework (2019).

7.3 It is considered that the chalet style design would be out of character with the area, a more traditional style property would be more suitable. The proposed dwelling therefore does not represent an acceptable form of development and would harm the character and appearance of the surrounding area. Therefore, the proposals would not comply with Policy DC16 or paragraph 127 of the NPPF (2019)

7.4 In light of all of the above, despite the Council's current position with regard to the lack of a five year supply of housing land, the location of the development is not considered sustainable in the context of the social and environmental criteria set out in the National Planning Policy Framework (2019) and the significant and demonstrable harm generated by a dwelling in this location means that the proposal is recommended for refusal.

**RECOMMENDATION**

Recommendation that Planning Permission be REFUSED for the following reasons:

**REASON(S) FOR REFUSAL**

- 2 Policy not met outside settlement**

The site is outside a settlement boundary and the distance to services and amenities would mean that residents of this proposed dwelling would be reliant on a private vehicle to meet their needs. There are very limited services and facilities within the immediate locality and public transport is very limited. Therefore this is not considered to be sustainable development and the proposal is contrary to Policies DC2 and CP14 of the adopted Breckland Core Strategy and Development Control Policies (2009) and paragraphs 8 and 11 of the National Planning Policy Framework (2019).
- 3 Insufficient agricultural need**

In the opinion of the Local Planning Authority there is insufficient agricultural need for the erection of a dwelling in this instance and there is unlikely to be a sufficient gain to agriculture which could justify a departure from the above policy by granting planning permission. The proposal is not considered to be a rural enterprise where an onsite presence is essential. Also, there is no compelling evidence to demonstrate that the demands of the business are such that an additional worker needs to be readily available on site. Therefore, based on the above, the proposals fail to comply with paragraph 79 of the NPPF (2019) and Policy CP14 of the Core Strategy.
- 4 Non-std reason for refusal**

It is considered that the chalet style design would be out of character with the area, a more traditional style property would be more suitable. The proposed dwelling therefore does not represent an acceptable form of development and would harm the character and appearance of the surrounding area. Therefore, the proposals would not comply with Policy DC16 or paragraph 127 of the NPPF (2019)