

**SHARRINGTON – PF/23/1352- Erection of single-storey detached agricultural workers dwelling and detached agricultural storage barn.**

**Minor Dwellings**

**Target Date:** 29<sup>th</sup> September 2023

**Case Officer:** Miss A Walker

**Full Planning**

**RELEVANT SITE CONSTRAINTS:**

Countryside Policy Area

Sharrington Conservation Area

Agricultural Land Classification: Grade 3 (moderate/ good quality)

Within the GIRAMS Zone of Influence

**RELEVANT PLANNING HISTORY:**

Reference NP/23/0192

Description Prior notification of proposed agricultural development- proposed storage building

Outcome Prior Approval Required 14.02.2023

Reference PF/18/1553

Description Proposed erection of two-storey agricultural dwelling

Outcome Refused 12.02.2020

**THE APPLICATION**

This application seeks the erection of a single-storey detached agricultural workers dwelling and detached agricultural storage building with new access on to Brinton Road at Land West of Michael House, Bale Road, Sharrington.

**REASONS FOR REFERRAL TO COMMITTEE:**

At the request of the Cllr Brown due to the significant public interest in the application. Cllr Brown considers the proposal continues to present challenges to current Planning Policies and therefore the applicants have to demonstrate that there is a public benefit which outweighs the consequences of the potential breach of Planning Policy to mitigate any harm.

**CONSULTATIONS:**

**Brinton Parish Council - Objection** on the following grounds:

- The change of use from arable field to residential is not compatible with the settlement structure of Sharrington.
- It is considered that the proposed development would result in an unacceptable impact on our Conservation village, the character of the settlement and adverse landscape impact.
- The essential need to justify the dwelling has not been demonstrated and that the application is contrary to policies SS 1, SS 2 and HO 5.
- Not located on land which makes up the majority of the farm and are poorly located in relation to the majority of the holding.

**Conservation and Design Officer - Objection** for the following reasons

'In the recently adopted Sharrington Conservation Area Appraisal, the village is described as being "a dispersed settlement with a distinctive rural character in which the agricultural fields of the surrounding countryside flow into and through the areas of built development". The document further notes that the village has a "sense of unity" despite its dispersed layout and that "the agricultural fields surrounding Sharrington are the principal contributor to its setting" on the edge of the Glaven Valley.

Against this context, the northern portion of this application site has been the subject of much discussion in recent years in terms of its relationship with, and contribution to, the conservation area.

This culminated in members ratifying its continued inclusion within the boundary based upon it being an important gap site which helps to inform and reinforce the settlement's defining characteristics and significance. It is therefore a key material consideration which needs to be taken into account and which introduces a statutory duty to preserve or enhance the designated heritage asset.

With this in mind, the proposed development involves the erection of a two-bedroom dwelling and a timber-framed agricultural building within this northern part of the site, and the formalisation of an existing field access onto The Street to the south east. Subject to it being upgraded in a manner which is appropriate for a rural location, the latter gives rise to no 'in principle' C&D concerns. As regards the buildings, it is noted that they are essentially single-storey structures of relatively modest height. Despite this, however, they would be situated in close proximity to one another and would have a combined linear footprint which would measure in at nearly 30 metres long. Given that they would also be centred in the middle part of the site, the new build would therefore have the effect of closing up the gap visually. Moreover it would also lead to an unwanted coalescence of the built form, and thus would serve to erode the prevailing form and character of the conservation area.

In offering this comment, C&D are clearly mindful that the Bale Road frontage is framed with existing trees and hedging. Even prior to this being thinned out, however, it was a relatively 'gappy' affair which allowed filtered views into the application site and out over the wider landscape beyond (particularly during the winter months). It is such views which help to inform our collective understanding and appreciation of the designated area.

All of which said, planting of course tends to be transient in nature and should only ever be relied upon to soften acceptable development - it should not be used to screen unacceptable development

Therefore, irrespective of whether it remains in its current form or whether it is supplemented with additional hedging and trees, it would not prevent the proposed buildings effectively closing up the existing gap and thus blocking the perpetual views into and out from the conservation area. As such, C&D can only conclude that the proposed development would result in some harm being caused to its overall significance.

In terms of quantifying the level of harm, it is accepted that the Sharrington Conservation Area is a comparatively large designation which covers most of the village. With it also including

only the northernmost part of the site, the harm must be considered 'less than substantial' for the purposes of the NPPF. Nonetheless, as para 199 of that document reminds us, great weight should be afforded to the conservation of heritage assets irrespective of the degree of harm. Therefore, unless it is considered that there are other material planning considerations or public benefits accruing from the proposals which would outweigh the heritage harm, the Local Planning Authority would be obliged to refuse this application in accordance with para 202 of the NPPF.

Just touching on the design, the proposed dwelling would be a timber-framed kit which would be delivered to site and assembled. Whilst this is obviously attractive from a sustainability point of view, it is equally not necessarily the best way of promoting local distinctiveness. Hence, with render tending to be used sparingly as an accent material locally, the chosen aesthetic could well lack resonance within its surroundings. Indeed, depending upon the tiles to be used, it may have a relatively stark and clinical appearance which could struggle for acceptance alongside the unifying palette of traditional vernacular materials within the village. On the rear gable, meanwhile, it is not clear what the hatching denotes. Hopefully, however, it is not the type of stone cladding which became popular in some urban settings in the 70s and 80s. Finally, the agricultural storage building would be of typical utilitarian appearance and would sport neutral facing materials.

Intrinsically, therefore, it would neither jar nor attract.'

#### **Environmental Health - No response received**

#### **Landscape Officer - Objection for the following reasons:**

'Further to comments provided previously relating to lack of information, this response addresses additional information submitted.

The Landscaping Plan (received 27th Sep 2023) gives more detail of external curtilage and hard and soft landscape. Planting is appropriate on the north, west and east boundaries, but needs to be much more substantial on the south boundary to mitigate the effects of light spill from the dwelling across the open fields. A native hedge is proposed, but this should be supplemented with groups of at least 3 trees (including oak) at 10m intervals along this boundary.

Concerns were raised with regard to the double height glazed element on the south elevation which will be prominent from the south and incur light spill into the open landscape setting and adversely impact the dark night skies which are a valued feature of the Tributary Farmland landscape. There has been no amendment to the openings and this issue still stands.

As raised previously, the red line curtilage has significantly increased in size from the previous application (PF/18/1553). The site now occupies the whole of the undeveloped area which would give rise to potential further visual impact and development within the extended curtilage.

Notwithstanding the further details submitted with regard to planting, site layout and materials, the Landscape section hold the view that the fundamental change of use of this site from arable field to residential use is not compatible with the settlement structure of Sharrington, where the fields between groups of dwellings give significant context to the rural, arable setting of the village. Nocturnal character would also be adversely affected, although this could be minimised to some degree by a reduction in glazing and more substantial planting on the south

boundary as advised above. Conflict with Local Plan Policy EN2: Protection and Enhancement of Landscape and Settlement Character remains and the Landscape section maintain an objection.'

**CPRE - Objection** for the following reasons:

CPRE Norfolk wishes to object to the above planning application as the application site is designated as countryside and therefore goes against various policies within North Norfolk District Council's Core Strategy and the National Planning Policy Framework (NPPF).

NPPF Paragraph 174

This says in part that: "planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.....
- b) Recognising the intrinsic character and beauty of the countryside....."

This proposal would be contrary to these statements due to the imposition of new structures in the landscape. This aspect will be discussed further under NNDC's Core Strategy Policy SS 2 and Policy EN 2 below.

Core Strategy, adopted Local Plan  
Policy SS 1, Spatial Strategy for North Norfolk

The application site is on land classified as 'countryside' being outside any settlement boundary. Under this policy "development will be restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy." We question whether the proposed house would support the rural economy, as it may not be used for that purpose. Furthermore, the application does nothing to meet affordable housing needs or to provide renewable energy.

Policy SS 2, Development in the Countryside

This policy clarifies that "in areas designated as Countryside development will be limited to that which requires a rural location" before listing the various exceptions, one of which is "agriculture" which is the exception suggested in the application documents. It then confirms that "proposals which do not accord with the above will not be permitted." There are clear doubts as to the extent to which this proposal would be for "agriculture". This is due to the valid questions around who would live in the property once it is constructed and in the long term, whether the current farm business needs a worker living on-site, and whether the occupier of the new property would be working as a full-time farm worker. These doubts are enough to conclude that this application does not meet the demands of this policy to warrant permission.

If the application is granted permission despite this and several other concerns, then it would be important to have an agricultural tie applied as a planning condition to the permission, to ensure that the property was used for the declared purpose of housing an agricultural worker in perpetuity.

Policy HO 5, Agricultural, Forestry and other Occupational Dwellings in the Countryside

This policy aims to meet "the housing needs of full-time workers in agriculture". Such a solution will only be supported in exceptional circumstances, which is not the case with this application. Other solutions exist if there is a need for an on-site full-time worker, such as providing temporary accommodation close to the existing central hub of the farm, or possibly through conversion of an existing farm building, rather than on the proposed site where significant harm would result.

Policy EN 2, Protection and Enhancement of the Landscape and Settlement Character

The proposal does not give sufficient consideration to the landscape of the site and the land surrounding it. The proposed structure would harm “the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character)”. Moreover, the application does not demonstrate “that their location, scale, design and materials will protect, conserve and, where possible, enhance” the “gaps between settlements, and their landscape setting”, or “the pattern of distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife”, or the “visually sensitive skylines, hillsides, seascapes, valley sides and geological features” or the “nocturnal character”, all of which would be harmed by this proposal.

#### Policy EN 8, Protecting and Enhancing the Historic Environment

In part this policy states that: “the character and appearance of Conservation Areas will be preserved, and where possible enhanced”. The application site lies partly within the Sharrington Conservation Area, and by losing part of the currently open arable field to new structures this would damage rather than preserve or enhance the character and appearance of the Conservation Area, despite claims to the contrary in the applicant’s Planning Statement (4.0.)

#### Conclusion

CPRE Norfolk supports a living countryside where agriculture plays a vital part. However, this application does not clearly demonstrate that the proposed dwelling is essential for the successful running of the farm business, and even if it is the harm to the countryside, setting and landscape which would result is too great to justify permission being granted.

#### **Norfolk County Council Highways - No objection subject to condition:**

‘Thank you for the consultation received recently relating to the above development proposal, for the construction of a new agricultural workers dwelling and storage barn.

This application is similar to that previously seen under 18/1553, determined on 12 February 2020 however the access now proposed onto the C330 Brinton Road has a suitable level of visibility and subject to formalising the access construction, would provide a suitable means of access.

At this time, the application is for an agricultural workers dwelling, which it was previously refused, however if you are now satisfied that dwelling is required to support a clear agricultural need within the area and complies with Policy HO 5, then, subject to the occupation of the dwelling being limited (i.e. an agricultural tie) as described in the application details, I would not wish to raise any highway objection to the proposal.’

#### **REPRESENTATIONS:**

Seventeen in **support** and summarised as follows:

- The dwelling would have little, if any, effect on the landscape. Entirely screened by the hedge and would be virtually invisible.
- It is outside the conservation area and cannot set a precedent due to HO5.
- It is a sustainable and low-impact build of the type that should be encouraged in rural areas.
- In this area it is hard to attract local agricultural workers due to inflated house prices and rents and since 2018 the labour market has changed dramatically.
- The Rivetts are an established local family who have lived and farmed in the village providing employment since the 1950s.
- This property is for a local resident who lives and works in his village of birth.

- The only way a local person can afford to live in a Norfolk village is to provide the building land themselves
- Stock farmers need to live on the farm. Pigs, cattle and sheep need to be attended to at different hours of the day, especially when they are giving birth. It can only be achieved when the person lives on site.
- The house is a modern, well-constructed house.
- The family has gone to great lengths to landscape the site and allow future wild life support.
- This application should be viewed as an excellent opportunity to support a young, local person who wants to live and work in his home village.
- Councillors should be encouraging young people to live and work in the countryside.
- Public transport will never deliver rural workers for early morning starts and out of hour's tasks.

Twenty in **objection** and summarised as follows:

#### Agricultural concerns

- The agricultural justification for the new build is based solely on a tenanted farm as the land owned by the applicant is not a viable amount of land for a farm.
- The proposal does not meet the criteria for an agricultural workers dwelling.
- Many affordable properties are available within "reasonable daily travel to work" they are just not detached.
- There is currently no proof a third tenancy will be granted.
- The applicant has not demonstrated firm evidence of intent to develop or sustain Valley farm only giving a statement of intent.
- Without the continuation of the tenancy then there is no justification for an agricultural workers dwelling on the site.
- The proposal does not support how living on Bale Road can protect the animals and machinery from theft at Valley Farm on the Gunthorpe Road at the other end of the village.
- There is a variable narrative inside the application.
- The applicants do not require 24/7 manpower let alone on-site accommodation.
- There's no guarantee about the tenancy into the future.
- Any further additional workforce can come from the surrounding area within a two to three-mile radius.
- The applicants are using the tenancy to gain a personal benefit on their field.
- Planned future creation of a smallholding.
- The proposals specify a 3.5 labour requirement which is identical to that by Brown & Co, 5 years ago for a completely different business model.
- The proposed location is very poorly related to the main farm.
- The application site is an arable field which does not require 24 hour supervision
- There have been a number of affordable properties available in the area over the last 33 years which would have future proofed the family's ability to retire in the area, without the need for a new build on an open field.
- If a new build is deemed necessary would the dwelling not be more suitable built next to the farm it serves in Gunthorpe Road.

#### Landscape and Heritage

- The proposal would result in the loss of undeveloped agricultural land.
- The proposal would interrupt the view across the valley for which the area has conservation status.
- The development would significantly alter the appearance and character of this conservation area in Sharrington, much to its detriment.
- The change of use of the arable land to residential is not compatible with the settlement

structure of the village of Sharrington.

- The proposed site and access seem large and the proposed blocks of trees would alter the landscape.
- The proposal would obstruct the open arable fields between properties, where the village meets its open countryside setting.
- Additional light pollution from the new build.
- Recent ploughing enabled the Ecologist to report the absence of habitat ground cover to support any protected species.
- This application closes an important gap between 2 properties on the Bale Road
- By infilling on this piece of land it sets a precedent for other 'infills'.
- The gaps between properties should be retained as it is a strong defining characteristic of Sharrington.
- The proposal would have a damaging effect on views into and out of the designated Conservation Area.

#### Design and Amenity

- An excessively oversized plot.
- The proposed development would affect the character of the surrounding landscape by both its visual impact and a design not in keeping with the local character of most other buildings in the village.
- The increase in heavy farm vehicle traffic which the proposals would bring is unwelcome to an area.
- Heavy machinery and associated noise & lighting could disturb residents over any 24 hour period.

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

#### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

#### **LOCAL FINANCE CONSIDERATIONS**

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

#### **RELEVANT POLICIES:**

##### **North Norfolk Local Development Framework Core Strategy (September 2008):**

Policy SS 1 Spatial Strategy for North Norfolk

Policy SS 2 Development in the Countryside

Policy SS 4 Environment

Policy HO 5 Agricultural, forestry and essential worker dwellings in the Countryside

Policy EN 2 Protection and enhancement of landscape and settlement character

Policy EN 4 Design  
Policy EN 8 Protecting and enhancing the historic environment  
Policy EN 9 Biodiversity and geology  
Policy EN 13 Pollution and hazard prevention and minimisation  
Policy CT 5 The transport impact of new development  
Policy CT 6 Parking provision

Material Considerations:

**Supplementary Planning Documents and Guidance:**

North Norfolk Design Guide (December 2008)  
North Norfolk Landscape Character Assessment (January 2021)  
North Norfolk Landscape Sensitivity Assessment (January 2021)

**National Planning Policy Framework (September 2023):**

Chapter 2 Achieving sustainable development  
Chapter 4 Decision-making  
Chapter 5 Delivery a sufficient supply of homes  
Chapter 9 Promoting sustainable transport  
Chapter 12 Achieving well-designed places  
Chapter 14 Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 Conserving and enhancing the natural environment  
Chapter 16 Conserving and enhancing the historic environment

Other relevant documents/considerations

National Design Guide (September 2019)

Statutory duties

When considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character of appearance of that area (S72 Listed Buildings and Conservation Areas Act 1990).

**OFFICER ASSESSMENT:**

**Main issues for consideration:**

- 1. Housing Land Supply**
- 2. Principle of Development**
- 3. Design and Heritage**
- 4. Landscape and Biodiversity**
- 5. Highway Safety**

**1. Housing Land Supply**

The Local Planning Authority accepts that it cannot currently demonstrate a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against local housing need as set out in the 2020-2025 Land Supply Statement, which is the most recent statement published by the Council. As such, the tilted balance under NPPF paragraph 11. d) would be applied to proposals, where footnote 8 sets out that the application of the titled balance '...includes...applications involving the provision of housing...where the local



planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74)'. When the tilted balance is applied Officers would have to consider whether the adverse impacts of approval significantly and demonstrably outweigh the benefits of the proposal.

## **2. Principle of Development**

Policy SS 1 sets out the Spatial Strategy for North Norfolk and identifies settlements where new development would in principle be permitted. The remainder of the district is designated as Countryside and within it development is restricted to particular types of development. These are set out in Policy SS 2 which does not allow for new dwellings except in exceptional circumstances, one of which is for dwellings required by agricultural or forestry workers.

In addition, Policy HO 5 allows for development to meet the housing needs of full-time workers in agriculture, forestry and other essential workers connected with the land but only where the proposals comply with a number of criteria.

Paragraph 80 of the NPPF is of particular relevance, which sets out the exceptions for isolated homes in the countryside and include the circumstance where '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.'

The Council engaged an agricultural consultant to review the planning application in terms of the essential need argument and any financial issues that arise from the proposal, as well as the general running of the farming enterprise. The existing and proposed farming enterprise of the Applicant is as follows:

- The farming business is largely made up of a rented holding, which operates approximately to 170 hectares (425 acres), of which 159 hectares (397 acres) forms part of a 99 year, three generation tenancy, and 11 hectares (28 acres) owned, of which the subject site forms a part.
- In terms of the farming operations, the main livestock entity is an outdoor pig breeding unit producing around 14,000 piglets annually from 500 breeding sows. The pigs are housed in arcs and tents and rotated annually around the farm. The piglets are taken as weaners every three weeks and on average there are between 800-900 piglets on the farm at any point in time.
- In addition there is a sheep enterprise of around 100 breeding ewes which produce on average 150 lambs each year. The ewes and lambs utilise permanent meadows and cover crops.
- The arable land extends to around 95 hectares (237 acres) with the main crops being wheat, barley and rye. All field operations are undertaken with the use of farm labour and machinery, with the exception of combining which is undertaken by a local farmer. There is short term crop storage facility at Valley farm.
- In terms of the tenancy, this also includes the farmstead and dwelling at Valley Farm, a cottage which is occupied by Edward Rivett (Mr and Mrs Rivett's Son) which is at Gunthorpe approximately 1.5 miles from Valley Farm. There is a further tenanted cottage on Bale Road occupied by a retired agricultural worker. The farm labour consists of Mr Nick Rivett (full time) and Mrs Claire Rivett (part time), Mr Edward Rivett (full time) and a full time employee currently living in the Norwich area.

Policy HO 5 of the adopted Core Strategy is quite clear in that the need for an agricultural workers dwelling within a 'countryside' location would only be supported in exceptional circumstances where both the functional and financial need has been established. Taking account of the appraisal of the scheme provided by the agricultural consultant and compliance

with the criterions of Policy HO 5 of the adopted Core Strategy, all of which must be met. The Officer Assessment is as follows:

Criteria 1: That there is an essential need for one or more full time workers to be readily available at most times for the enterprise to function properly; and

The agricultural consultant has provided comments on the planning application and it is considered from both his views and an Officer opinion that the outdoor pig rearing side of the farming business is intensive and would agree with the applicants 3.5 standard man day requirement.

It is further considered due to the high welfare needs of the animals, day to day husbandry and management tasks, that there would be an essential need for a worker to be readily available at most times of the day due to a significant number of young stock on the farm all year round and the requirement for a certain amount of hand work, for example feeding sows during farrowing.

Therefore, Officers consider that the proposal would comply with this criteria.

Criteria 2: The functional need could not be met by another existing dwelling on the site of the enterprise or in the immediate vicinity;

The agricultural assessor acknowledged that given the functional and wider requirements including farm security, that there is a need to be located in close proximity to the farm and core livestock enterprises. The location of the site off Bale Road forms part of the 'owned' land and is within close proximity to the main pig enterprise.

The application submission states that the tenancy does not allow them to develop property on the tenanted farm and there are no other buildings suitable. This is accepted.

The submission further contends that the functional need for a dwelling cannot be met by an existing dwelling in the area as these are unaffordable and would not meet the needs of the applicant, a 3 bedroom bungalow was listed for sale at the time of the application on The Street, Sharrington for £400,000 and another for £550,000. A figure of just under £80,000 has been stated for the proposed new build and a quote submitted as evidence of this. Whilst, theoretically, properties may be available in the immediate area, these are not available at a price point considered affordable/viable for the enterprise. It is therefore accepted that there is no other property on the market that could meet the functional need, taking account of the cost of such property on the open market.

Therefore, the proposal is considered to comply with this criteria.

Criteria 3: That the business has been established for at least three years and is profitable.

The application submission has provided information about the financial turnover and profitability of the existing unit and it is understood that the information provided to the Agricultural Consultant on their site visit, satisfied them that the unit is run commercially, that it is currently financially viable and capable of funding the proposed dwelling.

Therefore, the proposal is considered, on balance, to comply with this criteria.

Criteria 4: The proposal does not represent a replacement of another dwelling on the site that has been sold on the open market in the last five years.

There is no evidence to suggest that this has occurred. The proposals comply with this criteria.

Criteria 5: The proposed dwelling is no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain in the long term.

The cost of the proposed dwelling has been given of £79,507.90 which is substantially cheaper than the existing properties on the open market in Sharrington. The application has been supported by some financial information regarding the profit and turnover of the business in confidence and the agricultural assessor was also provided with the relevant information. The Agricultural Assessor was also satisfied that the business was capable of funding the proposed dwelling.

The application is for a timber-framed single-storey two-bedroom dwelling. The dwelling is of modest size, having a floor area of around 110sqm. The proposed size of the dwelling is considered to be adequate for the functional needs of the business.

Therefore, the proposal is considered to comply with this criteria.

Given the above, Officers consider that it has been demonstrated that there is a functional need for a worker to live on site, the financial tests have been met, and there is no other suitable alternative accommodation available. Therefore, the proposal is considered to comply with the requirements of policies SS 1, SS 2 and HO 5 of the adopted Core Strategy.

### **3. Design and Heritage**

Policy EN 2 sets out that development proposals should demonstrate that their location, scale, design, and materials would protect, conserve and where possible enhance the special qualities and local distinctiveness of the area.

Policy EN 4 requires that all development should be designed to a high-quality reinforcing local distinctiveness, be expected to be suitably designed for the context within which it is set and ensure that the scale and massing of buildings relate sympathetically to the surrounding area.

Furthermore, Policy EN 8 of the Core Strategy seeks to protect the historic environment, alongside Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (LBCA) states that with respect to any buildings or other land within a conservation area, in the exercise of relevant functions under the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this instance the northernmost part of the site falls within the Sharrington Conservation Area and as such the statutory duty imposed by Section 72 is engaged. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) places a duty on Local Planning Authorities to have special regard to the desirability of preserving a Listed Building, or its setting, or any features of special architectural or historic interest it possesses.

The proposed dwelling would be a timber-framed kit house which would be delivered to site

and assembled. The 110sqm single storey dwelling would include two bedrooms, two bathrooms, a kitchen diner, utility and living room. The materials proposed are a timber frame with external shiplap timber cladding and tiled roof. The proposed modest agricultural storage building would be of typical utilitarian appearance and would sport neutral facing materials of timber cladding and a corrugated metal roof.

Sharrington is a village which has developed around a network of rural lanes extending in all directions. The built form is concentrated along these roads yet is interspersed by arable fields abutting the road which serve to place the village within its rural working landscape and provide filtered views across the landscape. Whilst the proposed dwelling would be located close to a rural lane and in the vicinity of other residential properties, it would be extending into an arable field and closing the gap between existing built form, disrupting the perpetual views into and out from the conservation area. In this regard the development would significantly alter the character of this part of Bale Road and as such, Conservation and Design Officers can only conclude that the proposed development would result in some harm being caused to its overall significance.

In terms of quantifying the level of harm, it is accepted that the Sharrington Conservation Area is a comparatively large designation which covers most of the village. With it also including only the northernmost part of the site, the harm must be considered 'less than substantial' for the purposes of the NPPF. Nonetheless, as para 199 of that document reminds us, great weight should be afforded to the conservation of heritage assets irrespective of the degree of harm and the harm identified would need to be weighed in the planning balance against any public benefits at the end of this report.

#### **4. Landscape and Biodiversity**

Policy EN 2 sets out that proposals should be informed by and be sympathetic to the distinctive character areas identified in the North Norfolk Landscape Character Assessment (2021). Development proposals should demonstrate that their location, scale, design, and materials would protect, conserve and where possible enhance the special qualities and local distinctiveness of the area.

##### Landscape

The dwelling and barn are located centrally and adjacent within the northern section of the site, which is included in the Conservation Area designation on the basis that it is an important gap site which reinforces the rural and arable setting of the village. The development would result in the loss of the undeveloped nature of the site. Sharrington is typical of the rural village settlement pattern within the Tributary Farmland Landscape Type (North Norfolk Landscape Character Assessment (2021 SPD)). Small fields such as this are prevalent throughout the dispersed settlement pattern of the village and give context to the village location in its rural landscape.

Following landscape comments the agent provided a landscaping plan, giving details of the proposed hard and soft landscaping. Whilst this has been considered to reduce the visual impact of the development the Landscape section still hold the view that the fundamental change of use of this site from arable field to residential use is not compatible with the settlement structure of Sharrington, where the fields between groups of dwellings give significant context to the rural, arable setting of the village, contrary to Policy EN 2. Officers would broadly agree with this assessment.

## Ecology

As a former arable field the site was considered to have potential to provide habitat for a number of protected species. An Ecological Appraisal prepared by 'Margarets Ecology' was submitted to support the application. Following comments from Landscape for clarification on assessments, an amended report was submitted. No protected species were discovered on site and the development should have no impact on protected species or habitats. Landscape

Officers therefore consider that the recommended avoidance, mitigation and enhancement measures outlined in Section 5 of the report would be considered sufficient to safeguard the specified ecological receptors and overall would result in a biodiversity net gain. Officers consider that the proposal would accord with the aims of Policy EN 9 of the adopted Core Strategy and paragraph 174 of the NPPF.

## **5. Highway Safety**

Policy CT 5 requires development to provide safe and convenient access for all modes of transport, including access to the highway network. Policy CT 6 requires new development to have sufficient parking facilities as set out in appendix C of the Adopted Core Strategy. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Highways Officers were consulted on the application and consider that that new access proposed onto the C330 Brinton Road has a suitable level of visibility and subject to formalising the access construction, would provide a suitable means of access. Sufficient parking for two vehicles is shown on the submitted plans. Furthermore, subject to the occupation of the dwelling being limited (i.e. an agricultural tie) as described in the application details, Officers would not wish to raise any highway objection to the proposal.

Given the above, Officers consider that the proposal accords with the aims of Core Strategy Policies CT 5 and CT 6.

## **Other Matters**

### Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS)

The site is located within the GIRAMS Zone of Influence. The GIRAMS strategy is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and Local Planning Authorities (LPA) meet with the Conservation of Habitats and Species Regulations 2017 (as amended). The mitigation measures would be funded from payments from developments. The strategy applies a single tariff covering the District and all partner LPAs to qualifying development. All new net residential and tourism development are required to mitigate the effects of the development and show how this would be achieved before approval of planning permission. The tariff is collectively set at £210.84 per net new residential and tourism accommodation dwelling and is index linked.

The applicant has been provided with a copy of the GIRAMS report, alongside the Council's letter and Section S111 form which provides further details of the requirements. The required £210.84 tariff payment was received on the 4th July 2023.

Under the Conservation of Habitats and Species Regulations 2017 (as amended), the Local Planning Authority as competent authority has considered the guidance and advice from Natural England in relation qualifying development under GIRAMS. On the basis that the proposal will result in one net new dwellings and that the required tariff payments have been made, the LPA are able to rule out likely significant effects from the proposed development.

### **Conclusion and Planning Balance**

The application has demonstrated the functional and financial need for an Agricultural Workers dwelling in this location in accordance with Policies SS 2 and HO 5 of the Adopted Core Strategy.

'Less than substantial' harm has been identified in terms of impact of the development on the setting of the Sharrington Conservation Area on the basis that the proposal would effectively close the existing gap between the built form, disrupting the perpetual views into and out from the conservation area. However, there are public benefits associated with the proposal including:

- The application represents part of the necessary succession farming planning required to ensure the continued success of the enterprise. Allowing the continued operation of an existing farm business which supports the local economy.
- The provision of a new dwelling for a local person.

Having regard to these benefits and affording the heritage harm identified great weight; it is considered that the public benefits associated with the proposals would marginally outweigh the identified harm to the heritage assets. Consequently, the proposals would be compliant with paragraph 202 of the NPPF, which deals with less than substantial harm to heritage assets.

The Council cannot currently demonstrate five-year land supply of residential sites. The application must therefore be considered in accordance with paragraph 11 of the NPPF which states that where relevant policies are considered out of date permission will be granted unless the application of policies in the Framework that protected areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed development has been found to accord with the requirements of Policies SS 2 and HO 5 of the Local Plan which allow for agricultural development within countryside locations in order to meet the housing needs of full-time workers in agriculture. However as noted above, this policy is to be considered out of date in light of the Council's current five year housing land supply. Turning to the NPPF, paragraph 80 of the Framework also supports development where 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.

In terms of benefits, the proposal would provide a benefit in contributing a new dwelling to the local housing land supply, although as this is only one dwelling the benefits of this are limited. The proposal would also provide a rural workers dwelling to meet the identified need, supporting the local economy and vitality of a rural community as well as a well-established rural farming business. The development would also achieve biodiversity net gains through the recommendations, procedures, mitigation and enhancement measures set out within the submitted ecological reports.

In terms of harm resulting from the proposal, given the distance from facilities, services and means of public transport, there would be limited opportunities for future occupiers to make journey's to such provisions by means other than the private car. In this regard, the site would not be considered to be within a particularly sustainable location, however this harm would be limited given the proposal is for a rural worker dwelling and is therefore required to be located close to the farm.

The development would have an impact upon the rural/agricultural character of the area, introducing domestic features into a currently undeveloped area. However given the proposed landscaping, such intrusion into the countryside is not, in this instance, considered to justify refusal.

The development has been found to result in less than substantial harm to the character and appearance of the Sharrington Conservation Area. This harm has been weighed against the public benefits of the development. Given the mitigating factors of the development proposed, on balance and in this instance, the harm to the affected heritage asset is considered to be outweighed by the limited public benefit.

Taking the above into account, it is considered that the harms identified with the proposed development would not significantly and demonstrably outweigh the benefits of the development. In reaching this decision, due regard has been given to the requirements of paragraph 11(d) of the NPPF, where it is necessary for the decision taker to assess the proposed development against the policies contained within the Framework (NPPF) as a whole.

In all other respects, subject to conditions, the development is considered to accord with the relevant policies of the adopted Development Plan as listed above.

The issues raised in letters of representation received (summarised above) following publicity and consultation carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), have been considered. They do not raise material considerations which outweigh the recommendation to approve.

## **RECOMMENDATION:**

**APPROVAL subject to conditions to cover the matters listed below (and any others subsequently considered necessary by the Assistant Director – Planning):**

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason for the condition

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, except as may be required by specific condition(s) and as listed below:

Drawing Number '001' revision 'C', entitled 'Location' received on 26/06/2023

Drawing Number '002' revision 'B', entitled 'Block Plan' received on 26/06/2023

Drawing entitled 'Landscaping plan received on 27/09/2023

Drawing Number '567PH1' revision 'A', entitled 'Erection of Dwelling house' received on 27/09/2023

Drawing entitled 'Proposed Timber Framed Agricultural Storage building' received on 26/06/2023

Planning Statement, received on 26/06/2023

Preliminary Ecological Appraisal, prepared by 'Margarets Ecology' received on 19/10/2023

#### Reason for condition

To ensure the development is carried out in accordance with the expressed intentions of the applicant and to ensure the satisfactory development of the site, in accordance with Policies EN 2, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

3. Prior to their use on site samples of the facing materials to be used for the external walls and roof of the dwellinghouse and detached storage building hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The development shall then be constructed in full accordance with the approved details.

#### Reason for condition

To ensure the satisfactory appearance of the development in accordance with Policies EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

4. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture as defined in section 336 of the Town and Country Planning Act 1990 or in forestry or a widow or widower or surviving civil partner of such a person, and to any resident dependents.

#### Reason for condition

The application site lies outside an area in which residential development is normally permitted. Permission has been granted in this instance having regard to the need for a dwelling in association with the agricultural enterprise, and in accordance with Policy HO 5 of the adopted North Norfolk Core Strategy.

5. The development hereby approved shall be carried out in strict accordance with the recommendations as set out in Sections 4 and 5 of the Preliminary Ecological Appraisal prepared by Margarets Ecology (March 2023). The mitigation and enhancement measures shall include the provision of:

- a) Installation of 2no. House Sparrow terraces attached to the storage barn.
- b) Installation of 1no. Barn Owl box attached to the storage barn facing south towards the open habitats.
- c) Installation of at least 2no. Integrated bat boxes into the storage barn.

The mitigation and enhancement measures shall be carried out in accordance with the approved details prior to first occupation of the dwelling hereby approved and thereafter retained in a suitable condition to serve the intended purpose.

#### Reason for condition

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 174 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

6. Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following parameters:

- 1) Fully shielded (enclosed in full cut-off flat glass fitments)
- 2) Directed downwards (mounted horizontally to the ground and not tilted upwards)



- 3) Switched on only when needed (no dusk to dawn lamps)
- 4) White light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

The lighting shall thereafter be installed and retained in accordance with the approved details.

#### Reason for condition

In the interests of the visual amenities/residential amenities of the area and in the interests of highway safety and convenience, and to avoid light pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy

7. No development shall commence until a scheme for hard and soft landscape proposals has been submitted to and approved in writing by the Local Planning Authority.

The proposals shall include plans at no less than 1:200 showing the following details:

#### Proposed Soft Landscape Details

- a) Existing trees, shrubs and hedgerows on the site, indicating those to be removed
- b) Accurate plotting of those to be retained (including species and canopy spread), including measures for protection during the course of the development to BS5837:2012
- c) Details of all new planting including: species, location, number and size of new trees and shrubs
- d) Measures for protection of new planting

#### Proposed Hard Landscape Details

- e) Surface materials for all car parking and manoeuvring areas, pedestrian access routes and courtyards.
- f) Boundary treatments, including fencing, walling, etc

#### Implementation and Retention

- g) An implementation programme laying out a timescale for the completion of all landscape works
- h) A landscape management plan, stating management responsibilities and a schedule of retention and monitoring operations for all landscaped areas for a minimum of ten years following implementation.

#### Reason for condition

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

8. Any works to trees and hedges as approved shall be carried out in strict accordance to British Standard 3998:2010 Tree Work – Recommendations.

#### Reason for condition

To ensure the works carried out will protect the health of the [trees/hedges] on the site in the interest of the visual amenity, and the character and appearance of the area, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

9. The applicant / developer shall notify the Local Planning Authority in writing of the date of commencement of the development hereby permitted. Such notification shall be provided within 14 days of the date of commencement.

#### Reason for condition

To ensure the GIRAMS tariff payments secured in relation to this development are made available and can be used towards the county wide strategic mitigation measures identified in

the Norfolk Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy, or successive strategy, which is aimed at delivering the necessary mitigation to avoid adverse effects on the integrity of European Sites arising as a result of the development.

10. Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking shall be laid out and surfaced in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with CT 5 and CT 6 of the adopted North Norfolk Core Strategy.

11. The agricultural Storage Building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at the site West of Michael House, Bale Road Sharrington.

Reason for condition

The site lies in an area of Countryside as defined in the North Norfolk Core Strategy whereby proposals for new independent dwellinghouses are not normally permitted, and the restriction is necessary to accord with Policy SS 2 of the adopted North Norfolk Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order with or without modification) no enlargement of or other alteration to the dwelling or the detached garage hereby permitted (including the insertion or any further windows or rooflights) shall take place unless planning permission has been first granted by the Local Planning Authority.

Reason for condition

To ensure a satisfactory relationship with neighbouring dwellings, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

**Final wording of conditions to be delegated to the Assistant Director – Planning**