

THURSFORD – PO/23/1526 – Outline application with details of access only (all other matters reserved) for the erection of a self-build dwelling (Class C3) at Land to South-east of 1A The Street, Thursford Green, Norfolk:

Minor development

Target Date: 30 November 2023

Extension of Time: 30 November 2023

Case Officer: Jayne Owen

Full application

RELEVANT SITE CONSTRAINTS

The site lies within the countryside

The site falls within various Zones of Influence of protected sites as defined by the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS)

RELEVANT PLANNING HISTORY

PO/23/0447

Erection of a self-build dwelling (Class C3) – outline with details of access only (all other matters reserved) – Withdrawn

PF/99/0635

Demolition of the existing blacksmiths shop and the erection of two dwellings with four parking spaces – Refused -19 May 1999 - Dismissed on appeal - 11 February 2000

PF/98/1608

Erection of replacement workshop - Refused - 18 November 1998

Adjacent – Holly Lodge, 1 The Street, Thursford

PF/20/1624

Installation of two cabins within grounds of Holly Lodge to provide additional en-suite bed and breakfast accommodation - Approved 16 December 2020

PF/18/1292

Change of use from single dwelling (Class C3) to bed and breakfast accommodation (Class C1); external plant room/store, associated car parking and drainage - 28 September 2018

PF/14/0653

Demolition of detached garage and Nissen hut and erection of replacement garage with studio above and one and a half storey unit of serviced holiday accommodation - Approved - 20 August 2014

PF/09/0351

Erection of timber building to provide serviced holiday accommodation and replacement garage with studio - 16 June 2009

PF/04/1988

Removal of Nissen Hut and Erection of timber building to provide one unit of holiday accommodation - Approved - 17 November 2004

PF/87/1788

Change of use of outbuildings to accommodation - Approved - 22 September 1987

THE APPLICATION

The application seeks outline planning permission including access for a self-build dwelling. All other matters are reserved.

The site is located on the southern side of The Street in the village of Thursford Green in an area of designated countryside. The application is supported by a planning statement which describes the site as comprising a gravel driveway with turning area, bare ground and modified grassland with nine small fruit trees located centrally within the site, there are residential dwellings to the north, west and east and arable land to the south. Vehicular access is provided from The Street. The application site is within walking distance to Thursford Enterprises which is the family business of the applicant.

The applicant is the general manager for both Thursford Enterprises and the Thursford Collection which is a family run business and registered charity and is located approximately 60 metres from the application site. Thursford Enterprises is a long-established family business, a major local employer and a national attraction.

Thursford Enterprises Limited also includes a wedding and event venue and Holly Lodge Boutique Bed and Breakfast accommodation which is located at 1 The Street, Thursford Green, situated adjacent to the application site and 3 minutes walk from the Thursford Entertainments site with accommodation based around a former farmhouse. There are three guest rooms in the main house and three private access cottages within a former stable block. The Thursford collection also owns 1A The Street, which lies to the north west of the application site. Details of occupancy of this property have been requested from the applicant together with any connection with the business. However, these details have not yet been provided.

The application is supported by a planning statement. The applicant's justification for the need for a dwelling is that his responsibilities for overseeing all staff and operations of the business and registered charity involve the general manager being on call 24/7 in case of emergencies, staff call outs and security breaches. The 'day to day' duties of the applicant can take place between the hours of 8 am and 2 am, depending on the type of event or if during the Christmas period. It is also stated that the applicant has family and close family friends currently residing in Thursford Green and that Thursford Enterprises has several business interests in the village. The applicant is seeking to live within Thursford to be able to walk to work and reduce the many car journeys which are currently undertaken each day to reduce reliance on the car.

REASONS FOR REFERRAL TO COMMITTEE:

The application has been called in by the Ward Member (Cllr Sarah Butikofer) on the following grounds:

I believe there are several 'material considerations' that need to be considered by the committee in this application for a key worker. I would suggest that the interpretation of North Norfolk District Council's Policy SS 2 needs much further exploration, and firmly believe that development of one property in this location to support and sustain a key driver to our local tourist economy is essential. I would not support development in the countryside, but this location is in the centre of the village and is designated purely as countryside as it is not in a major settlement.

CONSULTATIONS

Thursford Parish Council - Support

Norfolk County Council Highways - No objections subject to conditions

NNDC Landscape Officer - No objection subject to conditions

REPRESENTATIONS:

None

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, refusal 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 Chapter 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 Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk
Policy SS 2: Development in the Countryside
Policy SS 3: Housing
Policy SS 4: Access and Infrastructure
Policy EN 2: Protection and Enhancement of Landscape and Settlement Character
Policy EN 4: Design
Policy EN 6: Sustainable construction and energy efficiency
Policy EN 8: Protecting and Enhancing the Historic Environment
Policy EN 9: Biodiversity & Geology
Policy EN 10: Development and Flood Risk
Policy CT 5: The Transport Impact of New Development
Policy CT 6: Parking provision

Material considerations

Supplementary Planning Documents and Guidance:

Design Guide Supplementary Planning Document (December 2008)
North Norfolk Landscape Character Assessment (2021)
North Norfolk Landscape Sensitivity Assessment (2021)

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

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
Chapter 9: Promoting sustainable transport
Chapter 11: Making effective use of land
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

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION

- 1. Principle**
- 2. Sustainability**
- 3. Design and layout**
- 4. Highways**
- 5. Residential Amenity**
- 6. Landscaping**
- 7. Ecology**
- 8. Conclusion and recommendation**

1. Principle (Policies SS 1 and SS 2)

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications must be determined in accordance with the development plan unless 'material considerations' indicate otherwise.

The site lies in an area of designated countryside. In areas designated as countryside Core Strategy Policy SS 2 states that development will be limited to that which requires a rural location and is for one or more of a number of specified types of development. This would only include new dwellings in specific circumstances which includes where it can be demonstrated that there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

This is reflected in paragraph 80 of the NPPF which 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 building; or
- e) the design is of exceptional quality, in that it: would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Planning Practice Guidance (PPG) advises that considerations that may be relevant to consider when applying paragraph 80 (a) of the NPPF could include the following:

- Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products)
- Other considerations include the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.
- Whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context.

Policy HO 5 of the North Norfolk Core Strategy also specifically relates to agricultural, forestry and other occupational dwellings in the countryside, it states:

Proposals for development in the countryside to meet the housing needs of full-time workers in agriculture, forestry and other essential workers connected with that land will be permitted only where they comply with the following criteria:

- i) there is a demonstrated essential need for one or more full time workers to be readily available at most times for the enterprise to function properly; and
- ii) the functional need could not be met by another existing dwelling on the site of the
 - a. enterprise or in the immediate vicinity; and
- iii) the enterprise has been established for at least three years and is, and should remain financially viable; and
- iv) the proposal does not represent a replacement of another dwelling on the site that
 - a. has been sold on the open market in the last five years; and
- v) the proposed dwelling is not larger than that required to meet the functional needs of
 - a. the enterprise, nor would it be unusually expensive to construct in relation to the
 - b. income that the enterprise could sustain in the long term

The proposal has been assessed against the criteria of Policy HO 5 as follows:

- i) Is there is a demonstrated essential need for one or more full time workers to be readily available at most times for the enterprise to function properly

This is a matter of judgment based on a number of factors such as the scale of the enterprise and the demands for the presence of staff out of hours as to whether or not there is a functional need for workers to live on site.

The applicant is the General Manager for Thursford Enterprises and the Thursford Collection which is a long-established family business, a major local employer and a national attraction. The statement in support of the proposal states that the applicant has family members and close family friends currently residing in Thursford Green and Thursford Enterprises has several business interests within the village. The applicant is seeking to live within Thursford to be able to walk to work and reduce car journeys which are currently undertaken every day. It is understood the applicant currently resides in Fakenham, approximately 20 minutes drive from the site.

Whilst the success of Thursford Enterprises and its major contribution to the local economy is not disputed, it is not considered that the business necessarily qualifies as a rural land based enterprise or that the applicant is a rural worker and, whilst it is claimed that the General Manager has 24/7 call out responsibilities, no evidence has been provided in terms of the number, frequency and nature of these call outs. There are a number of remote ways in which the security of the site can be appropriately managed such as CCTV and remote alarm systems for example. The nature of the business is one related essentially to tourism and from the information provided it has not been demonstrated that there would be a significant risk to human or animal health or welfare or from crime that would necessitate a 24-hour presence to enable the business to function properly. Based on the information provided as part of this application, the business has been running successfully for a significant number of years.

- ii) The functional need could not be met by another existing dwelling on the site of the enterprise or in the immediate vicinity

No information has been provided in terms of whether or not the need could be met by another existing dwelling or by an existing dwelling within the immediate vicinity. Further information has been requested from the applicant.

- iii) Has the enterprise been established for at least three years, and is, and should remain, financially viable

No financial information has been submitted however it is evident that the enterprise has been established for at least three years and there is no suggestion that it would not remain financially viable.

- v) 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;

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

- v) Would the proposed dwelling be larger than that required to meet the functional needs of the enterprise, or would it be unusually expensive to construct in relation to the income that the enterprise could sustain in the long term

No evidence has been submitted in relation to this. The application is in outline only and no details have been provided in terms of the scale and appearance of the dwelling. These details could be suitably considered as part of any subsequent Reserved Matters application(s).

Based on the above criteria, Officers consider that there would be insufficient justification for a permanent dwelling to house the Thursford Collection / Thursford Enterprise manager. The proposal for a dwelling would therefore conflict with the aims of Core Strategy Policy HO 5.

Housing Land Supply

The National Planning Policy Framework requires Local Planning Authorities to identify a five-year supply of specific deliverable sites to meet housing needs. At the current time the council is unable to demonstrate that it has 5 years' worth of deliverable sites. Planning applications will therefore be considered in line with paragraph 11(d) of the NPPF which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission will be granted unless the application of policies in the Framework that protect 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.

Further consideration is given to the implications of paragraph 11 of the National Planning Policy Framework as part of the balancing exercise which is set out within the conclusion below.

Self-Build dwellings

The applicant was advised at the pre-application stage that The Self-build and Custom Housebuilding Act 2015 ('The Act', as amended by the Housing and Planning Act 2015), and the Self build and Custom Housebuilding Regulations 2016, together provide the legislative basis for promoting Self and Custom Build Housing in England.

The Act requires the Council to maintain a register of persons '*seeking to acquire*' serviced plots on which to construct a custom or self-built dwelling which are '*to be occupied as homes by those*

individuals'. The Act places a duty on the Council to permit enough 'suitable' development permissions to meet the demand for serviced plots (as established by those persons and plots entered onto Part 1 of the Register).

Development permission is defined as 'suitable' in the Act if it is '*development which could include custom and self-build housing*'. The relevant national guidance states '*Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area*'. The definition and interpretation of 'suitable' is a key consideration in the grant of development permissions.

Irrespective of whether a dwelling is custom or self-built, this does not negate the application of the strategic development plan policies, in particular Core Strategy Policies SS 1 and SS 2.

Policy SS 1 sets out the spatial strategy for North Norfolk. It seeks to focus the majority of new development in the Principal Settlements, with more limited development in the Secondary Settlements and smaller amounts in the Service Villages and Coastal Service Villages to support rural sustainability. In the remainder of the district, designated as Countryside, a wide ranging list of development is allowed which is aimed at either supporting the rural economy, meeting affordable housing needs or providing renewable energy.

Policy SS 2 requires that development in such areas will be limited to that which requires a rural location and is for one of the forms of development listed in the policy.

The *custom and self-build housing*' Register evidences a very modest requirement for custom and self-build plots in North Norfolk, as published on the Council's webpages at www.north-norfolk.gov.uk/customeselfbuild. The Council's current position is that policies in the emerging Local Plan have been developed in order to address this modest demand and that, in the interim, officers continue to seek to negotiate provision of self-build plots where appropriate. The Council has been successful in granting suitable development under PO/17/0680 which includes up to 30 serviced custom or self-build plots in Fakenham, secured by S106 agreement. This permission is granted in a suitable and sustainable location in accordance with the adopted settlement hierarchy.

The plot the subject of this application is located outside of the established growth locations identified in Policy SS 1, Spatial Strategy and is not in line with the adopted or emerging local plan spatial hierarchy and distribution of growth. The settlement is within the designated countryside area. Policy SS 2 lists the types of development which can be acceptable in principle in the countryside, restricting new development to that which requires a rural location, subject to certain exemptions to prevent dispersed dwellings that will lead to a dependency on travel by car to reach basic services, and ensure a more sustainable pattern of development. The acceptable forms of development listed under Policy SS 2 does not include Custom and Self Built dwellings.

Whilst the demand for a serviced self-build plot may be established by the Register, the proliferation of development in an unsustainable location and in clear conflict with the Development Plan would make this proposal unsuitable for a new dwelling including those purporting to meet a demand for Custom and Self Build housing.

Summary

In terms of principle, the site is located within the designated countryside where unrestricted market dwellings would not normally be permitted.

In this case, the applicant is unable to make a sufficient case that the proposal is for a rural worker in connection with an established rural enterprise **and** that there is an essential need for a worker to be readily available at most times to ensure the proper functioning of the business **nor** has a case been made that the functional need could not be met by another existing dwelling in the immediate vicinity. In the absence of this justification, the proposal would be considered contrary to Core Strategy Policy HO 5.

The applicant's proposal for a self-build dwelling does not override the need to ensure that such dwellings are appropriately located. A new self-build dwelling in this location would be contrary to the aims of Core Strategy Policies SS 1, SS 2 as the site lies outside an area in which the Local Planning Authority would normally allow unrestricted residential development.

As such, the proposal is considered to be contrary to Policies SS 1, SS 2 and HO 5 of the adopted North Norfolk Core Strategy and paragraph 80 of the National Planning Policy Framework.

2. Sustainability (Policies SS 1 and SS 2)

Under the National Planning Policy Framework there is a need to consider whether the development is sustainable and to consider the social, economic and environmental objectives of the development and where these objectives are met, to apply a presumption in favour of sustainable development.

In addressing the objectives of sustainable development, the social objective requires planning to support strong, vibrant and healthy communities and states that it should create a high-quality built environment, the economic objective of the National Planning Policy Framework requires proposals to contribute to building a strong, responsive and competitive economy and the environmental objective states that the natural built and historic environment should be protected and enhanced and should mitigate and adapt to climate change.

The social aspect of sustainable development would be met through the contribution made to the housing stock. However, given the distances to the nearest services, the benefits of the provision of a dwelling in this location are limited in this regard.

There would be some economic benefits generated during the construction phase and consumer spending on goods and services by the occupants of the dwelling within the local economy. However, given the application is for one dwelling, any benefits in this regard would also be limited. In addition, owing to the lack of services and facilities within the immediate vicinity of the site, or nearby villages, it is unlikely that the proposed dwelling would result in any significant level of local support.

With regard to the environmental objective of this development the proposals could reasonably be expected to demonstrate a degree of inherent sustainability through compliance with Council supported energy efficiency and Building Regulations standards.

Paragraph 80 the National Planning Policy Framework states that Local Planning Authorities should avoid the development of isolated homes in the countryside unless there are special circumstances. These instances include, essential rural workers dwellings, securing the optimal viable use of a heritage asset, the re-use of a redundant or disused building which would enhance its immediate setting, sub-division of an existing dwelling or would have a design that is exceptional quality. In this instance, the proposal would not fall within any of these categories.

The National Planning Policy Framework does not provide a definition of what constitutes 'isolated' development. Planning law requires that applications for planning permission be determined in accordance with the development plan.

In terms of whether the site is 'physically remote' the new dwelling would be located near to existing residential development including the bed and breakfast accommodation known as Holly Lodge and owned by Thursford Entertainments at 1 The Street, Thursford Green and 1A The Street, Thursford Green owned by the Thursford collection.

However, the nearest large settlement would be Fakenham and as a result the proposed dwelling would be a substantial distance from any range of shops, services and facilities found within this nearest settlement. Given this substantial distance and that the roads leading from the site have no footpaths and no lighting and are subject to the national speed limit, future occupiers would likely be discouraged from making this journey by foot or bicycle. There is a limited bus service from Thursford Green to Fakenham. As such future occupiers would be heavily reliant on a private vehicle to gain access to shops, facilities and services. Taking the above into account, it is considered that the proposed dwelling would not provide convenient and safe access to nearby services and facilities which weighs against the development. In summary, it is not considered that the site is physically isolated from other dwellings, however it would be functionally isolated and remote from services and facilities.

The development is not considered to accord with the aims of Core Strategy Policies SS1 and SS 2 nor would it align with the overarching sustainable development objectives of paragraphs 7, 8, 9, 10 and 11 of the National Planning Policy Framework.

3. Design and layout (Policy EN 4)

Policy EN 4 states that all development should be designed to a high quality, reinforcing local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable.

The application is in outline form and details in relation to the design and appearance of the dwelling, sustainability measures and parking arrangements would be determined at the reserved matters stage should outline planning permission be granted.

An indicative site plan indicates a dwelling sited towards the rear of the plot which would be out of keeping with the form and character of the established street scene, which largely comprises a linear form of development with existing built form fronting The Street with generous gardens to the rear.

However, should outline planning permission be granted, the site is capable of accommodating a dwelling which would broadly accord with the aims of Policy EN 4 of the North Norfolk Core Strategy. Further details of siting and design would be a consideration at Reserved Matters stage.

4. Highways (CT 5 and CT6)

Norfolk County Council Highways have been consulted on the proposals and have commented that a new dwelling would generate 6 habitual daily vehicle movements, which could be catered for given the access width and emerging visibility splays available. This would require

improvements to the access surface, formalising the crossover to Norfolk County Council specifications, which could be conditioned. However, there are concerns regarding the sustainability of the site, which is remote from most essential services, leading to a reliance on the private car, contrary to local and national objectives. Nonetheless owing to the scale of the proposal the highway authority do not object on transport sustainability grounds but defers this matter for the consideration of the Local Planning Authority (see section 2 above). Should planning permission be granted conditions are recommended in relation to the upgrading of the vehicular access and that the proposed on-site car parking and turning area is laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

In respect to highway safety matters, the proposed development would accord with Policies CT 5 and CT 6 of the North Norfolk Core Strategy.

5. Residential Amenity

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. The design and appearance of any dwelling permitted is for consideration at the reserved matters stage, however, it is considered that a dwelling can be accommodated on the site in a manner which would not have a significantly detrimental impact on any neighbouring properties by way of overlooking, overshadowing, loss of amenity or outlook and which would therefore satisfactorily accord with Policy EN 4 of the North Norfolk Core Strategy.

6. Landscaping Policies (EN 2, EN 4, EN 9)

Having consulted with the Landscape Officer, several fruit trees would be removed from the plot to facilitate the proposals, the trees are relatively young or of poor quality and though this work represents a loss to the site, no significant concerns are raised regarding their removal.

The replacement trees and hedge planting as detailed on the landscape plan (Drawing No. 23.1744.001) are considered acceptable and provide adequate replacement for the trees proposed to be removed. The planting and establishment details are also considered appropriate and, should the application be approved, a condition to secure the details provided prior to first occupation of the dwelling would be appropriate. The tree protection measures set out in the tree protection plan are acceptable and appropriate to protect the remaining trees on site. Should the proposals be approved the implementation of this plan should be the subject to a condition to secure these.

No information on where the service connections would be sited has been provided though as detailed, it would be appropriate to route these outside of any Root Protection Areas as this work could damage neighbouring properties' trees.

Subject to the satisfactory implementation of conditions securing the above requirements, it is considered that the proposal will satisfactorily accord with Policies EN 2, EN 4 and EN 9 of the North Norfolk Core Strategy.

7. Ecology (EN 9)

The application is supported by an Ecological Impact Assessment prepared by Glaven Ecology (January 2023). A summary of the findings includes:

- No impacts upon designated sites are foreseen
- Site habitats comprise mainly of modified grassland, a gravel driveway and turning area and a bare ground track. Nine fruit trees, currant bushes, a storage cabin and a tin shed were also present.
- Impacts upon protected species are mostly screened out due to the low suitability of site habitats and existing baseline of disturbance. However, the loss of fruit will have a minor negative impact upon pollinator species and reduce (sub-optimal) nesting opportunities for birds.
- Recommended mitigation includes hedgerow and landscape planting with species of biodiversity value (incorporated into the submitted landscape plan), sensitive lighting design, clearance of woody vegetation (including the fruit trees) outside of the bird nesting period (March to August inclusive) or following confirmation by a suitably qualified ecologist that nesting birds are absent, backfilling excavations at the end of each day or fitting any open excavations with egress boards, and provision of mammal access gaps in any otherwise impermeable boundary features to be installed.
- Recommended enhancements include the installation of one integrated bat box and two swift boxes within the new dwelling and incorporating pollinator and bat friendly planting within any landscaping.

Having consulted with the Landscape Officer the assessment and recommendations made within the report are considered proportionate to the perceived impacts. The submitted landscape proposals incorporate most of the habitat mitigation and enhancement recommendations and should planning permission be granted a condition to secure these is considered appropriate.

In summary there are no objections to the proposal on ecological grounds subject to a condition to secure the following specified mitigation and enhancements:

- Any clearance of woody vegetation to take place outside of the breeding bird period (March to August inclusive) or following a pre-commencement check by a suitably qualified ecologist.
- Any external lighting must be installed following best practice guidance, e.g. operate using motion sensors on a 1 min or less interval, be mounted horizontally to the ground and not tilted upwards, and in the warm white spectrum (preferably <2700K).
- Installation of at least 1 No. integrated bat brick/tube within the fabric of the new dwelling
- Installation of at least 2 No. integrated bird boxes (at least one of which must be a swift box) within the fabric of the new dwelling.

Subject to the satisfactory implementation of conditions securing the above requirements, it is considered that the proposal will satisfactorily accord with Policy EN 9 of the North Norfolk Core Strategy.

Other Matters

GIRAMS

The site lies within the Zone of Influence of a number of European sites. The proposed net gain of one dwelling would trigger the requirement for a financial contribution towards the strategic mitigation package in accordance with the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). The developer contribution is currently set at £210.84 per dwelling and is index linked with inflation. The required contribution has been secured and as such the proposal complies with Core Strategy Policy EN 9.

Unilateral Undertaking

Should outline planning permission be granted, the applicant has provided a Section 106 undertaking. The Section 106 undertaking provides for the application plot to be constructed and occupied as a Self-Build dwelling. This would only be relevant if the plot was to be marketed and sold to a person who is included on the Council's Self-Build Register of persons seeking to acquire land to build a home (an approved person). In this case, the applicant already owns the plot and wishes to construct and occupy the property himself. That being the case, no weight can reasonably be given to the draft Section 106 Undertaking.

In addition, officers note that the undertaking provided covenants that the approved person intends to live in the residential dwelling for at least three years commencing on the date of first occupation and that the applicant has not proposed the inclusion of restrictive conditions limiting the occupation of the dwelling to those employed by the Thursford collection / Thursford Enterprise. Following the expiration of the initial three-year period as stated the dwelling could therefore be sold as an unrestricted open market dwelling.

In any event, whether or not regard is to be had to the Section 106 Undertaking, existing planning policies still apply when considering proposals for self-build projects as referred to in the relevant sections of this report.

8. Conclusion and Recommendation

The applicant's case for approval centres around the provision of a custom & self-build home and that such dwelling is necessary for the general manager for Thursford Enterprises and the Thursford Collection. Officers **do not** accept that a case has been made for approval.

The plot the subject of this application is located outside of the established growth locations identified in Policy SS 1 Spatial Strategy and is not in line with the adopted or emerging local plan spatial hierarchy and distribution of growth. Policy SS 2 lists the types of development that can be acceptable in principle in the countryside and the acceptable forms of development listed under Policy SS 2 does not include Custom and Self Build dwellings. The development would result in a dwelling in a poorly accessible and remote location which would result in a high reliance on the private car for most journeys and provide limited opportunities for future occupiers to access services and facilities by modes of sustainable transport.

Whilst the demand for a serviced self-build plot may be established by the Register, the proliferation of development in an unsustainable location and clear conflict with the Development Plan makes this location unsuitable for a new dwelling.

A recent appeal decision at Hempstead (Land to the rear of The Knoll, Chapel Lane, Hempstead for two detached self-build bungalows) was DISMISSED on 03 November 2023 which raised similar planning issues. A copy of that decision is attached at **Appendix A** of this report.

It has not been sufficiently demonstrated that the proposal is for a rural worker in connection with an established rural enterprise, that there is an essential need for a worker to be readily available at most times to ensure the proper functioning of the business nor has a case been made that the functional need could not be met by another existing dwelling in the immediate vicinity. In the absence of this justification, the proposal would be contrary to Core Strategy Policy HO 5 of the National Planning Policy Framework and Paragraph 80 of the National Planning Policy Framework.

In relation to the assessment against paragraph 11 (d) of the National Planning Policy Framework, in the light of the Council's lack of a 5-year housing land supply, the application has been assessed against the overarching social, economic and environmental objectives of achieving sustainable development. The social and economic benefits of a single dwelling would be limited owing to the lack of services and facilities within the immediate vicinity of the site, or nearby villages. It is therefore considered that the adverse impacts of approving this development would significantly and demonstrably outweigh the benefits which would in this case be limited.

It is considered that there are no material planning considerations submitted by the applicant which would outweigh the conflict with Development Plan Policies. As such, the proposal is considered to be contrary to Policies SS 1, SS 2, HO 5 of the adopted North Norfolk Core Strategy and paragraph 80 of the National Planning Policy Framework.

Therefore, refusal of the application is recommended for the following reasons:

RECOMMENDATION:

REFUSAL on the following grounds:

The site lies within the countryside. The acceptable forms of development listed under Policy SS 2 does not include Custom and self-build dwellings. Whilst the demand for a serviced self-build plot may be established by the Register, the proliferation of development in a poorly accessible and remote location which would result in a high reliance on the private car for most journeys and provide limited opportunities for future occupiers to access services and facilities by modes of sustainable transport makes this location unsuitable for a new dwelling. The proposal would therefore be contrary to Policies SS 1 and SS 2 of the North Norfolk Core Strategy.

Insufficient information has been provided to demonstrate that the proposal is for a rural worker in connection with an established rural enterprise, that there is an essential need which requires a manager to be readily available at most times to ensure the proper functioning of the business. nor has a case been made that the functional need could not be met by another existing dwelling in the immediate vicinity. In the absence of this justification, the proposal would be contrary to Core Strategy Policy HO 5 of the National Planning Policy Framework and Paragraph 80 of the National Planning Policy Framework.

It is considered that there are no material planning considerations submitted by the applicant which would outweigh the conflict with Development Plan Policies. As such, the proposal is considered to be contrary to Policies SS 1, SS 2, HO 5 of the adopted North Norfolk Core Strategy and paragraph 80 of the National Planning Policy Framework.