

BRISTON – PF/23/2048 – Development of existing barn complex to form 11no dwellings with associated car parking and landscaping, including ground mounted PV Array, Manor Farm, 44 Fakenham Road, Briston, Melton Constable, Norfolk, NR24 2HJ

Major Development

Target Date: 1 January 2024

Extension of Time: 27 September 2024

Case Officer: Mark Brands

Full Planning Permission

RELEVANT CONSTRAINTS:

Site is located in the countryside

Landscape Character Assessment - Tributary Farmland

Grade II Listed building – Manor Farm House (list entry 1049240) the farmhouse is the principal structure, the grouping of farmyard buildings are considered accessory to this listing.

Within Nutrient Neutrality Zone (discharge)

GIRAMS Zones of Influence (various)

EA Risk Surface Water Flooding

THE APPLICATION:

The proposal is for the change of use and associated works to convert former agricultural buildings to create 8 no. dwellings and demolition of existing barn and replacement with 3 no. dwellings to create in total 11 no. dwellings, with associated car parking and landscaping, including ground mounted PV Array

Further details / amendments received during the course of the application

Amended curtilage extent to barn 12, expanded to include Oak tree, and sufficient distance between the proposed boundary fence and hedge

- Proposed site plan, drawing no. PP.500 Rev. E, received 11 July 2024
- Arboricultural Method Statement, drawing no, 290724/01, received 29 July 2024

Amended / updated viability details received 25 June 2024

Revised plans received to address Conservation comments 3 April 2024

- Barn 1 proposed plans, elevations and section, drawing no. B1.PP.1001 Rev. A
- Barn 2 proposed plans, elevations and section, drawing no. B2.PP.1001 Rev A
- Barn 5 proposed plans, elevations and section, drawing no. B5.PP.1005 Rev B
- Barn 6 proposed plans, elevations and section, drawing no. B6.PP.1006 Rev A
- Barn 7 proposed plans, elevations and section, drawing no. B7.PP.1007 Rev. A
- Barn 8 and 9 proposed plans, drawing no. B8.PP.1008 Rev. A
- Barn 8 proposed elevations and sections, drawing no. B8.PP.1009 Rev. A
- Barns 10, 11 and 12 proposed plans, drawing no. B8.PP.1010 Rev. A
- Barns 10, 11 and 12 proposed elevations and sections, drawing no. B8.PP.1011 Rev A
- Battery store and outbuilding proposed plans, elevations and sections, drawing no. OBS.PP.1012 Rev A

- Carport and bin store proposed plans, elevations and sections, drawing no. OBS.PP.1013 Rev A

Updated protected species survey confirming information to do with battery and inspection procedures and nutrient neutrality assessment and mitigation strategy to include woodland planting to offset the proposed redevelopment of the site, and shadow HRA, addressing ecology comments.

- Shadow Habitats Regulations Assessment relating to Nutrient Neutrality (Wild Frontier Ecology, February 2024), received 19 February 2024
- Protected Species Survey (Glaven Ecology, December 2023), received 4 January 2024
- Nutrient Neutrality Assessment and Mitigation Strategy (Create, 3 January 2024), received 4 January 2024

RELEVANT PLANNING HISTORY:

Reference LA/23/2049 (associated application)
 Description Development of existing barn complex to form 11no dwellings with associated car parking and landscaping, including ground mounted PV Array (Listed Building Consent)
 Outcome Pending consideration, this is a joint planning application, to be determined concurrently with this application

Reference PF/23/2455
 Description Erection of grain storage building
 Outcome Approved 02.05.2024

Reference LA/23/1850
 Description Re-building of roadside gable wall to barn
 Outcome Approved 19.10.2023

Reference PU/23/1033
 Description Change of use of agricultural building to 3no. "larger" dwellinghouse (Class C3) and building operations reasonably necessary for the conversion
 Outcome Permission not required 16.08.2023

REASONS FOR REFERRAL TO COMMITTEE:

On the basis of the Council's Scheme of Delegation any development including ground mounted solar panels that have a capacity in excess of 250kw and **the site area exceeds the 0.5-hectare threshold** set out within paragraph 6.2 (4) (b), in this case the site would exceed this threshold.

CONSULTATIONS:

Briston Parish Council – Objects (full comments on public site, summary below)

- Concerns over the scale of development, design, out of character with rest of village.
- Concerns over properties being used as second homes (request legal restrictions)

- Concerns services unable to cope with additional development, particularly the sewage system, Astley School and Melton Constable doctors' surgery.
- Concerns about additional vehicular traffic

Conservation and Design (NNDC) – Comments (following revisions made to the plans to address comments originally made).

Summarising, C&D would reiterate overarching support for these proposals on the basis that they offer a means of securing the future of an important designated heritage asset. Would also stress that much of the scheme has now been appropriately specified and detailed and would adequately mitigate much of the heritage harm.

At the same time, however, the originally expressed concerns around the two new build extensions on Units 1 & 3 have not gone away – in essence they are still considered to be inappropriate for the host buildings and the wider group. Therefore, for the Local Planning Authority to set aside these concerns, it would not only need to be satisfied that there is a justifiable need for these additions but also that there would be sufficient public benefits accruing from the scheme to outweigh the 'less than substantial' harm identified. Otherwise, the application could not be considered compliant under para 208 of the NPPF.

Landscape (NNDC) - Comments (further clarifications have been received in an updated protected species survey, and revisions made to address nutrient neutrality aspects replacing the mitigation to woodland planting, that has since been accepted by NE. Additionally following discussions with the tree officer an oak tree to the north of the site was considered to be impacted from the proposed new curtilage, this was subsequently revised to ensure this tree would not be compromised addressing this issue) - conditions recommended.

Strategic Housing NNDC – Comments

- Proposals are for larger 3-4 bed homes, with generous GIA measurements
- Policy H09 requires 50% of the homes should be affordable
- Most housing need is for smaller one and two bed properties – suggest converting 2 of the larger four-bed homes into smaller two-bed homes thereby increasing the total number of homes and providing some of the smaller homes needed for affordable housing?
- Housing need – 802 households on Council's housing list wanting to live in Briston 159 in bands 1*, 1 and 2 are those in greatest housing need

County Council Highways (Cromer) – Comments (Required revisions, which have largely been implemented including omitting the gates by the entrance and relocating the bin store, stopping up order required to remove highway PD from strip of land adjacent to the highway, which could be secured by a suitably worded condition.

Acceptable in principle, the agricultural activities will continue upon the surrounding landholding with a new building proposed to the north of the site, thus the proposal would be considered to add 66 daily vehicle movements onto the B1354 via the eastern access. Part of the site adjacent to the highway.

NCC - Historic Environment Service – Comments

Development is not considered to have any significant impact on the historic environment

NCC Flood & Water Management (LLFA) – Comments

Refer to standing advice for major developments below LLFA thresholds

Norfolk Rivers Drainage Board – Comments

Within Board's Watershed Catchment.

Drainage strategy reliant on infiltration into a pond to the north of the site is likely to be achievable, should this not be viable, discharge into the catchment should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS). Recommend discharge from the site is attenuated to the Greenfield Runoff Rates wherever possible.

Anglian Water – Comments (recommending informatives)

- Site is in proximity to AW assets
- Foul drainage is in catchments of Briston Water Recycling Centre which has capacity for these flows
- The sewerage system at present has available capacity for these flows
- The foul drainage from this development is in the catchment of Briston Water Recycling Centre that will have available capacity for these flows
- proposed method of surface water management does not relate to Anglian Water operated assets

Environmental Health – Comments

(Following further clarifications, and resolution of other concerns,)

Noise – concerns of noise from the grain store considered under PF/23/2455 have been addressed with an updated acoustic assessment, which included upgraded noise mitigation measures. Noise from plant and equipment – more details and clarifications required regarding the pv array and plans for ASHPs (can be conditioned)

Refuse Storage and collection – sufficient bin storage capacity, and unfettered access to the bin stores for collection

Natural England – No objection – subject to appropriate mitigation being secured

In order to mitigate the adverse effects and make the development acceptable, the following mitigation measures are required

- Implementation of the required woodland planting and securing its maintenance in perpetuity, prior to the occupation of dwellings. Details of the required woodland planting should be provided by the applicant and secured by your authority
- A financial contribution of the current tariff to be paid into the Norfolk Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS).

Norfolk Constabulary (Designing Out Crime Officer) – Comments

Area characterised by low levels of crime. Site secure (with use of gates since omitted), consideration should be given for security around the ground mounted pv array to deter criminal damage and theft. The landscape plan is very good, encourage further defensible planting, some concerns over lack of surveillance towards carport.

REPRESENTATIONS:

2 public comments received, **objecting** to the proposals. Summary of the comments can be found below (full comments can be found on the public site);

- Impact on local ecology and protected species

- Concerns over surface water flooding
- Concerns over highway safety, and capacity to accommodate additional traffic
- Local school oversubscribed

Objection also received from CPRE (The Countryside) Charity, full comments available on the public site, summary of main points below;

- Absence of affordable housing
- Potential increase of light pollution

HUMAN RIGHTS IMPLICATIONS:

Art. 8: The right to respect for private and family life.

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

Having considered the above matters, 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 Core Strategy (September 2008):

Policy SS 1 - Spatial Strategy for North Norfolk

Policy SS 2 - Development in the Countryside

Policy SS 4 - Environment

Policy SS 6 - Access and Infrastructure

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 HO 1 - Dwelling Mix and Type

Policy HO 2 - Provision of affordable housing

Policy HO 8 - House Extensions and Replacement Dwellings in the Countryside

Policy HO 9 - Conversion and Re-use of Rural Buildings as Dwellings

Policy CT 5 - The Transport Impact of New Development

Policy CT 6 - Parking Provision

Material Considerations

National Planning Policy Framework :

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a sufficient supply of homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed and beautiful 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

Supplementary Planning Documents and Guidance

Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy -
Habitats Regulations Assessment Strategy Document (2021)
North Norfolk Design Guide (December 2008)

OFFICER ASSESSMENT:

Main Issues:

- 1. Principle of development**
- 2. Design and conservation considerations**
- 3. Amenity**
- 4. Housing mix and tenure**
- 5. Landscape**
- 6. Ecology**
- 7. Energy and sustainability**
- 8. Environmental Health**
- 9. Access and Parking**
- 10. Flooding and drainage**
- 11. Nutrient Neutrality**
- 12. Recreational Impacts**
- 13. Planning balance and conclusion**

1. Principle of development

The site lies to the north of Fakenham Road, comprising a cluster of agricultural buildings, located outside of a settlement boundary, and therefore designated as 'countryside' under Policy SS 1 of the North Norfolk Strategy, which sets out the spatial strategy for the North Norfolk district. Briston and Melton Constable are designated as a Service Village in the settlement hierarchy under SS 1 (where a small amount of new development is supported to support rural sustainability), and this settlement boundary includes dwellings opposite the application site, on the south side of Fakenham Road

In areas designated as countryside, Policy SS 2 restricts development to that which requires a rural location and is for the types of development listed in the policy. This includes the conversion of suitable agricultural buildings to appropriate uses and replacement dwellings and the principle of development is therefore supported subject to compliance with other relevant policies within the Development Plan and having regard to any other relevant material considerations including those within the NPPF.

2. Design and conservation considerations

Core Strategy Policy EN 4 states that all development will be of a high quality design and reinforce 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. In this case the proposal is of a good visual design, demonstrating a good understanding of the context of the building and site and respecting its character.

Policy HO 8 permits the replacement of dwellings in the countryside where the proposal would not result in a disproportionately large increase in height or scale of the original dwellings and would not materially increase the impact of the dwelling on the appearance of the surrounding countryside.

Policy HO 9 allows for the conversion and reuse of buildings in the Countryside to dwellings subject to this being in an appropriate location, worthy of retention, structurally sound and suitable for conversion without substantial rebuilding or extension and the alterations protect or enhance the building and its setting and of an appropriate scale.

Policy EN 8 of the Core Strategy states that development proposals should preserve or enhance the character and appearance of designated assets, historic buildings/structures, monuments, landscapes and their settings through high quality, sensitive design. This policy also seeks to ensure that the character and appearance of Conservation Areas is preserved, and where possible enhanced, encouraging the highest quality building design, townscape creation and landscaping in keeping with these defined areas.

When considering proposals or works affecting listed buildings, Section 66(1) of the the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The barns to be converted are located amongst a cluster of agricultural buildings and the Grade II Listed farmhouse and historically forms part of the same grouping, its conversion to a C3 use is therefore appropriate. It has been demonstrated through the structural report that the barns are generally in a sound structural condition and readily adaptable for conversion to residential accommodation and are not considered to require substantial rebuilding. See summary from the structural report below;

'To summarise, provided civil and structural design, construction, repair, and maintenance works are all undertaken in accordance with modern codes of practice and regulations; and following the advice and recommendations in this report, there is no reason why the existing barns 1-8 cannot be converted into habitable domestic properties that will be structurally sound for many years to come'.

Barns 10, 11, 12 (following demolition of existing barn A)

The agricultural building to be demolished and replaced with 3 no. dwellings (each comprising 4 bedrooms) benefits from a Class Q permission (PU/23/1033), confirming the works fall under the scope of Permitted Development in accordance with the conditions and limitations imposed by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This includes the requirement set out within Article 3(1) that regulations 75-78 of The Conservation and Habitats and Species Regulations (as amended) are complied with, concerning nutrient neutrality. A Regulation 77 application has been undertaken and accepted to demonstrate the development would be nutrient neutral under

CD/24/0243. The Class Q conversion is therefore considered by the Local Planning Authority to be a viable fallback position in considering the proposals to replace the barn with 3 new units, subject to compliance with design and the replacement dwelling policy.

Following revisions made to the plans, to address concerns raised regarding the ridgeline, and use of dormers affecting the agrarian character of the site, the dormers have been omitted, and instead features rooflights to reduce the visual impact, and provide appropriate lighting and means of escape. The end unit (12) has been increased to full 2 storey to break up the roofline, with the other two units subordinate with a lower scale 1.5 storey. The block would have prominence to the western side of the site, given this doesn't have a historic association with the rest of the site, a more contemporary build and material approach is appropriate to avoid disrupting the context and character of the rest of the site and its collective value. The inappropriate domestic features of the dormers have been omitted, and the materials are considered compatible with such a site, with facing brickwork, cladding and black metal roof.

The existing modern agricultural barn is of negligible aesthetic value, it is of a utilitarian form and scale. The proposed replacement is not considered to materially increase the impact of the barn / new dwellings on the surrounding landscape. The maximum height doesn't exceed the ridgeline height of the existing barn, the extent of the built form would be extended outside of the current footprint but within the overall built-up envelope of the site, with the extended part being to the south over the hardstanding area to the front of the existing barn, alongside the other barn range to the east. Additionally, the proposed building would be narrower and is more appropriate, with a proportionate scale and profile. The form is considered of a good visual design, sympathetic to the surroundings according with policies EN 4, HO 8 of the Local Plan.

Conversion of barns 1, 2, 3, 4, 5, 6, 7, 8, 9 (and demolition of existing barns B, C, D, E)

Barns 1, 2 and 3

Barn 1 is located at the northern part of the site, comprises a simple linear cartshed with traditional brick and flint detailing (support posts have been rebuilt). Adjacent to the south is Barn 2, comprising a characterful two-storey granary with arched bays at first floor level and restrained fenestration above. Barn 3 is located to the southwest and similar to Barn 1, being single storey, traditionally detailed, appears to have housed livestock and is of a simple linear form. The proposed conversions of these structures seek to create 3 dwellings, Barn 1 comprising 4 bedrooms, barns 2 and 3 comprising 3 bedrooms.

Revisions were made to the plans to address concerns raised by the Conservation Officer, including to the rooflights location and positions and removal of canopies to ensure better visual appearance and balance, avoiding an overly domestic appearance. The means of conversion of Barn 2 is considered appropriate, retaining and respecting the character of the former granary and its utilisation of existing openings. Barns 1 and 3 include perpendicular contemporary extensions, which would complicate the simple linear forms of these buildings and sit uncomfortably against the modest barn structures.

The extension to barn 1 would project by around 13m from the east elevation and have a width of 6.4m (the projection includes the articulated small link to the main part of the extension measuring 1.4m with a width of 4.6m, ensuring there is a set back from the main part of the extension), creating an additional footprint of 78sqm.

The extension to barn 3 would project by around 9m from the south wall and have a width of 5.6m (the projection includes the articulated small link to the main part of the extension measuring 1.3m, with a width of 5.1m, ensuring a set back from the main part of the extension), creating an additional footprint of 49sqm. The proposals fundamentally alter the underlying form and character of the buildings. The extensions are articulated from the linking structure. These elements would be large, dominating and will exacerbate the harm already created to the simple form of the buildings. Barn 3 has south elevation openings however the elevation is extensively re-worked, rather than utilising the existing openings. The proposals lack sensitivity and detrimentally affect the character of this building.

The means of conversion of barns 1 and 3 would therefore conflict with local policy considerations, as policy HO 9 sets out such conversion proposals should only be permitted where substantial rebuilding or extensions, and the alterations protect or enhance the character of the building and its setting. Additionally, EN 4 sets out that the scale and massing of new development relates sympathetically to the surroundings. The extensions are inappropriate for the host buildings and the wider grouping, Officers consider that the harm to Barns 1 & 3 and their contribution to the wider historic group weighs against the grant of planning permission..

Policy EN 8 supports the re-use of listed buildings and associated curtilage listed buildings but requires development proposals to preserve or enhance the character and appearance of the designated assets. In this case the extensions would result in harm and would be contrary to Policy EN 8. This harm is less than substantial to the significance of the designated asset and as such, in accordance with paragraph 208 of the NPPF, this harm would need to be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. This assessment of the harm against the public benefits of the development will be set out further in the report when considered against the whole development of the site.

Demolition of barns B, C, D, E

The proposal includes demolition of later low aesthetic value barns and infill structures, returning the site to the original layout of barns. These are of low quality, and do not make a positive contribution to the grouping of agricultural buildings, their demolition would be a positive intervention, and better reveal the significance of the historic group, and scope for enhancing the overall setting of the grade II listed entity, with the land being repurposed as gardens for the barn conversions. This aspect is therefore in accordance with local policy considerations.

Carport (Barn 4), bike and bin stores

Barn 4 is an older building, and probably has its roots within the historic group, however this has been heavily altered over time and now lacks any real significance towards the historic group. As such there are no objections to this building's demolition and would also represent a logical position for a new carport and bin store structure to replace this. The proposed new building would affectively reinstate the built form and enclosure within the middle of the site. The new Barn 4 carport and bin store building would provide parking provision for barns 2, 3 and 7 and the bin store serving units 1, 2, 3, 7, 10, 11, 12. The outbuilding to the front adjacent to Barn 8/9 would be converted to provide a bike store and bin store to serving the rest of the units (5, 6, 8, 9). which is considered an appropriate reuse of this smaller structure to the front of the site. Limited works are required to accommodate this use. The new building and conversion of the outbuilding are therefore considered acceptable.

Barns 5, 6, 7, 8, 9

Barn 5 appears to be the oldest building in the group and sits immediately adjacent to the '*principal*' listed house, this 18th century threshing barn is the most important of the '*accessory*' structures on the site. The proposal seeks to convert the barn into a 3 bedroom property. The front elevation mostly utilises existing openings. Revisions were made to the plans to address concerns raised including the removal of rooflights and repositioning of flue. The existing sliding barn doors and track are to be renovated/ repaired and retained, set in an open position. New openings are rational and the means of conversion is both appropriate and sympathetic to the character of the building, retaining key characteristics and features.

Barn 6 is dominated by its asymmetric form and prominent south-facing roof slope, this particularly building is a relatively inanimate within the wider historic group but is important to the visual context of the immediately adjacent Barn 5. The building has been altered over time, it lacks the level of significance found elsewhere in the group. Nonetheless, by virtue of its age and focal position, it still makes a positive contribution to the group as a whole. The proposal seeks to convert this into a 4 bedroom property. The means of conversion is considered appropriate, utilising and reinstating openings. Revisions have been made omitting a rooflight, and reducing the rooflight over the stairs, The rooflight does raise some concern, but this has been reduced, recognising there would be limited options to provide alternative lighting in this section. The rear ground floor opening has been amended and is more commensurately sized.

Barn 7 comprises a former piggery with outside feeder pens, its use can be easily discerned through its arrangement of openings. The proposals seek to convert this into a 4 bedroom property. The means of conversion is considered appropriate, making use of existing openings. The canopy and Juliette balcony has been omitted and rooflight reduced addressing concerns previously raised, the means of conversion is on balance considered appropriate.

Barns 8 and 9 are to all intent a single structure, being a single isled threshing barn. It is an attractive and commanding building standing gable end to the road and which faces directly back to the listed house. With its catslide roof and ridgeline vents to the fore, it most definitely enhances and gives meaning to the overall setting of the heritage asset. Equally, it has a significant want of repair (most obviously the roadside gable which is due for reconstruction). It is currently shrouded by unsightly structures on its western side (barns D and E). It is therefore urgently in need of attention and a viable reuse. The proposal would convert this building into 2 no. 3 bedroom properties. The plans have been revised, reducing the rooflights on the west elevation, and reducing the openings on the east elevation, reducing the visual impact from the size and cumulative impact from the openings on the original plans and reducing the loss of historic fabric. The roof vents are to be removed, which would result in the loss of a feature that reinforces the building's function, utilitarian appearance and visual interest at a high level. Regrettably the vents have been found to be made of asbestos and not suitable for retention, on balance their loss is considered acceptable.

The proposals would also result in the partial demolition of the farmyard wall to facilitate parking which would result in no more than a localised harm, which is otherwise accepted in the interests of creating a workable layout

Summary

Overall, the means of conversion of the barns is broadly acceptable and would accord with local policy considerations which seek to ensure that conversions are undertaken in an appropriate and sympathetic manner, respecting the characteristics of the site and preserving the historic fabric. The means of conversion would utilise existing openings, to reduce the external impacts from the conversion and keeping domestication to a minimum, to ensure the

agrarian character of the site and grouping of barns are respected keeping new openings limited and rationalised. Internal and external features are being restored and retained where possible.

There is an overarching support from Officers for these proposals, as a means of securing the future of an important designated heritage asset. Harm has been mitigated through revisions made. However, support is not unequivocal, the notable exceptions of the large uncharacteristic and dominating perpendicular extensions to barns 1 and 3 is most unfortunate. This harm would need to be weighed against the public benefits accruing from the proposals to be compliant with paragraph 208 of the NPPF. Subject to satisfying this aspect, the proposals would broadly be compliant with the local conversion, conservation and design considerations.

3. Amenity

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. New dwellings should provide acceptable residential amenity, both to external amenity and internal living space dimensions.

Paragraph 140 of the NPPF states that developments should create places with a high standard of amenity for existing and future users.

All units would have generous internal layouts, with sufficient lighting levels and acceptable curtilage extents, exceeding minimum guidance from the design guide with gardens mostly larger than the footprint of the dwellings. The layout, scale and orientation of the proposed dwellings both in relation to each other would not result in any harm to the amenities or privacy between each dwelling (future occupiers) of the development by reasons of overlooking, overbearing or loss of daylight or sunlight.

The only residential property in proximity is Manor Farm House, outside of the application site, adjacent to the front of the site, the amenity of this property would not be negatively impacted, given the siting and orientation of the property. There is a new grain store proposed, well distanced from the site to the north and with mitigation measures included as part of that application to ensure future occupants would not be adversely affected by noise.

The proposal is considered to have acceptable residential amenity for existing and proposed residential properties and would comply with Core Strategy Policy EN 4 and Section 12 of the NPPF.

4. Housing mix and tenure

Core Strategy Policy HO 1 sets out that 'on schemes of five or more dwellings at least 40% of the total number of dwellings shall comprise of not more than 70sqm internal floor space (now 80sqm) and incorporate two bedrooms or fewer; and on schemes of five or more dwellings at least 20% of dwellings shall be suitable or easily adaptable by the elderly, infirm or disabled.'

Core Strategy Policy HO 2 sets out that where it is viable to do so, that on all schemes of 10 or more dwellings (including conversion of existing buildings HO 9), affordable housing provision shall be included within the proposals. The application is accompanied by a Financial Viability Assessment, evidencing it would not be viable to include the provision of affordable

housing as part of the proposed development. The Local Planning Authority has sought to confirm this, and the findings in the report have been corroborated by an external consultant. There would be some profitability from the proposals so, while the addition of affordable housing is not viable on the site, a commuted sum (in the region of £52,400 in addition to public open space and GIRAMS contributions) can be paid to the council through a S106 Legal Agreement. The commuted sum can be used alongside other commuted sums for investment in future affordable housing projects. On the basis of viability evidence, the proposal would accord with Policy HO 2.

The housing mix does not comply with Policy HO 1, as noted from the strategic housing team. The proposed dwellings would have large GIA measurements comprising 3-4 bedrooms. It is recognised there could be capacity for smaller units to be accommodated on site, particularly barns 1 and 3 by omitting the extensions. However, omitting these extensions may compromise development yield and the viability for redevelopment of the site, by reducing the value of these units. Whilst it is regrettable that smaller dwellings cannot be provided resulting in a departure from Policy HO 1, this departure from policy would need to be weighed in the planning balance.

5. Landscape

Policy EN 2 seeks amongst other matters to ensure that development be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment. Proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, distinctive settlement character and the setting of, and views from, Conservation Areas.

The soft and hard landscaping proposals are considered appropriate and have been carefully considered to complement the site regarding the form and texture of hard surfacing. An appropriate planting scheme is also proposed with an appropriate mix of native planting, and hedging to connect with existing hedgerows, promoting green corridors on the site, with good quality boundary treatments, with brick and flint walls, woven steel fencing and combination of the two, avoiding close boarded fencing

External lighting is to be limited and low level and/ or downward pointing with no upward facing external light fittings, focused around illuminating entrances to the properties and within the parking and communal spaces

The existing alleyway between barns 4, 6, 7, 8, 9 is proposed to be landscaped as a pedestrian street, providing accessibility and permeability between the front and rear sections of the site and provide the converted barns with a more active area connecting to the street, rest of the site and parking and communal areas. To the west end would be a recreation space serving the dwellings and open space for children to play. A large pond to the east of the site would be restored, retaining significant trees, and creating a landscaped shared amenity space along the western edge of the pond for use by the site residents. The parking areas would also be broken up with landscaping between and around these areas to avoid a parking dominated development. There were concerns over the proximity of the new boundary treatment to barn 12 to a mature oak tree but this has been revised, extending the curtilage extent and including the oak tree in the garden to barn 12, and ensuring the boundary treatment would be appropriately distanced to ensure this would not impact this tree.

Subject to conditions, Officers consider that the proposal would accord with the aims of Core Strategy Policy EN 2.

6. Ecology

The application is accompanied by a Preliminary Ecological Appraisal and Protected Species Survey, a summary of the key findings of the reports includes:

- No impacts upon designated sites were foreseen.
- GCN are known to be present in the area though the species is likely absent from the pond closest to the site (70m east) based on regular surveys and a negative eDNA result in 2023.
- Day roosts were recorded for common pipistrelle in barns 3, 5 and 8/9 and barbastelle bat in barn 8/9. Hibernation roosts for common pipistrelle and *Myotis* sp. were also recorded in barn 5. An EPSM licence will be required to undertake works lawfully.
- Barn owl pellets were recorded in barns 1 and 2, with an existing access point and small owl box inside at the northern gable of barn 1. A barn owl box was also present in barn 2. An adult barn owl was observed taking food into barn 1 with chicks heard from within the barn owl box during June and July bat surveys.
- Recommended mitigation includes precautionary construction measures, sensitive lighting design, mitigation specific to bats which will be required as part of the EPSM licence, undertaking works outside of the breeding bird period, permanent provision of a barn owl nest box in Barn 1 and a barn owl nest box to be installed on a nearby tree at least 30 days prior to works commencing.
- Recommended enhancements include one bat box and one swift box per converted dwelling (either integrated or mounted externally).

Officers are satisfied that the impacts upon roosting bats would be sufficiently mitigated and compensated for through licensing, and the favourable conservation status of the local bat populations affected would be maintained. The mitigations and enhancements are considered appropriate, note the preference for an additional permanent barn owl box, but on balance the provision proposed with 1 permanent and 1 temporary is considered acceptable and would accord with local policy considerations.

Subject to conditions, Officers consider that the proposal would accord with the aims of Core Strategy Policy EN 9.

7. Energy and Sustainability

Policy EN 6 requires all new development to demonstrate how it minimises resource and energy consumption by and encouraged to incorporate on site renewable energy sources. On developments of 10 dwellings or more (including conversions) there will be a requirement on site renewable energy technology to provide for at least 10% of predicted total energy usage. Local Policy EN 7 sets out that renewable energy proposals will be supported and considered in the context of sustainable development and climate change, taking into account the wide environmental, social and economic benefits of renewable energy gain and their contribution to overcoming energy supply problems in parts of the district. Proposals for renewable energy technology, associated infrastructure and integration of renewable technology on existing or proposed structures will be permitted where individually, or cumulatively, there are no significant adverse impacts on; The surrounding landscape, townscape and historical features

/ areas; Residential amenity; Specific highway safety, designated nature conservation or biodiversity considerations

Paragraphs 158 - 163 of the NPPF set out that the supply of renewable and low carbon energy production should be supported in decision making and local plans. The local plan and the NPPF support the principle of such schemes that make a positive contribution towards more sustainable energy generation and reducing greenhouse gas emissions. The NPPF (para 163) sets out that the Local Planning Authority (LPA) should not require applicants to demonstrate the overall need and recognises that even small-scale projects provide a valuable contribution.

The application is accompanied by Energy and Sustainability Statement setting out the energy efficiency and sustainable approaches that would be pursued redeveloping the site. Amongst some of the areas outlined include the small field to the north of the site to the north of the site which would feature a ground mounted Photovoltaic Array, supplemented by battery storage located within a small outbuilding, providing off-grid energy for the dwellings on the site, the field benefits from mature hedging that largely screens this area to the east, west and north, with boundary treatment to the south from the proposed redevelopment of the site, this area would largely be screened from the wider landscape and historic grouping of buildings.

The proposal includes the installation of 12 arrays of photovoltaic (PV) panels alongside a battery storage system. Each PV array would consist of 22 PV panels, with a combined peak pv peak power of 112.2 kWp, and estimated energy output of 103.44 megawatt hours. Estimated carbon emissions reductions from the development after incorporation of 264 pv panels is expected to be 79%, including other energy efficiency measures incorporated into the design including fabric efficiency and sustainably sourced materials prioritised or include recycled contents to reduce embedded carbon, low and zero carbon technologies such as the provision of air source heat pumps for all dwellings.

As the proposal includes a large solar array in the rear field, this would minimise energy consumption from more unsustainable forms of energy from off-site sources supplied through the national grid. Given the scale of the solar array, the development would generate a significant proportion of the energy needs, well in excess of the recommended figure in the policy and incorporating other measures to minimise resource and energy consumption on site.

The proposed redevelopment scheme would incorporate sustainable principles into the construction and ensure the delivery of an energy efficient scheme, utilising renewable decentralised energy generation and low carbon systems including from the use of air source heat pumps and the solar array. The proposals would accord with local policy considerations EN 6 and EN 7.

8. Environmental Health

Noise

There were initial concerns over a proposed grain storage building, 420 metres to the far north of the site and the noise impact this could have on future occupants on the application site (approved under PF/23/2455). The acoustic details were subsequently updated on this application including upgraded noise mitigation measures. Noise from the proposed grain store, if adequately controlled by proposed mitigation measures, is not expected to adversely

affect the residential amenity of the application dwellings proposed in this application PF/23/2048

Further details were requested for the battery store regarding mechanical extraction and air source heat pumps; however, these details can be secured by way of a condition to ensure the appropriate specifications / mitigations are included to ensure these would not adversely affect future occupants of the site.

Contamination

There is low to moderate contamination potential on the site, relating to the previous use and materials including asbestos etc. The environmental health team have assessed the AF Howland report (TJS/23.045) and confirm the report is sufficiently robust to support the conclusions of the author. The contamination report has indicated that the potential site risk to end users is sufficient to warrant further characterisation of the site, a condition can be included to secure this, and identify any remediation that may be required and an informative on asbestos removal.

Bins

Following further clarification and revisions, all of the units refuse and recycling storage would be accommodated in the two bin stores on the site. This fulfils requirements in relation to residents not being required to carry their waste an unreasonable distance to the communal bins.

9. Access and Parking

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. Paragraph 115 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.

Further clarification and revisions have been made to the proposals to address comments made by the Highway Authority. This included removing the gates to avoid queuing traffic resulting from the additional 66 vehicular movements that would be associated with the proposed development, relocating the bin store and omitting walls. This addresses the comments initially made, and the site is noted as being acceptable in principle from a highway perspective.

There would be sufficient parking provision within the site commensurate with the parking requirements, and sufficient manoeuvrability, according with policy expectations.

The Highway Authority finds that part of the curtilage area associated with barn 8/9 is unregistered land, whereby the legal presumption of *ad medium filum* 'up to the middle line' would apply. In effect this means the adjacent landowner to a highway route owns the land up to the middle of that route. Because highway rights exist on the surface of this land, the landowner is responsible for the subsoil only and the highway authority is responsible for the surface. Part of the new curtilage wall would be within this affected area, as such a stopping up order would be required to remove highway permitted development rights from the land and associated responsibilities. In discussions with the Local Highway Authority, this can be secured by way of an appropriately worded condition affecting this small strip of land.

Subject to conditions, the proposal would accord with Core Strategy Policies CT 5 and CT 6.

10. Flooding and Drainage

Core Strategy Policy EN 10 seeks to direct most new development to areas of lower risk of flooding (Flood Zone 1). A site-specific flood risk assessment is required for development proposals of “1 hectare or greater in Flood Zone 1.” Moreover, in relation to surface water drainage, the Policy sets out that appropriate surface water drainage arrangements dealing with surface water run-off from the new development will be required.

The site concerning the location of the barns and farmhouse are located within Flood Zone 1, as such has low probability of fluvial or tidal flooding. The risk from flooding from all sources is generally considered to be low, with mitigation measures also set out to manage any residual risks from flooding.

The topographic survey shows the site generally falls to the north. Levels fall from 60.94m AOD in the southwest area of the site to 57.14m AOD – 57.70 in the northeast. The majority of the site is primarily at a very low risk of surface water flooding from extreme rainfall, with the dwellings placed away from primary flow routes, the risk from surface water flooding is generally low. Flooding from surface water remains a residual risk due to the potential for rainfall to exceed the design standard of the proposed drainage system. Appropriate mitigation measures are included including flow routing, external areas to be profiled so as any runoff would be directed away from dwellings and into the site roads and into the designated open space areas, and floor levels of all units would be raised above the surrounding area according building regulations standards.

Risk from groundwater is considered low, with no evidence of shallow ground water observed, but remains a residual risk of perched groundwater and climate change impacts. The proposal includes appropriate mitigation measures including waterproofing, de-watering as necessary through construction phase, all soakaway invert levels to be set to provide the 1.2m unsaturated zone between the base of the soakaways and potential groundwater level, and no soakaways to be placed in areas where groundwater seepage is encountered.

Risk from sewer flooding or water mains flooding is low, but a residual risk is managed by site drainage and regular inspection, and water mains placed within main service corridors beneath roadways, to ensure any floodwaters from water mains are contained and channelled towards attenuation basins.

A new foul water system would be constructed to serve the site, proposed to drain via gravity to the 225mm Anglian Water foul water sewer running along the southeastern boundary of the site. Anglian Water has indicated the sewerage system and Briston Water Recycling Centre has available capacity for these flows.

The redevelopment of the site would not alter the surface water drainage outfall location, most of which drains into an existing pond on site. There is limited information to determine if this feature could be utilised for surface water storage as part of the SUDS strategy, so this feature would only utilise the exiting pond for treatment. The geology across the site has good infiltration potential, and therefore proposed to drain the site via soakaway methods in compliance with the discharge hierarchy.

Of the approximate drained Site area of 1.007 ha, the roof area is 0.180 ha (which increases to 0.198 ha with the addition of 10 % added for urban creep) and a paved area of 0.231 making a total impermeable area of approximately 0.429 ha, with the remaining area for landscaping.

The surface water flows from the residential roof and paved areas would be drained and connected to the adjacent permeable paving, which would drain into the proposed swale network or existing pond prior to the designated infiltration basin located towards the northeast of the site, and discharge direct into the chalk geology below the site.

It is proposed to store the surface water generated from the areas above within an infiltration basin comprised of a 2.0 m deep open basin. The proposed basin has a surface area of 633 m² with a 1 m wide “wet bench” at a depth of 0.6 m (essentially a submerged buffer area around the basin), side slopes at 1:3 providing a base area of 86 m². Additionally, treatment will be provided first by permeable paving, throughout the Site, the swale conveyance system and the existing pond. There would be an offset level of 4.83m between the invert of the soakaway and maximum recorded groundwater levels. The swale system is proposed to be 0.40 m deep with a base width of 0.5 m and side slopes at 1:4. Check dams are also proposed to maximise storage and slow the flow down to aid treatment.

The measures proposed would ensure sufficient storage within the infiltration basin, and acceptable drainage rates, with the calculated half drain time of 529 minutes, well within the guidance requirements of 1440 minutes. Surface water would be treated via permeable paving, swale and infiltration basin, with the proposed treatment exceeding the level of treatment requirements for this site.

It is therefore considered that the proposal is acceptable in terms of drainage and flooding, with suitable maintenance and mitigation set out, complying with Core Strategy Policy EN 10 and meets the foul and surface drainage hierarchy of the NPPF.

11. Nutrient Neutrality

The application site lies outside of the Bure catchment for surface water catchment, but the site would connect to the Briston Water Recycling Centre (WRC) which discharges inside the Bure catchment and therefore nutrient loads associated with foul water would occur.

The application has been assessed against the conservation objectives for the protected habitats of the River Bure Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The total nutrients required to be offset due to the proposed development would be 0.69 kg/year Total Phosphorus (TP) and 24.87 kg/year Total Nitrogen (TN). These would be reduced to 0.22 kg/year TP and 8.95 kg/year TN in line with improvements required at Briston WRC.

The proposal includes converting 0.441ha of land currently sown with cereal crops to woodland to mitigate the impact of additional nutrients entering the catchment. This land is within the same ownership as the application site.

The development proposes to convert existing agricultural buildings and build additional dwellings to result in a net increase of eleven dwellings. Foul water is to be treated at Briston

Sewage Treatment Works, which would discharge inside of the Bure catchment and therefore nutrient loads associated with foul water will occur.

The Local Planning Authority (in consultation with Natural England) is satisfied with the nutrient details provided and form and extent of mitigation proposed, subject to securing through a Woodland Implementation and Management Plan by way of condition and legal obligation (as the land being used to offset the nutrients is outside of the application site area, and in other land in the applicants ownership), and in place prior to the occupation of the proposed development.

The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended). For the reasons provided above, it is considered the proposal complies with the requirements of Policy EN 9, and Chapter 15 of the Framework.

12. Recreational Impacts

The Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) is a strategy agreed between the Norfolk planning authorities and Natural England. The Strategy enables growth in North Norfolk by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development. Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. It would result in the significant features of the sites being degraded or lost, and these internationally important areas losing significant important areas for birds, plants and wildlife generally and, therefore, their designations. All new net residential and tourism development are required to mitigate the effects of the development.

This Strategy recommends a tariff approach to ensure funds are collected and pulled together to deliver the Recreational Impact Avoidance and Mitigation (RAMS) package proposed. This reflects the entirety of Norfolk including all partner Local Planning Authorities and would see a common tariff amount for all net new dwellings in the county (£221.17) alongside a 6:1 ratio for tourism development. This has been calculated from the RAMS mitigation package to cover the lifetime of the Local Plans.

The proposed development would create 11 net new dwellings, and the required GIRAMS contributions can be made via the S106 (noting a previous GIRAMS payment was provided under the Class Q prior approval application for 3 dwellings which forms part of this wider redevelopment). The Local Planning Authority as the 'competent authority' has completed an Appropriate Assessment and concluded that subject to securing the GIRAMS financial contribution, the planning application would not have an adverse effect on the integrity of the European Sites identified above from recreational disturbance, when considered alone and 'in combination' with other development. Consultation with Natural England is not considered to be necessary as the proposed development would be subject to the GIRAMS payment to offset potential impacts of an increase in recreational disturbance to nearby Habitat Sites.

Subject to the payment of the GIRAMS through the S106, the scheme would comply with Policy EN 9 of the adopted Core Strategy and Section 15 of the NPPF

13. Planning Balance and Conclusion

The Local Authority cannot currently demonstrate either a 5-year or 4-year housing land supply, which is a material planning consideration in the determination of the application. The tilted balance under NPPF paragraph 11 d) is therefore engaged which sets out that:

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. 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 addition of 11 dwellings would make a positive contribution towards addressing the housing shortfall and support the local economy both during the construction phase and supporting local services and facilities.

Aspects of the scheme are broadly compliant with local policy considerations and provisions within the NPPF, the means of conversions and preservation of the barns and redevelopment of the class Q barn are considered of a good visual design, and sympathetic to the setting of the site and its conservation.

There is case law that establishes where Class Q have a likelihood or real prospect of such a use occurring, a comparison must then be made between the proposed development and the fallback use. In this case the class Q barn has a Regulation 77 application demonstrating appropriate mitigation to ensure the development could lawfully be implemented under permitted development, and no other outstanding conditions etc that would need to be discharged before development could start and given this was a recent application, there would be adequate time to complete the conversion in accordance with PU/23/1033.

The barn in situ is of a utilitarian form, a large scale and bulk with a shallow pitched roof, as such does not make a positive contribution to the site. Officers consider that demolishing the barn and replacing this with a more appropriately designed building, would result in a far superior design compared to implementing the Class Q approval.

However, harm has been identified with the extensions proposed to barns 1 and 3. Accordingly under paragraph 208 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this case, Officer’s planning judgement rests that the public benefits listed above will, on balance, outweigh the harm created by inappropriate extensions to barns 1 and 3, and the residual harm associated with converting the collection of agricultural properties to residential use and associated domestication required (such as new openings and fenestration etc). The redevelopment would make a positive contribution towards the shortfall in the local housing supply. The redevelopment would ensure the long-term preservation of the barns and better reveal the barns through demolitions of modern structures that do not make a positive contribution on the site, thereby improving the overall setting of the designated asset. In addition, a commuted sum would be provided and other S106 contributions that would also derive a local public benefit.

Without these additions, the viability and deliverability of the proposals would be adversely affected. This would lead to uncertainty for the future of these former agricultural buildings which make a positive contribution to the designated asset with the group value from the associated barns. The preservation of the barns and enhancements of the site in addition to the other public benefits are considered to comply with the tests set out in paragraph 208 of the NPPF, and accordingly, on balance would accord with the aspirations of the Local Plan and provisions within the NPPF and recommended for approval subject to conditions.

Have regard to the above, Officers consider that the adverse impacts of the proposal do not outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

RECOMMENDATION:

APPROVAL subject to:

- 1. Securing of S106 Obligations for commuted sum and open space contributions, and GIRAMS mitigation, and securing off site nutrient neutrality mitigation**
- 2. Imposition of conditions including any considered necessary by the Assistant Director - Planning including matters relating to:**
 - **Time Limit for implementation**
 - **In accordance with approved plans**
 - **Materials and joinery details**
 - **Reuse of clay pantiles (any shortfall made up from compatible materials)**
 - **Details and samples of the bricks and wall copings**
 - **Rooflights flush-fitting conservation examples**
 - **Flues to be matt black or grey finish**
 - **Landscaping details, implementation and management**
 - **Pond management details**
 - **Accordance AMS**
 - **European Protected Species Licence**
 - **Mitigations and enhancement measures set out in Ecological Assessment**
 - **Construction Environmental Management Plan (CEMP)**
 - **Highway access and visibility**
 - **Provision of parking and secure cycle storage**
 - **Stopping up order**
 - **Details of plant/machinery/ventilation/air con/heating/extraction**
 - **Implementation and retention of refuse and recycling**
 - **Contamination details**
 - **Energy and Sustainability**
 - **Drainage strategy and mitigations**
 - **Permitted Development Right restrictions**

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

That the application be refused if a suitable section 106 agreement is not completed within 4 months of the date of resolution to approve, and in the opinion of the Assistant Director - Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale.