

**Wolterton - PF/20/2072 – Erection of dwelling with attached double garage; Park farm Office, Wolterton Park, Wolterton for Mr & Mrs Michael and Clare McNamara**

**Minor Development**

**- Target Date: 05 January 2021**

Case Officer: Mr D Watson

Full Planning Permission

**RELEVANT SITE CONSTRAINTS**

- LDF – Countryside
- Conservation Area
- Listed Building Grade II Consult Area
- Unclassified Road
- Landscape Character Area
- LDF Tourism Asset Zone

**RELEVANT PLANNING HISTORY**

*Relating to the application site*

PU/20/0766: Determination as to whether prior approval is required for a proposed change of use of a building from office use (Class B1(a)) to a dwellinghouse (Class C3). Prior Approval Given 30/06/2020

CL/20/0450: Certificate of Lawfulness for existing use of portacabin building as an office (Class B1(a)). Lawful – certificate issued 28/04/2020

PU/17/1490: Prior approval for a proposed change of use of a building from office use (B1a) to a dwellinghouse (C3). Refusal of Prior Notification 03/11/2017

PO/17/0216: Erection of two, 1.5 storey semi-detached dwellings. Refused 03/04/2017.

The reasons for refusal related to the fact that:

- the site was within the Countryside policy area where there is a general presumption against new build residential development.
- the proposal would not provide safe and convenient access on foot, cycle, public and private transport that addresses the needs of all, including those with a disability, by virtue of the distance from the site to local services such that future occupiers would be totally reliant on the use of the car for everyday travel.
- the location was considered to be unsustainable under paragraph 55 of the National Planning Policy Framework.

CL/13/1103: Certificate of lawfulness for existing use of land for siting office/storage building in connection with building/development business. Was Lawful Use 16/12/2013

*Relating to the wider Park Farm Barns site*

20000812: Barns 3 and 4. Conversion of agricultural buildings into two dwellings with cart shed garages. Refused 05/09/2000

20000835: Barns 1 and 2: Conversion of agricultural buildings to two holiday units with cart shed garages. Approved 06/12/2001

2000836: Barns 1 and 2: Conversion of agricultural buildings to two holiday units with cart shed garages (listed building consent). Approved 06/12/2001

20001632: Barns 3 and 4. Conversion of agricultural buildings into two holiday units with cart shed garages. Approved 06/12/2001

20021926: Conversion of barns to two dwellings. Refused 05/03/2003

20031416: Conversion of barns to two dwellings. Refused 07/07/2004 ADIS 15/12/2005

20051993: Barn 5 Conversion to one unit of holiday accommodation. Approved 17/03/2006

20071605: Barn 5. Removal of condition 2 of planning permission 20051993 to enable permanent residential occupancy. Approved 11/12/2007.

20081386: Barn 4. Conversion of garage to habitable accommodation and erection of detached garage. Refused 24/11/2008

PF/09/0052. Barn 4. Conversion of garage to habitable accommodation and erection of timber garage block. Approved 20/03/2009

PF/12/0277: Barn 4. Removal of condition 4 of planning permission reference 2000/1632 and condition 5 of planning permission reference 09/0052 to permit permanent residential occupation. Approved 16/01/2013

PF/19/0821: Barn 3: Removal of condition 4 (restricting occupation to holiday accommodation purposes only) of planning permission 2000/1632 to allow for unrestricted residential occupation. Approved 28/06/2019

## THE APPLICATION

The proposal, as amended, is for a single storey, detached 4-bedroom dwelling with accommodation within part of the roofspace. It would have a L shaped footprint with elevations facing, but set back from, Itteringham Road and the shared access serving the Park Farm Barns complex. There would be a two bay open-fronted garage attached the west end of the dwelling with parking in front of it. The existing roadside boundary hedge and other boundary planting and trees are indicated as being retained. Vehicular access to the public highway would be via the existing shared access facing Wall Road. External materials proposed are brick to the walls with some areas of timber cladding, pantiles to the roof and aluminium or timber windows and external doors.

The site is off the west side of the road between Itteringham and Wickmere (referred to in this report as Itteringham Road), opposite its junction with Wall Road. It is in the northeast corner of a complex of former agricultural buildings that have been converted to dwellings known as Park

Farm Barns. The site is within the Mannington and Wolterton Conservation Area, the land opposite bounded by Wall Road forms part of Wolterton Park which is a registered Historic Park and Garden and; the group of 3 barns on the south side of the complex are listed (grade II).

The application site is occupied in part by a 'portacabin' type building within an enclosed yard. It was originally used as the site office during the conversion of the barns and since the development was completed has been used as an office by the development company who converted the barns. The larger part of the site is used for storage of building materials, equipment etc, in association with the applicant's building business, having originally been the site compound for the conversion scheme. There was a certificate of lawfulness confirming this granted on 16/12/2013 as referred to in the planning history above.

A further certificate of lawfulness was granted on 28/04/2020 relating to the portacabin only, for its use as an office (Class B1(a)). Based on the evidence submitted, it was accepted that the previous certificate was incorrect in referring to the building itself being in B8 use.

There is extant permission for the conversion of the office to a dwelling. Part 3, Class O of the Town and Country Planning (General Permitted Development) Order 2015 permits the change of use of a building and any land within its curtilage from a use falling within Use Class B1(a) (offices) to a use falling within Use Class C3 (dwelling houses). This is subject to various restrictions, qualifications and conditions including the requirement to apply to the local planning authority for a determination as to whether its prior approval will be required in respect of a number of matters. Prior approval was given in June 2020. Class O does not include any building operations in connection with the residential conversion of the building and the red line defining the curtilage was tightly drawn around the building itself in order to reflect the lawful use of the immediate surrounding land for storage.

Also included within the application site is a landscaped strip that sits between the east edge of the storage area and the roadside boundary along which there is a hedge behind the grass verge. The north boundary of the site adjoins agricultural land and is enclosed by hedge/trees. Immediately to the west of the site is Barn 4 with a hedge running along the common side boundary and facing the south side of the site on the opposite side of the access is the garden to Park Farmhouse.

## REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr John Toye so the application has proper public debate because this plot and the application has always been somewhat contentious with the Parish Council seemingly against and locals supporting.

## PARISH/TOWN COUNCIL

Comments (summarised) as follows:

### *Application as first submitted*

- Brownfield status

The Parish Council has long challenged the 'Brownfield' label as the site is not on the council's Brownfield Site Register. Further, the portacabin is not a permanent structure and the planning application form itself states that the site is not currently vacant.

- Visibility

The statement that the development is 'not visible from the road', is untrue. The CGI image shows a view from Purdy House at the end of Itteringham Road, which shows just the top of the proposed development. If the site is approached from Wall Road it will be clearly visible to the right, from Itteringham direction it will be clearly visible to the left.

- Portacabin upgrade

The existing permission allows for the upgrading of the portacabin. As stated in the planning statement, the original footprint is 35 sq.m. Permitted development allows extensions totalling 76sq. metres giving a potential property of 111 sq.m. The proposed development is 170 sq.m - over 50% larger than allowed in normal circumstances. Justification for this is given as a shortfall of 3-bedroom properties in the area. The proposal is clearly for a 4-bedroom property - with 4 en-suites - so the justification does not fit the development.

The average footprint of a 3-bedroom property is 100 sq. metres so a property that fits the site could be built to fulfil the identified need.

Permitted development from the present footprint of 35sq m to 111sq m is an increase of 317%. The proposed development would create an increase of 486%

If the local planning authority approves this, or a future application, the PC suggest that the new property should 1) have a local residency covenant applied to ensure it helps fulfil the need for 3-bedroom houses in the area, and 2) not be used for holiday let.

- Insufficient on-site parking,

The proposal indicates only two parking spaces for a 4-bedroom property. This is insufficient as per local planning guidelines. Roadside parking would be inappropriate and unacceptable in this area and extra vehicles would impact on the small country roads/lanes.

- Bus services

The planning document misleadingly suggests that a regular bus service is available to neighbouring towns from Erpingham but this is very limited, especially during school holidays. Additionally, the service to Norwich runs only via the A140 so clearly residents would need vehicles to service their travel needs.

### *Following amendments*

The PC notes a reduction in height to the overall building but it still remains a 4-bedroom property that takes up the majority of the plot. The parking, although not clear, appears to indicate additional parking in front of the cart shed garage. This is not in keeping with the rest of the development where parking is not visible from the entrance roadway.

The PC also notes that this plan shows a 3-bay cart shed garage to the rear of no 4 Park Farm Barns which was not on the previous plans. Checks show this was approved in 2009 (ref PF/09/0052), however there does not appear to have been any work carried out since then. The council assumes this has lapsed and asks for confirmation of this.

The PC are concerned that there appears to have been a lot of discussion behind the scenes that have led to the revisions, but the legitimate concerns and objections of the PC and local residents to the previous application have not been addressed or taken into consideration.

## REPRESENTATIONS

One objecting:

- Lack of parking which does not comply with current standards. Parking would be visible and one of the attractive features of the Park Farm Barns development is that all parking is recessed or to the rear of the buildings.
- Occupiers of the proposed dwelling may park on the access which would look unsightly and impede access to the entrance.
- People have been lobbied to support the application and provided with paragraphs to use. A lot of supporting comments are likely to have been made by people who are not residents of Park Farm Barns.

Sixteen supporting:

- Less environmental impact than office use.
- Better looking than the portacabin.
- Would blend well with the existing development and can only be an improvement on what is there now
- Would complete the site in a style sympathetic with the rest of the complex. It is sensitive to, and in keeping with, the converted barns which include grade II listed buildings. Uses traditional materials and the layout is flexible. Scale is appropriate in its design for the entrance to the development
- Residents have lived with an incomplete entrance for many years and it degrades a Walpole estate site.
- Removal of the storage yard and office would be an improvement for the environment and residents. Would improve their outlook.
- Conversion of the portacabin would not reflect the character of Park Farm and the surrounding countryside.
- Less traffic using the access would increase road safety.
- Will not be a holiday let of which there are far too many leading to 'dead' villages.
- Incorporates environmental features such as air source heat pumps and rainwater harvesting.
- Will provide work during construction.
- Provides for the resident to work from home.

## CONSULTATIONS

Conservation & Design: advise there are two designated heritage assets which potentially would be affected by the new dwelling; the Mannington & Wolterton Conservation Area, and the grade II listed range of former farm buildings to the southwest of the site. The former is a large rural area which was designated in 1989 and derives much of its significance from the wider Walpole estate. The latter comprises a mid-19th century group of model farm buildings which have been converted but which still make a positive contribution to the broader designation.

### *Comments on application as first submitted*

Whilst replacing the existing unsightly site office/portacabin could potentially be seen as positive, the replacement building would be a much larger structure which would be more impactful at the entrance to the site. The 17m long ridgeline and unattractive rash of roof lights facing straight down Wall Road, and with its first floor gable windows announcing the residential use from the two other approaches, the proposed development would be likely to exert itself in an area which has never previously supported built development.

The agrarian buildings were originally built to the rear of the main house as would be expected. Through the 19th and early 20th centuries, the buildings started to return back on the northern side of the access drive, but they still stopped short of the site entrance in deference to the house. With there also being a corresponding general reduction in scale and architectural importance, the proposal is not compatible with the site hierarchy and historic development of Park Farm.

Alternatively, it could be argued that developing the application site would constitute a natural progression or evolution of the group. This however, still requires the new build to be compatible with, and sympathetic to, the existing structures on site. It is considered this is the main crux here. A single-storey structure which nestled quietly within the existing boundary planting, would not result in harm to the appearance and character of the conservation area, and to the setting of the adjacent listed building, whereas, adding a second floor of accommodation and effectively creating a new threshing barn which would trump and thus potentially detract from the historic group, would have precisely the opposite effect. Not only would the new build have a greater presence within the landscape, but it would also result in harm being caused to heritage assets.

As the conservation area is an extremely large designation (of which Park Farm forms only a small part) and it would still be possible to appreciate the listed building even with the proposed building in place, the harm would be towards the lower end of the 'less than substantial' spectrum for NPPF purposes. This notwithstanding, as para 193 makes clear, harm is harm for heritage purposes and must be afforded great weight. Therefore, unless there are considered to be public benefits accruing from the proposals which would outweigh the identified harm, the local planning authority would be unable to support the application.

### *Following amendments*

No objections. In terms of scale and form, the amended proposal seems far more compatible and the proposed building would no longer unduly assert itself beyond the confines of the application site.

Other than the horizontally proportioned 4-light windows in the north and south gables which lean more towards residential bungalows than to converted outbuildings, the design is considered to be acceptable. The window on the north elevation also nips uncomfortably on the verge and tends to emphasise the proportions of the gable. Fenestration with a more vertical emphasis would therefore be preferred in order to reinforce (rather than conflict with) the proposed aesthetic. Further amended plans have now addressed these matters.

Landscape Officer: objected to proposals as first submitted due to the impact on the landscape and settlement character and that of the conservation area. The trees on site have amenity value and contribute to the landscape of the area. They would act as a screen for a modest development and need to be retained. The proposed two storey dwelling would be in

contrast with the predominantly single storey existing development. It would be clearly seen from the road and detract from the less impactful existing development.

It is considered the amendments to the scheme are an improvement and acceptable subject to conditions including the requirement for a landscape plan.

Norfolk County Council (Highways): no objection given the lawful use and the acceptable access to the public highway. A two-bay garage/car port and off-road parking space is considered to be sufficient and would not give rise to any on-road parking that would be detrimental to highway safety. A condition to secure the proposed parking is requested.

National Grid: site is in close proximity to a High-Pressure Gas Pipeline, but no objection.

#### 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.

#### POLICIES

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

North Norfolk Core Strategy Policies:

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 – Design

EN 8: - Protecting and enhancing the historic environment

EN 13 - Pollution and hazard prevention and minimisation

CT 5 - The transport impact of new development

CT 6 - Parking provision

Supplementary Planning Documents

North Norfolk Design Guide (December 2008)

## North Norfolk Landscape Character Assessment (January 2021)

Note: there is not currently a character appraisal for the Mannington and Wolterton Conservation Area

### MAIN ISSUES FOR CONSIDERATION

- Whether the proposed development is acceptable in principle
- The design of the proposed dwelling and its effect on the character and appearance of the conservation area, other nearby heritage assets and the landscape
- The effect on the living conditions of the occupiers of nearby dwellings and whether the proposed dwelling would provide satisfactory living conditions for the future occupiers
- The effect on the surrounding road network and whether there would be adequate parking provision
- The weight to be attached to other the material considerations, including the 'fall-back' position, in the overall planning balance

### APPRAISAL

#### Principle: policies SS 1 and SS 2

The site is within the area designated as Countryside under policy SS 1 of the Core Strategy. Policy SS 2 lists the types of development that can be acceptable in principle within this area, but new market dwellings as proposed are restricted in order to prevent dispersal of residential uses that may otherwise will lead to a dependency on travel by car to reach basic services, ensure more sustainable patterns of development, and to protect the intrinsic landscape character of the Countryside. Recent appeal decisions have confirmed that these policies remain consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions, so as to improve air quality and public health.

The site is within a complex of former agricultural buildings in a remote location that have previously been converted to holiday accommodation, officers note some units in these conversions now having unrestricted residential occupancy. The closest settlement is Wickmere which is just over 1km away but it has no facilities or services

It is about 3km as the crow flies to Aldborough and 5.3km to Corpusty, both of which are designated as Service Villages having some limited facilities. It is about 2.3km to Itteringham where there is small shop. The closest settlements with a wider range of facilities are Holt (9.8km) and Cromer (11.5km) both Principal Settlements and Aylsham (6.7km). There are however, no bus services that run close to the site.

To reach the limited facilities in the closest Service Villages involves walking or cycling along narrow, unlit rural lanes with no footways. This is an unattractive option, particularly during darker winter months. Therefore, it is considered very likely that the future occupiers would be dependent on the use of the car to reach the full range of everyday basic services. The site is clearly functionally isolated and car dependent.

The site is not physically isolated within the consideration under paragraph 78 of the NPPF. This states that policies should identify opportunities for villages to grow and thrive, especially where



this will support local services and that where there are groups of smaller settlements, development in one village may support services in a village nearby. The site is however outside of the closest settlement. The Planning Practice Guidance (PPG) notes that a wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness. As referred to in a recent appeal decision (dated 17/09/2020) relating to a site in Erpingham where unlike the current case, there were a number of facilities within walking distance of the site *"policies SS 1 and SS 2 are firmly supported in this respect by the correlation between the locations for growth and the availability of an appropriate level of supporting services and infrastructure. This part of the PPG does not contradict the broader Framework principles for achieving sustainable development"*. It is considered that the proposal would result in significant harm with the introduction of a dwelling where it is likely there would be a very high reliance on private car use to access a full range of essential services, contrary to these principles.

Those dwellings in close proximity were formed through the conversion of the traditional barns which were worthy of retention and which would have complied with relevant policies in the development plan in force at that time. This application is new build development in the Countryside and subject to more restrictive policy control.

The proposal is contrary to policies SS 1 and SS 2 for the reasons stated above.

#### Design, character and appearance of the conservation area: policies EN 2, EN 4 and EN 8

With the amendments made to its height, it is considered that the proposed dwelling would be of an appropriate scale such that it would satisfactorily assimilate into the wider complex of converted barns and not be overly dominant. Whilst not a copy of a barn, its design takes its cues from them in terms of appearance and has a logical relationship with the existing development in terms of its siting on the plot and its footprint. External materials would reflect those of the adjacent buildings and further details would be secured by conditions. It is considered that the proposal would respect the character of the existing development and whilst it would be of a larger scale than the portacabin, its design and appearance would be more appropriate and result in an enhancement to the character and appearance of the conservation area. There would be no harm to the setting of the nearby listed buildings or Wolterton Park.

Existing landscape features such as trees and hedges on the boundaries of the site would be retained and could be secured through conditions along with additional planting. They would help to provide filtering in the main public views towards the site. The main and most expansive view of the site is from the east on Wall Road. With the reduction in height, the boundary hedge fronting the site and the fact that the dwelling would sit comfortably within the context of the existing development in this view, there would be no material harm to landscape character. In views from the north along Itteringham Road the proposed dwelling would largely be screened by existing planting. From the south on Itteringham Road, roadside planting would restrict views of the lower part of the dwelling and whilst the roof would be visible, it is not considered this would result in any material harm to landscape character.

The proposal is therefore considered to be in accordance with policies EN 2, EN 4 and EN 8 for the reasons stated.

Some of the supporting comments refer to the proposed development completing the (Park Farm Barns) site. Historically, there has never been a building on the site and one was not proposed

as part of the original conversion schemes. It is not clear whether it was originally intended that the site would be landscaped as although there was a landscaping condition imposed, there are no details on the historic file as to what if anything was ever approved. Notwithstanding that the existing uses of the site subsequently became lawful.

#### Living conditions: policy EN 4

The proposals raise no concerns in this respect. It is considered there would be no material impacts on the living conditions of the occupiers of the adjacent barn, in terms of overbearing or overshadowing impacts. With regard to privacy, the separation distances would comply with the amenity criteria in the North Norfolk Design Guide SPD. The private garden area serving the proposed dwelling would be of an adequate size and shape, complying with the requirements of the Design Guide in this respect. The proposal is considered to be acceptable in terms of policy EN 4.

#### Highways and parking: policies CT 5 and CT 6

The proposed development would use the existing shared access serving Park Farm Barns. It is of a good standard with adequate visibility. The lawful uses of the site would generate a number of vehicle movements as would the proposed dwelling, although it is likely the pattern of daily movements would be different. The Highway Authority have no concerns in this respect and the proposal is therefore considered to comply with Policy CT 5.

A 4-bedroom dwelling as proposed would require a minimum of 3 parking spaces to comply with the current adopted parking standards in appendix C of the Core Strategy. Four spaces would be provided – two within the garage and two in front of it. The Highway Authority consider the parking provision to be adequate and have no concerns in respect of overspill parking on adjacent public roads. A condition could be included to ensure the garages are kept available for parking and on that basis the proposal would comply with Policy CT 6.

#### Fall-back position and other material considerations

As outlined above, the erection of a dwelling in this location is a clear departure from Core Strategy Policy and contrary to national guidance relating to the location of new development. The location, whilst not isolated, is remote from services and occupants would be car dependant for all day to day needs. Such dispersed patterns of development which increase the need to travel are unsustainable and fail to address the impacts of climate change.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore, the proposal could only be considered acceptable in this location if there are other material considerations in favour which outweigh the conflict with policies SS 1 and SS 2.

#### *Fall-back*

A fall-back position i.e. what would be the alternative use the site or development that could be carried out if planning permission was refused, is a material planning consideration. This can include development that can be carried out under permitted development rights. In this case the applicant is citing the existing permission for the conversion of the portacabin office building to a dwelling as a fall-back option. It should however, be noted that this does not include the remainder and much greater part of the current application site such that the potential fall-back only relates

to about 4% of the overall site area. On this basis the scope for further development under the fall-back position is considered to be strictly limited.

The weight to be attached to the possible fall back development should take proper account of the likelihood of such a fall back happening and should compare the relative merits of the fall back and the proposed development. The Courts have held that, in order to be a material consideration, a fall-back only has to have "more than a merely theoretical prospect". While the likelihood of the fall-back occurring may affect the weight to be attached to it by the decision maker, the Courts did not rule that this affected its status as a material planning consideration. Any proposed development which seeks to rely on the fall-back position should be given greater weight if it is more beneficial and has less impact than the development which could take place under the fall-back position.

There is no firm evidence provided within the application in respect of whether there is a realistic prospect of the existing permitted scheme being delivered if permission was to be refused. The fact that the existing permission has not been implemented, was only granted in June 2020 and was quickly followed by the current application could reasonably be interpreted as indicative of no likely intent to pursue the existing permission. Instead it argues that the extant permission has established the principle of residential use of the site and that the proposed development would result in an enhancement of the site and removal of the Class B8 use, which are considered separately below.

Officers consider that it is unlikely that the permitted scheme would be implemented if permission was refused, in particular due to the size of the dwelling that would be provided and the fact that currently it would have virtually no external amenity space. The submitted Planning Statement refers to the fact that if the building were to be converted it could be extended through permitted development rights which could add a further 76 sq.m floorspace giving an overall floorspace of 111 sq.m. This is however, incorrect as the relevant permitted development right applies to development within the curtilage of a dwellinghouse and in this case the building has virtually no curtilage.

#### *Removal of the B8 use of the land.*

The lawful use of the land other than that occupied by the portacabin is for storage (Use Class B8) in connection with the applicant's building/development company and is understood it continues be used as such. It is unlikely that this would preclude it being used for another purpose within Class B8 if the site was sold on. The use is very low key and has been in situ for a number of years, which historically this has not resulted in any complaints to the council. The use is at the eastern end of the complex of converted barns and close to the access, so vehicles making deliveries of materials do not have to pass any of them which could otherwise result in noise and disturbance potentially impacting on the amenity of their occupiers.

#### *Enhancement of the site and conservation area*

It is accepted that the existing building has no architectural merit being a functional grey box and, as considered elsewhere in the report, the proposed dwelling as amended is of an acceptable design. However, because of its limited scale and screening by fencing and hedges/trees, the overall harm caused by the building on the immediate area and designated heritage assets in considered to be negligible. As such whilst the proposed development would result in an overall enhancement, it is not considered this would outweigh the significant harm from the conflict with policies SS 1 and SS 2.

### *Contribution to housing supply*

Any contribution from the single dwelling proposed would be insignificant in this respect. Similarly, with regard to housing need, although the proposed dwelling would better meet this need than the one-bedroom dwelling that has permission, the contribution would be insignificant.

### *Whether the site is brownfield land*

The Planning Statement make reference to the site as 'brownfield' land. The definition of previously developed (brownfield) land in the NNPF is "*land which is occupied by a permanent structure including the curtilage of the developed land....and any associated fixed surface infrastructure*". The only permanent structure is the portacabin and it is considered that the remainder of the site is not part of its curtilage having a separate lawful use. There are shipping containers on the land but these are not permanent structures.

### *Replacement dwelling*

It is argued that the spirit of the proposal is as a replacement dwelling for the approved conversion and as such can be considered against policy HO 8. This is a hypothetical argument as the dwelling currently does not exist, only permission for one. Also as already referred to it is not considered the dwelling could be extended using permitted development rights given the restricted curtilage.

### Conclusion and Recommendation

The proposal is considered to be acceptable in terms of its design, effect on the character and appearance of the area, living conditions and highways related matters.

The proposal is however, unacceptable in principle and contrary to policies SS 1 and SS 2 and would not be sustainable development. Whilst some of the material considerations weigh in favour of the proposals, overall both individually and cumulatively, it is not considered these are of such weight such that the proposal, which is contrary to the development plan, should be approved. Therefore, refusal of the application is recommended.

### **RECOMMENDATION:**

Refuse for the following reason:

- The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

SS 1 - Spatial Strategy for North Norfolk  
SS 2 - Development in the Countryside

The proposed dwelling would be within an area designated as Countryside where there is a general presumption against residential development and in a location with no services and poor access to a full range of basic services. The future occupiers would therefore be dependent on the car to be able to reach such services. The proposal would therefore not be sustainable development. In the opinion of the Local Planning Authority there is no

justification to permit the erection of the additional dwelling in the Countryside contrary to policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy and paragraph 78 of the National Planning Policy Framework (February 2019).

Final wording of reasons to be delegated to the Assistant Director - Planning