

## **Development Control Committee 7 August 2019**

### **Applications DC/18/2152/FUL & DC/18/2153/LB – Thripskin Farm, High Street, Thelnetham**

<b>Date Registered:</b>	26.11.2018	<b>Expiry Date:</b>	21.01.2019 EoT agreed until 21.08.2019
<b>Case Officer:</b>	Marianna Hall	<b>Recommendation:</b>	Refuse Application DC/18/2152/FUL  Approve Application DC/18/2153/LB

<b>Parish:</b>	Thelnetham	<b>Ward:</b>	Barningham
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**Proposal:** DC/18/2152/FUL Planning Application - Provision of 1 no. agricultural worker's dwelling including conversion of existing single storey outbuilding (following demolition of existing pole barn and shed); change of use of agricultural land to garden. As amended by plans received on 6th and 20th December 2018.

DC/18/2153/LB Application for Listed Building Consent - (i) Demolition of pole barn and shed (ii) Conversion and extension of outbuilding to provide 1 no. agricultural worker's dwelling. As amended by plans received on 6th and 20th December 2018.

**Site:** Thripskin Farm, High Street, Thelnetham

**Applicant:** Mr & Mrs Paul & Jo Nunn

**Synopsis:**

Applications under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached applications and associated matters.

CONTACT CASE OFFICER:

Marianna Hall

Email: marianna.hall@westsuffolk.gov.uk

Telephone: 01284 757351

## **Background:**

**The applications were considered by the Delegation Panel on 18 June 2019 at the request of Councillor Bull as Ward Member (Barningham). The Parish Council also supports the applications, which in the case of the planning application is contrary to the Officer recommendation of REFUSAL. The Delegation Panel determined that the applications should be referred to the Development Control Committee.**

**A site visit will take place on Monday 5 August 2019.**

## **Proposal:**

1. Planning permission and listed building consent are sought for the provision of an agricultural worker's dwelling at Thripskin Farm including the conversion of an existing single storey outbuilding. A pole barn and shed on the site would be demolished. Planning permission is also sought for the change of use of agricultural land to garden to serve the new dwelling.
2. The existing farmhouse at Thripskin Farm is occupied by relatives of the applicants (Mr Nunn's parents) who are no longer able to manage the farm. The proposed new dwelling would be occupied by the applicants and their children. Mr Nunn currently works in sales for a company that provides bovine genetics and reproduction services and intends to continue this employment alongside taking on the responsibility of managing the farm. The farm has a breeding herd of 15-20 adult cattle and 1-2 years of young stock, resulting in a total of approximately 40 cattle.
3. The proposed dwelling would be mainly finished in black boarding on a brick plinth with zinc/profile metal sheeting and an aluminium profiled roof with a zinc or profiled metal finish. For the single storey outbuilding to be converted it is proposed to use brickwork with pantiles to the roof, both to match existing.
4. The dwelling would have four bedrooms and two bathrooms on the ground floor with the converted outbuilding providing an office, shower room, utility room and area for general storage. The living accommodation would be at first floor level comprising a kitchen, dining room and sitting room. The dwelling would use the existing access to Thripskin Farm from High Street with two parking spaces provided within an attached cartlodge and a further two spaces available in front of this. The proposed garden area would be predominantly to the rear of the new dwelling.
5. The proposals were amended in December 2018 to address concerns raised by the Environment Agency regarding the ground floor level and also to reduce the red line to the solely include the area of the proposed development.

## **Application Supporting Material:**

6. The information submitted with the applications comprises:
  - Application Forms
  - Plans
  - Design, Access & Heritage Statement
  - Environmental Report

- Preliminary Ecological Appraisal
- Flood Risk Assessment
- Flood Warning and Evacuation Plan
- Supporting information regarding need for dwelling
- Financial information (confidential)

### **Site Details:**

7. The site forms part of Thripskin Farm and is currently occupied by a single storey brick built outbuilding, a timber shed and a pole barn. The brick building has partially collapsed in places. The pole barn is an open-fronted structure with corrugated asbestos and metal cladding. The buildings are currently used for agricultural purposes and are immediately opposite the existing farmhouse which is a Grade II listed building.
8. In addition to the agricultural buildings and listed farmhouse, Thripskin Farm comprises 78 acres of arable land which is mainly used for the production of forage for livestock. 28 acres are currently rented out. The farm has a breeding herd of 15-20 adult cattle and there are also normally 1-2 years' worth of young stock on the farm, resulting in a total of approximately 40 cattle on the farm at any one time.
9. The site lies within the countryside to the south of the settlement of Thelnetham. The local authority boundary runs through the farm complex, with the agricultural buildings falling within West Suffolk and the farmhouse falling within the parish of Hinderclay within the Mid Suffolk District. The access and a small part of the site are within Flood Zone 3.

### **Planning History:**

10. There is no previous planning history relevant to the proposals.

### **Consultations:**

#### **11. Parish Council**

Support (without comments).

#### **12. Councillor Bull**

Request that this goes to the Delegation Panel.

#### **13. Conservation Officer**

Application is for the repair of a single storey farm building which is part of the original farmyard and the replacement of a modern pole barn with a two storey weather-boarded barn which would be similar to the traditional barn which formerly existed in the same location. A number of derelict and redundant farm buildings which are not of historic interest and do not relate to the original farm yard would also be removed. Proposed building together with the removal of unnecessary structures would hugely improve the appearance of the site, reinstate the original layout and enhance the setting of the nearby listed farmhouse. It would also ensure the repair and reuse of the surviving single storey building. No objection subject to conditions regarding materials and finishes, details of repairs to the building and details of boundary treatments.

#### **14. Highways**

Conditions recommended regarding manoeuvring and parking areas and surfacing of access.

**15. Public Health & Housing**

No adverse comments.

**16. Environment Team**

*Initial comments:* Insufficient information provided regarding potential contamination.

*Further comments:* Am now satisfied from the information provided that the likelihood of significant contamination at the site is low and I therefore withdraw my objection. Condition recommended regarding unexpected contamination.

**17. Suffolk Wildlife Trust**

Have read the ecological survey report and we are satisfied with the findings. Request recommendations made within the report are implemented in full via a condition of planning consent.

**18. Environment Agency**

*Initial comments:* Object in the absence of an acceptable flood risk assessment (FRA). FRA fails to demonstrate that the proposed development will be safe for its lifetime.

*Further comments:* Having received revised flood risk information we withdraw our objection subject to the measures outlined in the FRA being implemented in full. The LPA will also need to determine whether the Sequential Test has to be applied and whether there are other sites available at lower flood risk.

**Representations:**

19. None received.

**Policy:**

20. On 1 April 2019 Forest Heath District Council merged with St Edmundsbury Borough Council to become a single Authority, West Suffolk Council. The development plans for the merged local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine these applications with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

21. The following policies of the St Edmundsbury Core Strategy, the Rural Vision 2031 and the Joint Development Management Policies Document have been taken into account in the consideration of the applications:

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness

- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS13 - Rural Areas
- Rural Vision Policy RV1 – Presumption in favour of Sustainable Development
- DM Policy DM1 - Presumption in Favour of Sustainable Development
- DM Policy DM5 – Development in the Countryside
- DM Policy DM6 Flooding and Sustainable Drainage
- DM Policy DM7 Sustainable Design and Construction
- DM Policy DM11 Protected Species
- DM Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- DM Policy DM13 Landscape Features
- DM Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- DM Policy DM15 Listed Buildings
- DM Policy DM18 New Uses for Historic Buildings
- DM Policy DM22 Residential Design
- DM Policy DM26 Agricultural and Essential Workers Dwellings
- DM Policy DM28 Residential use of Redundant Buildings in the Countryside
- DM Policy DM33 Re-Use or Replacement of Buildings in the Countryside
- DM Policy DM46 Parking Standards

**Other Planning Policy/Guidance:**

National Planning Policy Framework (NPPF 2019)

22. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have

been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

**Officer Comment:**

23. This is a joint report for both the planning application and listed building consent application for the proposed development. As the issues to be considered for the planning application are wider ranging than for the listed building consent, it is highlighted that those matters marked with an asterisk below relate solely to the planning application and are not material to the assessment of the related application for listed building consent.

24. The issues to be considered in the determination of the applications are:

- Principle of Development\*
- Design and Heritage Considerations
- Biodiversity
- Flood Risk\*
- Landscape Impact\*
- Contamination\*
- Highway matters\*

*(\*planning application only)*

**Principle of Development**

25. The site is located outside of the defined Housing Settlement Boundary for Theltenham and is therefore within the countryside for planning purposes. Policy CS13 of the Core Strategy states that development outside the settlements will be strictly controlled, with the development management and rural vision policies setting out the detailed uses which are appropriate in rural areas. The NPPF states that the development of isolated homes in the countryside should be avoided unless particular circumstances are met, and these include where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside (paragraph 79a). Development Management Policies DM5 and DM26 are consistent with the NPPF in supporting the principle of agricultural workers dwellings, with DM26 setting out the detailed considerations for this type of residential development.

26. Policy DM26 states:

*New dwellings in the countryside, related to and located in the immediate vicinity of a rural enterprise, will only be permitted where:*

- a) evidence has been submitted to the satisfaction of the local planning authority that there is an existing agricultural, forestry or other commercial equine business-related functional need for a full time worker in that location; and,*
- b) there are no suitable alternative dwellings available, or which could be made available, in the locality to serve the identified functional need; and,*
- c) it can be demonstrated that the enterprise is, or will be in the case of new businesses, a viable business with secure future prospects; and,*
- d) the size and nature of the proposed dwelling is commensurate with the needs of the enterprise concerned; and,*

*e) the development is not intrusive in the countryside, is designed to have a satisfactory impact upon the character and appearance of the area, and is acceptable when considered against other planning requirements.*

*In addition to the above requirements, if a new dwelling is essential to support a new agricultural or forestry or other commercial equine business-related enterprise it will normally, for the first three years, be provided temporarily by a caravan, a wooden structure which can easily be dismantled, or other temporary accommodation. Successive extensions to any temporary permission will not normally be granted beyond three years, and any subsequent proposals to provide permanent accommodation at any site will be considered using the criteria above.*

27. The local planning authority commissioned Kernon Countryside Consultants to carry out an independent appraisal of the proposals in relation to the above policy requirements based upon the information provided. Their report dated 10<sup>th</sup> April 2019 is available to view online, with the key findings set out below with reference to the specific criteria set out within DM26.

Whether there is an existing functional need for a full-time worker in this location

28. Kernon Consultants advise that in assessing whether or not there is a functional need it is necessary to consider the chances of things going wrong, the frequency of such problems occurring, the severity of any problems and the potential for a resident worker to be able to identify and deal with any such problems. Whenever livestock are kept there is some risk, as illness or injury can occur at any time. Where animals are giving birth the risk of problems is increased, and a stockperson should generally be making regular inspections in the run-up to and during the calving process so as to be able to assist or deal with problems swiftly.
29. With regards to suckler cows, the most intense need relates to the calving of cows. There needs to be very close observation in the run-up to and during the calving process due to difficulties with delivery. A stockperson may not need to assist in many cases, but that only becomes evident as the calving progresses. The stockperson needs to observe the process each time if possible. There is also a need for close attention with young calves to ensure that they suckle, that they do not get stuck or crushed and that they do not develop coughs or diseases. Older cattle also require supervision and attention as they can develop problems including illness, getting stuck in feeders, fighting and escape which all require swift attention.
30. Additional information submitted by the applicant on the 26th March 2019 sets out a detailed explanation of the farming operations and explains the importance of someone being onsite to monitor the suckler cows as they come into heat. The independent consultant agrees with the applicant that close supervision of the suckler cows is required to identify when best to artificially inseminate in order to avoid unsuccessful attempts at breeding, and acknowledges that more successful breeding will benefit the enterprise economically. The consultant advises however that the timing of artificial insemination does not, of itself, require someone to live on site. If the farm worker were engaged in the farm full time, or making regular inspections as they should be, then they would be able to monitor the suckler cows throughout the day. The process of animals giving birth is generally what

gives greatest rise to the need to live on site as this specifically concerns the welfare of the livestock. The level of stocking in this case however, at 15-20 suckler cows, is not considered to be of a level that demonstrates an essential need to permanently live on site at this stage. There may be occasions where the need for close attention extends into the night time, and when a worker would benefit from living nearby. However, the number and frequency of such events with just 15-20 calving cows is not enough to warrant a permanent dwelling. Typically, 50–60 suckler cows are required to generate a full-time need for a resident worker.

Whether there are suitable alternative dwellings available to serve the need

31. Thripskin Farm benefits from an existing farmhouse however this is occupied by the applicant's parents who it is understood are no longer involved in the day to day management of the site. As such this dwelling would not be considered to be a suitable alternative dwelling even in the event that a functional need were accepted in this case.
32. The agent has advised that there are no alternative dwellings within half a mile of the farm. Policy DM26 refers to alternative dwellings 'in the locality' and whilst the term 'locality' is not defined, it could reasonably include a search area wider than half a mile. Notwithstanding this point, the independent consultant notes that the applicant currently lives within a few miles of the site, making it relatively easy to commute, and that the farmhouse, which it is noted is owned and occupied by the applicant's parents, may also provide temporary accommodation when livestock are likely to give birth, or at least provide some welfare and comfort facilities such as washrooms.

Whether the enterprise is a viable business with secure future prospects

33. In order to satisfy the financial test for a permanent agricultural worker's dwelling, the enterprise concerned must also already be considered financially sustainable. In general terms, this means the business must be making a profit that is sufficient to pay a farm worker if the applicant, for whatever reason, could not undertake the day to day management of the farm. It is also important to note that the enterprise that demonstrates the need to live on site must be the enterprise that is financially sustainable.
34. The supporting information submitted acknowledges that the farm is not currently viable and does not generate sufficient income to sustain a family. Kernon Consultants have considered the financial information provided and advise that at present the farm does not make a profit sufficient to satisfy the financial test within policy DM26. Setting aside the applicants' other sources of income, the suckler enterprise must be making a profit of at least agricultural minimum wage to justify a dwelling on site to serve that enterprise.
35. In the case of new businesses, policy DM26 similarly requires applicants to demonstrate that the enterprise will become a viable business with secure future prospects. In addition, if a new dwelling is essential in relation to a new enterprise it will normally be provided by temporary accommodation for the first three years. Whilst this is an existing rather than a new enterprise, Kernon Consultants advise that it does not have a clear prospect of becoming financially sustainable even after 8 years management, based



upon the information provided by the applicant. The application is also for a permanent rather than a temporary dwelling.

Whether the size and nature of the dwelling is commensurate with the needs of the enterprise

36. Kernon Consultants advise that the dwelling is relatively large in a farming context and is not commensurate with the financial performance of the farm enterprise given that it is not presently financially sustainable.
37. The footprint of the building has however been guided by that of previous historic buildings on the site together with the incorporation of an existing structure to be converted. Officers consider that the associated heritage benefits of this approach (discussed later in this report) should be given due weight when considering this particular criteria. The applicant has also provided justification for the number of bedrooms proposed, and the dwelling is appropriately sited to meet the needs of the farm.

Whether the development is otherwise acceptable when considered against other planning requirements

38. Policy DM26 states that development will also only be permitted where it is not intrusive in the countryside, is designed to have a satisfactory impact upon the character and appearance of the area, and is acceptable when considered against other planning requirements. These points are considered in detail elsewhere within this report, and Members will note that no harm has been identified with regard to other planning requirements.

Conclusions regarding DM26

39. Whilst the design of the proposed dwelling itself is not objectionable, the starting point when considering proposals for agricultural workers dwellings is that there must be an existing business-related functional need for a full time worker in that location and the enterprise must be a viable business with secure future prospects. As dwellings for rural workers are an exception to policies that otherwise seek to limit new residential development within the countryside, the criteria set out within DM26 are specific and must all be met in order for a proposal to be policy compliant.
40. In this case there is a clear conflict with policy DM26 in that, having sought independent professional advice, it is considered that a functional need for the applicants to live permanently at the site has not been demonstrated. In addition, both the applicant and the independent consultant acknowledge that the existing enterprise at the farm is not viable. Whilst the desire of the applicants to live on site in order to improve the farm and its financial viability is acknowledged, this is not considered to warrant a departure from policy DM26 which seeks to ensure that new houses in rural locations such as this are necessary for the operation of an already viable enterprise. This conflict with Policy DM26 weighs heavily against the proposals.

Other relevant policy considerations

41. Reference is also made within the submitted Design and Access Statement to policy DM18 which supports the adaptation of historic buildings to sustain new uses and policy DM28 which supports the residential use of redundant

buildings in the countryside. The majority of the proposed dwelling is however new construction, with only a modest amount of accommodation being provided within a single storey outbuilding being converted. In addition policy DM28 requires alternative uses for employment/economic development, tourist accommodation, recreation and community facilities to have been fully explored before a residential use can be supported and the building must be capable of conversion without the need for extension, significant alteration or reconstruction. In this case the building that is being retained and converted is proposed to be substantially extended in order to provide a dwelling. Given that the proposal is for a predominantly new build dwelling for an agricultural worker, policy DM28 would be the key policy in this case.

### **Design and Heritage Considerations**

42. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. In this case the site is within the curtilage of the farmhouse at Thripskin Farm which is a Grade II listed building.

43. The proposed dwelling would be sited directly opposite the listed farmhouse in a location where historic maps show a large agricultural building previously existed. The agent for the application states that this is believed to have burned down in the 1960s. One single storey wing remains and is proposed to be converted as part of the proposals. The rest of the historic barn footprint is now occupied by a modern pole barn which is to be removed. The repair and conversion of the historic single storey wing and the replacement of the pole barn with a more sympathetic building that also reflects what was on site historically (setting aside the proposed use of the building) would significantly improve the appearance of the site, reinstating the original farm complex layout and enhancing the setting of the nearby listed farmhouse. The dwelling is considered to be of a good standard of design utilising sympathetic materials and would have a satisfactory relationship with the existing dwelling in terms of amenity. For this reason the recommendation for the application for listed building consent in this case is one of approval, as that application is solely for the physical works proposed on site.

### **Biodiversity**

44. The applications are accompanied by a Preliminary Ecological Appraisal which identifies the two buildings to be demolished as being of negligible bat roosting potential with no signs of bat use and a lack of suitable cavities or roosting conditions. The single storey building to be converted is assessed as having some bat roosting potential, however, the dilapidated nature of the building means it is only likely to be used by an individual bat opportunistically. The appraisal does not identify any significant loss of habitat for nesting birds or reptile habitat and concludes that Great Crested Newts are highly unlikely to be present on site. The proposals are also expected to have no effects on statutory or non-statutory protected sites or their qualifying features, owing to their relatively small scale, distance from protected sites and limited predicted impacts beyond the area of works.

45. Appropriate mitigation measures are recommended together with biodiversity enhancements which the appraisal concludes will result in a net gain for biodiversity overall. These measures could be secured by condition were the proposals otherwise acceptable.

### **Landscape Impact**

46. The proposals are not considered to have any significant impact upon the wider area or existing landscape features. The dwelling would be sited in the location of the existing pole barn to be demolished, with its associated rear garden also not extending beyond this area. The dwelling would be viewed as part of the established farm complex and would not appear as an isolated or incongruous feature within the landscape. The development also does not affect any significant trees on or adjacent to the site.

### **Flood Risk**

47. The access to the site is within Flood Zone 3 (high risk of flooding) as defined by the Environment Agency (EA) and the footprint of the single storey building to be retained and converted also falls partly within this flood zone. The remainder of the proposed development falls within Zone 1 (lowest risk). Following an initial objection from the EA the scheme has been amended to raise the ground floor level of the proposed dwelling by 600mm and a Flood Warning and Evacuation Plan has also been provided. The EA has now withdrawn their objection, highlighting that the mitigation measures outlined in the Flood Risk Assessment must be implemented in full prior to occupation. This could be secured by condition were the development otherwise acceptable.
48. Where new dwellings are proposed within Flood Zones 2 or 3 LPAs are required to apply the Sequential Test to ensure that development is directed to areas at the lowest risk of flooding wherever possible. The Sequential Test does not apply to the conversion of buildings in flood risk areas however, and would not therefore apply to the single building to be retained and converted on the site. Only a very small part of the remainder of the proposed dwelling falls within Flood Zone 3. The EA has confirmed that it is for the LPA to determine if the Sequential Test has to be applied in this instance. Given the very modest proportion of the new building falling within the flood zone and the fact that this would likely be the most appropriate location for the development were the Test applied (for the heritage reasons cited above), officers are satisfied that the development is acceptable in flood risk terms.

### **Contamination**

49. The applicant has provided additional information regarding the use of the site and associated buildings and on this basis our Environment Team has confirmed that they are satisfied the risk of land contamination in this case is low.

### **Highway matters**

50. The proposed dwelling would utilise the existing established access to the farm complex and would provide two car parking spaces within an attached cartlodge with a further two spaces available in front. There is also ample

space within the site for cycle and bin storage. The highway authority has raised no objections to the proposals subject to the improvement of the surfacing of the existing access. This could be secured by condition were the proposals otherwise acceptable.

## **Conclusions:**

51. Whilst the proposal is not considered to raise any adverse issues in terms of heritage, biodiversity, landscape or highway impacts and is also acceptable in respect of flood risk and land contamination, the starting point is whether the principle of the development complies with planning policy.
52. Policy DM5 indicates that a dwelling for a key worker must be *essential* to the operation of agriculture in order to be supported. Policy DM26 sets out the detailed criteria against which proposals for agricultural workers are assessed, and is clear that all five of these must be met for proposals such as this to be permitted.
53. In this case, for the reasons set out within this report, there is not considered to be an existing functional need for a full time worker to live permanently in this location given the nature and scale of operations at the farm. It is also noted that the applicants will continue with their current employment outside of the enterprise concerned and that they live within a readily commutable distance from the farm (within approximately 4/5 miles). The business is not currently viable, a point that is acknowledged by the applicants. The submitted business plan also indicates that it will be difficult to achieve a viable enterprise without expanding the herd beyond the 21 breeding cows that the applicants hope to eventually farm by 2026. The proposals therefore fail two of the key tests set out within Policy DM26.
54. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Several High Court cases have reaffirmed that proposals that do not accord with the development plan should not be seen favourably, unless there are material considerations that outweigh the conflict with the plan. The NPPF is also a material consideration in planning decisions but does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted (paragraph 12). The NPPF also states that planning policies and decisions should avoid the development of isolated homes in the countryside unless particular circumstances apply, one of these being where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. As outlined above, it is considered that an essential need has not been demonstrated in this case. Furthermore, neither is it considered that the proposal meets the 'permanence' test set out in paragraph 79 of the NPPF, noting the lack of financial sustainability.
55. The heritage benefits of the proposals have been acknowledged and must be afforded appropriate weight in the planning balance, particularly having regard to the statutory duty to have special regard to the desirability of preserving or enhancing a listed building or its setting. Officers do not consider these benefits to warrant the approval of a new dwelling within the countryside contrary to planning policy however, particularly having regard

to the degree of conflict with DM26 in this case. The removal of the modern pole barn and timber shed and the conversion of the historic single storey building to provide some ancillary accommodation (such as a farm office with washroom for an agricultural worker) would be supported by planning policies and these works alone would have a positive impact on the setting of the listed farmhouse. As such some heritage benefits could be readily achieved in this location, without the introduction of a new dwelling.

56. For the above reasons it is recommended that planning permission is refused. Given that the sole considerations for the listed building application are whether the physical works to the buildings are acceptable in heritage terms, a recommendation of approval of listed building consent is appropriate.

### **Recommendations:**

57. It is recommended that **PLANNING PERMISSION** be **REFUSED** for the following reason:

The site lies outside of the defined housing settlement boundary for Thelnetham in an area designated as countryside. Policy CS13 of the Core Strategy provides that in such locations development will be strictly controlled, with a priority on protecting and enhancing the character, appearance and other qualities of the countryside while promoting sustainable diversification of the rural economy. Development Management Policy DM5 states that the countryside will be protected from unsustainable development, with a new or extended building permitted where it is for (inter alia) a dwelling for a key worker essential to the operation of agriculture in accordance with the requirements of Policy DM26. Policy DM26 sets out the detailed criteria that must be met in order for agricultural workers dwellings to be permitted. These include the need to demonstrate to the satisfaction of the local planning authority that there is an existing agricultural functional need for a full time worker in that location, and the need to demonstrate that the enterprise is a viable business with secure future prospects. The National Planning Policy Framework (NPPF) states that planning policies and decisions should avoid the development of isolated homes in the countryside unless (inter alia) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

Planning permission is sought for a permanent agricultural worker's dwelling on the site in connection with an existing cattle breeding and rearing enterprise. The enterprise is not considered to be of a size that demonstrates an essential functional need for a full time worker to reside on site and the enterprise is furthermore not currently financially sustainable. The circumstances of the proposal are not such as to justify the dwelling as an exception to local and national policies that generally seek to restrict development in the countryside. The development is therefore contrary to Policy DM5 and DM26 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015) and paragraph 79 of the National Planning Policy Framework (2019).

And,

58.It is recommended that **LISTED BUILDING CONSENT** be **GRANTED** subject to the following conditions:

- Standard time limit
- Schedule of repairs/works to single storey building to be agreed
- Samples of materials and finishes to be agreed

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to these applications can be viewed online:

[DC/18/2152/FUL](#)

[DC/18/2153/LB](#)