

Draft Policy LP29- Housing Needs of Rural Workers Policy

Link to draft policy and comments in full received from the draft consultation stage:

<https://west-norfolk.objective.co.uk/portal/lpr2019/lpr2019?pointId=s1542883877273#section-s1542883877273>

Summary of Comments & Suggested Response:

No comments were made in reference to LP29; therefore no further change will be made.

Consideration of issues: N/A

Policy: As it stands

Permanent occupational dwellings

1. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing:
 - a) there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
 - b) the need could not be met by existing dwellings within the locality,
 - c) the application meets the requirements of a financial test demonstrating that:
 - i. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them **and**;
 - ii. are currently financially sound, and have a clear prospect of remaining so **and**;
 - iii. the rural based enterprise can sustain the size of the proposed dwelling;
 - iv. acceptable in all other respects

Temporary occupational dwellings

2. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.
3. New temporary dwellings should only be allowed to support rural based activities providing:
 - a) the proposal satisfies criteria 1a and b above;
 - b) the application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions)

- c) the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.

Existing Occupational Dwellings

- 4. Preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local identified need.
- 5. Proposals for the relaxation or removal of agricultural occupancy conditions will only be permitted where the applicant can demonstrate that:
 - a) the dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and
 - b) there is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing (including the provision of details of an independent market valuation reflecting the occupancy condition, as well as all viewings and offers made) for a 12 month period at a price that reflects the occupancy condition.

Supporting text:

Introduction

King's Lynn & West Norfolk is a large rural Borough, and in order to promote sustainable patterns of development to ensure strong, diverse, economic activity in line with Strategic Policy LP37 it is important to address the housing needs of rural workers such as farm and forestry workers.

The National Planning Policy Framework sets guidance to steer new development to the most sustainable locations, avoiding new isolated homes in the countryside. However, national policy does identify special circumstances including the essential need for a rural worker to live permanently at or near their place of work in the countryside.

At the local level, it is important to have a policy that ensures housing is provided and protected for rural workers. This will ensure the housing needs of rural workers are met and avoid unnecessary new development in the countryside.

Relevant Local and National Policies

National Planning Policy Framework: Delivering a sufficient supply of homes

Strategic Policies

LP01 Spatial Strategy

LP37 Development in rural areas

Policy Approach

To ensure that new development in the countryside is carefully controlled, the proposed approach is to ensure that new rural occupational dwellings are only permitted where it relates to a proven need for a worker to live near their place of occupation.

Agricultural occupancy conditions are imposed when a dwelling is given planning permission because it is necessary to the running of an agricultural enterprise but would not otherwise have been permitted. In accordance with national and local policy, this policy seeks to ensure the housing needs of farm, forestry and other rural workers are protected. Therefore, applications for the removal of restrictive occupancy conditions will require robust justification and will be assessed against the fact that the permission was originally granted as an exception to meet an essential rural need.

For the purposes of this policy a 'rural worker' is defined as someone who is needed to live permanently in the countryside or a Smaller Village and Hamlet (outside other designated settlements) and:

- to provide vital support to, an agricultural, forestry or other enterprise which supports the rural economy and environment;
- and on or in close proximity to that enterprise;
- and where neither the worker nor the enterprise can be located in a designated settlement (excepting Smaller Villages and Hamlets).

Sustainability appraisal:

LP29 Housing Needs of Rural Workers																							
Policy	SA Objective:																						Overall Effect
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	+	-	
LP29	++	+	0	0	0	+	+	++	++	0	0	+	++	0	0	0	++	0	++	++	+18	0	Likely Positive Effect +18
Draft LP29	++	+	0	0	0	+	+	++	++	0	0	+	++	0	0	0	++	0	++	++	+18	0	Likely Positive Effect +18
DM6	++	+	0	0	0	+	+	++	++	0	0	+	++	0	0	0	++	0	++	++	+18	0	Likely Positive Effect +18
No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	x	0	x	0	0	-2	Likely Negative Effect -2