

**AGENDA ITEM NO. 9/1(a)**

<b>Parish:</b>	<b>Holme next the Sea</b>	
<b>Proposal:</b>	<b>Conversion of existing agricultural barns including change of use (C3) to a private detached dwelling and associated works.</b>	
<b>Location:</b>	<b>Barns North of Thornham Road Holme next The Sea Norfolk PE36 6LR</b>	
<b>Applicant:</b>	<b>Mrs Lyn Garrett</b>	
<b>Case No:</b>	<b>23/00580/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 30 May 2023 Extension of Time Expiry Date: 10 November 2023</b>

**Reason for Referral to Planning Committee** – Deferred at 16<sup>th</sup> November Committee Meeting

**Neighbourhood Plan:** Yes

**Case Summary**

The application was deferred from the 16 November 2023 committee meeting to allow an in-depth review and consideration into the planning issues raised by the Parish Council in late correspondence.

The application seeks full planning permission for the conversion of an existing cattle shed to use as a dwelling. The existing cattle shed building consists of a 19th century bothy with a later pole barn addition and is accessed via Thornham Road, Holme Next The Sea.

The site is outside of the development boundary and within the wider countryside for the purposes of planning policy.

The site is within the Norfolk Coast National Landscape and the Heritage Coast and is within Flood Zone 3a of the Borough Council's SFRA (2018).

**Key Issues**

- Principle of development
- Heritage Significance
- Design and Landscape impact
- Impact on neighbour amenity
- Highway safety
- Flood risk
- Other Material Considerations

**Recommendation**

**REFUSE**

## THE APPLICATION

The application seeks full planning permission for the conversion of an existing cattle shed to use as a dwelling. The existing building consists of a 19th century bothy with a later pole barn addition and is accessed via Thornham Road, Holme Next the Sea. As Holme Next the Sea is categorised as a Smaller Village and Hamlet, the site is well outside of any development boundary and within the wider countryside for the purposes of planning policy.

The site is within the Norfolk Coast National Landscape and the Heritage Coast and is within Flood Zone 3a of the Borough Council's SFRA (2018).

The building is small and has been unused for some time, but it has some significance as a vestige of former cattle farming on the pastures bordering the coastal marsh. It has evidential value of past activity and historical and social values. In terms of the NPPF, the cattle shed and bothy are considered to be a 'non-designated heritage asset'. The building is set within a clear established curtilage which would be retained as the property's garden land post-development.

Between the surveying of the tithe map in 1844 and the Ordnance Survey of 1886 the application site was enclosed as a cattle yard and a small rectangular building was provided on its north boundary. The site occupied a position beside the track, east of a pasture and the OS map shows a number of springs nearby to the north which could provide adequate water.

The survey map of 1904 shows the rectangular building with greater clarity. It was in two sections, the larger western part was open cattle shed and the smaller building a bothy on the east side. The arrangement is shown on subsequent maps up to the Second World War. The yard has been extended to the west and the original carstone wall survives. It is now covered by a corrugated roof supported on poles, which is part of a mid-twentieth century pole barn, added in front of the original shed and bothy.

The application has been supported by a structural survey which demonstrates that the structure is capable of retention as the main framing construction for the conversion, however the scheme constitutes significant areas of new build in order to bring the building up to modern residential requirements.

The proposal seeks part-conversion, extensions and alterations of the existing structure to form a two-bedroom dwelling. As a result of the current condition of the building, significant areas of new build are required. The pole barn element of the existing building will be enclosed by new walls, and a small pseudo dovecote extension is proposed to form safe refuge above potential flood levels. All works will take place within the established courtyard and will not extend further into the countryside.

The proposal is to convert and extend the entire structure of cow shed, bothy and cattle shelter to form a single dwelling.

The bothy would be retained unaltered as a store, keeping its chimney and gable shuttered window, whilst the former open fronted cattle shed is proposed to be used as a gym and shower room. The corrugated sheet roofing over these original buildings is to be replaced with clay pantiles.

Whilst the proposed development clearly requires a significant extent of new build and upgrading of existing deteriorating walls and roof structures, the overall form and height of the proposal (excluding the 'dovecote' extension) has been designed to try to retain the

scale and proportions of the existing building alongside the unconventional roof alignments and orientations.

The building is proposed with eaves ranging between approximately 2m to 2.9m, and maximum ridge at 3.70m from ground level. The dovescote style extension is taller, with floor level raised and therefore eaves at approx. 3.5m and ridge at 5.1m.

The 19th century water pump at the south-west corner, currently hidden by dense vegetation, is to be exposed and repaired.

## **SUPPORTING CASE**

The Agent provided the following supporting statement for inclusion in this report:

1. The starting point for the determination of any application is the relevant statutory provisions; s.38(6) of the Planning and Compulsory Purchase Act 2004 requires that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.
2. In this context, paragraph 11 of the NPPF requires that planning decisions should apply a presumption in favour of sustainable development; it says that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. Further, paragraph 38 requires that local planning authorities should approach decisions in a positive and creative way, and requires decision-makers at every level to approve applications for sustainable development where possible.
3. The Council’s Core Strategy (adopted and applied since 2011) contains a policy (CS06) which expressly addresses the conversion of existing rural buildings to dwellings, which should therefore make this decision a relatively straightforward one, allowing for conversion to residential use where: the existing building makes a positive contribution to the landscape; a non-residential use is unviable; the accommodation to be provided is commensurate to the site’s relationship to the settlement pattern; and the building is easily accessible to existing housing, employment and services.
4. The officers have scrutinised the application proposal closely, as have the external professional statutory consultees; thus, subject to appropriate conditions, Norfolk County Council as local highways authority have no objection, the Environment Agency and the District Emergency Planning Officer have no objection in relation to flood risk, the Environmental Quality Officer has no objections, the Council’s ecologist has no objections, and the design has attracted favourable comment. There remains the concerns expressed by the Parish Council; however, these concerns have all been addressed by the applicant to the satisfaction of your professional officers.
5. The application proposal will reuse an interesting existing range of buildings to provide a family home; there are only a handful of such conversions along the coastal area of the AONB in West Norfolk, and they do not harm the character or appearance of the area, but enhance it, by preserving historic built forms and complementing the “living” nature of the communities in this landscape.
6. It is perhaps easier to refuse all change; however, that has not been the culture of this Council over the years, but rather to embrace it and shape things for the better.

7. The application proposal is well-considered, and honed by the advice of your officers; it deserves permission, subject to the recommended conditions.'

## PLANNING HISTORY

No relevant planning history

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** summarised as follows:

Dated 14 November 2023

- Previous officer report outlines a narrow view, and members should consider all relevant policy issues, including existing 5 year land supply and the EA's response stating 'no objection to this proposal providing that you have taken into account the flood risk considerations which are your responsibility'
- Members are asked to consider whether it would be consistent with this advice to support construction of a new dwelling in an inaccessible, environmentally sensitive location which:
  - is inadequately defended from tidal flooding
  - is c 300m from a road and has no safe access for emergency services in a flood event
  - can be expected to revert to intertidal mud flats in the foreseeable future based on the Shoreline Management Plan (SMP)
  - has habitable accommodation with floor levels substantially below those required by the EA for development in flood risk areas
  - Relies entirely on a small (12 sqm) bedroom space at the top of a 'Dovecote' as a safe refuge
  - Results in a flood hazard that the EA judge to be a 'danger for all including emergency services in the 0.5% (1 in 200) annual probability flood event including climate change'
- there is no demonstrated need for this house, it is difficult to see how the wider sustainability benefits for the community could outweigh the flood risk, the application therefore fails the exceptions test
- Reference is also made to the heritage significance and weight given to this, stating that similar barns are not rare in the area - indeed there are three more close to the application site. They all have the same form incorporating an animal enclosure and a shelter.
- Still potential for the building to be used for agricultural purposes
- Correction in regard to a typographical error, the Cattle Shed and Bothy are 19th Century, not 18th.
- Conversion to a dwelling would not preserve the significance or character of the existing building.
- Reference to refused application at Waxwings, for the construction of a new dwelling in the countryside which was refused
- The development does not comply with HNTS5 which requires that development in the Countryside Zone should demonstrate a need that is clearly related to agricultural activities
- For all of the above reasons Members are urged to refuse this application. However, if despite the arguments presented here Members are minded to approve the application the PC regards it as imperative that the Principal Homes Policy requirement (HNTS18) for a Section

- 106 legal agreement is adhered to and not downgraded to a planning condition as (once again) recommended by Officers.

Dated 20 September 2023

- Maintain objection until further investigation into flood risk situation which is the subject of detailed technical advice and questions from the EA
- The Parish Council is of the view that the main issue is whether the harm done by building a new dwelling in this highly sensitive location is outweighed by the benefit of preserving a building which is presented as an undesignated Heritage Asset. Having considered the available evidence, it will be clear from the following that a number of questions remain to be satisfactorily addressed and the PC's objections remain.
- Sustainability of the location, exposure to flood risk and impact on AONB, Heritage Coast and SSSI
- Distant from community and accessed via A149, has no nearby service, mains drainage and no safe walking access to public transport, will be entirely dependent on private car use
- Location is contrary to Local Planning Policies
- reference to nearby application for construction of a new dwelling which was refuse – ref 23/00422/F
- Parish Council agrees that the cattle shed and bothy may have some heritage significance by reason of their design, use and age, raised question as to how this could be preserved
- Parish Council does not consider the pole barn to have any heritage significance due to age and condition
- Pole Barn to be entirely removed, the open cattle shed would be closed and the roof would be closed beyond recognition. Only three walls of the small bothy (7% of overall floor area) would remain visible. The Parish Council considered this will lead to loss of recognisable significance of the building.
- Funding could be available to restore buildings to their existing use without any loss of significance
- High Flood Risk level and would not be supported by the Parish – Contrary to HNTS2
- Internal flood depths would be dangerous for all
- Concern over detail on drawings and finished floor level of the safe refuge. The AOD level could be conditioned.
- No information on structural integrity has been provided as part of this application, and cannot guarantee retention of the heritage asset in a flood event
- Concern over use of flood warning systems in an area of low signal
- Proposed refuse increases visual impact on the landscape, eroding the character of the AONB
- Size of dwelling vs curtilage is contrary to Policy HNTS14
- Dwelling should be subject to Principal Residence legal agreement
- Concern over direct impacts on protected sites from the proposed use

In so far as the planning balance, the proposed house is in an unsustainable location for residential development, it encroaches on the Protected Sites, impacts negatively on the special qualities of the AONB and the safety of potential occupants as well as the emergency services. These impacts are not considered to be outweighed by the benefits of preserving the heritage asset through conversion to a new dwelling for which there is no demonstrated need.

**Highways Authority: NO OBJECTION** subject to standard access/parking area condition.

**Environment Agency: NO OBJECTION – provided advice to guide LPA assessment** summarised as follows:

- Site is within Flood Zone 3a and has a high probability of flooding
- The conversion would be 'more vulnerable' in terms of flood risk
- Provided an outline of the level of risk on site to enable assessment
- The LPA should review whether safety is acceptable in regard to FFL and predicted flood levels, safe refuge is provided at 6.91mAOD to provide refuge in 0.1% annual probability flood event including climate change, however the ground floor level is at risk of flooding at a depth of 0.39m.
- The site level is 4.18m AOD and therefore flood depths on site are 1.51m in the 0.5% (1 in 200) annual probability flood event including climate change.
- Finished ground floor levels have been proposed at 5.30 m AOD. This is
- below the 0.5% annual probability flood level including climate change of
- 5.69m AOD and therefore at risk of flooding by 0.39m depth in this event
- The LPA should ensure they are content with a FEPP being proposed rather than provided *note – a Plan has now been provided to cover this point to the agreement of the Emergency Planner*
- Given that refuge is identified as a fall-back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces associated with flood water
- This proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 0.5% (1 in 200) annual probability including climate change flood event). The EA have no objections to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been proposed by the applicant but you should determine its adequacy to ensure the safety of the occupants
- Request for consideration of how funding for upgraded defences could be achieved through the planning system
- It is the LPA's responsibility to conduct the Sequential and Exceptions Tests

**Emergency Planner: NO OBJECTION**

**Internal Drainage Board: NO OBJECTION** Provided guidance on the requirements of the Board's Byelaws

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** recommended unexpected contamination condition.

**Ecologist: NO OBJECTION** Recommended conditions to control mitigation measures proposed within the Ecological Assessment.

**Conservation Officer: NO OBJECTION** with the following comments:

'The barn which is the subject of this application has been appropriately assessed in the heritage statement submitted with the application which details, at some length the surviving historic walls which are a remnant of a cattle shed. These remote cattle sheds are often used to get the cattle in off the marshes and can sometimes be some distance away from the farm. It is an important remnant of the former rural way of life in Holme and an important survival of a remote cattle shelter which are being lost from this environment. While there is not enough surviving historic fabric to nationally list it, it is considered to be of local importance, and is therefore a non-designated heritage asset.'

The proposal seeks residential conversion of the building and it mirrors the agricultural look of the surviving metal barn. The modern character of the proposal means the proposed building can be kept low in height and the style of building means it will be recessive in the landscape, in keeping with the agricultural nature of the building and its surroundings. The extension is rather unfortunate but, a necessary requirement to comply with the flood regulations and could be said to resemble a dovecote, which is another form of agricultural building.

Overall, it is a good design that retains and restores the historic walls of the cattle shelter.'

## **REPRESENTATIONS**

**ONE** letter of **SUPPORT** received, stating comments summarised as follows:

- Preservation of a historic building
- Practical and efficient use of the building, benefitting aesthetics of the area
- Would allow the applicant to build a modest house on the farm her family have looked after for so long
- The representation states that he will grant pedestrian access over his land to allow the applicant to reach the bus stop at Drove Orchards as well as the shops and facilities there
- Access track is well maintained and is not a challenge to access the site

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS07** - Development in Coastal Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

**HNTS 1:** Principle of Sustainable Development

**Policy HNTS5:** Countryside Zone

**Policy HNTS10:** Overall Form and Pattern of Settlement

**Policy HNTS11:** Street Scene, Character and Residential Environment

**Policy HNTS12:** Conservation Area

**Policy HNTS13:** Heritage Assets

**Policy HNTS14:** New Homes

**Policy HNTS18:** Principal Residences

**Policy HNTS20:** AONB Landscape Quality

**Policy HNTS22:** Biodiversity

**Policy HNTS25:** Traffic and Car Parking

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Heritage Significance
- Design and landscape impact
- Impact on neighbour amenity
- Highway safety
- Flood risk
- Other material considerations

**Principle of Development:**

The entirety of Holme Next the Sea is categorised as a Smaller Village and Hamlet in Policy CS02 the Settlement Hierarchy. The application site is well outside of the main built extent of Holme next the Sea and within the wider countryside for the purposes of the Local Plan.

The site is outside the Development Envelope and is within the Countryside Zone as shown on the Plan Zones Map within the Holme next The Sea Neighbourhood Plan.

The site is within the Norfolk Coast National Landscape (Previously AONB).

### *Sustainability of Location*

The application site is well outside of the development envelope, as designated in the Neighbourhood Plan, and in the wider countryside as identified in the Core Strategy and Site Allocations and Development Management Policies Plan. The land is considered to be within the wider countryside, where normally development is restricted.



The subject site comprises a barn (Cattle shed and bothy) and a later pole barn addition, and the bothy and cattle shed and considered to have some heritage significance. The pole barn element is of lesser significance.

The reuse and retention of the non-designated heritage assets and putting them to viable uses is supported in principle by the NPPF (2023) at Paragraphs 203, and Paragraph 210 dictates that the effect on significant of a non-designated heritage asset should be taken into account with a balanced judgement being made. These overall aims are reiterated in Policies CS06 and CS12 of the Core Strategy (2011), however this does not override the weight that should be given to the sustainability of the location and other policies.

With the application's proximity to various buildings along the access track, and around 330m from a different barn previously granted planning permission for conversion, the site cannot be considered isolated for the purposes of Paragraph 84 of the NPPF, however it is remote from services and, as noted above, far outside of any development boundary.

Whilst the Applicant has access to a private footpath link west across agricultural fields towards the centre of Holme next the Sea, the application site is remote from services, and the provision of a new dwelling in such a position is at odds with the overarching aims of the NPPF (2023) in relation to sustainable forms of development as well as reducing the need to travel whilst managing growth (Para 109). The footpath link stretches some 650m across agricultural fields towards Sunnymead Holiday park on Kirkgate.

Paragraph 83 of the NPPF (2023) sets out that in order to promote sustainable development, housing should be located where it will enhance or maintain the vitality of rural communities.

The aim of Policy CS06 is to protect and maintain the character of rural areas in line with the overarching aims of the NPPF (2019), supporting sustainable patterns of development and the sustainable development of rural areas.

Under Policy CS06 of the Core Strategy, whilst the proposal will retain and restore parts of a non-designated heritage asset which will have some heritage and cultural gain supported by other policies throughout the NPPF, the Local Plan and Neighbourhood Plan, this must be balanced against the remaining requirements of the Development Plan when read as a whole.

The application site is within the wider countryside, divorced from the main built extent of Holme and in an area which is contrary to the Development Plan.

Members should consider the overall position of the buildings within the landscape and the degree of separation from the settlement, which is only accessible across a private footpath link across agricultural fields or via the use of a private motor vehicle along an unmade track.

### *Neighbourhood Plan*

Holme next the Sea Neighbourhood Plan is the most recently adopted plan and has weight in any planning decision. As noted above, the site is outside of the development envelope shown on the Neighbourhood Plan Policies Map.

Policy HNTS 1 of the Neighbourhood Plan states that the Plan will adopt a positive approach to sustainable development and development proposals will be supported where they are consistent with this principle and accord with other policies of the Neighbourhood Plan, the Local Plan and the NPPF and in particular where they:

- i. Contribute to the economic and social vitality of the Parish's resident community
- ii. Respect the natural capital and ecosystem services generated by the Parish including its heritage assets (all of which underpin the Parish Economy).
- iii. Take opportunities to secure a positive impact on habitats, including the designated sites (SPA, SAC, RAMSAR, SSSI, Heritage Coast), taking account of the cumulative impacts of incremental development
- iv. Have due regard to the status of the AONB where great weight should be given to conserving and enhancing landscape and scenic beauty and where the conservation of wildlife and cultural heritage are important considerations
- v. Promote adaptation and resilience to climate change, sea level rise and flood risk

The proposal seeks consent for the conservation of a non-designated heritage asset within the National Landscape (AONB). The reuse of the existing building will prevent further deterioration of the structure and could be considered to lead to an enhancement of the immediate setting through improved use of materials and landscaping as well as conserving an element of cultural heritage, however the alternative view is that the residential use and the associated domesticated landscape will adversely affect the tranquillity of the edge of the marshes.

The addition of a new dwelling, which can be controlled to be utilised as a principal residence only, would contribute to the economic and social vitality of the Parish through the provision of a modest new dwelling. However, the position of the dwelling is remote from the services within the village and the rest of the community, and the proposal would have limited contribution to the overall vitality of Holme itself.

Flood risk impacts are discussed in additional detail below.

The application site to the north borders Holme Next the Sea Neighbourhood Plan's 'Protected Sites Zone' however no extension of the building or its curtilage is proposed within this area and the proposal therefore complies with Policy HNTS 3.

Policy HNTS 5 states:

'Proposals for development in the Countryside Zone must respect the purpose and aims of its designation as well as its AONB status. They should demonstrate a need that is clearly related to agricultural activities and linked to a specific location that satisfies that particular need. Where possible development should re-use or replace an existing building and should also be linked both physically and functionally to existing buildings. Development that would result in the creation of redundant structures in the countryside or the introduction of new development in isolated locations will not normally be permitted. All development should be based on high standards of design. It should reflect local character and distinctiveness and in terms of both physical scale and intensity of use, it should be compatible with its particular purpose and sympathetic to the rural setting as well as neighbouring amenity'

The explanatory text for Policy HNTS 5: Countryside Zone states that this zone aims to:

- Safeguard agriculture and soils and protect the countryside from encroachment
- Check the extension of the developed area of the parish and prevent sprawl
- Preserve the AONB setting, heritage and character of the parish

- Conserve strategic gaps between Holme and the neighbouring parishes
- Avoid new development that is prominent on the skyline, constitutes a visual distraction or impacts negatively on the landscape

The proposal is for the conversion and extension of an existing building which has an identified historic and cultural value which is discussed in depth within the supporting information. The Agent does not consider the building to be suitable for modern day agricultural purposes, unless further works to the structure are completed.

Whilst the proposal remains wholly within the building's existing curtilage, doesn't propose encroachment into the wider countryside and therefore would not lead to greater sprawl of built development into the undeveloped countryside, it is clear that the proposal is not necessary for agricultural purposes and the proposal would not comply with this key part of Policy HNTS5. As a result, whilst the re-use of existing buildings is supported by Policy HNTS 5, as there is no identified clear link to agricultural activities ongoing in this site, the proposal fails to comply with HNTS. The extent of new build proposed is further at odds with the aims of this policy.

Policy HNTS13 states that development proposals should recognise, conserve and enhance the significance of heritage assets and respect their setting.

The first part of Policy HNTS14 of the Neighbourhood Plan is not considered to apply in this instance as the dwelling is not within the development envelope allocated within the neighbourhood plan. The application seeks change of use of the building and its existing curtilage, and whilst the proposed percentage plot coverage totals approximately 42% (when excluding the driveway access from the definition) and therefore is marginally over the 40% figure noted within the Plan, this policy requirement must be balanced against remaining policies of the Neighbourhood Plan and NPPF in regard to preventing adverse impacts on the countryside and the National Landscape. An extension to the historic curtilage of the building would lead to greater harm to the local area and visual appearance of the building within the landscape, and therefore that the slight increase in plot coverage would not form a reason for refusal.

Policy HNTS18 relates to Principal Residence Conditions. A Planning Condition and associated S106 legal agreement could be imposed to control occupation of the dwelling.

Policy HNTS20 requires development to demonstrate protection of views from Holme's network of footpaths. The coastal footpaths closest to the site are well-distanced from the application site and the proposal is unlikely to have any significant impact on long views from the north. Whilst the building, in particular the dovecote addition, may be visible from the main extent of the village to the west, considering the modest design which largely relates to the conversion and alteration of the existing building and retains the existing form, the approximately 600m between the nearest footpath identified in the Neighbourhood Plan and the proposed dwelling would suitably limit any significant impact on long views.

The Neighbourhood Plan, when read as a whole, is supportive of proposals which preserve or enhance the National Landscape and preserve the cultural heritage of Holme Next the Sea however this does not diminish the need for new housing in suitable positions, with access to facilities and in appropriate levels of flood risk.

Whilst the proposal includes the conversion of a non-designated heritage asset and this will result in the preservation of the asset going forward, there is a significant element of new build proposed which reduces compliance with various policies throughout the plan which support true conversions and seek to avoid new build development in this position.

Consideration of the impact of flooding and the biodiversity impacts takes place below.

In their most recent comments, received in late correspondence to the previous committee item, Holme Parish Council referred to similar pole barns across the Neighbourhood Plan Area and stated that the building's significance therefore is limited. Whilst each application must be determined on its own merits, following investigations, these barns (one along the A149 towards Thornham, one at Peddars Way, and one around 650m south of the A149) may have similar site layout arrangements, but none are known to have retained chalk bothy/cattle shed elements and all are in varying states of disrepair.

It is the LPA's opinion that the cattle shed and bothy elements here are those that are most worthy of preservation, however the comments regarding the merits and significance of the building are noted and have been utilised in the overall planning balance.

### **Heritage Significance**

Policy CS06 of the Core Strategy (2011) provides for the conversion of buildings to a residential use only where:

- The existing building makes a positive contribution to the landscape
- A non-residential use is proven to be unviable
- The accommodation to be provided is commensurate to the site's relationship to the settlement pattern; and
- The building is easily accessible to existing housing, employment and services.

Policy CS12 goes on to state that proposals to protect and enhance the historic environment and landscape character will be encouraged. The historic and built environment play a crucial role in delivering environmental quality and well-being. The council aim to preserve and where appropriate enhance its qualities and characteristics.

Paragraph 180 of the NPPF (2023) recognises the intrinsic character and beauty of the countryside and supports the protection of the countryside. Paragraph 124d of the NPPF states that decisions should support the development of under-utilised buildings. Full discussion of the landscape impact takes place later in this report.

Paragraph 203 of the NPPF (2023) Requires local planning authorities to take account of the following when determining application:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 209 of the NPPF (2023) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF defines 'significance' as "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting".

Significance may be assessed on a scale from very high to none depending on the values society places on a particular historic asset. Historic England's 2008 guidance (Conservation Principles Policies and Guidance For The Sustainable Management of The Historic Environment) considers that these values may be 'evidential' (from past activities or remains), historical, aesthetic, communal (commemorative or symbolic, cultural, social or spiritual) or natural. In assessing significance, the importance of the setting of the heritage asset should also be considered.

The open fronted chalk barn and bothy are visible on site on the 1886 Ordnance Survey Maps and the heritage statement provided as part of this application illustrates the barn was likely constructed on site between the surveying of the tithe maps in 1844 and the later OS mapping. This building arrangement is consistent across subsequent maps up to the Second World War.

The bothy at the east end of the building is a single room with the remains of a fireplace in its north-east corner and an unglazed window with hinged shutter in its east gable.

The bothy, open shed (including roof trusses), east boundary wall and water pump which are existing on site are all identified within the heritage statement to date back to the 1800s.

Limited specific information is available to outline when the pole barn was created adjoining the chalk blockwork structure however it is believed to be a mid-twentieth century addition representing increased use of the shelter for cattle at a point just before the sudden decline in husbandry in the second half of the century.

The application site is within the Heritage Coast and is within the designated Norfolk Coast National Landscape. This part of the Norfolk Coast is characterised by settlements separated from the shoreline by salt marsh and between the two, land has been reclaimed largely for pasture. The landscape character is significant in its own right and throughout history, the gradual increase in small ancillary farm buildings along the coast occurred in the 18th and 19th century following an increase in the construction of sea banks. The historic growth of the farming economy is the reasoning behind the original construction of the bothy and cattle shed as well as its later enlargement.

The Applicant's Heritage Statement states that the entire yard is a summary of the history of grazing on the coastal pastures. It has historic and social value, the main contribution to that being the chalk cattle shed and bothy and its significance is increased by the increasing rarity of such structures, which often fall out of agricultural use due to modern agricultural requirements.

The buildings are of local historic and cultural interest and, in terms of the NPPF, the chalk elements (the bothy, cattle shed and surviving walls) of the existing building are considered to be a non-designated heritage asset.

The proposal has been designed to retain the character of the building and limit harm to historic fabric and the building's character. However, the level of changes to the pole barn structure are significant and tantamount to new build in the countryside. The supporting poles are the only significant elements proposed to be retained and will be within the building rather than retained as part of some external structure. The new build elements are vastly larger than the converted element, and the scheme will be seen as such.

The interaction between roof slopes and the utilitarian character of the building would be retained, and the location of development wholly within the curtilage of the existing building prevents intrusion into the wider landscape setting, however the overall domestication of the

landscape is a consideration, as is the extent of works required to bring the building into a residential use. Full consideration of the design of the building is discussed below.

Whilst the cattle shed and bothy have some heritage significance as a result of their age, the extent of works proposed under this application, in particular the works to the pole barn and the dovecote extension arguably go well beyond what could reasonably be considered a conversion and effectively result in new-build in the countryside, albeit retaining the chalk walls and roof arrangements of the cattle shed and bothy.

The contribution the cattle shed and bothy make to the overall residential use is limited, and the majority of the residential use would be provided for within newly built areas. This limits the opportunity for the scheme to be assessed under conversion policies, including paragraph 203 of the NPPF (2023), Policies CS06, CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

The proposal is considered to fail to meet the overarching aims of the NPPF in regard to guiding development to the most sustainable positions within the settlement. The limited heritage benefits of retaining the bothy and cattle shed would not outweigh the harm caused through the creation of a new dwelling in the countryside in an area which is at odds with the Local Plan.

### **Design and Landscape Impact:**

#### *Design*

The existing barns on site have a distinct character and appearance, their scale and bulk directly relating to their age and historic use, albeit in a state of disuse/disrepair. The building is also set within the National Landscape, with relatively flat agricultural fields allowing long views of the site to the north and west.

The proposal is to convert the entire structure of cattle shed, bothy and pole barn to form a single dwelling. The design aims to achieve this without increasing the size of the enclosure, maintaining the low height of the structure and retaining the cow shed and bothy with as little alteration as possible. The bothy is retained unaltered as a store, keeping its chimney and gable shuttered window, whilst the former open fronted cow shed is used as a gym and shower room with a north wall to enclose the space. The corrugated sheet roofing over these original buildings is to be replaced with clay pantiles.

Whilst the proposal has been designed to try to retain the character of the remaining parts of the building and limit harm to historic fabric, the level of changes to the pole barn structure are significant and tantamount to a new building in the countryside. The supporting poles are the only significant elements proposed to be retained and will be within the building rather than retained as part of some external structure. The new build elements are much larger than the converted element, and the scheme will be seen as such. This is a point made by the parish council.

The interaction between roof slopes and the utilitarian character of the building would be retained, and the location of development wholly within the curtilage of the existing building prevents intrusion into the wider landscape setting. However the overall domestication of the landscape is a consideration, as is the extent of works required to bring the building into a residential use.

Whilst the cattle shed and bothy have some heritage significance as a result of their age, the extent of works proposed under this application, in particular the works to the pole barn and the dovecote extension required arguably go well beyond what could reasonably be

considered a conversion and effectively result in new-build in the countryside, albeit retaining the chalk walls and roof arrangements of the cattle shed and bothy.

The 19th century water pump at the south-west corner, currently hidden by dense vegetation, is to be exposed and repaired.

The main change is to the remainder of the yard which is covered by the corrugated cattle shelter supported on timber poles. The poles are to be kept, but the corrugated sheeting is to be replaced with horizontal weatherboarding and a zinc sheet roof and a floor will be added. The height and profile of the building are to be kept as low as possible in order to minimise any impact on the landscape.

The boundary walls and shape of the building and its curtilage provide a feeling of enclosure which would be retained post development. Whilst an extension to the building is proposed for flood risk purposes, the overall design, notwithstanding the fact that significant parts are entirely new build, is sympathetic to the existing character of the building as well as to its history. The careful use of appropriate materials is imperative to achieve a suitable final appearance and samples could be conditioned.

The poles currently forming a main part of the more modern structure are proposed to be retained within the dwelling although will not be visible externally, as external walls will be re-covered in grey horizontal weatherboarding and a zinc sheet roof.

Chalk elements of the proposal would be retained in-situ with minimal changes proposed to their appearance.

The 'dovecote' extension required for flood risk purposes raises no objection from the Conservation Team. The glazed link to the main barn ensures that the positioning of the extension does not erode the significance of the retained parts of the structure, however furthers the impact in regards to light pollution, discussed in depth below.

Whilst not being sufficiently innovative to be supported entirely by Paragraph 139 of the NPPF (2023), the proposal does take into account the significance and form of the non-designated heritage asset. The proposal is therefore considered to comply with design policies such as Paragraph 134 of the NPPF (2023), Policy DM15 of the SADMPP (2016) and Policy HNTS11. The proposal will, however, lead to buildings with a fundamentally domestic character encroaching into the National Landscape and wider countryside, the landscape impact must be considered as part of this decision.

### *Landscape Impact*

The Neighbourhood Plan is consistent in its aims to protect the National Landscape and achieve suitable designs for development which does not harm the National Landscape, the Countryside, or Heritage Assets.

Whilst the majority of the footprint of the proposed building will build on elements of the existing, and therefore the curtilage of the building is retained, the domestication of the site, the increase in glazing and lighting, the provision of a taller 'dovecote' extension, and the overall residential use will have an impact on the landscape character of this part of Holme Next The Sea.

The proposed use will not be viewed in connection with any existing residential uses and, especially in periods of darkness, the residential use of the site will have a more significant and visible impact on the landscape than the current low-key agricultural storage use.

Whilst external lighting could be controlled via appropriately worded planning conditions, the domestication of the site (manicured gardens, hedgerows, driveways etc) combined with the extent of glazing which will allow light pollution overnight could not be controlled or prevented as part of this decision. The imposition of glazing restrictions would not remove the harm to the overall landscape character and the tranquillity of this part of the National Landscape, which is currently largely undeveloped and the overall development would be viewed as encroachment into the undeveloped countryside which is at odds with the aims of the NPPF (2023) and would harm the landscape character, at odds with Holme Next The Sea Neighbourhood Plan.

### **Impact on Neighbour Amenity:**

The application site is remote from neighbouring dwellings and would not impact on the amenity of the nearest properties. The application is therefore in line with Policy DM15 of the SADMPP (2016).

### **Highway Safety:**

The Local Highway Authority raise no objection to the principle of the application, which would result in no significant increase in vehicular activities along the private track and to Thornham Road when compared with the lawful agricultural use.

Conditions are recommended to ensure that the landscaping scheme allows the provision of parking spaces for at least two vehicles. Subject to conditions, the proposal is considered to comply with the aims of the NPPF (2023), Policies CS08, CS11 and DM15 of the SADMPP (2016) and Policy HNTS25 of the NP.

### **Flood Risk:**

Various amendments have taken place throughout the course of this application to update plans and the Flood Risk Assessment provided upon submission, ultimately resulting in the withdrawal of the Environment Agency's objection. The Environment Agency have most recently stated no objection to the proposal, subject to consultation of the Borough Council's Emergency Planner and provided various additional suggestions which have all be considered as part of this report.

The Emergency Planner raises no objection to the proposal.

Conditions could be used to control submission of full structural reports to evidence how the building will withstand flood risk in the event of a tidal breach or other serious flood event. This can take place alongside the Building Regulations process when the structural details are finalised. The structural report provided with this application indicates the building is suitable for the proposed use, however does not provide a sufficient level of information to assess flood resilience and resistance measures going forward. Conditions could enable this detail to be provided prior to commencement of any works.

The dovecote extension provides a safe refuge above the highest expected flood level – with a finished floor level (FFL) of 7.18m AOD. The EA's response incorrectly notes that the proposed floor level is lower than this, however the FRA addendum can be conditioned to refer to this figure. Conditions would be imposed to ensure that the FFL of the dovecote is constructed at no lower than 7.18mAOD. This is 300mm above the 1 in 1000 year plus climate change allowance noted within the EA's advice.

A Flood Emergency Preparedness Plan (FEPP) was prepared and submitted alongside the revised FRA. This document has not drawn objection from the Emergency Planner. Further



conditions could ensure, alongside details on the structural integrity of the building, that flood resilience and resistant measures are provided throughout the construction as agreed by the Local Planning Authority.

The NPPF's clear aims relate to steer development away from areas at the most risk, and only permit development in areas at flood risk where it is appropriate or necessary (Para 165).

In regards to the sequential tests, the Planning Practice Guidance sets out that this does not apply for changes of use. Whilst this proposal includes a change of use, the vast majority of the application seeks consent for extensions and alterations which are considered new build. The converted parts of the dwelling provide for a gym and store rather than habitable accommodation, and the extended parts are tantamount to a new dwelling in their own right and could operate as such. Therefore, the LPA consider that the application fails the sequential test, as there is ample opportunity for the creation of a new dwelling in an area of lesser flood risk elsewhere in Holme, with the majority of Holme's development envelope positioned outside of Flood Zone 3.

Whilst following failure of the sequential test, the exceptions test is not necessary, for the avoidance of doubt assessment against the exceptions test is as follows.

With no objection from the Environment Agency on safety grounds, the application could be deemed safe for its lifetime subject to conditions restricting finished floor levels, the submission of structural details to evidence flood resistance and resilience measures, and the use of the submitted FEPP.

However, the second part of the exceptions tests requires wider sustainability benefits to the community that outweigh the flood risk, and both parts of the exceptions tests would need to be passed.

Holme Parish Council raised concern surrounding the Shoreline Management Plan, which shows the application site in an area likely to become intertidal mudflats in the future (2105). Whilst the Environment Agency do not object, this reduces the lifetime of the development and impacts on whether the proposal could be considered safe for its lifetime long term. The resilience and resistance measures proposed do not prevent the flooding of the vast majority of the dwelling in the event of a flood.

Members should consider whether the high risk of flooding on site is outweighed by the benefits of the proposal. The application site proposes a new dwelling which will contribute towards the housing supply and would also reuse a currently redundant non-designated heritage asset within the National Landscape which has some contribution in regard to preserving heritage and culture. However, whilst the EA have not objected in regard to the safety of the building, and the Emergency Planner also does not raise objection in regard to the FEPP, the proposal does constitute the creation of a new dwelling in an area of flood risk and will increase the number of people/residences at risk in the event of a high-level flood. The LPA do not consider it necessary to allow the addition of a new dwelling, and therefore increase the number of people at risk in the event of a flood.

As discussed above, the principle of a residential use in this position has not been established, and the benefits of one additional dwelling in such a significant area of flood risk are limited. Furthermore, the Borough Council can demonstrate a housing land supply of in excess of the required period which further limits any community benefit associated with the scheme.

The LPA therefore do not consider the exceptions test to be passed, and the application fails to comply with HNTS Policies 1 and HNTS 4, Paragraphs 169-170 of the NPPF (2023), and Policy CS08 of the Core Strategy (2011).

#### **Other material considerations:**

**Contamination** The applicant has provided a screening assessment stating no known contamination and that the use of this site has been as a cattle store that is now redundant, no asbestos containing materials are noted in the structure's construction.

The information submitted does not indicate the presence of significant land contamination. However, the former agricultural use means that it's possible that some unexpected contamination could be present. A condition is recommended to ensure that the site is suitably protected from contamination, in line with Para 183 of the NPPF (2023) and Policy DM15 of the SADMPP (2016).

**Protected Sites** Natural England recommended a Habitats Regulations Assessment take place as to recreational disturbance impacts on nearby protected sites. The Protected Sites are scoped into the Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy, and the GIRAMS fee has been paid as part of this submission. This fee is considered sufficient to overcome the associated recreational disturbance impacts associated with the construction of one new dwelling, and a separate Habitats Regulations Assessment has taken place to record this decision. Planning permission is therefore able to be granted, and significant effects of protected sites ruled out.

The Parish Council raised comment on direct impacts on the nearby protected sites as a result of the use. Neither the Council's Ecologist or Natural England has raised concern in regard to this element of the proposal and given the scale of the application, no adverse impacts are likely.

**Ecology** - A Preliminary Roost Assessment and a Bat Survey have been provided to support the application. There is evidence of barn owl roosts within the bothy and mitigation measures are proposed to control these impacts on protected species. Further Bat Surveys concluded negligible roost potential within the buildings on site, however both reports set out further mitigation and enhancement measures for the avoidance of doubt this includes the provision of 2 bird boxes and bat roosting boxes.

Conditions are recommended to ensure the installation of bird and bat boxes on site in accordance with the submitted details. The proposal therefore complies with the NPPF (2023) and Policy HTNS22 in regard to impacts on protected species.

#### **CONCLUSION:**

The proposal seeks consent for the conversion of an existing 18th Century cattle shed, bothy and pole barn to use as a two-bedroom dwelling. A structural report provided to support this application demonstrates that the existing building is capable of conversion, and the proposed design has been considered to ensure that the historic character and significance of the building is retained.

However, the application site is within the wider countryside for the purposes of the Local Plan and is within the Countryside Zone as shown on the Plan Zones Map within the Holme next The Sea Neighbourhood Plan where residential development would not normally be considered acceptable. Therefore, the benefits of the conversion of the cattle shed and bothy when combined with the extent of extensions and alterations proposed to the pole

barn to form the dwelling must be considered against the fundamental objection to the principle of the creation of a new dwelling in the countryside and remote from services and facilities.

The cattle shed and bothy are shown on the 1886 OS Mapping and likely date from the mid-19th Century. The Conservation Team consider the structure to be a non-designated heritage asset and support its retention.

Whilst conditions could be imposed to provide a degree of safety for future occupiers, the FRA demonstrates that the vast majority of the building would be flooded in a flood event (up to 600mm). This leaves the proposed dovecote as the only safe refuge for occupants.

Members should consider whether the high risk of flooding on site is outweighed by the benefits of the proposal. The application site proposes a new dwelling which will contribute towards the housing supply and would also reuse a currently redundant non-designated heritage asset within the National Landscape which has some contribution in regard to preserving heritage and culture. However, whilst the EA have not objected in regard to the safety of the building, and the Emergency Planner also does not raise objection in regard to the FEPP, the proposal does constitute the creation of a new dwelling in an area of significant flood risk and will increase the number of people/residences at risk in the event of a high-level flood.

As discussed above, the principle of a residential use in this position has not been established, and the benefits of one additional dwelling in such a significant area of flood risk are limited. Furthermore, the Borough Council can demonstrate a housing land supply of in excess of the required period which further limits any community benefit associated with the scheme.

The dovecote style extension, required to account for flood risk, further adds to built development in the countryside and the overall works to the building go beyond typical conversion of a building, being tantamount to a new dwelling.

The use of the land and extension and alterations of buildings for residential purposes would lead to landscape impacts within the Norfolk Coast Landscape Impact as a result of domestication of the site and the impact on dark skies resulting from additional areas of glazing and the associated light pollution. As a whole, this would lead to harm to the tranquillity of the National Landscape and goes against the overarching aims of the NPPF (2023) and the Development Plan in regard to protecting the character of the countryside and the National Landscape.

Considering the high level of flood risk combined with the overall location of the development outside of any development boundary and distanced from the main built extent of Holme Next The Sea, the LPA do not consider that the proposal complies with the NPPF (2023) in regards to preventing risk from flooding, or providing for sustainable forms of development overall.

The very minor benefits of the construction of a new dwelling towards the Borough Council's Housing Land Supply and the retention of a non-designated heritage asset would not outweigh the contradictions with the overall development plan in regards to flood risk and the location of new housing. The application therefore fails to comply with the NPPF (2023), Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011), Policies DM1, DM2, DM3 and DM15 of the SADMPP (2016) and Policies HNTS 1, 5 and 7 of the Holme Next the Sea Neighbourhood Plan.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The application proposes the creation of a new dwelling outside of any development boundary/development envelope, and distanced from the main built extent of Holme Next The Sea in an area which is remote from services and facilities. The LPA do not consider that the proposal complies with the overarching aims of the NPPF (2023) and development plan in regards to providing for sustainable forms of development.

The very minor benefits of the construction of a new dwelling towards the Borough Council's Housing Land Supply and the retention of a non-designated heritage asset would not outweigh the contradictions with the overall development plan in regards to the location of new housing. The application therefore fails to comply with the overarching aims of NPPF (2023) in particular Paragraph 83, Policies CS01, CS02, CS06 and CS08 of the Core Strategy (2011), Policies DM1, DM2, DM3 and DM15 of the SADMPP (2016) and Policies HNTS 1, 5 and 7 of the Holme Next the Sea Neighbourhood Plan.

- 2 Whilst the application includes part conversion of existing structures, the proposal as a whole is tantamount to a new dwelling within an area of significant flood risk, Flood Zone 3a. The NPPF states at Paragraph 165 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, and where development is necessary in such areas, the development should be made safe for its lifetime.

The LPA can currently demonstrate a Housing Land Supply of in excess of 5 years and the LPA does not consider the creation of a new dwelling in this position to be necessary. The proposed development fundamentally contradicts the overarching aims of the development plan in regard to sustainability of location and impacts on the national landscape and the LPA do not consider the very limited benefit of one additional dwelling would overcome the adverse impacts associated with putting additional people at risk of flooding, nor would they render the development as necessary. Notwithstanding this, the application also fails the sequential test, with the majority of Holme Next The Sea being outside of Flood Zones 2 & 3.

The application therefore fails to accord with Paragraphs 165 and 168 of the NPPF (2021), Policy CS08 of the Core Strategy (2011) and Policies 1, 5 and 7 of the Holme Neighbourhood Plan.

- 3 The proposal will introduce sporadic residential development into the wider countryside, in a remote position within the Norfolk Coast National Landscape. The proposed design will result in the domestication of this part of the National Landscape and the associated impact of the development on tranquility and dark skies is at odds with Paragraphs 135 and 191 of the NPPF (2023), Policies CS06, CS07 and CS08 of the Core Strategy (2011) and Policies HNTS 5 and HNTS 20 of the Holme Next The Sea Neighbourhood Plan.