

## **SUPPLEMENTARY PLANNING STATEMENT.**

This document is submitted on behalf of the applicant, to provide a brief resume of the national and local planning policies and how the application is considered to accord with these policies.

The Council is invited to grant planning permission under the provision of paragraph 11 of the NPPF, revised July 2021. This states that plans and decisions should apply **a presumption in favour of sustainable development**. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- i) the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed: or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The Council does not have an up to date plan, (there is no 5 year housing supply), and therefore the proposals must be weighed against the Framework, and Saved policies where they are in compliance with the provisions of the Framework. Paragraphs i) and ii) above are triggered because of this.

In applying these provisions, number i) does not apply, as there are no assets of particular importance that would provide a clear reason for refusal in this instance. Therefore ii) applies and it is considered that the benefits of the scheme demonstrably outweigh the harm, when assessed against the Framework Policies as a whole. It was under this paragraph that many developments have been permitted, in the absence of a 5 year housing supply, including the erection of one detached dwelling at Mill Hill Farmhouse, Cutlers Green Lane, Thaxted. (UTT/18/1686/FUL). This site has virtually the same location and site characteristics as Lodge Farm, on the western side of Thaxted, except the plot occupied a paddock and the proposal did not infer the demolition of an existing building.

It is considered that it has been demonstrated that the proposal meets all 3 strands of sustainability as follows:

### Economic.

The erection of one dwelling on this site would provide a temporarily economic benefit in respect of boosting local employment and the supply of building materials during construction, and thereafter the residents contributing to the local economy. However, it would also support a prosperous rural economy and local food production. Food production is a business like all others and I consider the economic benefits of the proposal to be

considerable. (For further information please refer to para 5.11- 5.15 of the Planning Supporting Statement).

### Social.

The social role involves supporting strong, vibrant and healthy communities, by ensuring a sufficient number and range of homes can be provided to meet the needs of the present and future generations. This dwelling would meet the needs of the farming business and the ongoing stewardship of the land.

With regard to providing the required housing, I have already stated that the Council cannot demonstrate a 5-year housing supply. This proposal would facilitate the provision of a family dwelling, providing valuable housing adding to the existing available housing stock.

It is accepted that it is not a sustainable location, as the aforementioned Cutler Green site was not. It would not realistically be possible to walk to schools or shops; only to the cricket club. Car journeys would be required for shopping and other purposes.

However, it would be sustainable in respect of Thomas Magness as Lodge Farm is the centre of the farming operations for the surrounding land and the applicant would not have to drive to Lodge Farm each day to start the day's work as he does now. Nor would he and fellow workers have to leave site to use a toilet, make a hot drink or prepare food. The daily car journeys associated with one dwelling are very small, on average 2 x 2 way movements. One of these can be eliminated, Thomas Magness not having to travel to work, rendering the net daily car movements minimal. In addition an electric car charging point is shown provided at the dwelling, to facilitate an electric car. This is the only negative of the scheme that can be found, that is minimal for the reasons given.

### Environmental.

The Planning Statement sets out in the full the environmental assessment of the proposal and its impact, or lack of. In summary, it provides for the demolition of an existing straw barn, (the straw will be stored in the adjacent brick barns) and the erection of a dwelling on part of the same footprint, but 1/5 of the size. It will be located on the siting of a previous farmhouse, demolished in the 1960's. It will restore the historic association of a farmhouse with Victorian farm buildings.

The house is based on a Wealden style hall house with 2 cross wings. This is typical of many 15<sup>th</sup> century farmhouses in the Thaxted area and was probably the form the original farmhouse on the site took before it was remodelled in Georgian times.

The reduction in footprint, the high quality design and materials, the additional landscaping and the restoration of the historic farmstead association will demonstrably enhance the character and appearance of the rural area, as well as the setting of the Victorian barns.

There is wholehearted support for the proposal under the environmental strand of sustainability.

Engaging paragraph 11 of the NPPF it is clear from the above that the only negative impact is the vehicle movements associated with 1 modest dwelling. But this is reduced by the fact that the applicant will not have to travel to work. However, all the benefits can be summarised as follows:

- the provision of a modest family house contributing towards the housing shortfall.
- a high level of existing, enhanced and proposed new natural landscaping along all of the boundaries that will enhance the character of the area and assimilate the dwelling into its surroundings.
- benefits to biodiversity through the provision of further planting, especially with the reduced building footprint.
- a very low impact on the rural character from the public footpath viewpoints.
- a reduction in footprint of 864 square metres. The proposed dwelling has a footprint of 1/5 of that of the existing barn to be demolished. There is a similar reduction in volume. This significantly reduces the visual impact on the rural area.
- the partial restoration of the historic nature and character of the site, through the provision of a farmhouse where for several hundred years one previously stood. This improves the setting of the Victorian barns also.
- the functional need the dwelling would perform, in respect of the operation of the farming enterprise in particular the supervision of the livestock.
- the functional need of the provision of a farm office and toilet at the farmstead.
- the economic benefits to the existing business and the proposed diversification through the provision of a dwelling here.
- the occupants of the house would support the local school, services and facilities.
- the provision of a high quality dwelling, architect designed specifically for the site, constructed of good materials, that would positively enhance the character of the area.
- The Magness family and the UK Holocaust Memorial Foundation intend to create a community museum in the barns at Lodge Farm in relation to the Bachad Farming Institute.

I conclude that the benefits demonstrably and significantly outweigh the very small level of harm identified. Paragraph 11 is engaged and planning permission should be granted.

At the committee meeting in July when this was discussed, Members raised the valid question as to why an agricultural dwelling had not been applied for. However, a mortgage is not available for an agricultural dwelling making borrowing difficult and expensive. Also it would have been necessary to provide an agricultural justification and demonstrate a functional requirement to be on site 24 hours a day 7 days a week. Having proved this it is usual to first permit a mobile home then a dwelling that is generally very modest in size. As the livestock has recently been introduced a functional need could not be demonstrated, and the applicant does not wish to live in a mobile home. There is no desire to convert the adjacent barns as they are actively used for agriculture and there are plans to one day open part of them as a holocaust museum.

Furthermore, the applicant wishes to be treated like every other applicant, and in the absence of a 5 year housing supply it is considered that the case has been demonstrated to enable a permission to be granted under paragraph 11 of the NPPF and it is on this basis that the application has been made.

This should not be confused with an application under paragraph 80 that makes provision for 'isolated homes' that encompasses agricultural dwellings. The definition of 'isolated' was considered in the Braintree v Secretary of State case where clarity was sought in the Court of Appeal. The ruling concluded that 'isolated' in this context means 'physically isolated' and that there is no need to take into account 'functional isolation' as well (i.e. whether the proposed dwelling would be isolated relative to services and facilities).

The application site is not 'isolated' applying this definition. It is adjacent to an existing dwelling under separate ownership, just north of the site, known as 'The Lodge' there are further dwellings at the end of the driveway, lodge Cottages. Therefore, the proposal can be considered under paragraph 11, applying the planning balance, and not under paragraph 80.

It is hoped that this succinctly sets out the planning situation to clarify to Members the issues raised at committee. Further clarification can be provided at the site meeting if required.

Lucy Carpenter.

August 2021.