

Planning Reference No:	10/0843N
Application Address:	Field Off Coole Lane, Newhall, Nantwich
Proposal:	Agricultural Workers Dwelling
Applicant:	Mr D Johnson
Application Type:	Outline
Grid Reference:	364323 344693
Ward:	Cholmondley
Earliest Determination Date:	12 April 2010
Expiry Dated:	29 April 2010
Date Report Prepared:	9 April 2010
Constraints:	Open Countryside

SUMMARY RECOMMENDATION:

REFUSE

MAIN ISSUES:

- Impact on the character and appearance of the open countryside
- Functional need
- Financial need

1. REASON FOR REPORT

This application is included on the agenda of the Southern Planning Committee as the application has been called in by Councillor Bailey to ensure that the functional and financial issues are fully considered.

2. DESCRIPTION OF SITE AND CONTEXT

The application site comprises an undulating field bounded by native hedgerow located off Coole Lane in Newhall. The site lies around 300m from Hollin Green Farm located off Hollin Green Lane and over 1km from a site of local importance for nature conservation. There are no ponds within a 100m radius of the site and the site lies within the designated open countryside.

3. DETAILS OF PROPOSAL

The proposals relate to an outline application for the erection of a permanent agricultural workers dwelling at the site. Access is to be determined at the outline stage.

4. RELEVANT HISTORY

7/15701 Agricultural workers dwelling approved 04/08/1988

P03/1169 Conversion of Barn to Residential Use (3 Dwellings) approved 17/12/2003

P03/1185 Conversion of Barn to Residential Use (3 Dwellings) approved LBC 17/12/2003

09/03886N Agricultural workers dwelling withdrawn

5. POLICIES

Regional Spatial Strategy

None relevant

Local Plan Policy

The principal issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

- NE.2 (Open Countryside)
- NE.5 (Nature Conservation and Habitats)
- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- BE.4 (Drainage Utilities and Resources)
- RES.5 (Housing in the Open Countryside)

Other Material Considerations

- PPS7 Sustainable Development in Rural Areas
- PPS1 Delivering Sustainable Development

6. CONSULTATIONS (External to Planning)

None received at the time of report preparation.

7. VIEWS OF THE PARISH / TOWN COUNCIL

The situation of the proposed dwelling is unusually some distance from the farm and is in completely open countryside and the Parish Council feel this is in need of careful consideration when making a decision on this application.

8. OTHER REPRESENTATIONS

None received at the time of report preparation.

9. APPLICANT'S SUPPORTING INFORMATION

In support of the proposal the applicant has submitted the following information:

Design and Access Statement

The dwelling would be used by the extra staff taken on by the farm due to the expansion and improvement of the current business. Planning permission was granted for a barn conversion but this was not implemented also due to the expansion of the business. Muller has provided a letter of support in respect of future expansion plans. The applicants also wish to diversify by keeping 100 sheep. It is essential an additional worker be engaged to support this enterprise. Adverts have failed to attract interest due to the hours and low level of pay associated with being a herdsman. The only realistic option is

therefore to offer any employee dedicated accommodation with the package. Purchasing local properties has proven financially prohibitive. The site proposed is functionally and physically preferable due to ground conditions in the locality. The barns cannot be converted as they are in use.

Financial Statement

Sets out the farm accounts since 2006 and shows an operating profit.

10. OFFICER APPRAISAL

Principle of Development

The site lies within the designated open countryside where there is a presumption against new residential development, subject to a number of restrictions, including dwellings required for a person engaged full time in agriculture or forestry, in which case, according to Policy RES.5, permission will not be given unless:

- applicants can demonstrate that a location in the open countryside is essential for the efficient working of the enterprise;
- it can be demonstrated that the new dwelling cannot be accommodated within a defined settlement;
- there is no suitable, existing dwelling on the site or nearby;
- there are no suitable buildings on the site or nearby which could be converted into a dwelling;
- where possible, the new dwelling is sited within a nearby group of existing dwellings or a farm/building complex;
- the new dwelling is of a form, bulk, design and materials which reflect the locality's rural character and the needs of the enterprise; and
- the new dwelling should be neither unusually large in relation to the size of the holding, nor too expensive to construct in relation to its income

In addition, Government advice contained within Para 1 to Annex A of PPS7 states that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing there is a clearly established existing functional need for one or more workers to be readily available at most times. A financial test is also required to demonstrate that the enterprise is economically viable and to provide evidence of the size of dwelling which the unit can sustain.

Functional Need

The functional need for a dwelling is based on defining scale and nature of the farm enterprise and the associated agricultural unit. The existing farm complex comprises 220 dairy cows over 2 years old with a further 90 cows under 2 years old. The applicant is looking to increase the size of the herd to 310 cows within 12 months and purchase 100 sheep.

Reading Agricultural Consultants standing advice to the Council (2006) indicates that in terms of functional need, this requirement is most easily met by those engaged in livestock enterprises especially dairying, where there are significant animal welfare issues. It then goes on to state that 70-85 dairy cows justifies 1 full time worker.

At present, the farm employs three workers; using the above figure, the *existing* business generates a functional need for between 2 ½ to 3 full time equivalent employees. The addition of a further 90 cows would generate a need for between 3 ½ to 4 ½ full time employees in total. These figures would indicate that a further worker can be justified.

Of these workers, it is reasonable that to expect two workers to be resident on, or very close to the site, in order to ensure a continuous on site presence to deal with any emergencies as they arise. At present the applicant resides in the main farmhouse, and his brother, a part time worker in the business, resides in an existing agricultural workers dwelling elsewhere on the farm. However, he is now largely retired from the business and his employment is limited to approximately 5 weeks a year, when he provides holiday cover. The agent has however provided a letter from Nantwich Veterinary Group who have indicated that the hours that the applicants brother works is insufficient to provide adequate cover during calving season. Therefore, there is a functional need for an additional dwelling to be found either on site or in the close vicinity.

Availability of other dwellings / buildings for conversion

PPS 7 and policy RES.5 require the applicant to demonstrate that the new dwelling cannot be accommodated within a defined settlement, there is no suitable, existing dwelling on the site or nearby and there are no suitable buildings on the site or nearby which could be converted into a dwelling.

In terms of demonstrating that the dwelling cannot be accommodated within a defined settlement, there are only limited opportunities for infilling within the settlements of Audlem, Hankelow, Aston and Sound all of which are within a 3 mile radius. As a result any suitable development sites, which may come forward, command a premium.

There is an existing barn on the site, for which permission was granted in 2003 for conversion to residential, although this has lapsed and the applicants have indicated that the expansion of the business resulted in a need for these buildings to be retained for dairy farming purposes.

Whilst, these barns could be converted and a replacement agricultural building erected, the applicant has indicated that the cost of this proposal, relative to a new build dwelling, would be prohibitive. A supporting letter from a local architect firm has been attached to confirm this. Whilst barn conversions may be financially viable where the dwelling is open market housing in this instance the associated cost of converting the barn would represent an unreasonable financial burden on the business when compared to the cost of a new build scheme.

To turn to the option of purchasing an existing dwelling in the locality, the applicant has attached details of properties for sale within the area, all of which are out of the financial reach of the applicant. It is acknowledged in the applicants submission that the costs of a small property would be similar to the cost of a new build. A 'right move' search, carried

out by officers, has revealed that there are 18 properties under £200,000 within a 3 mile radius of the site (www.rightmove.co.uk last accessed on 5 February 2010) The applicant has failed to demonstrate why any of these properties do not meet the requirements, or would be financially unviable when compared to the alternative of constructing a new dwelling on the farm.

Financial Test

PPS.7 states that the business has to have been established for at least three years and profitable for at least one of them. The business has to be currently financially sound and have a clear prospect of remaining so.

The applicant has submitted information indicating that the business produced a net profit in the years 2006-2008 with profit increasing steadily. The applicant has provided evidence of interest from Muller dairies in respect of extending the business and given that local residents have indicated that the business has been established for many years. It is therefore considered that the requirements of the financial test have been met.

Siting & Design

Annex A of PPS7 states at para 9 that agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted.

It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

As this is an outline application details in respect of the massing of the building would be dealt with at the reserved matters stage and the permission can be conditioned to ensure the floorspace of the building does not exceed 140 sq. m.

In addition Policy RES.5 states that where possible, the new dwelling should be sited within a nearby group of existing dwellings or a farm/building complex; and is of a form, bulk, design and materials which reflect the locality's rural character and the needs of the enterprise.

The applicant has undertaken an analysis of suitable sites for the proposed dwelling; 1 was discounted due to its location on the periphery of the farm complex, sites 2, 3, and 4 were discounted due to access issues and due to the system of husbandry were operationally less desirable despite that these sites were closer to the farm. Sites 5 and 6 were discounted due to the isolated nature of the locations and site 7 is the site applied for.

There is concern that the application site is in a relatively isolated location, and will not be viewed within the context of the farm complex or any other grouping of buildings. The letter submitted by Nantwich Veterinary Group indicates that calving takes place both in the existing farm buildings and within the field where the dwelling is proposed to be located. As such the proposed location, away from the farm complex, can be justified on animal husbandry and animal welfare grounds to ensure an on-site presence close to each calving location.

However there is a balance to be struck in respect of the visual impact of the property verses the need for a location close by and it is considered that there are preferable locations within the same field, where the proposed building would be better related to existing development. The proposal therefore fails to comply with the requirements of Policy RES.5

Highway Access

Whilst this is an outline application, approval for the access is sought at this stage. Whilst Coole Lane is a single track road, the traffic generation from a single dwelling is unlikely to be significant, particularly given that the occupant will be employed on site. The road is relatively straight, and therefore, whilst it may be necessary to remove a length of hedgerow in order to accommodate visibility splays, it is considered that a safe access can be achieved. There is ample space within the site for domestic parking.

Other Matters

The isolated nature of the location negates any amenity issues, although a dwelling could be located closer to existing residential development without resulting in any loss of amenity.

There are no ponds or other habitats which are likely to be affected by the proposals. Issues relating to contamination and landscaping can be dealt with via condition or at the reserved matters stage.

11. CONCLUSIONS AND REASONS FOR DECISION

Whilst it is acknowledged that the existing business generates a financial and functional need for 2 full time workers to be resident on-site or within the close vicinity, the applicant has failed to demonstrate that there are no suitable existing dwellings nearby. In addition, due to its isolated location the proposed dwelling would have an adverse visual impact on the character and appearance of the open countryside. Therefore the proposals do not accord with the provisions of policy RES.5 or guidance contained within PPS7.

12. RECOMMENDATION

REFUSE for the following reasons:-

- 1. The applicant has failed to demonstrate there are no suitable existing dwellings nearby. Therefore the proposals are contrary to policy RES.5 (Housing in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS7.**
- 2. The proposed location for the agricultural workers dwelling is in an isolated location away from existing buildings. The applicant has failed to provide adequate justification as to why the dwelling cannot be relocated within the existing field to a position adjacent to a nearby group of buildings. The proposals are therefore contrary to policy RES.5 (Housing in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS7.**

Location Plan: Cheshire East Council Licence No. 100049045

