

12. FULL APPLICATION – ERECTION OF AGRICULTURAL WORKERS DWELLING AT VALLEY VIEW FARM, HAYFIELD ROAD, CHINLEY. (NP/HPK/0817/0854 404927 / 384076 P610 AM 16/08/2017)

APPLICANT: MR D RODGERS

Site and Surroundings

Valley View Farm is located in open countryside approximately 3km south of Hayfield on the west side of the A624 Hayfield Road.

The applicants run an agricultural business on the agricultural unit which extends to 95 acres (38.4 ha) and currently keeps 46 sucker cows (plus calves) 140 breeding ewes and hens. The agricultural business is based on the production of store cattle and lambs.

There is an existing modern portal framed agricultural building on the site which is used for livestock accommodation and for the storage of fodder. The application site is to the south of this existing building. The land here rises up from the valley bottom gradually; the level of the site is below the A624 where there is a steep drop down.

Access to the site is via an existing track which west from the A624 before turning south and crossing the field up to the existing building. The track also serves Monks Meadow Farm and The Nook at the valley bottom. The nearest neighbouring properties are Bradshaw House to the south and Ashen House Farm to the north and on the far side of the A624.

Proposal

The erection of an agricultural workers dwelling on the site to the south of the existing agricultural building is proposed.

The submitted plans show a two storey, two bedroom detached dwelling on the site, constructed from natural gritstone under a pitched roof clad with blue slate, windows and doors would be timber.

Access to the proposed dwelling would be along the existing track with two parking spaces are proposed to the north of the dwelling.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. Hayfield Road is a classified road subject to a 50mph speed limit at this location. The location is remote from local services and there is no continuous linking pedestrian route and therefore it is considered that future occupiers will be reliant on the private car. The existing private track access from the classified road is geometrically substandard to current layout recommendations in terms of exit visibility and gradient.**

There have been three recorded injury accidents since 2014 and a further three recorded injury accidents in the previous three year period. It is considered that this indicates a pattern of accidents on this section of road in the recent past.

This application proposes a permanent dwelling, suitable for a family which would be very likely to result in an increase in vehicular activity over and above the existing situation. The proposal would also be likely to attract service / delivery vehicles and due to the length, surfacing and gradient of the access track it is likely that movements of such vehicles would cause obstructions and hazards for users of the highway.

Therefore it is considered that the proposed development would not be provided with safe access contrary to Core Strategy policy GSP3 and Local Plan policy LT18 and that the development would be likely to harm highway safety.

Key Issues

- Whether there is a justification for a dwelling at Valley View Farm in accordance with policies HC2 and LC12.
- Whether the proposal would conserve the valued characteristics of the National Park including the scenic beauty of its landscape.
- Whether the development would be served by a safe access.

Relevant Planning History

2008: Planning application for agricultural building to house livestock and to store fodder and implements withdrawn prior to determination.

2010: Planning application for agricultural building to house livestock and to store fodder and implements withdrawn prior to determination.

2011: Planning application for agricultural building to house livestock and to store fodder and implements approved conditionally.

2014: Planning application for temporary agricultural workers accommodation in the form of a mobile home withdrawn prior to determination.

2014: Planning application for temporary agricultural workers accommodation in the form of a static caravan withdrawn prior to determination.

2015: Planning application for fodder store extension to existing agricultural building granted conditionally.

2016: Pre-application enquiry in regard to agricultural workers dwelling. Officers gave general policy and design advice in regards to what would be required to support an application.

Consultations

Highway Authority – Object to the proposal and make the following comment:

Hayfield Road is a classified road and it is subject to a 50mph speed limit at this location. The location is somewhat remote from local services, amenities and facilities. There is no continuous linking pedestrian route and it is considered that future occupiers will be reliant on the private car.

The existing private track access from the adjacent classified road (A624) is geometrically substandard to current layout recommendations in terms of exit visibility, gradient etc.

Any occupancy likely to increase traffic activity would be considered against the best interests of

safe and efficient flow on the adjacent classified road where (at the time of the previous application for a static caravan in 2014) there had been 3 recorded injury accidents in the previous 3 year recorded period. Unfortunately, I can confirm that there have been 3 recorded injury accidents in the interim period which indicates a pattern on this section of road.

The current submission is for a permanent dwelling suitable for a family which would seem to clearly indicate an increase in vehicular activity over and above existing. A permanent residence would additionally attract service / delivery vehicles and the access track is unsuitable for such vehicles. Whilst the dwelling is sited near the public highway the track is long and dog-legs across the land to overcome level differences.

Given this distance from the publicly maintainable highway and the classified nature of Hayfield Road turning of suitable dimensions for service / delivery vehicles will be required. Whilst refuse collection can generally be resolved, drivers of other service / delivery vehicles may be forced to carry goods / tools / equipment over a long distance or attempt to reverse their vehicles on or off the highway and along the private drive access to premises which this Authority would not condone. Alternatively if the driver of such a vehicle does not gain access to the site, for whatsoever reason, they would be forced to wait on the adjacent classified road for over long periods of time causing an obstruction to other highway users.

Unless the applicant can reasonably address the above issues the proposals are open to highway objections on the grounds that the proposals would result in the intensification in use of a substandard access against the best interests of safe and efficient flow on the adjacent classified road where there have been 3 recorded injury accidents within the last 3 year recorded period.

District Council – No response to date.

Parish Council – Support the application subject to the normal agricultural occupancy conditions. We consider the agricultural need is genuine and the proposed dwelling is suitable modest in size and appropriately sited.

Representations

A total of nine representation letters have been received to date. Five letters write in support of the proposed development while four letters object. The reasons for support or objection are summarised below. The letters can be read in full on the website.

Support

- Local profitable business must be supported and having a family living and working on the farm can only benefit the village and the surroundings.
- The proposed dwelling close to the farm buildings can have only a positive impact on the landscape.
- The proposed dwelling is essential for the farming business.
- The use of commercial bovine embryo flushing depends on crucial timing and vigilant overseeing for success and this necessitates living on site.
- Moving to the site would, albeit to a minor effect, reduce the numbers of car journeys in the area.
- The weather in the local area can be quite severe in winter when livestock require most attention. There is potential for off-site living to make this impossible.

Object

- Consider the development an encroachment upon Green Belt Land. *Officer note – the application site is not within designated Green Belt, no land within the National Park is Green Belt.*
- Query why the original farmhouse was sold when there was a need for a dwelling.
- Dispute the accuracy of supporting information submitted with the application.
- Existing access to the land is very poor.
- Additional waste and bin storage will be unsightly in this area of natural beauty.
- Raise concerns in regard to noise from an existing generator on site.
- Raising general concerns in regard to the visual impact of the existing track and areas of land used for storage of redundant machinery, vehicles and scrap and farm related debris.
- Operations at the farm have resulted in defunct machinery left on the land and a spoil mound from the creation of the access track which has been left unmanaged and allowed to colonise with weeds.
- Proposed development would contribute to intensification of development at the site.
- The architectural design of this building is in conflict with Paragraph 55 of the NPPF and Policy GSP2 as it does not demonstrate high architectural quality, innovation or design.
- The building proposed appears to have limited sustainability credentials in terms of low carbon design and use of materials.
- This building will not enhance the immediate setting of the national park or enhance the defining characteristics of the local area which was previously an unspoilt valley with scattered farmsteads
- If this application is granted the use of the track will increase as the dwelling is proposed for the Applicant and his family. The proposed intensification of use of the access track conflicts with Local Plan policy LC13 which states that the development should not require obtrusive access tracks.
- The intensity of farming practices on the site has precluded sufficient grass to grow for any hay to be made in 2017. In 2016 the hay yield was insufficient to support the livestock currently being kept on the site as large bales needed to be purchased. The increase in stock described in the proposals, triggering the need for a new development will only compound the degradation of soils and pasture meadows as well as increasing demand for importing feed to the Site.
- The proposal for a dwelling house to service a family rather than an individual will increase the numbers of vehicles accessing and egressing from the private track to the A624. In addition, the farming practices outlined and stocking densities will compound the issue of large goods vehicles delivering increased quantities of hay and other feed. This will have an impact of increasing the volumes of slowly moving vehicles interrupting the flow of traffic on an 'A' road which has a relatively high number of accidents.

- It is unclear why there was a requirement for an onsite presence for animal welfare 3 years ago yet the applicant has not applied for a shepherd's hut and proposes intensification beyond that which is sustainable to drive the need for a permanent home.
- The need for farmers to maintain an overnight presence during lambing and calving is widely recognised, however this is only a seasonal need. The proposal for a dwelling house is not commensurate with either the existing or proposed farming practices.
- The funding sources identified in the application for the proposed dwelling house would be available for the alternative purchase of a house nearby. Consideration should be given to the Planning Inspector's appeal decision in Appeal Reference APP/M9496/W/15/3134661, Land at Highgate Road, Hayfield, whereby the Inspector determined that the funding sources for the erection of an agricultural dwelling house 'would not also be available for the alternative purchase of a house nearby' (Appeal Decision, 2016 page 4, point 17).
- The proposed size of the dwelling house is 96 square metres. This size of the dwelling house appears disproportionate to the use by an individual farm worker and his spouse to which the application refers. In accordance with the Technical Housing Standards – nationally described space standard (Department for Communities and Local Government (DCLG), 2015) a dwelling house of 93 square metres would be suitable for a two-storey dwelling with three bedrooms to sleep five persons (Table 1 – Minimum Gross Internal Floor Areas and Storage (m²), page 5). A dwelling house of 97 square metres would be sufficient for a two-storey dwelling with four bedrooms to sleep five persons.

Officer note – measuring off the submitted plans the gross internal area of the proposed dwelling is 82.5 square metres.

- Should the dwelling house be seen as an acceptable use of this land, a single storey dwelling house of only 50 square metres with a single bedroom, in accordance with the Technical Housing Standards, would be commensurate with the Applicant's proposed use for two persons.
- The Applicant states that 100 chickens will be kept on the land however, no details in regard to a proposed building or enclosure is included within the application. This would compound the impact of agricultural clutter in the valley.
- There are four definitive footpaths which run adjacent to, and across, the Site meaning that both the proposed dwelling house and agricultural clutter will be visible to users of the footpaths as well as being visible in long distance views from Cracken Edge and South Head.
- The proposed stocking levels which underpin the need case for the proposed dwelling are significantly above the maximum stocking densities within the Good Farming Practice Code and will cause long term harm to the landscape and environment.
- The level of parking proposed is in conflict with policy T7 and LC4 because the parking is not the minimum required for operational purposes and will not respect the valued characteristics of the area.
- Use of surveillance cameras with zoom, sound and day / night vision would be a suitable alternative to a dwelling house.
- The rented land, unless it has a full agricultural tenancy agreement, cannot secure the future viability of the proposed business.

- Core Strategy Policy HC2 requires new housing for key workers in agriculture to be tied to the land holding or rural enterprise for which it is declared to be needed. If the property was sold, any agricultural occupancy condition on the house would be appealed on the lack of viability of the holding.
- The applicant carries out dry stone walling and land drainage for other farmers which supplements farm income. This undermines the case for a new dwelling as it is predicated on the need for a full-time worker employed solely by the enterprise.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, HC1, HC2, L1, CC1 and T7

Relevant Local Plan policies: LC3, LC4, LC12, LT11 and LT18

National Planning Policy Framework

The National Planning Policy Framework (the Framework) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001.

Paragraph 55 of the Framework makes clear that Local Planning Authority's should avoid new isolated homes in the countryside unless there are special circumstances. One of the circumstances in which isolated residential development may be justified is when there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks.

Development Plan Policies

Core Strategy policy HC1 reflects Government guidance and allows for new residential development in the National Park, exceptionally, where it provide for key workers in agriculture, forestry or other rural enterprises in accordance with policy HC2 of the Core Strategy. Policy HC2 deals with housing for key workers in agriculture, forestry or other rural enterprises and says:

- A. New housing for key workers in agriculture, forestry or other rural enterprises must be justified by functional and financial tests.
- B. Wherever possible it must be provided by re-using traditional buildings that are no longer required for their previous use.
- C. It will be tied to the land holding or rural enterprise for which it is declared to be needed.

Local Plan policy LC12 adds the detailed criteria that allow an assessment to be made of the acceptability of a proposal for housing for a key worker. LC12 permits agricultural dwellings on the basis that they are considered in relation to the needs of the enterprise and not the personal preferences of the individuals involved, and provided that certain specified criteria can be met. Amongst these criteria, the policy states that development will be permitted provided that the stated intentions to engage in or further develop farming are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. Where there is uncertainty about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriate temporary accommodation.

The Authority's housing policies are supported by a wider range of design and conservation policies including Core Strategy policy L1 which requires all development to conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan. Other than in exceptional circumstances, development which will have a harmful impact will not be permitted.

Policy GSP3 of the Core Strategy and saved Local Plan policy LC4 are also directly relevant to the current application because they set out the design principles for development in the National Park, and also seek to safeguard the amenities of properties affected by development proposals, and set out criteria to assess design, siting and landscaping. The Authority's Supplementary Planning Documents (SPD) the Design Guide and the Building Design Guidance offer further advice on design issues.

Policy T7 requires development to be provided with the minimum amount of parking required for operational purposes. Policies LT11 and LT18 of the Local Plan require new development to be provided with adequate access and parking provision but also say that access and parking provision should not impact negatively on the environmental quality of the National Park.

Assessment

Whether the proposed house is justified by functional and financial tests

The applicants currently run a majority Aberdeen Angus suckler herd producing store cattle for sale. There are currently 46 cows with a total of 27 weaned calves. The herd is now gradually being converted into a pedigree Lowline herd with the intention to produce breeding stock for sale. Lowline cattle originated in this country but are currently classed as a rare breed. Interest in the modern Lowline breed is increasing due to their efficient utilisation of grass and high yielding carcasses.

The applicant invested in two in-calf Lowline heifers in 2014 and the process to produce breeding stock involves donating embryos from the donor Lowline cattle to the recipient Aberdeen Angus cattle. This is a year round process consisting of administering injections, watching the onset of heat on both donor and recipient cattle, artificial insemination, flushing of fertilised eggs and transfer to recipient cattle and subsequent surveillance for possible side effects.

In addition to the above process cows are calved year round with the consequent management and welfare requirements. In addition to the cattle herd the applicant also has flock of 140 breeding ewes which produce around 240 lambs which are sold or kept as replacements. The sheep are lambed indoors starting in April for 6 weeks and are closely monitored before and after birth in the interests of welfare.

A detailed agricultural appraisal of the business has been submitted which has been carried out by a suitably qualified surveyor. The appraisal includes a detailed description of the stock kept on the holding and the nature of the agricultural business along with calculations for the current and projected labour requirements of the business.

The current labour requirement for the business is calculated as 0.96 full-time workers. The applicant has stated an intention to increase stock numbers as part of the on-going breeding and the labour requirement for the proposed increased operation is calculated as 1.29 full-time workers. Officers agree with the basis of the calculations and therefore it appears that currently the business generates a labour requirement for a full-time worker especially when taking into account additional time requirements related to administering and monitoring embryo production and implantation.

The applicant states that the essential need for a worker to be available at short notice is related to animals giving birth all year round. Officers recognise the need to be on site at short notice and during the night to monitor and attend to animals, although it is noted that the need in relation to lambing relates to only a short time of year and in itself is not sufficient to justify a permanent dwelling on the site.

It is also accepted that the nature of the process involved in producing Lowline breeding stock for sale is labour intensive and will often require the applicant to be on site at short notice to administer and monitor the process and the welfare of cattle. Each animal is valuable and therefore potential loss of stock if the process is not properly managed could be significant and affect the viability of the farm business.

Trading accounts have been submitted in support of the application for the three years to April 2017. Officers have viewed the accounts which show that the business was in profit in all three years and that the farm business made a significant profit in 2017. The agent advises that the profitability was more limited as the applicant has invested in converting the herd but has substantially increased last year following this investment. Having viewed the trading accounts, Officers are satisfied that the agricultural business has been profitable over the past 3 financial years and that the proposed dwelling is commensurate to the need and profitability of the business.

It is therefore considered that the evidence submitted in support of the application demonstrates that the existing agricultural business passes both the functional and financial test set out by Core Strategy policy HC2 and saved Local Plan policy LC12.

There are no existing houses available for sale in the immediate vicinity of the farm that could meet the identified need. Officers note that in a recent appeal case the Inspector concluded that there were existing properties available in the surrounding settlements that could have met the need in that case. However in the case of the appeal the Inspector concluded that there was no essential functional need for that worker to reside on site, and in those circumstances residing in a nearby settlement and travelling to the site was considered to be a viable alternative. In this case Officers have concluded that there is an essential functional need for one full time worker to live on the site and it is clear that there are no existing dwellings that could meet that need.

Officers note that the original farm house was severed from the landholding following the death of the applicant's grandfather; however there is no evidence to suggest that the farm house was under the control of the applicant's agricultural business. It is also clear that the original farm house is not currently available to be purchased by the applicant and therefore in these circumstances the historic sale of the farm house is not considered to be a reason to refuse the current application.

There is a small traditional field barn on the holding located to the south west of the proposed site. The field barn would potentially be available for conversion; however this option was quickly discounted by Officers at the pre-application stage due to the likely harmful impact upon the building and the wider landscape due to the remote location of the field barn.

Finally, the agent has confirmed that the applicants are willing to enter into a planning obligation to tie the dwelling to the land holding and building to which it has been declared to be needed.

Such an obligation is considered to be required to make the development acceptable in planning terms to comply with policies HC2, LC12 and GSP4, directly related to the development and fairly and reasonably related in scale and kind. If the Authority resolves to grant planning permission then Officers would recommend that this would be subject to prior entry into a legal agreement.

An agricultural occupancy condition would also be necessary because the proposed house is only considered to be acceptable because it has been demonstrated to be required for an agricultural worker in accordance with HC2 and LC12.

Design, siting and landscape impact

The proposed dwelling would be sited on part of the existing yard to the south of the existing modern buildings. The land here is below the level of the road but relatively flat before dropping off gradually towards the valley bottom. The site of the proposed dwelling is considered to be logical as it would be adjacent to the existing farm buildings and reflect the position of traditional dwellings up and down the Hayfield Road which typically are positioned close to the road on either side, either fronting or gable on to the road.

In this location the proposed dwelling would be visible from the road and from nearby footpaths, however it would be read with the existing building and close to the road rather than in an isolated and intrusive position. Therefore while it is accepted that the proposed dwelling would have a visual impact it is not considered that this would be harmful or harm the scenic beauty of the landscape. Officers do consider that the precise position of the dwelling could be improved if it were turned slightly parallel to the road to more closely reflect existing dwellings, this has been discussed with the agent and could be resolved if the Authority is minded to grant planning permission.

The proposed dwelling would have a form and mass which reflects traditional buildings and would be built from traditional materials with timber windows. Therefore the design of the dwelling is considered to be appropriate and in accordance with adopted design guidance. Concerns in regards to the size of the dwelling are noted, however it is considered that the dwelling is of a modest size and commensurate to the needs of the holding.

The nearest neighbouring property is Bradshaw House, the access to this property runs behind the application site before dropping down to outbuildings and the house which is located approximately 24m to the south (at the closest point). The rear windows of the proposed dwelling would overlook part of the driveway and stables (which have recently been granted planning permission to be re-built) but would be a sufficient distance away from the dwelling and private garden areas to avoid any significant loss of privacy. There are no concerns given the distance and relative ground levels that the proposal would result in any loss of light or be overbearing to the neighbouring properties.

It is therefore considered that there would be no adverse impact upon the amenity of Bradshaw House and that the development would be in accordance with the Authority's detailed design guidance in these respects. There are no concerns in relation to other nearby dwellings given the intervening distances.

If planning permission is granted, conditions are recommended to agree material samples and to ensure that architectural and design specifications are of a satisfactorily high standard. A condition to remove permitted development rights for various types of domestic development would also be recommended as necessary to ensure that the Authority retains control over development which could have an adverse impact upon the visual appearance of the dwelling in this prominent rural position.

Little information is provided within the application in regard to landscaping or proposed finished

ground and floor levels. This detail is considered to be critical to ensure that the building integrates well into the landscape. Therefore if permission was granted conditions would be recommended to secure a detailed scheme of landscaping and finished floor levels before any development commences.

Subject to the imposition of the above conditions it is considered that the proposed dwelling would be sited in the best location on the holding where it would not have a harmful impact upon the landscape of the National Park and that the dwelling would be appropriately designed in accordance with Core Strategy policies GSP3 and L1 and saved Local Plan policy LC4.

Access and highway safety

Access to the site is via the existing farm track which runs across the fields to the north, joins a track which is shared with neighbouring properties which runs east and up to Hayfield Road the A624. The access track rises upwards to the level of the highway and at an angle such that the Highway Authority advise that it is geometrically substandard to current layout recommendations in terms of exit visibility and gradient.

The Highway Authority say that any development likely to increase traffic activity would be considered against the best interests of safe and efficient flow on the adjacent classified road. There have been three recorded injury accidents within the previous three years and a further three injury accidents in the previous three year period. The applicant has submitted summary documents of these accidents and having viewed these Officers do agree with the Highway Authority that these do indicate a pattern of accidents on this section of the road.

The Highway Authority considers that the current proposal for a permanent dwelling suitable for a family which would seem to clearly indicate an increase in vehicular activity over and above the existing situation. This is because a permanent dwelling would additionally attract service / delivery vehicles that currently do not visit the site and other social or domestic trips that currently do not take place.

Given the access is considered to be geometrically substandard and the recorded injury accident record the Highway Authority therefore object to the development on the grounds that the development would not be served by safe access and likely to harm highway safety.

The agent has provided evidence in the form of current trip movements carried out by the applicant and his partner to the site along with other service / delivery movements along with projected trip movements after the development has been carried out. The agent concludes that due to the applicant and his partner living on site that the total number of movements to and from the site would actually be less and that there would be no increase in other service / delivery movements.

Officers have requested further comment from the Highway Authority who have maintained their objection and disagree that the development would not result in an increase in vehicle movements. Therefore on the basis of the advice received Officers consider that the proposed development would be served by a substandard access and that as the development would materially increase the use of this access onto a section of the highway with a pattern of recent injury accidents that the development would be likely to harm highway safety contrary to Local Plan policy LC18 which requires safe access as a pre-requisite for any development in the National Park.

Officers have discussed the possibility of providing alternative or improved access arrangements with the agent and understand that there are on-going discussions between the applicant and the Highway Authority. Officers will update the meeting verbally if there are any changes in the position.

Officers note the concerns raised in representations in regards to parking, however the application proposes two parking spaces and this is considered to be sufficient to meet the functional requirements of the dwelling without harming the landscape in accordance with policies T7 and LT11.

Environmental management

No detailed information in regard to environmental management considerations has been submitted with the application. Given the orientation of the proposed dwelling it may not be feasible to install solar panels onto the building but there may be the opportunity to install ground or air source heat pumps and water conservation measures such as grey water harvesting as part of the development.

If the Authority resolves to approve planning permission then the submission and implementation of a scheme of appropriate environmental management measures could be secured by planning permission.

Other Issues

The application proposes to install a septic tank but the agent has since indicated that a package treatment plant could be installed to deal with foul sewerage. This is considered to be acceptable because it would not be viable to connect the dwelling to the mains sewer. If permission is granted a condition would be recommended to require full details of the package treatment plant to be submitted and approved in the interests of preventing pollution to the water environment.

Concerns have been raised in representations in regard to the existing condition of the land and in regard to noise from a generator on site. Officers noted on site there are implements and machinery on the land, some of which appear to be redundant. This was discussed with the applicant who states he is in the process of removing the items. There is an existing mobile generator on site which is used ancillary to the agricultural operations and therefore in itself does not require planning permission. There is no evidence to suggest that these issues are related to the proposed dwelling or would be made worse by approving the proposed development and therefore it is considered to be unreasonable to refuse planning permission for these reasons.

If it became necessary then the Authority could consider taking enforcement action against the condition of the land but this would be a separate issue to the current application. Similarly although the generator does not require planning permission, if it is causing noise nuisance then a complaint could be made to the Environmental Health Service.

Concerns raised in regard to the appropriate stocking levels for the size of the holding are noted but these are disputed by the applicant and agent. There is no evidence on site that the stock kept on the land are causing any damage to the holding or the wider landscape. Therefore it is not considered that these concerns are sufficient to justify a reason to refuse planning permission especially bearing in mind the agricultural business is an existing enterprise and that the planning system cannot in this case control the exact type and density of stock kept.

Concerns have also been raised in regard to the possible need for additional agricultural buildings and the lack of information about these in the current application. As with any farm business it is possible that additional buildings may be required, however any application for a new farm building would be determined on its own merits.

Officers note that the applicant does carry out other work such as repairing dry stone walling as identified by the agent and in representations. The conclusions on the functional need for a dwelling has been solely based upon the agricultural business and not any unrelated work.

Conclusion

The application satisfies the financial and functional tests in policy HC2 of the Core Strategy and Local Plan policy LC12. There is also an offer of a legal agreement to secure the appropriate future development of the holding to allow the current application to fully meet the requirements of Development Plan policies.

The site is considered to be the best available on the holding where the new dwelling would not have a harmful visual or landscape impact that would also meet the needs of the farm business and an appropriate design coupled with the safeguards of a legal agreement mean the current application meets the requirements of guidance within the Framework and the requirements of Core Strategy policy L1 and Local Plan policies LC4 and LC12 in terms of landscape conservation.

There are however significant concerns in regard to the safety of access to the proposed development and the Highway Authority has objected on the grounds that the access is geometrically substandard, there is a pattern of recent injury accidents on the section of the A624 and that the development would intensify the use of this access. On that basis therefore it is concluded that the development would not be served by safe access contrary to Local Plan policy LT18.

The provision of a safe access is a pre-requisite of any development within the National Park and this cannot be over-ridden by the conclusions that the development is otherwise acceptable in principle and could be accommodated without harm to the valued characteristics of the National Park.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil