

6. FULL APPLICATION - ERECTION OF AN AGRICULTURAL WORKERS DWELLING AT HIGHER FORD WETLEY FARM, FORD WETLEY, FORD - (NP/SM/0218//0104), P4900, SC)

APPLICANTS : MR & MRS P ALCOCK

Site and Surroundings

1. Higher Ford Wetley Farm is a working farmstead located approximately 0.8km to the west of Ford village. The site comprises a traditional longhouse with attached Shippon, with a mix of smaller traditional buildings and some modern portal outbuildings, which are mainly sited to the south west of the farmhouse. The main access to the farm is via a long single track off Penthills Lane. There is also a secondary access provided to the north of the farm from Ford village. The nearest neighbouring dwelling is Ford Wetley Cottage sited around 300m to the northeast of the farm. A public right of way edges around the north of the farm and then continues through the farmyard at its western edge before joining the farm access track towards Penthills Lane.

Proposal

2. Full planning permission is sought for the construction of a two storey, four bedroomed Agricultural Workers Dwelling, constructed from natural gritstone under a Staffordshire Blue tiled roof, with timber windows and doors. The dwelling would have an L shaped floor layout, comprising kitchen, dining/sitting room and lounge area, with a cloakroom, utility and wet room at ground floor. A staircase would lead to four bedrooms and family bathroom at first floor. The proposed new farmhouse would be sited to the south west of the main farmhouse and farm buildings and would be served by an existing and adjacent farm track. The dwelling would propose two parking spaces to the side with a private amenity area to the front and side, defined by a new drystone wall. There is already a farmhouse at the farm so the proposed dwelling would be a second agricultural workers dwelling.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The applicant has not provided sufficient evidence that there is a functional need for a second agricultural workers dwelling on the site, contrary to policy HC2 and LC12 of the Development Plan.**
2. **The applicant has not provided sufficient evidence that the construction costs of a new dwelling would be commensurate with the established functional requirement and likely sustainable income of the business, contrary to policies HC2 and LC12 of the Development Plan.**

Key Issues

3. Whether there is sufficient justification for a new house in the open countryside for a key worker in agriculture.
4. Whether the proposed development would conserve the valued characteristics of the area and the National Park more widely.
5. Whether the proposal is acceptable in regard to highway issues, impact on amenity of nearby local residents & environmental measures.

Relevant Planning History

2018 - Pre-application enquiry regarding the conversion of a redundant barn to residential use or a new build for rural workers dwelling within the farmyard - Advice provided setting out the barn conversion would be unlikely to be supported and that any application for a new build farm workers dwelling should be accompanied by an agricultural appraisal and the functional and financial tests would need to be addressed.

2009 - (NP/GDO/0309/0222) - GDO Notification - Erection of 3 bay portal-framed unit with central bay open fronted to allow loader access - Granted.

Consultations

6. Highway Authority - No response to date.
7. Parish Council - *'Approves the application on the grounds of business need and the unobtrusive location of the dwelling within the landscape'*.
8. PDNPA Landscape - The submitted Landscape & Visual Impact Assessment (LVA) is satisfactory for the size of the proposal, but needs a detailed planting scheme.
9. PDNPA Archaeology - No known historic or archaeological features are on the site of the proposed dwelling. Therefore, no archaeological mitigations would be required.

Representations

10. No third party representations have been made.

Main Policies

11. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, HC2, L1
12. Relevant Local Plan policies: LC4, LC12, LT11, LT18, LT20

National Policy

13. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
14. The National Planning Policy Framework (NPPF) has been revised (Published July 24 July 2018). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular, Paragraph 172 asserts, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

Main Development Plan Policies

15. Policy HC1(B) of the Core Strategy (CS) allows for new residential development where it provides for key workers in agriculture, forestry or other rural enterprises in accordance with CS Policy HC2, which says:
16. New housing for key workers in agriculture, forestry or other rural enterprises must be justified by functional and financial tests.
17. Wherever possible it must be provided by re-using traditional buildings that are no longer required for their previous use.
18. It will be tied to the land holding or rural enterprise for which it is declared to be needed.
19. The above policies are consistent with the National Planning Policy Framework (NPPF), which says at Paragraph 79, that planning policies and decisions should avoid the development of isolated homes in the countryside unless particular circumstances apply, including when there is an essential need for a rural workers, including those taking majority control of a farm business to live permanently at or near their place of work in the countryside. Local Plan (LP) Policy LC12 provides further criteria to assess the acceptability of new farm worker's dwellings.
20. In this case, LP Policy LC12 asserts, that the need for a new agricultural or forestry worker's dwelling will be considered against the needs of the farm or forestry business concerned and not the personal preferences or circumstances of any individuals involved. Development will be permitted provided that:
21. a detailed appraisal demonstrates that there is a genuine and essential functional need for the worker(s) concerned, with a requirement that they need to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
22. there is no suitable existing accommodation in the locality that could reasonably be made available for occupation by the worker(s) concerned; and
23. size and construction costs are commensurate with the established functional requirement and likely sustainable income of the business; and
24. it is close to the main group of existing buildings and does not require obtrusive new access tracks or driveways; and
25. a satisfactory mechanism is put in place to secure long term control by the business of the dwelling in question and of any other dwelling that meets an agricultural need of the business; and
26. occupancy of the dwelling in question (and of any other dwelling that meets an agricultural need of the business) is restricted to persons solely or mainly working in the locality in agriculture or in forestry, or to the same occupants when they have stopped such work, or a widow or widower of such a person, and any resident dependents; and
27. stated intentions to engage in or further develop farming or forestry are genuine, reasonably likely to happen and capable of being sustained for a reasonable period. Where there is uncertainty about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation; and
28. sufficient detail is provided to enable proper consideration of these matters.

29. These policies are supported by a wider range of design and conservation policies, listed below.

Wider Policy Context

30. CS Policy GSP1 states, that all development in the National Park must be consistent with the conservation purpose of the National Park's statutory designation and where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.
31. CS Policy GSP2 says, that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon but proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area, and they should not undermine the achievement of other Core Policies.
32. CS Policy GSP3 is relevant, because it sets out detailed criteria for judging the impacts of new development on the valued characteristics of the National Park, and should be used to achieve the sensitive management of new development.
33. CS Policy L1 says, that development must conserve and enhance the valued characteristics and landscape character of the National Park in accordance with the priorities for landscape conservation set out in the Authority's Landscape Strategy and Action Plan.
34. CS Policy CC1 and the associated supplementary planning document on Climate Change and Sustainable Development, encourage incorporating energy saving measures and renewable energy into new development.
35. LP Policy LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings.
36. LP Policy LT11 and LT18, require development to be provided with appropriate access and parking provision that would not harm the environmental quality of the National Park.
37. LP Policy 20, states, that where a proposal affects a public right of way, either the definitive line of the public right of way should be retained or, in exceptional circumstances, where retention of the definitive line is not possible, the developer will be required to provide an alternative route.
38. Further guidance is offered in the Authority's Supplementary Planning Documents on Design.

Assessment

39. According to the agent, the existing agricultural business is run as a farming partnership, comprising of the applicant and his brother who jointly farm two holdings, the application site at Higher Ford Wetley Farm and the neighbouring holding Stoop Farm. Both the brothers are now over 60 and have families who wish to continue farming. The decision is therefore being made to split the farms to allow the respective families to run independent businesses. It is proposed to split the existing land and stock on a 50/50 basis between the applicant and his brother, with the applicant retaining approximately 60 hectares (149 acres), with a further 40 hectares (100 acres)

of rented land. The applicant who is now 69 is no longer in a position to be a key worker and is therefore looking to retire. In this case, the new dwelling at Higher Ford Wetley Farm would be for the applicant's daughter and her partner, who would become the key workers at the farm. The applicant would remain in the existing farmhouse.

Key issue 1 - Whether there is an agricultural justification for the proposed development.

40. In assessing the principle of this proposal, the key policies are CS Policies HC1 (B), HC2 and LP Policy LC12. These policies indicate that new housing for key workers in agriculture must be justified by functional and financial tests. In addition, any subsequent agricultural worker's dwelling must also be tied to the land holding or rural enterprise for which it is declared to be needed.
41. Functional test
42. The application presents the case that the applicant (the long-serving farmer on the site) is looking to reduce his working hours and eventually retire. At present therefore, it is necessary for the main farmhouse to be occupied by the farmer and his wife and that a further dwelling would be needed for their daughter and her partner to work on and manage the farm. The submitted and updated Agricultural Business Appraisal states, that the new farm business would farm approximately 100 Hectares (250 acres) and that the current labour requirement for the existing business (over the two farms) is calculated as 4.25 fulltime workers. The anticipated labour requirement for the new stand-alone business enterprise at Higher Ford Wetley Farm is considered equivalent to 2.97 full time farm workers.
43. Whilst the appraisal demonstrates a significant workload in terms of person-hours, it is considered that the new business would not justify a need for a second dwelling on the farm, particularly as the applicants and their daughter (who appears to be part of the wider work force) already live on site in the existing farmhouse. It is important to make a distinction between the total labour demand of a farm business and the demand for workers who need to live on site. In other words, not all the workers in a farm business have an essential functional need to live on site. It does seem reasonable given the proposed scale of the new farm business to need one or two on site key workers, however as stated above, this need is already met by the existing farmhouse. Justifying a new home in the open countryside depends on essential functional need of the business and not on personal circumstances. Whilst the applicant's intentions to retire from the business are acknowledged, the assessment fails to demonstrate a clear and convincing argument for an essential functional need for a second dwelling on the farm. It is considered that the land management benefits of the farm business are provided for by the existing dwelling and there would be no further benefit to the special qualities of the National Park from permitting a second farm workers dwelling in this instance.
44. Financial Test
45. In terms of the financial justification, evidence has been presented in the submitted Planning Statement as to why the applicant considers it unnecessary to provide information as set out in the criteria in the Local Plan, stating primarily, that there is no requirement for a financial viability test for rural workers dwellings under the NPPF. There is however a requirement both in the Authority's Core Strategy and Local Plan Policies for the financial tests to be passed and whilst farming at Higher Ford may be part of a well-established rural business, it is considered (in terms of financial viability of the proposed new business), trading accounts for the farms overall should be provided for the past three years in support of the application. Officers could then assess whether or not the new farming business would be considered both profitable and

sustainable. In addition, government policy advises that any new dwelling should be commensurate with the needs of the enterprise and should not reflect the personal preferences or circumstances of the applicant. The enterprise should also be capable of sustaining the dwelling in financial terms i.e. cover capital costs as well as ongoing maintenance.

46. In this case, there has been no evidence provided of the construction costs for the proposed dwelling and because of the lack of financial evidence, it has not been possible to establish whether the proposal would be commensurate with the likely sustainable income of the new farm business. It is not possible therefore to be satisfied that the proposed dwelling is proportional to the need and profitability of the business and that the new dwelling would be sustainable. Therefore the application fails to comply with the requirements of policies CS Policy HC2 and LC Policy LC12.

Alternative accommodation in the locality

47. Policy also sets out that new homes for agricultural workers will only be permitted if there is a proven need that cannot be met in a nearby settlement. Whilst this has been briefly addressed in the Agricultural Business Appraisal, there is no clear evidence in the form of supporting evidence, such as estate agent listings including distances from the farm. The submitted information is trying to demonstrate that no existing accommodation is affordable in the locality which could reasonably meet their daughters housing need. In the absence of any precise evidence, it is possible that there may be properties that would functionally meet the need for a worker to be available at very short notice on the farm day or night at a reasonable distance from the farm. Moreover, if the applicant is seeking to reduce his working hours with the intention of retiring, then it would appear possible to look for such a property, and for the applicant's daughter to stay in the existing farmhouse from where she and her partner could more routinely manage the holding and meet the functional need as indicated in Local Plan Policy LC12 (iii).
48. Additionally, it does appear that there are opportunities either through the conversion of existing buildings or appropriate extension to the existing farm house to provide additional ancillary accommodation in a manner that would be compliant with the Authority's policies. This would allow opportunity to provide accommodation that would allow the applicant to remain at the site and for the family members to also continue to live at the site as part of a single household. These opportunities do not appear to have been considered.
49. Officers are sympathetic to the difficulties of succession planning at farms. Farming is a way of life as well as a business and anecdotally we know that it can be very difficult to leave farm holdings or to fully retire from farming. In this case it is considered that the proposal is not the right solution to the retirement and succession planning needs at this holding. Emerging policy DMH 5 sets out that conversions of outbuildings and new build ancillary accommodation where no suitable outbuildings exist are supported as follows:

DMH5: The conversion of an outbuilding close to a dwelling, to ancillary dwelling use will be permitted provided that:

- a. it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development of the property at a later date through demand for further outbuildings; and*
- b. the site can meet the parking and access requirements of the proposed development; and*
- c. the new accommodation provided would remain within the curtilage of the main house, accessed via the same access route, sharing services and utilities, and remain under*

the control of the occupier of the main dwelling, or

B. Where no buildings are suitable for conversion, a new build ancillary dwelling unit can be accommodated in such a way that it:

- d. is within the existing building group; and*
- e. is subsidiary in physical size to the main house; and*
- f. is of an appropriate design and materials that complement the existing building group; and*
- g. is able to be located in such a way that any heritage significance of the existing building group is conserved or enhanced by the new building; and*
- h. is able to be located in such a way that the wider landscape setting of the building group is conserved or enhanced by the new building; and*
- i. does not require new access points and tracks from highway to building or new services and utilities infrastructure; and*
- j. can be contained within a single planning unit by condition*

For proposals under A or B, where it is not possible to secure its ancillary status in perpetuity by planning conditions, the ancillary accommodation will be tied to the main dwelling by way of section 106 agreement.

50. It is considered that this type of need in these circumstances, would be better met by an application for ancillary accommodation under this policy. This meets the needs of this applicant (as it would other applicant's in similar circumstances) but would ensure that development that takes place in the National Park is of an appropriate scale, nature and type to protect the special qualities of the National Park particularly in locations outside of settlements. Any ancillary development under this policy could be flexibly used to accommodate the retiring farmer or the daughter and her partner, and that would be a decision for the family to make and could be swapped at any point in future to reflect changing needs of the wider family without any change being needed in planning terms. Ancillary development under this emerging policy would not be subject to the agricultural functional and financial needs test.

Key Issue 2 - Whether the proposed development would conserve the valued characteristics of the area and the National Park more widely.

51. Siting, Design & associated curtilage of the new dwelling.
52. Development Plan Policies require in respect of the siting of any new agricultural dwellings that they should be located close to the main farm complex and should not require obtrusive new access tracks or driveways. Following a pre-application site meeting, it was considered that the proposed siting was the most suitable location for the new dwelling as it would be positioned within a natural hollow in the field and closely associated with the farm, being immediately to the south west of the complex of modern agricultural buildings and adjacent to the existing access track to the farm. In addition, the general design and materials of the proposed dwelling would reflect the local vernacular of traditional buildings in the locality.
53. The orientation of the dwelling would be that the architectural frontage would face southwest and be set back from the farm track to as to afford a garden area, including parking and manoeuvring, which is considered a relatively modest curtilage for the dwelling. The new dwelling and associated curtilage would be bounded by drystone walling. As stated, the proposed design of the dwelling is based on a traditional appearance having an L shaped form and constructed in natural materials; stone for the walling, set under a blue tiled roof, with timber windows and doors. The building's footprint would have a measurement of approximately 139 square metres with an overall floor area (over two floors) of around 228 square metres, so it is a substantially sized dwelling. Internally, it would comprise a kitchen, dining/sitting room and lounge area, with a cloakroom, utility and wet room at ground floor. A staircase would lead to

four bedrooms and family bathroom at first floor. Overall, this dwelling is considered to be a sympathetic scheme in siting and design terms, therefore complies with the requirements of CS Policy GSP3, and LP Policies LC4, LT11 & LT18 in these respects. This however does not outweigh the conflict with the policies that require there to be an essential need before a new dwelling in the open countryside can be considered acceptable.

54. Impact of the development on the locality and the wider landscape setting

55. In terms of the Authority's Landscape Character Assessment, the development site lies within the upland pastures of the South West Peak, which is characterised by an undulating landscape with dispersed gritstone farmsteads and permanent pasture of various shaped small to medium sized fields enclosed by gritstone walls and some thorn hedgerow. In this instance, the siting of the proposed building would take advantage of a natural hollow in the field and would be screened somewhat by intervening tree cover and the prevailing distance from the main road network. However there is a Public Right of Way (PRoW) running through the site, which would have to be addressed by the applicant, which in policy terms the path should be of equal or better quality than the original and available before the definitive route is affected. In landscape terms the Authority's Landscape Architect has no immediate concerns with the suggested planting mitigation, however, considers that a more detailed planting scheme would be needed to address more deciduous species being used and any trees affected to be addressed. These issues could be conditioned accordingly should the application be considered for approval.

56. Consequently, the proposal it is considered a sympathetic scheme in landscape terms and complies with the requirements of development plan policies, subject to agreeing a more appropriate landscape mitigation scheme. Again however, the fact that the proposal is broadly acceptable in this respect does not outweigh the conflict with the policies that require there to be an essential need before a new dwelling in the open countryside can be considered acceptable.

Key Issue 3 - Potential impact on highway safety and amenity of neighbouring dwellings

57. Potential impact on the amenity of local residents

58. Policy requires that new development should not have an adverse impact on the amenity of nearby dwellings. In this case the nearest neighbouring dwellings are located over 300m to the north east of the farm complex and therefore are far enough away as not to be harmed by the development. Regarding this, it is considered the proposal generally accords with CS Policy GSP3 and Local Plan Policy LC4.

59. Access and potential impact on the local highway

60. Policies within the Development Plan requires that new development should provide appropriate parking provision and safe access. In this instance, the proposed access to the application site would be from an existing farm track, with the scheme providing two parking spaces with ample manoeuvring space. The Local Highway Authority have not commented, however, it is considered unlikely there would be any significant increase in traffic movements over and above those that could be reasonably generated by the current use of the access. In addition, there appears to be sufficient space within the site curtilage to provide an adequate level of on-site parking and turning. Consequently, the proposal is considered acceptable in highway safety terms in accord with LP Policies LT11 & LT18 in these respects.

Other Issues

61. Environmental Management

62. CS Policy CC1 states, that development must make the most efficient and sustainable use of land, building and resources and take account of the energy hierarchy, achieve the highest standard possible for carbon reductions, and achieve the highest possible standards of water efficiency. In this case, no specific energy measures have been submitted; however, the proposal will be obliged to comply with current energy conservation requirements under building regulations. In this case, it is considered that due to the topography of the surrounding land that there may be scope for environmental measures. Had the proposal been considered acceptable in principle, the applicant would have been requested to provide details of renewable energy generation measures.

Conclusion

63. It is considered the scheme fails to satisfy the financial and functional tests in CS Policy HC2 and LP Policy LC12. It has not been demonstrated that there is an essential functional need for a second farm workers dwelling for the agricultural business and the proposal therefore amounts to a new dwelling in the open countryside for which there is no justification. The needs of the family and business for succession planning can be met in a different way with ancillary accommodation that would be less harmful to the special characteristics of the National Park.

Human Rights

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

65. List of Background Papers (not previously published)

66. Nil

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