

9. FULL APPLICATION – ERECTION OF FARM WORKERS DWELLING WITH ASSOCIATED LANDSCAPING AND GROUND SOURCE HEAT PUMP, AT FIELD FARM, ONCEOTE ROAD, ONECOTE (NP/SM/0722/0909).

APPLICANT: MR ANDREW STONE

Summary

1. The application seeks full planning permission for the construction of a detached four bedroomed farm workers dwelling with parking, on land north of the main group of farm buildings at Fields Farm Onecote. In addition, to some localised landscaping including the insertion of a ground source heat pump.
2. Policy supports this type of development provided the applicant can demonstrate that there is a genuine and essential functional need for the dwelling, including financial evidence that the business is currently profitable and sustainable. In this case, the evidence provided is considered to meet this criteria.
3. In addition, due to the proposed siting of the dwelling close to the existing farm group, there would be limited landscape impact, amenity or highway concerns. Consequently, the application is recommended to members for conditional approval.

Site and Surroundings

4. Fields Farm comprises around 140 acres of land and a small group of farm buildings, which lie in open countryside approximately 200m to the south of the main built up area of Onecote.
5. A public right of way runs from the B5053 west of the site and heads south towards the neighbouring Field House Farm.
6. In relation to the surrounding upland landscapes in the Peak District, this is an intensively farmed agricultural landscape where stock rearing and dairying are the primary land uses. The landscape surrounding the application site reflects these characteristics and is generally a peaceful rural landscape with open distant views to surrounding higher ground.

Proposal

7. Full planning permission is being sought for the construction of an Agricultural Workers Dwelling, associated landscaping and ground source heat pump.
8. Amended plans have been received which show a reduction in the size of the dwelling. These amended plans now form part of the current scheme.

RECOMMENDATION:

9. That the application be **APPROVED** subject to the following conditions and entering into an appropriate S106 legal agreement restricting the occupancy for the dwelling to agricultural workers and tying the property with the land holding.

- **2 year time limit**
- **Adopt amended plans**
- **Removal of Permitted Development rights for external appearance, extensions/alterations and outbuildings.**
- **Detailed design conditions**
- **Maintain parking and turning space**
- **Underground services**
- **Recommended highway measures to be implemented**
- **External lighting scheme to be approved**
- **Climate mitigation measures to be implemented**

Key Issues

10. The principle of development.
11. Scale, design and external appearance.
12. Impact on the character and appearance of the locality.
13. Residential amenity.
14. Highways safety.

History

15. 2019 - NP/SM/0619/0685 – Change of roof material from Asbestos Sheet, to Staffordshire Blue plain clay tiles - Granted.
16. 2017 - NP/SM/0917/1003 - Extend an existing cattle shed to join it to an existing cattle shed and to house cattle, feed stuffs and agricultural machinery. Granted.
17. 2014 - NP/SM/0714/0740 - Slatted floor and cubicle over slurry store manure storage facility within a covered muck store. Granted.
18. 2013 - NP/GDO/0513/0426 - GDO notification - underground water tank. Accepted.
19. 2011 - NP/SM/0311/0281 - Replace and extend old silage storage pit with new larger shed. Granted.
20. 2009 - NP/GDO/0409/0267 - GDO Notification - Agricultural building. Accepted.

Consultations

21. Highway Authority – No objections subject to conditions (see Highway section of report at Paras: 87 & 88).
22. Parish Council – No response at the time of drafting the report.

Representations

23. One letter of support and four letters of objection have been received. The planning relevance are summarised below.

Support

24. Need to support young farmers in the Peak District. The proposal also includes green environmental measures.

Relevant planning objections

25. Increased traffic issues and poor visibility for exiting and entering the property.
26. Development not in keeping with the area.
27. Proposed dwelling too large in relation to farm holding.
28. No functional need.
29. Current traditional farm buildings are suitable for conversion.

30. A solicitor's letter relating to the farm access has also been received, of which the contents are considered a civil matter between the neighbouring farm and the applicant and as such not a planning consideration in this instance.

National Planning Policy Framework (NPPF)

31. 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.
32. In particular Para: 176 states, 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.
33. Moreover, Para: 80, states amongst other things, that planning policies and decisions should avoid the development of isolated homes in the countryside, unless there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
34. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
35. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

Core Strategy

36. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
37. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
38. DS1 – *Development Strategy & L1 - Landscape character and valued characteristics*. Supports agricultural development in the open countryside, provided that development respects, conserves and enhances the valued characteristics of the site paying particular attention to impact upon the character and setting of buildings and siting, landscaping and building materials.
39. HC2 - *Housing for key workers in agriculture, forestry or other rural enterprises*. States amongst other things, that new housing for key workers in agriculture must be justified by functional and financial tests.
40. CC1 - *Climate change mitigation and adaption*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

41. *CC2 Low carbon and renewable energy development.* Sets out that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape character or the special qualities of the National Park.

Development Management Policies

42. *DMC3 - Siting, Design, layout and landscaping.* Reiterates, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.

43. *DMH4 - Essential worker dwellings* - The need for a worker dwelling to support agriculture, forestry or other rural enterprise businesses will be considered against the needs of the business concerned. Development will be permitted by conversion or new build provided that:

- (i) 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
- (ii) stated intentions to engage in or further develop the business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. The Authority will require financial evidence that:

the business has been operating for at least three years; and

the business is currently profitable; and

it has been profitable for at least one of the last three years; and

the profit from the business as opposed to turnover, is such that it can sustain the ongoing cost of the dwelling; and

the ongoing costs associated with the dwelling linked to the landholding reflect the actual and potential income that might be generated from the landholding; and

(iii) there is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements; and

(iv) where a new building is proposed, there is no traditional building that could be converted for use as a worker dwelling, within or close to the main group of buildings, in line with other policies and guidance on siting and design; and

(v) where conversion of existing buildings is not an option, construction costs of new buildings reflect the likely sustainable income of the business; and

(vi) the new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting; and

(vii) the new building is smaller than any house in the building group that is already under the control of the business and in accordance with policy DMH5, unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger building.

B. Where there is uncertainty about the financial sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan

or other temporary accommodation.

44. DMH11 - *Section 106 agreements*. A legally enforceable agreement to mitigate impacts of a development proposal, where this cannot be achieved through the use of planning conditions alone. These will be applied to housing developments such as affordable housing, Essential worker dwellings and ancillary accommodation. Removal of a Section 106 Agreement to remove the ancillary status of accommodation will not normally be permitted.
45. DMT3 - *Access and design criteria*. States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Supplementary Planning Documents

46. Supplementary Planning Guidance on Design, 1987, 2007, 2014.
47. Climate Change and Sustainable Buildings.

Assessment

Background summary

48. According to the submitted agricultural appraisal, Fields Farm was purchased by the applicant in 2008. At that time, the holding comprised a range of traditional and mid to late 20th century block and brick buildings.
49. Since purchasing the farm, the applicant has carried out significant capital works including the erection of modern agricultural buildings and installation of slurry storage infrastructure and drainage.
50. In 2014, the applicant restructured the business and developed a dairy heifer breeding unit. The enterprise comprises the rearing of quality pedigree dairy heifers to sell freshly calved to dairy herds in the area. This enterprise has taken off and the applicant has now established a herd of approximately 122 head of pedigree dairy heifers of varying age.
51. As the scale of the enterprise has enlarged, the applicant is having increasing difficulty managing the business whilst residing offsite.
52. Primarily, the applicant is experiencing issues in relation to animal husbandry, welfare and in particular ensuring that sufficient assistance is provided during calving. Residing off site is not sustainable in the long term.

Principle of the development

53. The application site lies outside the obvious limit of the village settlement and therefore considered in policy terms to be within open countryside, where there are strong restrictions on new build development and only allowed under exceptional circumstances.
54. Where it is permitted under Policy HC2 & DMH4 of the Authority's Development Plan, there has to be clear evidence justified by functional and financial tests. These are set out in the following sections.

Functional test

55. The applicant has submitted the information required, concerning the farming enterprise, which is based primarily on a growing cattle rearing activity.
56. In this case, the applicant farms a total of 200 acres (81 hectares) with Fields Farm itself extending to approximately 20 acres (8.012 hectares). The remaining land is occupied on various arrangements with around 50 acres of land at Leek occupied on a 10 year Farm Business Tenancy. A full breakdown of the land farmed by the applicant is provided in Appendix I of the submitted Agricultural Statement, should members wish to examine.
57. In terms of fodder making, the majority of the feed is obtained from silage making with approximately 120 acres (48.563 hectares) of 1st cut taken with approximately 70 acres (28.340 hectares) of second cut. Fodder making does vary depending on the weather conditions and the growing season.
58. According to the figures presented, (based on standard man days), there is a current labour requirement equivalent to one full time and one part time worker.
59. The applicant does plan to increase the livestock numbers kept and has capacity to increase further to approximately 135 head. This would require two full time workers when the dairy unit would be operating at full capacity. The actual labour requirement for the operations at Fields Farm is met by the applicant, and by contract or casual staff.
60. Currently, the applicant is responsible for the overall operation of the farm business including all livestock work and husbandry tasks, grassland operations, farm administration including farm records, accounts, inspections and assurance requirements. During busier times, additional contract or casual staff are required for a number of farm tasks including herd handling (during TB testing for example), silaging etc.
61. With this regard and based on the size of the farming operations, it is considered that there is an essential need for at least one full time key worker on site at all times to ensure that the livestock have the necessary level of care and husbandry and that the test for an essential need is met In accord with policy DMH4 & Para: 80 of the NPPF.

Financial Test

62. Financial information has been provided to fulfil the financial test and includes the farm accounts, which have been prepared by an independent accountant.
63. These figures indicate annual profits over the last three years between the years ending 2019-2021 and clearly show an upward trend in revenue, which is an indicator that the farming business is seen as both profitable and sustainable.
64. In addition to passing the functional and financial tests, Government advises that the proposed dwelling should be commensurate with the needs of the enterprise and should not reflect the personal preferences or circumstances of the applicant.
65. The enterprise should also be capable of sustaining the dwelling in financial terms i.e. cover capital costs as well as ongoing maintenance.
66. According to the agent, *'the build cost would be in the region of £350,000 which would be significantly less than the cost of buying any open market dwelling currently*

available which would, in any event, not be within sight or sound of the livestock. The business's profits, reserves, plus existing asset values would ensure a mortgage to cover build costs would be readily available. The costs associated with the dwelling therefore reflect the actual and potential income from the landholding'.

Siting, Design and materials

67. The proposed dwelling would be sited immediately to the north of the existing farm buildings and on a generally flat area of land. Access to the dwelling would spur off from the existing farm track.
68. The proposed dwelling is based on a simple L-shaped floor plan, which is considered to be in keeping with the local vernacular tradition. The design incorporates a fenestration which is considered to be generally acceptable in terms of the proportions of openings, window designs and the solid to void relationship between the proposed openings and wall elevations.
69. Internally at ground floor level, the dwelling would comprise a hallway, living room, dining/kitchen area, and an office and utility space. With four bedrooms (one with en-suite) and a bathroom at first floor.
70. Externally, there would be space for parking and turning of at least two vehicles and garden areas to the east and south of the dwelling. The domestic curtilage would be bounded by a mix of native hedging and drystone walling.
71. Immediately to the north of the garden curtilage, would be an area of field demarcated for the insertion of a ground source heat pump loop, in connection with the dwelling's heating requirements.
72. In this case and by virtue of form, design and use of materials, the proposed dwelling would help complement the character and appearance of the area, generally according with the Authority's conservation and design policies GSP3 & DMC3 and supplementary advice on design.

Landscape and visual impact

73. The application site is a fairly flat area of open field, with the backdrop of the existing agricultural buildings to the south. To the west is a run of mature trees along the boundary of a neighbouring access track. To the North is open field with a cluster of roadside properties over 90m away and to the east rising open countryside with scattered tree cover along field boundaries.
74. Glimpses of the building would be visible particularly when approaching from the north along the main road through the village. However, this would be seen at distance and viewed partially against the backdrop of the existing farm buildings.
75. Some additional tree planting, including hedging around part of the garden curtilage have been incorporated and shown on the amended site plan. A condition can ensure that native species of tree and hedging are implemented. This would further diminish the impact of the site, in particular when viewed from the residential properties to the north.
76. In this instance, the position of the proposed dwelling and associated curtilage is judged to be the least intrusive location on the site.

77. Consequently, it would not appear in any way dominant over its surroundings, therefore would have little or no adverse impact on the established local landscape character of the area, since the development would be incorporated close to an already established farmyard area and farm access in accord with policy L1 in particular.

Other matters

78. Policy requires that there is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements.

79. The applicant has recently purchased Brownlow Farm which includes 30 acres of land, and currently resides there. We are advised that the applicant intends to sell Brownlow Farmhouse to fund the build of the new dwelling at Fields Farm.

80. Whilst residing at Brownlow Farm has allowed the applicant to be closer to Fields Farm than their previous property - which is sited around 5 miles from Field Farm – this property still does not meet the essential need for residential accommodation to support the business and was purchased mainly to obtain the additional land, with the applicant planning to sell the farmhouse to provide funds to invest in Fields Farm. That property is not subject to agricultural restriction, and as such the Authority has no control over its occupation, or whether the property is split from the currently associated land.

81. Regardless of that intention, or whether it comes to pass, the ownership of this property is not a significant factor to the determination of the current application in terms of need assessment. The current beef enterprise has been established at Fields Farm, with associated development having been constructed in support of that. The Authority have supported applications to facilitate the business at this site, and the need for a worker to now reside at the site is unchanged by the ownership of a further farmhouse or holding in a different location.

82. In terms of other potential accommodation, searches had been made within the local property market. However, there was only one property that had been sold subject to contract for £815,000. Even if this were affordable, it would not have met the applicant's requirement to be within sight and sound of the livestock in his care in any case.

83. Policy also requires that where a new building is proposed, there is no traditional building/s that could be converted for use as a worker dwelling, within or close to the main group of buildings.

84. In this instance, there is a traditional barn which forms part of the range of agricultural buildings at Fields Farm. However, this is currently in agricultural use and with the barn adjoining an existing livestock building and in close proximity to the cattle yard and the main farm access, is considered unsuitable for conversion to residential use.

Potential amenity issues

85. Due to the distance from the nearest residential properties, which are sited over 90m away to the north of the development site, it is considered the scheme would have no adverse impacts on the amenity of these or any other properties in the locality, therefore accords with policies GSP3 & DMC3 in these respects.

Local Highway matters.

86. The local Highway Authority have raised no objections to the scheme, subject to the access drive being resurfaced in a bound and porous material for a minimum distance of 5m back from the carriageway edge and that the parking area to be provided in accordance with the approved plans are implemented prior to the development being brought into use.
87. These matters can be conditioned accordingly. Should the scheme be approved by members, the proposed development would be acceptable in highway safety terms, according with policy DMT3 in these respects.

Environmental Management and sustainability

88. According to the submitted information, the design and orientation of the proposed dwelling would make the most/best use of solar gain and natural daylight.
89. High levels of thermal insulation, low energy light fittings and argon filled double glazed units would be used. Including a high efficiency boiler and ground source heat pump providing heating for the dwelling.
90. In addition, all construction materials and finishes would be to be locally sourced e.g.: reclaimed local stone, low carbon cement and timber from sustainable sources.
91. With regard to water efficiency, low use, water-conserving fittings for taps and sanitary ware would be used throughout, both internally and externally. Including the capture of surface water drainage from roofs and other hard surfaces with water butts and existing stone troughs for garden use to reduce mains water usage.
92. To mitigate any localised flooding, the proposal would maximise the use of permeable surfaces for the drives and parking and turning areas. With new surface water drainage running into soakaways within the site.
93. In this case and should the scheme be recommended for approval, these measures would be considered sufficient to meet the requirements of Policy CC1 & CC2 in these respects.

Conclusion

94. In conclusion, it is considered the proposed development would accord with the relevant policies in the Development Plan, subject to conditions.
95. In this case, a legal agreement would be required in compliance with Policy DMH11 to restrict the future occupancy of the dwelling and to prevent land in the applicant's ownership being sold separately from the new house.
96. Accordingly, the current application is recommended to members for conditional approval and subject to a prior entry into an appropriate 106 legal agreement.

Human Rights

97. Any human rights issues have been considered and addressed in the preparation of this report.
98. List of Background Papers (not previously published)

99. Nil

100. Report Author: Steve Coombes, South Area Planning Team.