

Item No 09:-

16/05335/OUT (CT.9209)

**Land Northwest of Manor Farm
Driffield
Gloucestershire**

Item No 09:-

**Outline application (with appearance, landscaping and layout reserved for further consideration) for the erection of an agricultural worker's dwelling at
Land Northwest of Manor Farm
Driffield**

Outline Application 16/05335/OUT (CT.9209)	
Applicant:	Mr & Mrs Gordon & Karen Ford
Agent:	n/a
Case Officer:	Joe Seymour
Ward Member(s):	Councillor David Fowles
Committee Date:	12th April 2017
RECOMMENDATION:	REFUSE

Main Issues:

(a) Essential need for an agricultural worker's dwelling

1. Site Description:

Manor Farm is a agricultural site located on fields just outside the village of Driffield, which is approximately three miles to the south east of Cirencester. The site consists of five principal modern agricultural buildings used to store agricultural machinery including combine harvesters, tractors, trailers and sprayers, chemicals, fertilisers and fuel. The site is part of a larger agricultural holding of over 800 acres.

2. Relevant Planning History:

None.

3. Planning Policies:

NPPF National Planning Policy Framework
LPR19 Development outside Development Boundaries

4. Observations of Consultees:Rural Planning Consultant:

Considers there to be no essential need for the proposed dwelling pursuant to NPPF paragraph 55. Their comments have been incorporated into the Officer's Assessment and are attached in full in the appendix.

5. View of Parish Council:

Support, subject to condition of an agricultural-tie to dwelling; that a Section 106 (1) (d) agreement of the Town and Country Planning Act 1990 (if decided as applicable to this development by planning officer) would be for the benefit of the Parish.

6. Other Representations:

A letter of support has been received from the National Farmer's Union (NFU):

We (the National Farmers Union) write to express our support for the above planning notification submitted by our member Mr Gordon Ford, for the erection of a permanent dwelling at land Northwest of Manor Farm, Driffield, Gloucestershire for himself and his family.

As you may be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This often includes the need for modern agricultural buildings to meet regulations and to achieve economies of scale, open up new markets and respond to changing market demand. To run an effective business, as well as protecting animal welfare it is often necessary to work late and unsociable hours, therefore a dwelling on site is extremely important. Our member's proposal would allow our members to develop their business and crucially be on site to oversee the management of their agricultural business.

This business not only supports the farming enterprise but benefits the wider rural economy through the number of businesses they supply to and purchase from. In the forward to the Government white paper 'Local Growth: realising every place's potential' Government makes clear that the first priority "is to return the nation's economy to health". This includes creating, "the conditions that will help business and gets the economy growing" and this includes the rural economy.

A key message within the NPPF is the need for economic growth. Planning policy "should proactively drive and support sustainable economic development, every effort should be made objectively to identify and then meet the housing, business and other development needs in the area" they "should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development" and should "promote the development and diversification of agricultural and land based businesses"

Para 55 of Nation Planning Policy Framework (NPPF) states that: Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as " the essential need for a rural worker to live permanently at or near their place of work in the countryside."

The NFU supports this development because of the benefits it will have on the farming business. In addition it will help to sustain rural jobs and diversify the local economy. It is essential that the proposal is developed with local stakeholder engagement and that all steps are taken to mitigate any potential impacts. Crucially this development will help to deliver viable and profitable farming.

7. Applicant's Supporting Information:

Design and Access Statement

8. Officer's Assessment:

Paragraph 28 of the National Planning Policy Framework (NPPF) states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses.

In accordance with NPPF paragraph 55, local planning authorities are required to promote sustainable development in rural areas with regard to housing but "should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside".

This exact wording originated from clause 10 of the now expired Planning Policy Statement 7 (PPS7), the only difference being was that clause 10 went on to recommend that planning

authorities should follow the advice in Annex A to PPS7. Despite the expired status of Annex A of PPS7, it still provides clear criteria to assess the essential need for a dwelling and is still a tried and trusted process in assessing the essential need for an agricultural worker's dwelling.

In a recent appeal decision (ref: APP/J3720/W/15/3133183) a Planning Inspector confirmed that PPS7 Annex A is still relevant for decision making for agricultural worker's dwellings:

"The [NPPF] Framework itself contains no guidance on how to determine essential need for a rural worker to live at or near a site. However, although no longer government policy, Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7), sets out a useful, tried and tested methodology for assessing whether there is an essential need for a rural worker's dwelling on a holding. I see no reason to discount it as a useful tool in seeking to establish whether a permanent dwelling is justified".

Also, after the publication of the NPPF, Cotswold District Council produced the Informal Guidance on Agricultural/Occupational Dwellings in the Countryside, which largely reflects Annex A to PPS7, namely that such a dwelling would need to be justified as essential based on such matters as a functional need and financial tests.

The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night.

The reasons given in this case as to the why a dwelling is required include security, health and safety, family life, and lastly that it would seem appropriate for there to be a farmhouse base close to the buildings which serves 800 acres.

Security

There has been no evidence to substantiate that there is a level of problem over and above that of any other rurally located base where machinery and equipment might be stored. Naturally it will be of a concern, however there are electronic surveillance and alarm systems that could be put in place as well as making the yard more physically secure. The presence of the two dwellings nearby would surely be a deterrent as would be the fact that the lane on which Manor Farm sits is a dead end. There would also of course be insurance cover to factor in. Security of equipment and premises does not normally create a functional need to be permanently housed on site.

Health and Safety

It is understood to an extent why it would be preferable for the applicant to live in very close proximity to the farm in case of an accident. It would not however prevent an accident in the first place and it does not materially contribute to the functional need for applicant to be based on site.

Economic importance/ viability

Ideally Manor Farm would have a farmhouse close to the farm buildings for the applicant and family that would reflect the economic scale of the operation. This does not however carry any weight in respect of the functional need of an arable enterprise. The applicants live in a property called 'Watershard' within the village of Driffield approximately 1km away from the application site. This is considered to be a short commuting distance by car, or even by foot, for managing a farm which does not have any livestock or other animals that require a round-the-clock on-site presence. It is also noteworthy to mention that in March 2015 the applicants obtained planning permission to build a second dwelling within the grounds of Watershard (ref: 14/05648/FUL) which is still extant.

PPS7 Annexe A states that "new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing the functional need could not be provided by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned". Watershard and the recently permitted dwelling are considered to comprise suitable alternative accommodation for the applicants which negates the need for a third dwelling.

Family

The case made here is that the next generation are more likely to want to become involved with the farming if they were based close to the farm buildings. As mentioned above, Watershard and the recently permitted dwelling are still in close proximity to the farm, especially when the size of the farm as a whole is taken into account. Permitting a third dwelling for the applicants in Driffield would not guarantee that their children would choose to work in agriculture in the future.

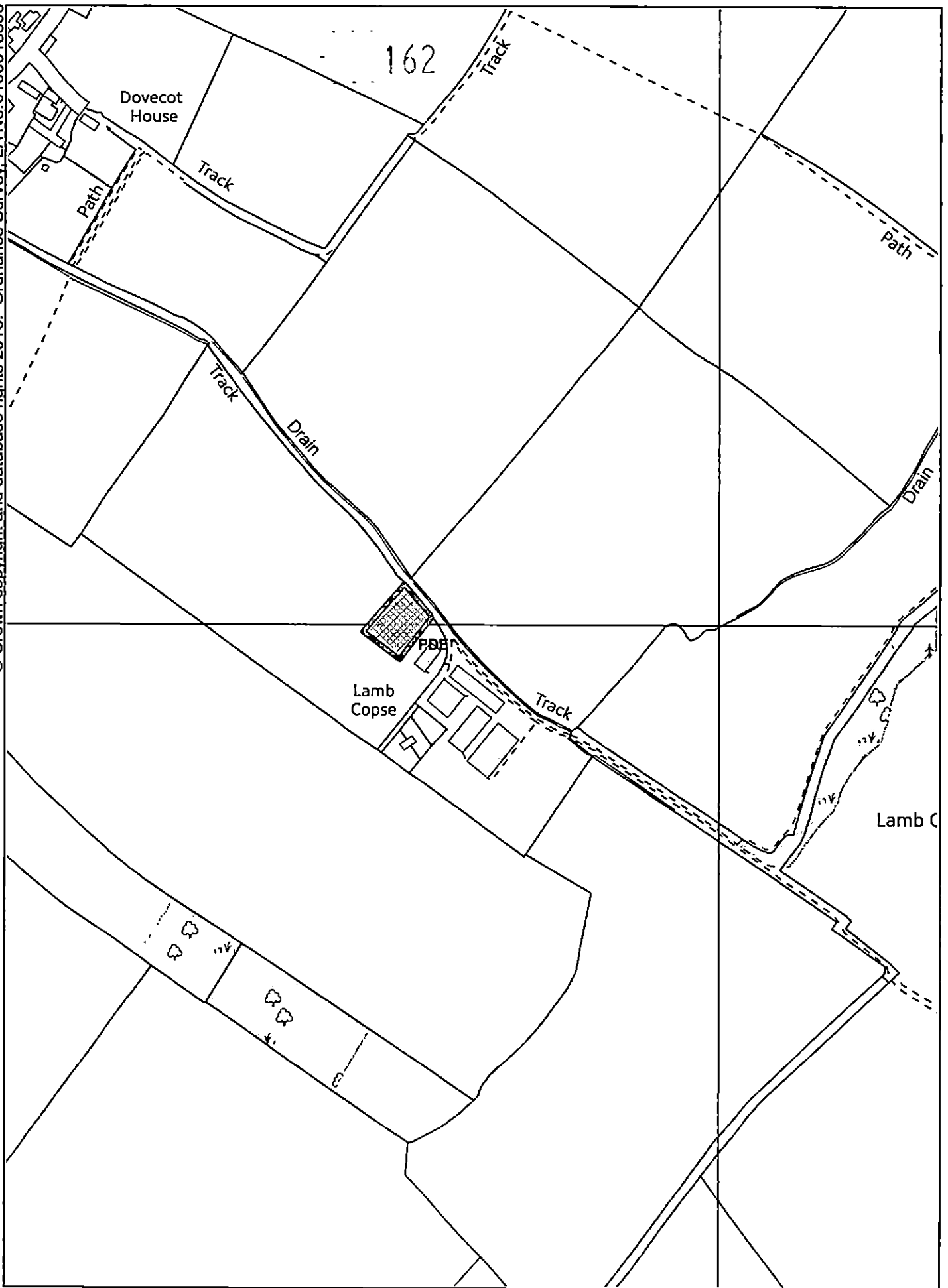
9. Conclusion:

There is no functional need for somebody to be based at Manor Farm. As the situation exists today, then the farming operation could be run by somebody living with an easy commuting distance, which is the status quo. The applicants have one property in the village of Driffield and planning permission for a second. There is no essential need for the proposed dwelling (which would be the applicant's third in Driffield) and therefore the proposal is deemed to be contrary to the guidance contained within Cotswold District Local Plan Policy 19, National Planning Policy Framework Paragraph 55 and the tried and tested methodology contained within Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7).

10. Reason for Refusal:

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. The site is also located on the edge of a village which is unable to offer any services or facilities and which is in itself remote from services, facilities, amenities and public transport links. The site does not represent a sustainable location for new residential development unless it can be shown that there are special circumstances such as the essential need for a worker to live permanently at or near their place of work. In this instance it has not been demonstrated that there is an essential need for an agricultural worker to be on hand day and night all year round to deal with the essential care of animals or the needs of the agricultural business at short notice. It is considered that the proposed development would be contrary to Cotswold District Local Plan Policy 19, National Planning Policy Framework Paragraph 55 and the tried and tested methodology contained within Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7).

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COTSWOLD
DISTRICT COUNCIL

Land Northwest of Manor Farm Driffield Glos

Organisation: Cotswold District Council

Department:

Date: 30/03/2017

Scale: 1:5000





**FOX RURAL
PLANNING & LAND MANAGEMENT**



RURAL PLANNING APPRAISAL

COTSWOLD DISTRICT COUNCIL

**PLANNING APPLICATION FOR
AGRICULTURAL WORKERS DWELLING**

**ON LAND
NORTH-WEST OF MANOR FARM
DRIFFIELD**

PLANNING REFERENCE – 16/05335/OUT

Reference

I have been asked to undertake an appraisal of an application for an agricultural worker's dwelling on land north-west of Manor Farm, Driffield, and I met with the applicants on site on 7th February 2017.

1.0 Background Information

1.01 Location

The site is located about 1km to the south of Driffield.

OS grid reference - SU077989

1.02 Background and History

Historically Manor Farm has been farmed as part of bigger operation through a family partnership with the applicant's father, John Ford of Fosse Farm.

Since 2013, Manor Farm is farmed independently by the applicant, under the company G H Ford (Farming) Ltd.

The applicant who lives in the village of Driffield, has applied for a dwelling to be built adjacent to the Manor Farm buildings which are situated about 0.75 miles away.

2.0 Present Situation

2.01 Ownership and Occupation

The applicant owns a barn conversion in the village of Driffield, two semi-detached houses and set of modern agricultural buildings at Manor Farm, plus c250 acres.

A further 550 acres are rented from the family.

2.02 Enterprise

The applicant is an arable farmer and all the land is cropped as such.

Presently the cropping includes Winter Wheat, Winter Barley, Spring Barley and Winter Oil Seed Rape.

The applicant also undertakes contracting and harvest work for the Royal Agricultural University's Harnhill Manor Farm.

In addition the applicant maintains and repairs farm machinery for other farmers during the quieter times of the year.

2.03 Labour

The applicant carries out all the operations himself with some casual help during harvest time.

2.04 Dwellings

The applicant lives in barn conversion in Driffield c0.75 miles away.

There is also a pair of 3 bedroom detached houses (below), known as Lamb Copse, built in the 1970's, just to the south-west of the Manor Farm buildings. It is understood that these are both let out on Assured Shorthold Tenancies.



2.05 Buildings and facilities

These include:

- 80ft x 45ft Fully enclosed general purpose and machinery building
- 195ft x 45ft Fully enclosed main grain storage building
- 6 bay timber framed covered yard (used for general storage)
- Steel portal framed covered yard (used for general storage)
- 160ft x 120ft Straw barn.

3.0 Proposals

3.01 Ownership and Occupation

I understand that more of the family rented land is intended for the applicant

3.02 Enterprise

As far as I am aware the intention is to continue to run a purely arable farm.

3.03 Labour

The intention is for the applicant to carry out the bulk of the work.

3.04 Dwellings

The application is for a two storey farmhouse on a footprint of 275 square metres for the applicant and family to be based.

3.05 Buildings and facilities

I am not aware of any intention to develop further buildings.

4.0 Essential Need Appraisal – Dwelling

Clause 28 of the National Planning Policy Framework states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses.

In accordance with Clause 55 of this framework, local planning authorities are required to promote sustainable development in rural areas with regard to housing but *“should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

This exact wording originated from clause 10 of PPS7, the only difference being was that clause 10 went on to recommend that planning authorities should follow the advice in Annex A to PPS7.

Despite the status of the NPPF, Annex A of PPS7 provided clear criteria to assess the essential need for a dwelling and is still a tried and trusted process which I shall continue to use in assessing the essential need.

Also post the publication of the NPPF, Cotswold District Council produced the Informal Guidance on Agricultural/Occupational Dwellings in the Countryside, which largely reflects Annex A to PPS7, namely that such a dwelling would need to be justified as essential based on such matters as a functional need and financial tests.

4.01 Functional Need

The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night.

The reasons given in this case as to the why a dwelling is required include security, health & safety, family life, and lastly that it would seem appropriate for there to be a farmhouse base close to the buildings which serves 800 acres.

Security

There has been no evidence to substantiate that there is a level of problem over and above that of any other rurally located base where machinery and equipment might be stored.

Naturally it will be of a concern, however there are electronic surveillance and alarm systems that could be put in place as well as making the yard more physically secure.

The presence of the two dwellings nearby would surely be a deterrent as would be the fact that the lane on which Manor Farm sits is a dead end.

There would also of course be insurance cover to factor in.

Security of equipment and premises does not normally create a functional need to be based on site.

Health and Safety

I can understand to an extent as to why it would be preferable for the applicant to be based close to the house where, as an example, his wife might be more likely to be alerted sooner if there was an incident?

It would not however prevent an accident and does not in my opinion materially contribute to the functional need for applicant to be based on site.

Family

The case made here is that the next generation are more likely to want to become involved with the farming if they were based close to the farm buildings. There may be something in this, but it is not for me to judge as it would depend on the individuals concerned. It certainly does not contribute to the 'functional' need of the running of the enterprise.

Economic importance /viability

In an ideal world Manor Farm would have a farmhouse close to the farm buildings for the applicant and family that would reflect the economic scale of the operation. This does not however carry any weight in respect of the functional need of an arable enterprise.

4.02 Full time labour

The proposed accommodation would be for the applicant who is fully employed.

4.03 Establishment and viability

A dwelling cannot be considered essential unless the enterprise on which the proposed essential need is likely to continue into the foreseeable future, which in turn is reliant on the enterprise being able to survive financially.

Manor Farm and 250 acres of arable land might struggle these days to be viable. The total farmed area is however 800 acres.

Provided there could be some assurance that the 550 acres of presently rented land would be available to the applicant for the foreseeable future, then in my opinion, the farming business would be considered viable.

4.04 Other Dwellings

There is no functional need in my opinion for there to be somebody based at Manor Farm, however if there was, then the existence of the two semi-detached houses referred to as Lamb Copse, would clearly be material consideration.

As the situation exists today, then the farming operation could be run by somebody living with an easy commuting distance.

5.0 Conclusion

There is no essential need for the proposed dwelling in accordance with Paragraph 55 of the National Planning Policy Framework.

Signed _____

Robert Fox BSc (Hons) MRICS FAAV

15th February 2017

Date _____

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