

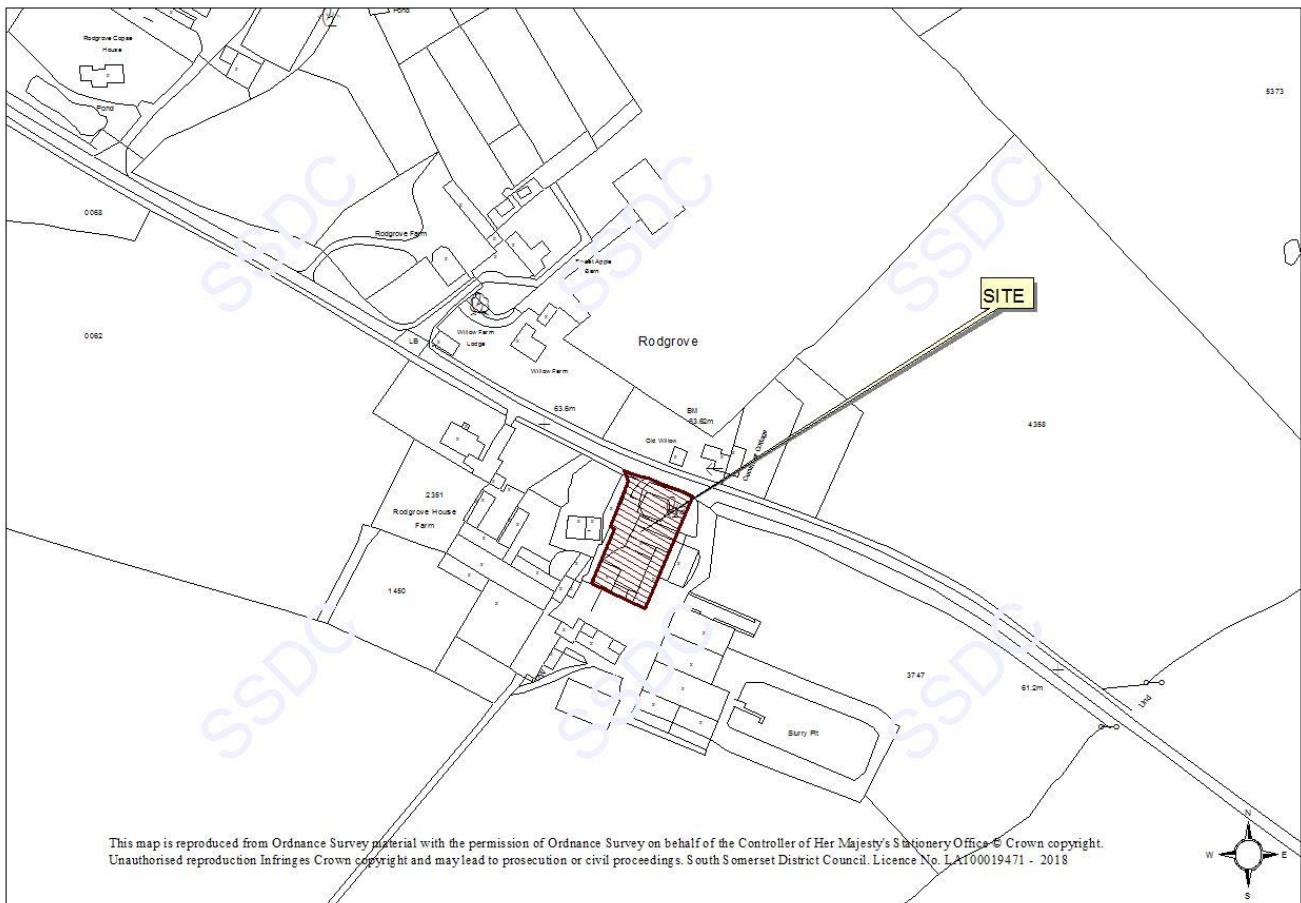
Officer Report On Planning Application: 18/01067/FUL

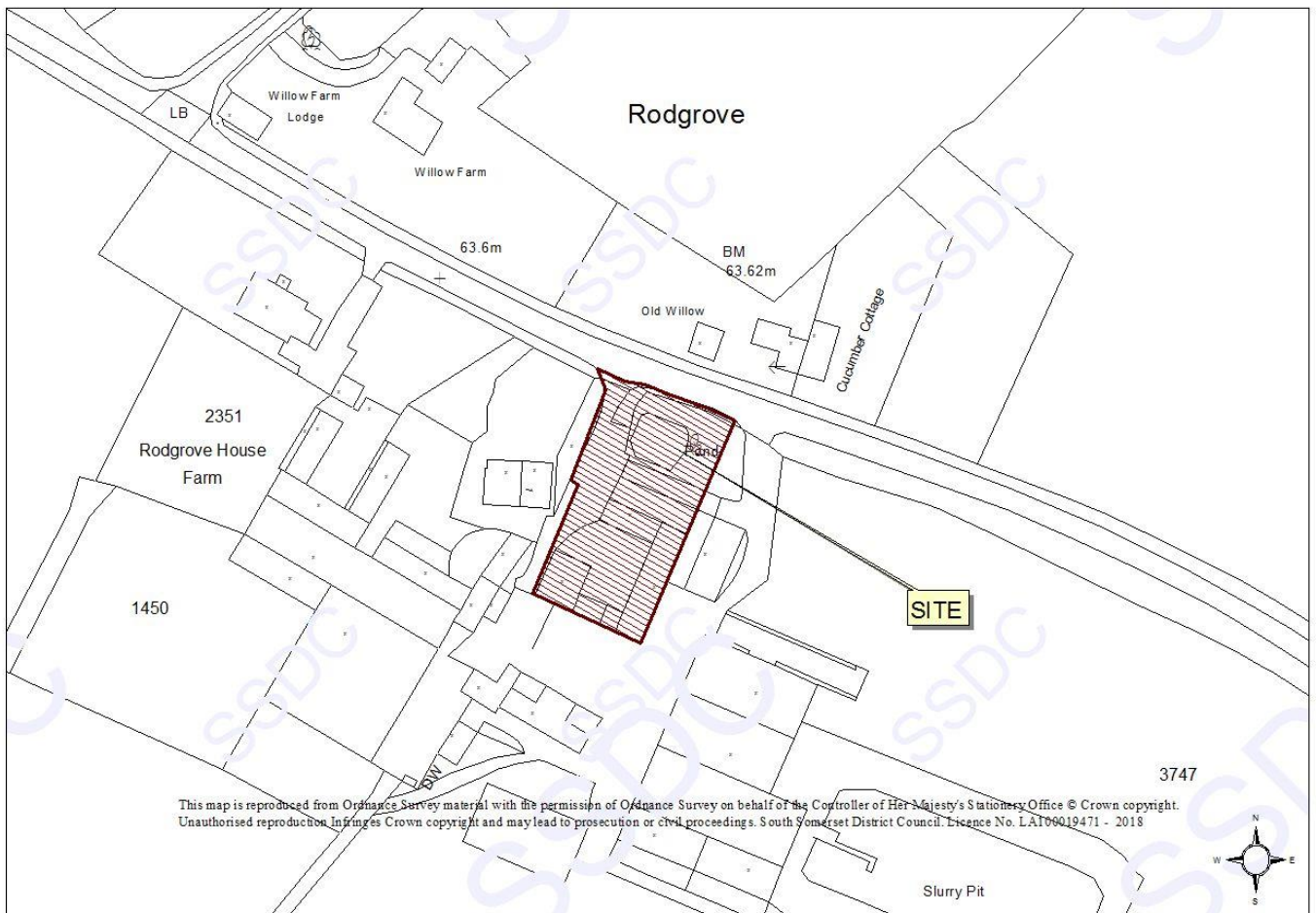
Proposal :	The erection of an agricultural workers dwelling.
Site Address:	Land And Buildings At Rodgrove House Farm Moor Lane Wincanton
Parish:	Somerton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Jeremy Guise Tel: (01935) 462645 Email: jeremy.guise@southsomerset.gov.uk
Target date :	30 May 2018
Applicant :	Mr & Mrs Gould
Agent: (no agent if blank)	Mr Matt Williams Brimble Lea & Partners Wessex House High Street Gillingham SP8 4AG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application has been called to East Area Planning Committee at the request of local ward members and with the agreement of the chairman, to allow assessment of the application in relation to the needs of the farm.

SITE DESCRIPTION AND PROPOSAL





This application relates to Rodgrove House Farm holding. It has been established, during the course of consideration of the application, that Rodgrove House Farm (the original farm house) does not form part of the current farm holding and that the applicant lives in Grove Cottage, whilst maintaining use of the Rodgrove Farm address. It has also been established that Temple lane Farm, sometimes referred to as Templars Farm, has since 2014 been substantially separated from the holding.

The farming land plan submitted with this application comprises of several pieces of land, of various sizes, within the vicinity of Rodgrove. The largest piece is roughly triangular shaped to the north of Templecombe Lane and the London-Exeter railway line. It is linked to fields to the north and east. Another group of fields, around Temple Lane and the railway, are located approximately 2 miles to the west. Formerly some of these fields were associated with Temple Lane Farm, further to the west.

The main complex of buildings is located to the east of Rodgrove House Farm (house and residential curtilage) which the submitted plans show to be in separate ownership. It consists of Grove Cottage, the applicant's residence, and a group of farm buildings. Grove Cottage is a fairly large house the result of previous extensions. Farm buildings including the partially constructed new milking parlour surround the site to the south and east.

A rectangular shaped piece of land (0.13ha) to the east of Grove cottage and fronting onto the road is outlined in red as the site of a proposed new agricultural worker's dwelling. It currently contains the stone walls and red brick dressed openings of a late nineteenth / early twentieth century farm outbuilding. The building appears in a partially demolished state with the roof removed since the last aerial survey, in 2006.

A pair of cottages: 'Old Willow' and 'Cucumber' are located on the opposite side of the road, to the north

The proposed house is shown as double fronted with a sub gable constructed of natural stone with a clay tile roof. Floorplans show an entrance hall, lounge, kitchen diner, 'snug', farm laundry, farm office and WC at ground floor level and three bedrooms, a dressing room, two bathrooms one en-suite and a study at first floor level.

The application is accompanied with a statement from the applicant agent which makes the following points:-

2.2 Rodgrove House Farm trades as T E Gould & Son and has been in the Gould family for over 30 years. It is a well-established dairy unit which converted to organic status in November 2017. The farm is run by Stephen Gould and his son James. Stephen's wife Geraldine Gould administers the farm business.

2.3 Rodgrove House Farm consists of 320 acres of owner/occupied land and a further 160 acres held on a tenancy or grass keep basis. As such, the total farm holding is 480 acres (194 hectares). A plan showing the extent of the land farmed by T E Gould & Son is provided as appendix to this Appraisal.

2.5 The farming stock consists of Holstein Friesian dairy cattle with 170-180 milking cows and the same amount of young stock of all ages. Once the milking parlour is completed next winter, the stock will be built up to 250

And

4.2 The labour requirements of the farming enterprise is set out in an appendix to this Appraisal. This demonstrates that the total hours required to maintain the dairy cows and the rest of the herd (i.e. direct management, milking, feeding, calving etc.) amounts to almost 1,250 hours per annum which is equivalent to 4.5 labour.

HISTORY

16//05295/FUL – Erection of an extension to farm building to form milking parlour and stock housing area Rodgrove House Farm Granted conditional planning permission 9th January 2016 (Note the layout plan includes a farm office and WC)

HISTORY : Temple Lane Farm

14/02005/FUL - Erection of 1 no agricultural workers dwelling (GR 371506/122535) Land OS 6060 Temple Lane Farm Templecombe Granted subject to conditions including condition 4 which stated:-

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: Planning permission would not have been given but for the special need that has been established for the presence of a dwelling that serves the adjacent agricultural buildings in this location, further to policy HG15, ST3, ST5 and ST6 of the South Somerset Local Plan and the NPPF.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015) and the adopted Wincanton Neighbourhood Plan.

The policies of most relevance to the proposal are:

Policies of the South Somerset Local Plan (2006-2028)

- Policy SD1 – Sustainable Development
- Policy SS1 – Settlement Strategy
- Policy EQ2 – General Development
- Policy HG9 – Housing for agricultural and related workers
- Policy HG10 – removal of agricultural and other occupancy conditions
- Policy TA5 – Transport Impact of New Development
- Policy TA6 – Parking Standards
- Policy EQ1 – Addressing Climate Change in South Somerset

National Planning Policy Framework

- Chapter 3 – Supporting a prosperous rural economy
- Chapter 6 – Delivering a wide choice of high quality houses
- Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 11 – Conserving and Enhancing the Natural Environment

Other Material Considerations

- Wincanton Neighbourhood Plan
- Somerset County Council Parking Strategy

CONSULTATIONS

Wincanton Town Council – Recommends approval.

County Highway Authority – Standing advice applies

SSDC Highway Consultant: The principle of this development must be largely a planning matter to determine based on 'need' and 'justification'. While it could be argued that trips to and from the site may reduce as a result of the agricultural worker being housed on site, other day-to-day domestic trips need to be considered which could result in an increase in traffic movements at the entrance. The existing access appears reasonable but it would be useful if the agent could confirm on the plans the extent of the existing visibility splays at the entrance and propose improvements if necessary (it would appear that the applicant has control of the hedgerows either side of the access to provide improvements, if appropriate). On-site parking and turning provision in line with the SCC Standing Advice and Parking Strategy standards needs to be secured.

SSDC Ecologist: I've considered this application and I don't have any comments nor recommendations to make

REPRESENTATIONS

No representations have been received

CONSIDERATIONS

Principle of Development

Rodgrove is a very small hamlet located in open countryside where constraint policies, in the adopted Local Plan and NPPF apply on new residential development. Exceptions to these constraint policies are provided for in both the Local Plan and NPPF. Policy HG9: Housing for agricultural and related workers, applies to agricultural workers' dwellings. It states:-

A development proposal in the countryside to meet the accommodation needs of a fulltime worker in agriculture, horticulture, forestry, equestrian activities or other business where a rural location is essential should demonstrate that:

- *There is a clearly established existing functional need;*
- *The enterprise is economically viable*
- *Provision on-site (or in the immediate vicinity) is necessary for the operation of the business;*
- *No suitable accommodation exists (or could be made available) in established buildings on the site in the immediate vicinity;*
- *It does not involve replacing a dwelling disposed of recently as general market housing;*
- *The dwelling is no larger than that required to meet the operational needs of the business.*
- *The siting and landscaping of the new dwelling minimises the impact upon the local landscape character and visual amenity of the countryside and ensures no adverse impact upon the integrity of nationally and internationally designated sites, such as AONB*

Where a new dwelling is permitted, this will be the subject of a condition ensuring the occupation will be limited to a person solely or mainly working, or last working in the locality in agriculture, horticulture, forestry, equestrian activities or other rural businesses (or a surviving partner of such a person, and any resident dependents).'

Functional Need

It is quite difficult to assess exactly what the settled functional need of the farm holding is at present. It is clearly in a state of flux following changes in plans.

Historically, the farm obviously had Rodgrove Farm House and Grove Cottage. Plans for generational succession on this family holding were put in place with the 2014 decision to use Temple Lane Farm as replacement dairy heifer rearing and concentrate and expand milk production at Rodgrove Farm. Plans which SSDC accommodated by granting planning permission for a new agriculturally tied dwelling.

Those plans have changed Temple Lane Farm has been sold and no longer forms part of the family farm holding and the calving and heifer rearing operation relocated, contributing to the existing functional need. Some of the fields and land used to provide the functional case for the new agriculturally tied dwelling at Temple Lane Farm overlapped in part with the land used to provide justification for that dwelling.

The new milking parlour, approved under ref. 16//05295/FUL is in the process of being built, but is not complete or operational at present. The functional need is likely to change when the additional livestock arrives.

The enterprise is economically viable

The applicants experience in operating the farm and its size, back up the economic records provided that show it to be economically viable.

Provision on-site (or in the immediate vicinity) is necessary for the operation of the business

The applicant lives on the farm and is available to tend to animal welfare. The situation is therefore materially different from that at Temple Lane Farm where no dwelling existed before 2014, and that argument that a new dwelling was required for animal welfare was compelling. It is not clear that other agricultural workers need to live on the farm, and not simply be nearby in the countryside or settlements of Wincanton or Templecombe that are both close.

No suitable accommodation exists (or could be made available) in established buildings on the site in the immediate vicinity

The site is currently occupied by the stone walls and brick quoin openings of the remains of an attractive late nineteenth / early twentieth outbuilding. The roof has recently been removed from this building.

There is no evidence that the potential for adapting and converting this building into a dwelling suitable for and agricultural worker was properly explored. Even in its present state, it may still provide scope for re-building, especially if the clay roof tiles have been saved.

However, without partial rebuilding the building does not have potential to be converted to a dwelling. The uncertainty around the feasibility of undertaking this rebuild/ conversion, means that it does not provide sufficient justification for refusing planning permission on these grounds.

It does not involve replacing a dwelling disposed of recently as general market housing

There is evidence to suggest that dwellings associated with the farm have recently been disposed of, contrary to the spirit of policy HG9.

Supporting paragraph 10.59 acknowledges the potential for agricultural occupancy policies to be abused and make clear that the recent history of the holding will be examined in assessing an application for a new agricultural worker's dwelling. It states:-

The potential for abuse with the submission of applications for 'replacement dwellings' on agricultural holdings exists, therefore in order to minimise that potential, the history of the holding will be examined to establish the recent pattern of land use and whether any dwellings or buildings suitable for conversion or occupation have been recently sold separately from the farmland.

Farming is dynamic and changes to plans can be expected over time. But in the last 4 years the original main farmhouse for this working farm, Rodgrove Farm House, has been inherited by the applicant's sisters and separated from the farm, in 2016. It is believed to be rented out.

Furthermore, a newly built agriculturally tied dwelling on a neighbouring linked farm at Temple Lane, just 2.5 miles away, has been sold by the applicant.

When that application was submitted the applicant's then agents, Symonds & Sampson, stressed the interconnected nature of the business in the same farm holding.

The application was accompanied by a Design and Access statement, dated 1st May 2014, which sought to explain the background to the proposal. In relation to social context it stated:-

The proposed development lies in open farming countryside but close to the village of Templecombe which is only half a mile to the west. It is in an area scattered with farmsteads and farmhouses. The Applicant is a local farmer and the opportunity to properly develop the replacement dairy heifer rearing at Temple Lane Farm means that a house for his son (farm worker) to move into to manage the farm is now essential.

And in relation to social context:-

The Applicant has been successfully farming the holding and further land in the locality for many years. The intensification of the dairy herd at Rodgrove House Farm can only be achieved by concentrating the replacement heifer rearing and down calving of the dairy cows at Temple Lane Farm. This will enhance the economic stability of the farming business enabling one of the sons to move to Temple Lane Farm and secure his long term employment in the farming business and assist with succession.

The new, agriculturally tied, dwelling at Temple Lane Farm has been built and is occupied. It appears

to have been sold by the applicant shortly after planning permission was granted, in July 2014, together with some, but not all of the fields that were used to support that application. The exact amount of land sold with Temple Lane Farm is not known, but as some of the land used in support of that application was retained by the applicant and is now being used to support this application (appendix of the applicant's submission). It is a reasonable supposition that it is less than 69ha with potential implications for the long term viability of Templars Lane Farm as a standalone agricultural holding; and, of course, double counting in respect of functional need.

The agent claims simply and accurately that Templars Lane farm was sold with an agricultural tie intact and the letter of the Policy HG9 has not been breached. It is not known whether the current occupier complies with the agricultural tie condition.

However, this situation smacks of a business gaming the system, deliberately disposing of potentially suitable accommodation, in order to create a requirement for a new agricultural worker's dwelling. Such practice is contrary to the spirit of Policy HG9 of the adopted Local Plan and paragraph 55 of the NPPF.

Size and specification of the new dwelling

The Local Planning Authority seeks to contain the size and specification of new agricultural dwellings to ensure that they remain proportionate to the needs and income of the person requiring the accommodation. Agricultural ties on large, high specification, dwellings are likely to be less affordable to future generations of agricultural workers and generate future pressure on the Local Planning Authority to remove the tie.

Supporting paragraph 10.58 of the Policy HG9 provides guidance on the size and specification of new agriculturally tied dwellings. It states:-

Such dwellings should be commensurate with the needs of the holding and not the person requiring the accommodation. Unusually large dwellings in relation to the needs of the unit, or expensive construction in relation to the income it can sustain, should not be permitted. As such it is considered that an indicative guideline to the floor area of proposed dwellings of approximately 175sqm would adequately serve most holdings (based upon national statistics, which show the average floor area of a detached 3 bedroom property is 143sqm).

The proposed agricultural worker's dwelling is 243sqm. This is approximately 40% larger than the guidance size for and is built to a high specification.

The applicants agent argues that the size and specification of the dwelling is justified on the grounds that: it contains non-residential elements such as a farm laundry and farm office etc. which when subtracted from the floor area make the proposal only 17% larger than the guide figure, and that the Planning Authority has not in the past consistently applied the policy, approving larger agriculturally tied dwellings.

This argument is not accepted. The non-residential element is already allowed for in the 175sqm guide figure which, as para 10.58 supporting Policy HG9 makes clear, is 32sqm above the average floor size for a three bedroom house. In this case the need for an additional farm office is also questioned. The farm is, presumably, managed from Grove Cottage at present and could continue to be managed from there in the future. Furthermore the newly approved milking parlour includes provision for an office and WC in the premises.

The size scale and specification of the proposed new house is beyond that required for a second house on a farm site.

The siting and landscaping of the new dwelling minimises the impact upon the local

landscape character and visual amenity of the countryside and ensures no adverse impact upon the integrity of nationally and internationally designated sites, such as AONB

The proposed farm workers' dwelling is shown on the same location as the existing partially demolished farm outbuilding within the farmyard

As such, the impact on visual amenity is considered to be acceptable in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

Residential Amenity

It is not considered that the proposal would have any significant impact on the residential amenity of the neighbouring properties and therefore that it is in accordance with policy EQ2 of the South Somerset Local Plan.

Highways

The highway authority was consulted and referred to their standing advice. The SSDC Highways Consultant has made an assessment of the scheme and considers that there will be no adverse impact on highway safety, In addition it is noted that the on-site car and cycle parking proposed is sufficient and can be conditioned.

However, the site is located in a relatively isolated rural location where all shops and services will need to be accessed by car. Such locations are considered to be contrary to Policy TA5, Transport Impact of new Development, insofar as they do not maximise the potential for sustainable transport by (ii) *securing safe and convenient access on foot, cycle and public transport that addresses the needs of all*. Without a satisfactory agricultural justification being demonstrated for the proposed new dwelling, it is considered that Policy TA5 weights in the balance against the proposal.

The applicant has not included electrical charging points, and is therefore not in compliance with Policy TA1, Low Carbon Travel which states:-

All new residential development and employment developments in South Somerset should, should subject to general viability: ii. Provide for the charging of electric vehicles with an external charging point of at least 16 amps adjacent to each parking space and within the curtilage of the site. Such charging points should also be provided for garages within the development.

In the absence of a development proposal that satisfies wider planning policy aims and objectives and delivers sustainable development, the failure to provide on-site charging points, as per policy TA1, forms another refusal reason.

Conclusion

The application site is located in a relatively isolated rural location where new residential development is strictly controlled. New build dwellings are only permitted as exceptions to these policies where an applicant can demonstrate 'exceptional quality or the innovative nature of the design' (NPPF para. 55) or an essential need for a rural worker to live permanently at or near their place of work, Policy HG9, Housing for agricultural and related workers, of the adopted local plan. This sets criteria for the assessment of agricultural workers dwellings several of which the proposal currently fails to satisfy. As such it falls to be considered against the general residential constraint policies that apply in South Somerset and fails the usual policy tests.

RECOMMENDATION

Refuse for the following reason:

On the basis of the information provided in support of this application, and the planning records held in connection with this farming business, the proposal does not satisfy the requirements of Policy HG9, Housing for agricultural and related workers, of the adopted Local Plan. It replaces dwellings recently disposed of on the farm holding and the proposed dwelling is larger, and of a higher specification, than that required to meet the operational needs of the business. As such the proposal is contrary to Policy SD1, Sustainable Development; Policy SS1, Settlement Strategy, Policy HG9, Housing for agricultural and related workers and Policy TA5, Transport Impact of New Development of the adopted South Somerset Local Plan and paragraph 55 of the NPPF.

The proposed new residential development does not include 16amp electric charging points and, as such, does not contribute positively towards low carbon travel as required by Policy TA1ii of the adopted South Somerset Local Plan and paras 93 and 94 of the NPPF.

This decision is based on the following plans: Site Plans as existing; site plans as proposed; Elevations as proposed Location plan; floor plans as proposed; roof plan as proposed and 18035-1 Rev.A received 29th March 2018.
