

REPORT FOR WESTERN AREA PLANNING COMMITTEE**Report No.**

Date of Meeting	12 December 2018
Application Number	18/05384/FUL
Site Address	Land at Auckland Farm, Codford Warminster BA12 0LZ
Proposal	Proposed detached farm workers dwelling with integral garage and vehicular access
Applicant	Mr Ronald E Nevill
Town/Parish Council	CODFORD
Electoral Division	Councillor Christopher Newbury
Grid Ref	397642 141623
Type of application	Full Planning
Case Officer	Steven Sims

Reason for the application being considered by Committee

Councillor Christopher Newbury has requested that this application should be reported to the planning committee for the consideration of the following key matters:

- The design - bulk, height, general appearance of the proposed dwelling;
- The application has been called in in the interests of public debate at the request of the applicant and Codford Parish Council.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application should be approved.

2. Report Summary

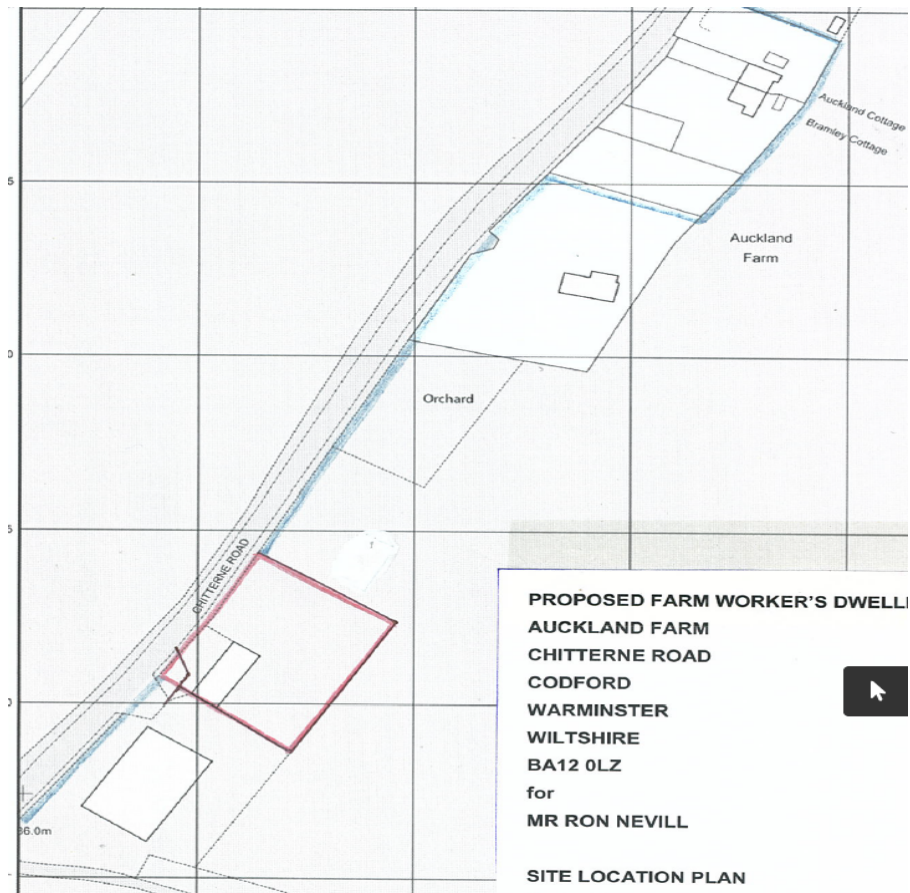
The main issues to consider for this application are considered to be:

- The Principle of Development
- The Impact on the Character of the Area/AONB
- The Impact on the Living Conditions of Neighbouring Residents
- The Highway Safety/Parking Issues

3. Site Description

The site is located within the open countryside beyond any defined settlement about 1.5km north of the village of Codford. The site forms part of an agricultural holding at Auckland Farm that extends to 66 hectares (162 acres) and is owned under freehold by a farming partnership, of which the applicant is a partner. The partnership also owns Manor Farm and land at Knook which in total extends to 476 ha (1,176 acres) across the three farming blocks.

The application site – which is located to the east of the adopted “c” class Chitterne Road which is illustrated on the following insert site plan. The site extends to some 0.18 hectares (0.45 acres) and includes an existing single-storey concrete block built agricultural building which is presently vacant and is identified for demolition. It is unlisted and of no architectural merit. There is another agricultural building also within the ownership of the applicant, to the south of the site. This building is also represented in the following plan and site photo inserts below.



The application site in foreground



Aerial photograph of site context

The nearest residential dwelling is located at Auckland Farm approx. 120 metres to the northeast. Also illustrated in the aerial photograph above right, is the grade II listed Manor Farm House and the separately grade II listed farm steading - located circa 0.5km to the west beyond the road and a couple of fields. The large building block illustrated to the south of the application site, beyond the agricultural barn that adjoins the site and some 0.25km distant is the Lyons Sea Food Ltd factory site.

The site is located within the Salisbury Plain Special Landscape Area. The Cranborne Chase & West Wiltshire Downs AONB is located approx. 230 metres to the south. The nearest PRow is CODF5 (a bridleway) which runs roughly north-south and bypasses Manor Farm - about 0.4km from the application site. The site is flood zone 1 land (i.e.

land that has the lowest risk of fluvial flooding) with Chitterne Brook being located approximately 130 metres to the west and on the opposite side the road.

4. Planning History

18/03181/OUT – Demolition of existing breeze block building and erection of agricultural workers dwelling (Outline application relating to access) – Approved 05/07/2018

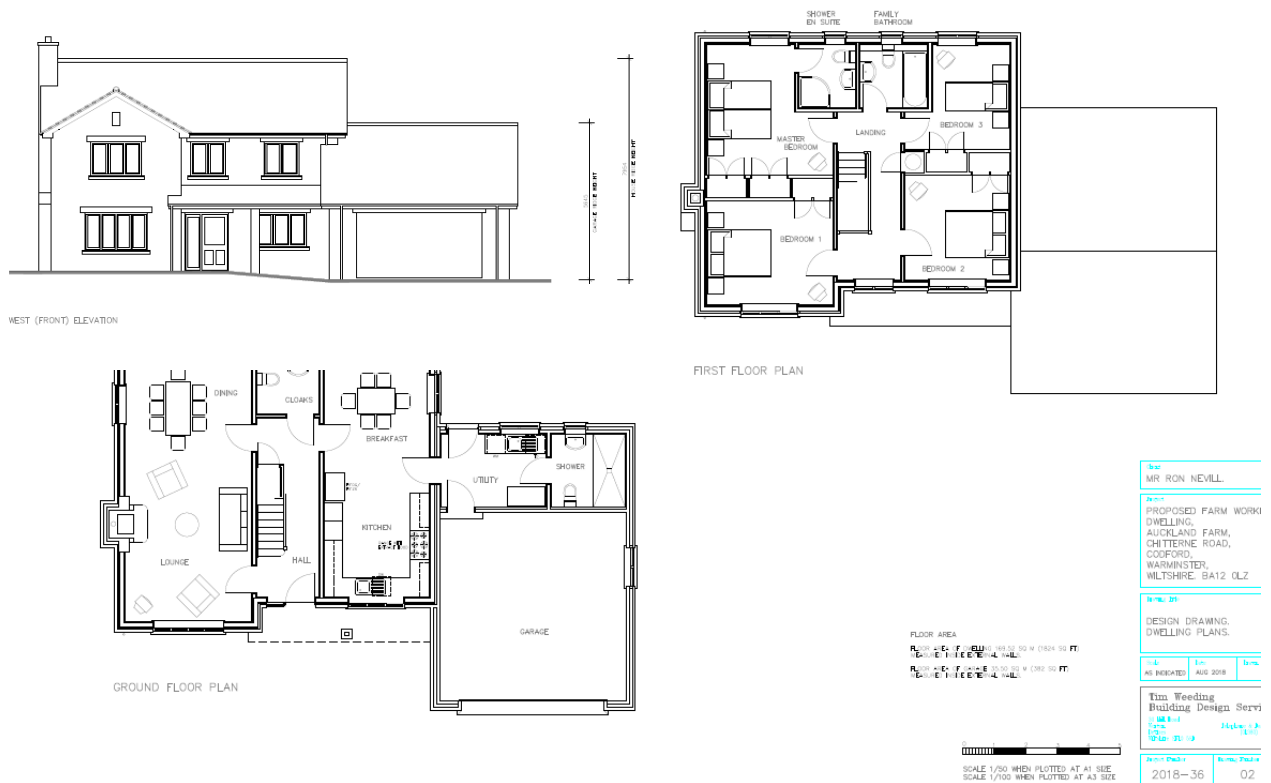
16/07266/FUL – Proposed barn – Approved 13.09.2016

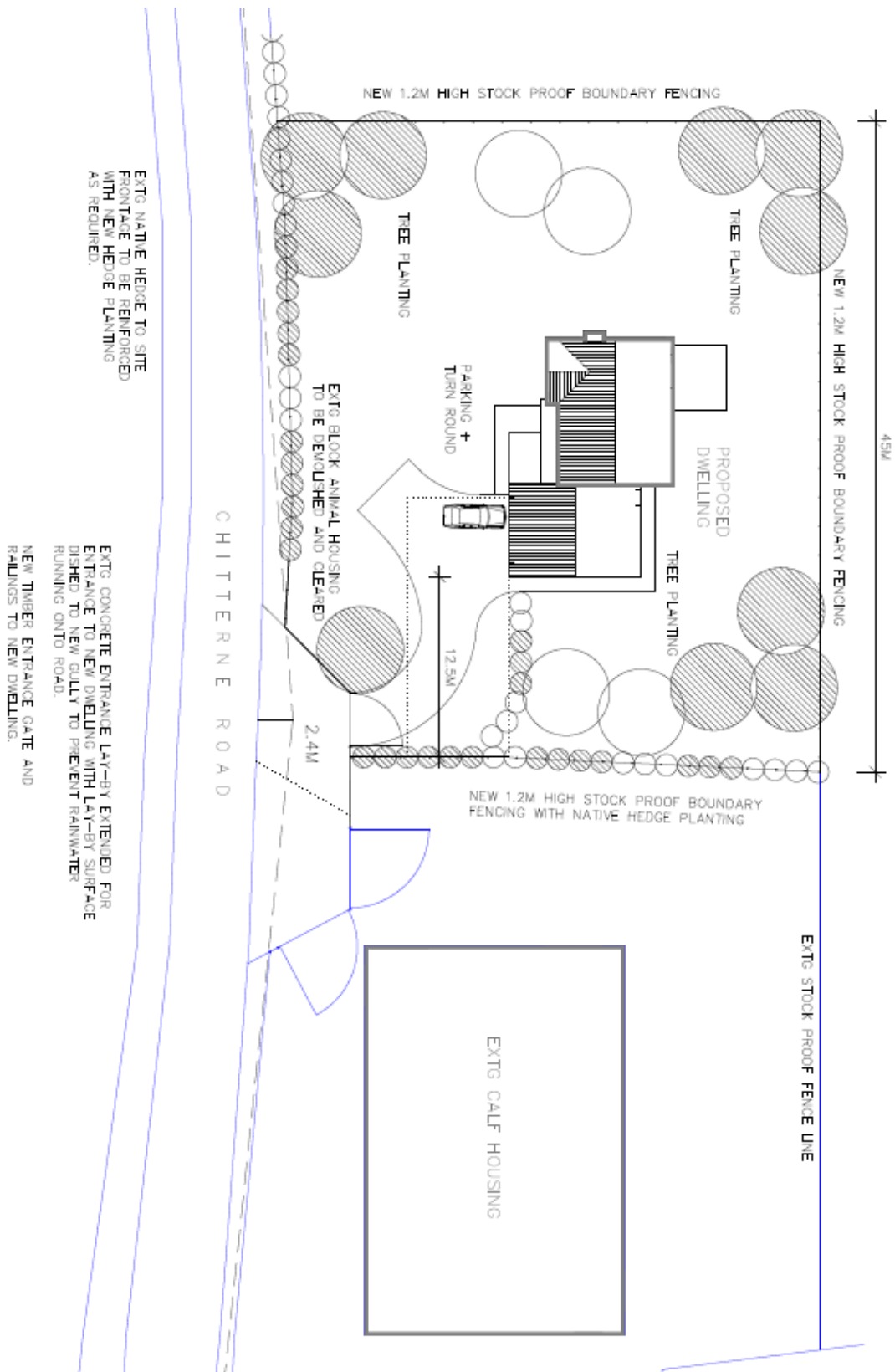
W/78/01159/HIS – Cattle Housing – Approved 09.11.1978

W/78/00839/HIS – Erection of stock housing steel framed building – Refused 29.09.1978

5. The Proposal

This is a full application seeking planning permission (following the approval of outline planning permission under 18/03181/OUT which was granted a few months ago) for the erection of a three bedroom detached 2-storey dwellinghouse for an agricultural worker. The following plan inserts illustrate the proposed dwelling which would measure about 17 metres long (including the proposed attached garage) and 9 metres deep. The accommodation would comprise 4 bedrooms, a dining room/lounge, kitchen and utility room. The dwelling would use the existing access off Chitterne Road and would be constructed using Bradstone reconstructed stone for the walls and Bradstone slate for the roof. The existing single storey agricultural building would be demolished. New 1.2m high fencing, tree and hedge planting is also proposed – which are illustrated on the proposed block plan on the following page.





There is one existing dwelling on the agricultural holding at Auckland Farm and that is currently occupied by Mr Grossman who currently manages the agricultural business.

The Farm Practice – The combined business is run as a dairy and livestock unit. The dairy herd is based at Manor Farm. The dairy herd is substantial with up to 400 cows with

between 280 and 320 in milk at any time. The herd maintains a level production of milk throughout the year which means that calving takes place evenly across the year. The dairy cows are calved at Manor Farm but calf rearing and the herd young stock are based at Auckland Farm. All female calves are retained; male calves are not retained. The retained calves are transferred to Auckland Farm at approximately eight weeks old. The calves are then reared through at Auckland. Typical stocking levels at Auckland Farm range between: 240 to 260 head of cattle. Younger animals are kept in the buildings with the older stock being put out to grass in the summer months.

There is no proposal to significantly alter the farming practices at either Auckland Farm or the wider business.

6. Planning Policy

Wiltshire Core Strategy - CP1: Settlement Strategy; CP2: Delivery Strategy; CP48: Supporting Rural Life; CP51: Landscape; CP57: Ensuring High Quality Design and Place Shaping; CP60: Sustainable Transport; and CP61: Transport and new development

Saved Policies for the West Wiltshire District Local Plan (1st Alteration) - U1a Foul Water Disposal; the Wiltshire Local Transport Plan 2011- 2026

The National Planning Policy Framework (the Framework) – Chapter 2. Achieving sustainable development; Chapter 5. Delivering a sufficient supply of homes; Chapter 12. Achieving well-designed places and 15. Conserving and enhancing the natural environment and the National Planning Practice Guidance (NPPG) are also of material relevance to this application.

The Cranborne Chase and West Wiltshire Downs AONB 2014-2019 Management Plan.

7. Summary of Consultation Responses

Codford Parish Council: Objects to the revised proposals on the basis that it represents a very significant deviation from the outline proposals approved under 18/03181/OUT. This deviation is so extreme that the basis for the original permitted development can no longer be applied and the proposed development therefore breaches several planning policies.

The proposed development site is outside the Codford village policy limits and borders the Cranborne Chase AONB. Under The National Planning Policy Framework (The Framework) and Wiltshire Local Plan Policies, Councils are required to avoid development in the open countryside. Under national and local planning policy there is presumption against any development which may adversely affect the AONB.

The original outline permission was granted solely because the applicant claimed an “*essential need for a rural worker to live permanently at or near their place of work*”. This claim was professionally assessed, and the proposed accommodation that was required to meet the essential need was specified as a three bedroom bungalow suitable for a stockman. The revised application is for a 169m², four bed 2 bathroom house with an integrated 35m² double garage/utility/shower-room which is significantly larger than would be affordable on the salary of the average agricultural worker and must therefore be considered as intended for other purposes.

The revised two-storey dwelling would be 26ft tall, and 7-8ft higher than the adjacent livestock building. It would represent a significant change to the current height and massing of the existing Auckland Farm buildings and as such has the potential to generate visual intrusion on views to and from the AONB. In balancing the economic benefits of any development planners are required to place great weight on the value of the landscape character of the AONB.

On these grounds the Parish Council requests that officers and members of the planning committee do not approve the application. Should members be minded to approve this or any future detailed application for the site, the Parish Council request that consideration be given to a strict, lifetime agricultural condition on the use of the dwelling and careful measures to minimise the visual impact of the development.

Wiltshire Council's Agricultural Consultant: Supportive of the revised plan submission which reduced the proposed dwelling gross internal area of habitable floorspace from 200sq.m to 169sq.m with includes a ground floor utility room of 13sq.m which is considered essential for livestock farming to provide a dedicated area in which to remove dirty clothing, boots and to wash before entering the main part of the dwelling. The revised GIA of the proposed dwellinghouse is not considered *excessively large in relation to the identified essential need* at Auckland Farm. It is noted that the proposed development enshrined under this full planning application is materially different to what was envisaged at the outline stage, but the increased floor area is not excessive and there is an essential need for a dwellinghouse at the unit at most times. The business generates a significant turnover and the business is profitable.

[Note - A copy of the Council's agricultural consultant's appraisal is appended to this report. Paragraph 9.1 – sets out in more detail the agricultural consultant's appraisal and conclusions].

Cranborne Chase and West Wiltshire Downs AONB Officer: The site is located outside this AONB but it is submitted that the site seems to be isolated from the existing farm buildings at Auckland Farm, and could be an intrusion into views from the AONB and towards the AONB. The accommodation provided is significantly larger than that usually considered adequate for an essential farm worker. In relation to farm worker accommodation in other parts of this AONB, a property with 4 bedrooms and 3 bathrooms would be considered to be excessive. The AONB officer suggests that a building of 120sqm floor area is adequate. The proposed design, in a situation close to a road, would appear substantial and would not be subservient to the calving unit nearby.

8. Publicity

The application was publicised via a site notice. Following the publicity no third party letters of representation were received.

9. Planning Considerations

9.1 The Principle of Development – Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 79 of the NPPF advises that Local planning authorities “*should avoid the development of isolated homes in the countryside unless...there is an essential need, including those taking majority control of a farm business, to live permanently at or near their place of work in the*

countryside". NPPF Paragraph 79 additionally sets out provision for reusing redundant or disused building where the development would enhance the immediate setting.

9.1.1 WCS Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Core Policy 2 addresses the issue of development outside of settlement boundaries and states that, other than in circumstances permitted by other policies within the plan (including supporting rural life), residential development will not be permitted outside the limits of development (unless it has been identified within the subsequent Site Allocations Development Plan Document and Neighbourhood Plan). Core Policy 48 states that proposals for residential development outside the defined limits of development will be supported where these meet the accommodation needs required to enable rural workers to live at or in the immediate vicinity of their place of work and such proposal should be supported by functional and financial evidence.

9.1.2 It is material to reflect on the fact that the Council recently granted outline planning permission for the demolition of existing breeze block building and the erection of an agricultural workers dwelling (with all matters reserved except for the means of access) under application 18/03181/OUT which was approved in July 2018. In approving the outline application, the Council accepted there was an essential need for an agricultural workers dwelling to be constructed on site and the business plan is set on a sound financial basis. With the outline planning permission being extant (and runs until 2021) it is argued that the principle need for a rural workers dwelling on site is established and officers furthermore submit that it would not be reasonable to contest the essential need for a farm workers dwelling. Please refer to Appendix A for copies of the decision paperwork relative to application 18/03181/OUT.

9.1.3 The Council's agricultural consultant has nevertheless commented on the need for an agricultural workers dwelling at this site based upon the current farm practices and reflected on the business plan for the farming enterprise. With the recent outline permission freshly issued this detailed application does need to appraise the proposed detailed matters extending to the external appearance, landscaping, layout and scale of the development. The current scheme is a full application rather than a reserved matters application since the red line site plan is slightly different. The proposal before the committee is for a 2 storey dwelling measuring approx. 169m² Gross Internal Area (GIA) of habitable floorspace. In terms of the finalised proposed size of the new dwelling, the Council's agricultural consultant confirms within his paragraph no's: 8.1 - 8.3, that the 169sq.m or 156sq.m proposed dwelling (if one discounts the essential utility wash room) would not be excessive as quoted below:

"8.1 This report follows the submission of revised floorplans for the dwelling proposed in application 18/05384/FUL. The application was registered on 6th June. The original plans accompanying the application showed a dwelling with a Gross Internal Area (GIA) of approximately 200m². I concluded that the dwelling proposed was excessively large for the essential need recognised at the holding.

8.2 The revised drawings show a two storey dwelling with four bedrooms, two bathrooms (one ensuite) and an integrated garage. The revised Design and Access Statement indicates the dwelling (excluding the integrated garage) has a floor area of 169m². The floorplans include a ground floor utility area of 13m² GIA.

8.3 In my view the ground floor utility area is a requisite for livestock farming, as an area in which to remove dirty clothes and to wash. It is therefore reasonable to discount a reasonable utility area from the total floor area. If the utility area is discounted then the GIA of the rest of the dwelling is 156m², which is not, in my view, excessively large for the identified essential need”.

9.1.4 Although the principle for the need for an agricultural workers dwelling at Auckland Farm was established through the grant of outline permission, functional and financial evidence was once again submitted by the applicant. This was reviewed by the Council’s agricultural consultant in his report dated 17 September 2018 it is argued within the consultant’s report para “6.3: *The enterprise at Auckland Farm involves the close care of a significant quantity of young cattle ranging from animals just transferred in at approximately eight weeks old, through to in-calf heifers over 20 months old. In my view the quantity and type of stock presents a range of needs. The range extends from stressed smaller animals, dependant still on milk replacer, through weaning and into pregnancy. The stock are housed which means there is capacity for animals to become stuck, injured, bloated or infected”.*

9.1.5 The Council’s agricultural consultant concludes within report para 6.4: *“In my view the quantity of housed stock, together with the capacity for incident to occur means that in this particular set of circumstances there is an essential need for a presence at the unit at most times...”* The essential need is currently met through the accommodation provided at Auckland Farmhouse, but this property is not considered to be available since it has been confirmed that the property is occupied by Mr Grossman who intends to retire in the near future, and in his retirement he wishes to continue to reside in his home. Planning case law states, in particular *Keen vs SSE & Aylesbury Vale DC [1996] 2 PLR 8*, that it would be unreasonable to expect the occupier of a farmhouse to vacate it even if retiring, to make way for an active farm worker.

9.1.6 It should be appreciated that through well-established planning protocols planning conditions allow tied agricultural dwellings to be occupied by persons solely or mainly working, **or last working in the locality in agriculture** (emphasis added), forestry or a widow or widower of such a person, and any resident dependants. In such circumstances, it is appropriate to discount the existing farmhouse presently occupied by Mr Grossman when appraising the functional need for an agricultural workers dwelling at Auckland Farm since it would not be available to an agricultural worker following Mr Grossman’s retirement from active farm work. It is also important to appreciate that appeal decisions (e.g. APP/H0738/A/13/2193698 and APP/G2713/A/14/2220725 have cited the Keen ruling with planning inspectors being mindful of examining the suitability and availability of an existing dwelling to serve a functional need for an agricultural worker.

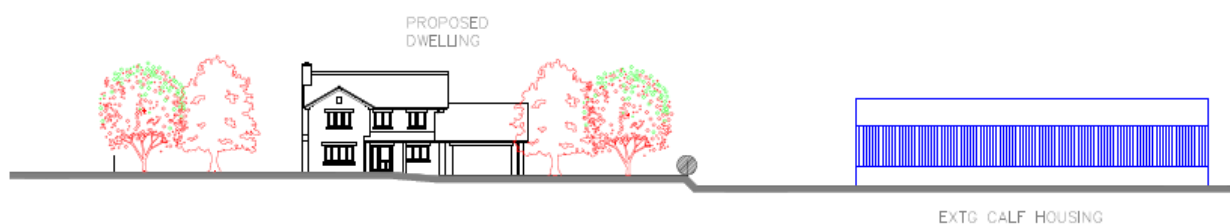
9.1.7 Officers can confirm that the finalised plans for the proposed dwelling are materially different to what the applicant envisaged at outline stage. However it is important to reflect upon the fact that the decision reserved detailed matters such as scale, layout to a subsequent application. It is also noteworthy to reflect on the fact that the decision did not restrict the subsequent house type to be single storey and nor did the decision set a prescriptive maximum floor area. Although there is a noted move away from what the applicant advised on at outline stage, there is no material conflict

with the terms of the outline permission. Whilst the concerns raised by Codford Parish Council and the AONB officer are duly noted, officers share the view expressed by the agricultural consultant that the proposed dwelling would not be excessive; and, at 169sq.m, the house would be proportionate to the needs of an agricultural worker.

9.1.8 The applicant has provided sufficient information to support the application in terms of satisfying a functional and financial need for an additional agricultural dwelling at Auckland House and thus, the application is considered to accord with CP2 and CP48 of the adopted Wiltshire Core Strategy and the NPPF.

9.2 Impact on the Character of the Area/AONB - Core Policy 51 of the Wiltshire Core Strategy states that development proposals should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character and any negative impacts must be mitigated through sensible design and landscape measures. In particular development proposals must demonstrate that the local distinctive character of settlements and their landscape settings have been conserved and where possible enhanced. Core Policy 57 states application for new development must respond positively to the existing landscape to effectively integrate the building into its setting.

9.2.1 The character of the area is one of an open rural landscape set against rolling hills with field boundaries comprised of hedgerows and trees. The application site consists of a plot of land which sits adjacent to an existing barn that is used to house livestock. A redundant concrete block built vacant agricultural building presently occupies the site. A low hedge fronts the highway – leaving the site open to the north and east. Within close proximity to the site, as identified on previous map and plan extracts, there are several built forms of development nearby and officers are not in agreement with the assertion made by the AONB officer that this would be an isolated form of development. The new house would be larger than the existing animal housing building, but it would not appear visually incongruous or harmful.



ELEVATION TO CHITTERNE ROAD.

9.2.2 The proposed dwelling would be 2 storey and would measure 7.8 metres to the roof ridge. The building to be demolished measures circa 4.5 metres and the adjacent agricultural barn is some 6.7 metres in height. The detailed proposal includes tree and hedge planting which would, along with new 1.2m high stock proof fencing, define the plot boundary and help soften the impact of the development. The Cranborne Chase & West Wiltshire Downs AONB is located approx. 230 metres to the south of the site. There is an intervening farm building between the AONB and the application site, and although views may be gained from the site into the AONB and from it, officers are

satisfied that proposed dwelling would not adversely impact on the setting of the AONB or harm, views into or from the AONB. The insert below reveals the proximity of the AONB to the site.



9.2.3 Officers are satisfied that the proposed development would not have an adverse impact on the rural character of the area and the application is considered to accord with Core Policies 51 and 57 of the WCS, the NPPF and it would not compromise The Cranborne Chase and West Wiltshire Downs AONB 2014-2019 Management Plan.

9.3 Impact on the Living Conditions of Neighbouring Residents - Core Policy 57 of the Wiltshire Core Strategy requires a high standard of design in all new developments and that development has regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing,

9.3.1 The closest residential dwelling to the site is Auckland Farm House located approximately 130 metres to the north. As such, the proposed dwelling would be a sufficient distance from neighbouring residents to have no adverse impact on their living conditions. Sufficient amenity space on the proposed 0.18 hectare plot would be available for the future occupiers and would thus satisfy CP57.

9.4 Highway Safety/Parking Issues - Core Policy 61 advises that new development should be served by safe access to the highway network. The development would use the existing access and sufficient off road parking would be available on site. Good visibility can be gained in both directions and the development would therefore not result in substantive harm to highway safety.

10. Conclusion (The Planning Balance) - Based upon the information provided, officers are satisfied that there is an essential need for an additional agricultural workers

dwelling and that the farm enterprise is financially sustainable. Through negotiated revisions, the size of the proposed dwelling is considered proportionate and acceptable. The siting of the dwelling would not significantly or adversely affect the rural character of the area, the setting of the AONB, highway interests or neighbouring amenities; and sufficient amenity ground would be available for future occupants. The application therefore complies with Core Policies 2, 48, 51, 57 and 61 of the Wiltshire Core Strategy and the national planning policy advice contained within the Framework.

11. RECOMMENDATION: Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Amended site location plan scale 1:1250;
Amended proposed ground and first floor plans scale 1:50 dwg no. 02;
Amended proposed south and west elevation plan scale 1:50 dwg no. 03;
Amended proposed east and north elevation plan scale 1:50 dwg no. 04;
Amended block/street scene plan scale 1:250 dwg no. 05A;
Amended block plan scale 1:500 dwg no. 06A;

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The occupation of the dwelling hereby approved 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: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

4. No development shall commence above ground floor slab level until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending

that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

6. The existing single storey building on site shall be completely demolished with all material and debris being removed from the site prior to the construction of the dwellinghouse.

REASON: In the interests of amenity and protecting the rural character of the area

7. No development shall commence above ground floor slab level until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

8. No development shall commence above ground floor slab level until a scheme for the discharge of foul water from the site, including any required offsite capacity improvements to existing sewer system to provide capacity to serve the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

9. No development shall commence above ground floor slab level until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed

with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

11. The development hereby approved shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

12. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

Planning Informative:

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

2. The applicant should contact Wessex Water to secure appropriate water connections.

APPENDIX A: 18/03181/OUT – Demolition of existing breeze block building and erection of agricultural workers dwelling (Outline application relating to access) – Approved

CASE OFFICER'S REPORT

Application Reference: 18/03181/OUT
Date of Inspection: 1/5/18
Date site notice posted: 1/5/18
Date of press notice:

POLICIES

Wiltshire Core Strategy

CP1: Settlement Strategy

CP2: Delivery Strategy

CP48: Supporting Rural Life

CP51: Landscape

CP57: Ensuring High Quality Design and Place Shaping

CP60: Sustainable Transport

CP61: Transport and new development

CP67: Flood Risk

Saved Policies for the West Wiltshire District Local Plan (1st Alteration)

U1a Foul Water Disposal

National Planning Policy Framework (NPPF)

6. Delivering a wide choice of high quality homes

7. Requiring good design

11. Conserving and enhancing the natural environment

Other

Planning Practice Guidance (PPG)

Wiltshire Local Transport Plan 2011- 2026

ISSUES

- The Principle of Development
- The Impact on the Character of the Area
- The Impact on the Living Conditions of Neighbouring Residents
- Highway Safety/Parking Issues

REPRESENTATIONS

Codford Parish Council: No objections

Highways Officer: No objection

Agricultural Consultant: No objection

ASSESSMENT

The site

The site is located in the open countryside with access off Chitterne Road. A dilapidated single storey building occupies the site. The site lies adjacent an existing agricultural barn used to house livestock. The site is located approx. 130 metres to the south of Auckland Farm House. The Cranborne Chase & West Wiltshire Downs AONB is located approx. 230 metres to the south.

The application

This is an outline application for the erection of a farm workers dwelling with all matters reserved except access. The existing single storey agricultural building on site would be demolished.

The Principle of Development

Paragraph 49 of the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 55 of the NPPF advises 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*'.

WCS Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Core Policy 2 addresses the issue of development outside of settlement boundaries and states that, other than in circumstances permitted by other policies within the plan (including supporting rural life), residential development will not be permitted outside the limits of development (unless it has been identified within the subsequent Site Allocations Development Plan Document and Neighbourhood Plan). Core Policy 48 states that proposals for residential development outside the defined limits of development will be supported where these meet the accommodation needs required to enable rural workers to live at or in the immediate vicinity of their place of work and such proposal should be supported by functional and financial evidence.

The Council's agricultural consultant has assessed the need for an agricultural workers dwelling at this site based upon the current farm practices and the proposed business plan to expand the farming enterprise. It is therefore firstly relevant to consider the requirements of the current enterprise and whether those requirements present an essential need for a worker to live at or near the farm enterprise. On this point, the Council's agricultural consultant concludes by saying (with paragraphs duly referenced) that:

'6.3 The enterprise at Auckland Farm involves the close care of a significant quantity of young cattle ranging from animals just transferred in at approximately eight weeks old, through to in-calf heifers over 20 months old. In my view the quantity and type of stock presents a range of needs. The range extends from stressed smaller animals, dependent still on milk replacer, through weaning and into pregnancy. The stock are housed which means there is capacity for animals to become stuck, injured, bloated or infected.'

6.4 In my view the quantity of housed stock, together with the capacity for incident to occur means that in this particular set of circumstances there is an essential need for a presence at the unit at most times. Clearly that essential need is currently met through the accommodation available at Auckland Farm House. The availability of Auckland Farm House is explored further, below.'

The Council's agricultural consultant therefore concludes that there is an essential need for a person to live on or near the site.

In cases such as this, it is necessary to assess the existing and proposed business as part of understanding the justification for the proposed rural dwelling. Such an assessment is critical to forming an opinion on an "essential need". In this case the essential need described and recognised above would only continue through the operation of the business. If the business does not operate on a profitable and viable basis then it will fail. In assessing the applicant's business plan, the Council's agricultural consultant has made the following comments:

'7.2 The applicant has submitted summary profit and loss accounts for the last six trading periods. The accounts indicate the business has a significant turnover (in excess of £1m) and that the business is profitable. In my view the level of profit is sufficient to show viability. I have not seen the capital accounts and thus cannot comment on the overall gearing or net worth of the business but the applicant confirms business borrowings are low.'

The council's agricultural consultant therefore concludes that the farm business is viable and financially sustainable.

The applicant has provided information on both functional and financial need for an agricultural dwelling on the site, in line with the requirements of Core Policy 48. Based upon the information provided it is considered that there is an essential need for one agricultural worker to live on or near the site and that the farm enterprise is financially sustainable.

There is one existing dwelling on the farm (Auckland Farm House) and this is occupied by Mr Grossman who currently manages the agricultural business. However Mr Grossman intends to retire in the near future. The council's agricultural consultant has concluded that there is a functional need for one agricultural worker to live on or near the site. Case law states, in particular *Keen vs SSE & Aylesbury Vale DC*, that it would be unreasonable to expect the occupier of a farmhouse to vacate to make way for an active farm worker. Therefore the farmhouse used by Mr Grossman should be discounted from any assessment relating to the number of dwellings needed to serve the unit. As stated above the Council's agricultural consultant concludes there is an essential need for one agricultural worker to live on/near the site. With the retirement of Mr Grossman Auckland Farm House would no longer be available for an essential farm worker. The principle of development for the erection of a dwelling for an essential farm worker has therefore been established.

The Impact on the Character of the Area

Core Policy 51 of the Wiltshire Core Strategy states that development proposals should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character and any negative impacts must be mitigated through sensible design and landscape measures. In particular development proposals must demonstrate that the local distinctive character of settlements and their landscape settings have been conserved and where possible enhanced. Core Policy 57 states application for new development must respond positively to the existing landscape to effectively integrate the building into its setting.

The character of the area is one of an open rural landscape set against rolling hills with field boundaries comprised of hedgerows and trees. The application site consists of a plot of land located adjacent an existing barn used to house livestock (south). A low hedge fronts the site while the site is open to the north and east.

The proposed development is outline only with all matters reserved except access. However the submitted 'Essential Needs Appraisal March 2018' stated (section 3.1):

'It is proposed to erect a farm dwelling, suitable for a stockman probably a three-bedroomed bungalow, adjacent to the first calf shed at Auckland Farm.'

The erection of a building that would not be significantly larger, in terms of its height, footprint and floorspace, than the existing building on site to be demolished would not be considered unacceptable. As such it is considered the erection of a suitable designed bungalow or dormer bungalow would have no adverse impact on the character of the rural landscape. In addition the site is a sufficient distance from the AONB that a dwelling designed to complement its rural location, would have no adverse impact on the character or setting of the AONB.

The Impact on the Living Conditions of Neighbouring Residents

Core Policy 57 of the Wiltshire Core Strategy requires a high standard of design in all new developments and that development has regard to the compatibility of adjoining buildings.

The closest residential dwelling to the site is Auckland Farm House located approx. 130 metres to the north. As such the proposed dwelling would be a sufficient distance from neighbouring residents to have no adverse impact on their living conditions. The site is also of sufficient size that a suitably designed dwelling could be accommodated on site while providing sufficient amenity space for potential occupiers.

Highway Safety/Parking Issues

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Core Policy 61 furthermore advises that new development should be served by safe access to the highway network. The application is outline with all matters reserved except access. There are no objections to the scheme from the council's highways officer and the development would not result in additional harm to highway safety.

RECOMMENDATION: APPROVE Subject to conditions

Town & Country Planning Act 1990

Notification of Outline Planning

Application Reference Number: 18/03181/OUT

Agent Kernon Countryside Consultants Ltd. Greenacres Barn Stoke Common Lane Purton Stoke Swindon SN5 4LL United Kingdom	Applicant Mr Ronald Nevill Highview Manor Farm Upton Lovell Warminster BA12 0JN UK
Particulars of Development: Demolition of existing breeze block building and erection of agricultural workers dwelling (Outline application relating to access)	
At: Auckland Farm, Chitterne Road, Codford, BA12 0LZ	

In pursuance of its powers under the above Act, the Council hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site plan scale 1:1250 dwg no. KCC2549/01 03/18tk
Block plan scale 1:500 dwg no. KCC2549/02 03/18se
Plans of proposed access scale 1:200 dated 16/5/18

REASON: For the avoidance of doubt and in the interests of proper planning.

- 5 The occupation of the dwelling hereby approved 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: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 7 Before works on the dwelling hereby approved commence the existing single storey building on site, and resulting demolition materials, shall be removed in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity and protecting the rural character of the area.

- 8 The development hereby approved shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 9 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

- 10 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

Signed



Tim Martiensen
Director
Economic Development and Planning

Dated: 05 July 2018



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LANDMARK INFORMATION GROUP

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PLAN	KCC2549/01		
TITLE	Site Plan		
SITE	Auckland Farm		
CLIENT	R Nevill Esq		
NUMBER	KCC2549/01 03/18tk		
DATE	March 2018	SCALE	1:1250 at A4

KERNON COUNTRYSIDE CONSULTANTS LTD
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