

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	16 November 2016
<b>Application Number</b>	16/04920/FUL
<b>Site Address</b>	Rookery Farm Seven Bridges Water Eaton Swindon Wiltshire SN6 6JS
<b>Proposal</b>	Erection of Agricultural Workers Dwelling, Livestock Barn and Machinery/Workshop Store and Creation of New Access
<b>Applicant</b>	Mr John Dennis
<b>Town/Parish Council</b>	LATTON
<b>Electoral Division</b>	CRICKLADE AND LATTON – Cllr Jones
<b>Grid Ref</b>	412287 192622
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Alex Smith

**Reason for the application being considered by Committee****1. Purpose of Report**

To consider the above application and to recommend that planning permission be REFUSED

The application has been called into planning committee by Cllr Jones on the following grounds

- Visual Impact to the Surrounding Area;
- Relationship to Adjoining Properties;
- Environmental / Highway Impact.

**2. Report Summary**

The application was advertised by site notice and neighbour consultation. This resulted in three consultation responses from members of the public, all in the objection to the development. These consultation responses can be summarised as follows:

- i) Harm to highway safety;
- ii) Harm to visual amenities of the surrounding area;
- iii) Impacts to rights of way;
- iv) Impact to water supply;
- v) Availability of houses on the market for sale in the surrounding area;

vi) The beef cattle operation at the site is not currently occurring at the site.

Latton Parish Council: No consultation response returned.

The main issues in the consideration of this application are as follows:

- The Principle of Development;
- Impact to the visual amenities of the surrounding area;
- Impact to the residential amenity of the adjoining occupiers;
- Impact to Highway / Pedestrian Safety
- Drainage

### **3. Site Description**

The application relates to a roughly rectangular plot of land measuring 0.58 hectares, including land for an access road. The main parcel of land within the site is situated approximately 180 metres west of the highway through Water Eaton, which connects to the A419 to the south. The land within the site is open agricultural fields with hedgerows marking the boundary line between the adjoining three fields.

The applicant's land holding at Rookery Farm extends to 90 hectares and is formed in two blocks, which is dissected by the public highway. The current farming practice is the production of store lambs from a flock of approximately 600 ewes. The flock is kept on the land throughout the year and outdoor lambed from March through to May. Typical output is approximately 930 lambs.

Bridleway LATT20 runs to the north of the application site and through the applicant's land to the east. The site is located outside of a designated settlement and has no other designations under the Wiltshire Core Strategy. The Council's mapping systems show that the site is at increased risk of surface water flooding, but is in Flood Zone 1.

### **4. Planning History**

No previous planning history at the application site.

### **5. The Proposal**

The application seeks Planning Permission for the erection of an agricultural workers dwelling, livestock barn, machinery/workshop store and creation of new access.

The applicant is proposing to diversify the operation at the site to include beef cattle. The ewe flock will be maintained at the current size but lambing will start earlier. Lambing will commence indoors (utilising the proposed building) in January with 180 – 200 ewes lambed. A second batch of 180 – 200 ewes will be lambed indoors in April and the remainder of the flock will be lambed in May.

Alongside the retained ewe flock the applicant proposes the introduction of a suckler cow herd. Some 40 suckler cows will be retained. The dams will be calved in the spring; the progeny will be single suckled and reared through to a finished weight for sale finished at approximately two years old.

The proposed development would include the erection of a livestock barn which would measure 35 metres by 12 metres giving an external footprint of 420 square metres. The barn would have a low level pitched roof with a maximum height of 6 metres. The barn would be erected from a blockwork skirt with Yorkshire timberboard cladding above and profiled metal sheet roofing.

The proposed workshop would measure 10.25 metres by 7.7 metres and would have an external footprint of approximately 79 metres. The building would have a low level pitched roof with a maximum height of 5.5 metres. The workshop would be erected from profiled metal sheet cladding and roofing.

The proposed two storey, three bedroom dwelling has been revised to an internal floor area of 157 square metres. The building would measure 15 metres in width by 7 metres in depth at its widest and deepest points. The dwelling would have a maximum height of 8.25 metres with a pitched roof design. The materials used would be brickwork for the elevations, tiles for the roof and timber framed windows and doors.

## 6. Planning Policy

### Wiltshire Core Strategy

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 48 – Supporting Rural Life

Core Policy 51 - Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Core Policy 60 – Sustainable Transport

Core Policy 61 – Transport and Development

Core Policy 67 – Flood Risk

Saved Policy H4 – Development in the Open Countryside

### National Planning Policy Framework

Paragraph 7 – Three Dimensions of Sustainable Development

Paragraph 14 – Presumption in Favour of Sustainable Development

Paragraph 17 – Core Planning Principles

Paragraph 32 – Highways Impacts

Paragraph 55 – Dwellings in Isolated Locations

## 7. Consultations

**Latton Parish Council:** No consultation response returned.

**Drainage Officer:** No objection, subject to conditions.

**Highways:** No objection; subject to conditions.

**Archaeology:** No comment.

**Rights of Way:** No comment.

**Agricultural Consultant:** The proposed changes to the sheep enterprise and the introduction of the suckler herd will result in an essential need for a presence at the holding. The proposed business appears to be planned on a sound financial basis.

**Thames Water:** Foul water for this development is not draining into Thames Water assets and therefore does not affect us.

## 8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in three consultation responses from members of the public, all in the objection to the development. These consultation responses can be summarised as follows:

- i) Harm to highway safety;
- ii) Harm to visual amenities of the surrounding area;
- iii) Impacts to rights of way;
- iv) Impact to water supply;
- v) Availability of houses on the market for sale in the surrounding area;
- vi) The beef cattle operation at the site is not existing.

## 9. Planning Considerations

### Principle of Development

The application seeks planning permission for the erection of agricultural buildings and a two storey dwelling to provide accommodation for a key worker at the site.

Paragraph 55 of the framework states that Local planning authorities should avoid new isolated homes in the countryside, unless there are special circumstances. One of the circumstances listed is the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Core Policy 2 of the Wiltshire Core Strategy states that other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The site falls outside of the limits of development for any settlement identified within the WCS. However, one of the Policies listed under paragraph 4.25 is Core Policy 48 – Supporting Rural Life. This Policy states that outside the defined limits of development, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.

Similarly, Saved Policy H4 of the North Wiltshire Local Plan also permits for dwellings outside of the framework boundary, where they provide an agricultural workers dwelling.

Therefore, the principle of an agricultural workers dwelling at the site is acceptable, if it can be demonstrated that there is a functional and financial need for such development.

The application has been submitted with a business case and financial assessment of the proposed operation at the site. This has been assessed by the Council's agricultural consultant who considers that there would be an essential need for a worker to live at or near an enterprise who undertake calving, lambing and the rearing of very young calves and lambs.

The lambing period being proposed is from January to May and it is proposed that spring calving will be integrated across the same period. Allowing for stragglers and early births it is the view of the agricultural consultant that the proposed changes will require a presence for calving and neonatal animals across six months of the year. Therefore, given the proposed changes to the sheep enterprise and the full introduction of the suckler herd as proposed, it will result in an essential need for a presence at the holding.

The agricultural consultant has also considered the financial assessment of the proposed business. They consider that the levels of cost and revenue appear reasonable and in line with published guidance and market trends and that the level of profit is sufficient to demonstrate a viable business.

It is noted that a neighbouring occupier has objected on the grounds that other dwellings in the surrounding area are available and have been available to purchase. The amount of accommodation in Water Eaton is limited and none appear to be available for sale at the time of writing this report. Similarly, the agricultural consultant has confirmed that the applicant does not have any other accommodation on their land, which would allow an agricultural worker to live at or near their place of work.

Therefore, it is considered that functional and financial requirements of Core Policy 48, Saved Policy H4 and Paragraph 55 of the framework have been met and the proposed agricultural worker's dwelling is considered to be acceptable in principle.

The proposed dwelling would have an internal floor area of 157 square metres. The agricultural consultant has recommended that the dwelling should have no more than 150 square metres of

internal floor area. The 150 square metre requirement does not form an adopted policy of the Wiltshire Core Strategy and the test is that the size of the dwelling is justified in terms of meeting the functional requirement of the agricultural operation at the site. At 7 square metres above the floor space advised as required for the agricultural operation, the excess is limited and not so great as to warrant a refusal of the application.

Therefore, the size of the dwelling is considered to be acceptable for an agricultural workers dwelling. A condition would be added to prevent the garden store / cartshed (which is more likely to be used as a car port) from being converted into habitable accommodation, to ensure the site would remain affordable for potential future purchasers of the agricultural holding.

The sizes of the agricultural buildings are considered to be proportionate to the size of the agricultural operation being proposed. Therefore, the principle of agricultural buildings is considered to be acceptable given the overall agricultural holding of the wider application site of 90 hectares.

Any approval would require a condition to ensure the agricultural buildings are erected and in use at the site, before the dwelling could be occupied. In order to prevent a partial implementation of the consent to erect the dwelling, without the functional need of the farmholding from being established.

#### Impact to the Visual Amenities of the Surrounding Area

Core Policy 51 of Wiltshire Core Strategy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The application seeks the creation of a cluster of agricultural and residential buildings within the site. The site selected is 180 metres into the fields within the site and is set at the intersection of three fields in the applicant's ownership.

The proposed development is not considered to protect or conserve the landscape character of the area. The character of built form along Water Eaton is that of buildings being erected in close proximity to the highway, as shown at the farm complex to the south of Severn Bridge Farm, which at 75 metres is far enough from the public highway to not be visually prominent, but not spread so far into the agricultural fields to have an unacceptable impact on the visual amenities of the surrounding area. The proposed development would be visible from the bridleway to the north of the site and the location at the apex of three fields would mean that it would be visible from the wider views of the surrounding agricultural fields.

The proposed development would also entail the creation of a significant driveway through the agricultural fields to access the site, which would further diminish the agricultural appearance of the existing fields.

Therefore, it is considered that the siting of the agricultural and residential buildings so far into the agricultural fields would make them more visible from wider views in the surrounding countryside and thus would be harmful to the visual amenities of the surrounding area. Furthermore, the extent of the hardstanding proposed would further diminish the character of the open countryside and would result harm to the surrounding area. For these reasons, the application is considered to be contrary to Core Policy 51 & 57 of the Wiltshire Core Strategy.

The applicant has advised that the location has been chosen to allow for the best management of the agricultural operation at the site, as it would allow for easy access to the adjoining three fields. The agricultural consultant was asked for comment on this reasoning and advised that the logic behind this was a marginal case, as many agricultural operations manage to operate from farmholdings which aren't centralised between fields. Therefore, this is not considered sufficient justification for the building to be sited so far away from the public highway and in a position which is visually prominent from the wider area. Furthermore, the applicant owns sufficient land to allow the proposed buildings to be sited far enough from the public highway to not be a prominent addition to the streetscene, but also allow for the built form to not be spread so far into the open countryside and thus avoiding the harm currently associated to the proposed development.

### Impact to Residential Amenity

The proposed buildings would be sufficiently distanced from any neighbouring occupiers to ensure that no significant loss of light, loss of outlook or loss of privacy would occur. Therefore, the proposed development is acceptable in this regard.

### Impact to Highway / Pedestrian Safety

The Highways Officer reviewed the originally submitted plans and raised a concern with regards to the proposed access arrangements at the site. On the 2<sup>nd</sup> August revised plan were submitted to show alterations to the proposed access onto the highway, including an enlargement to the access to allow a farm vehicle and trailer to pull off the highway before encountering the gates. Furthermore, the plans show that visibility splays of 2.4 x 215m can be provided either direction at the exit from the site. Therefore, the highways officer considers that the proposed development would provide a safe means of access to enter and exit the site and would comply with Core Policy 61 of the Wiltshire Core Strategy and Paragraph 32 of the framework, subject to conditions.

The proposed development would provide in excess of two off-street parking spaces for the 3 bedroom dwelling and would comply with the Council's adopted parking standards.

It is noted that a neighbouring occupier has objected to the development on the grounds of the impact to the bridleway. The bridleway runs through the applicant's land to the east of the highway and would not be impacted upon by the proposed development. The objection appears to relate to the use of the land for keeping cattle, however, the land is currently in agricultural use and as such, no further planning permission would be required to keep cattle on the land in question.

### Drainage

The Council's Drainage Officer raised an initial objection to the development, due to the proposal stating that the surface water would be drained to soakaways and their concern that the issues of surface water drainage in the application site would make the use of soakaways unacceptable. Following the submission of saturation testing which shows that soakaways would be an issue in this location, a revised drainage strategy was submitted which shows a proposal for new private carrier pipes to collect runoff from roofs and the parking area and will discharge into a new drainage ditch along the northern field boundary. Following the submission of the additional details, the Drainage Officer no longer raised an objection to the development, subject to standard drainage conditions.

The foul water drainage would be to a septic tank and the Drainage Officer and Thames Water have raised no objection to this.

## **10. Conclusion (The Balancing Exercise)**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that "*determination must be made in accordance with the plan unless material considerations indicate otherwise*". Paragraphs 2 & 11 of the NPPF reiterate and confirm this requirement. The Wiltshire Core Strategy Adopted January 2015 forms the local component of the current development plan.

Paragraph 14 of the National Planning Policy Framework states the presumption in favour of sustainable development, whilst paragraph 7 outlines that the three dimensions of sustainable development are environmental, social and economic factors.

The proposed development would have the economic benefit of the provision of one full time job and one part time job once construction is completed as well as jobs during the construction phase. The proposal would have the social benefit of the provision of food for consumption and the creation of a new dwelling.

These benefits needs to be considered against the harm to the visual amenities of the surrounding area due to the siting of the development in the open countryside and the significant access driveway required to be created. Therefore, it is considered that the harms associated to the development would not be outweighed by the benefits and the application is recommended for refusal.

## **RECOMMENDATION**

### **Refusal, for the following reason**

- 1 The proposed development would, by reason of its siting, scale, form bulk and mass in conjunction with the significant length of access road required to be created, result in harm to the visual amenities and open character of the countryside. Therefore, the development is considered to be contrary to Core Policy 51 & 57 i) & iii) of the Wiltshire Core Strategy and Paragraph 7 & 14 of the National Planning Policy Framework.