

## Delegated Report for P/2019/00552

<b>Application Number</b>	P/2019/00552	
<b>Planning Officer</b>	Charlotte El Hakiem	
<b>Site Address</b>	Land off Scotch Hills Lane Newchurch Staffordshire	
<b>Proposal</b>	Erection of an agricultural workers dwelling and detached garage	
<b>Expiry Dates</b>	<b>Weekly List</b>	14/06/19
	<b>Neighbours</b>	10/06/19
	<b>Consultations</b>	10/06/19
	<b>Site Notice</b>	06/06/19
	<b>Newspaper Advert</b>	-
<b>Application not Determined within Statutory Time Period - Reason</b>		
<b>Environmental Assessment</b>	<b>Screening opinion undertaken</b>	n/a
	<b>Schedule 1 or 2</b>	n/a
	<b>EIA Required</b>	n/a
<b>Relevant Planning Policies/Guidance</b>	<b>Government Documents</b>	The National Planning Policy Framework The National Planning Practice Guidance
	<b>Local Plan Policies</b>	SP1 East Staffordshire Approach to Sustainable Development SP8 Development Outside Settlement Boundaries SP14 Rural Economy SP24 High Quality Design SP25 Historic Environment SP26 National Forest SP27 Climate Change, Water Body Management and Flooding SP28 Renewable and Low Carbon Energy Generation SP29 Biodiversity and Geodiversity SP35 Accessibility and Sustainable Transport DP1 Design of New Development DP2 Designing in Sustainable Construction DP3 Design of New Residential Development, Extensions and Curtilage Buildings DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology DP6 Protecting the Historic Environment: Other Heritage Assets DP7 Pollution and Contamination
	<b>Supplementary Planning Documents</b>	East Staffordshire Design Guide Parking Standards SPD
	<b>Other Policies/Guidance</b>	Yoxall Neighbourhood Plan
<b>Relevant History</b>	Erection of agricultural buildings approved 2018	
<b>Consultation Responses</b>	SCC- Historic Environment Team-	
	SCC Rights of way officer- the application documents don't recognise the right of way	

	<p>and which runs parallel to the site. Applicants should be reminded that planning permission does not constitute authority for interference with the right of way or its closure or diversion.</p> <p>Natural England- No objection</p> <p>Staffordshire Wildlife- no objection subject to appropriate landscaping. Ramblers- No response received</p>
<b>Parish Council</b>	No response received
<b>Neighbour Responses</b>	No
<b>Human Rights Act Considerations</b>	There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.
<b>Crime and Disorder Implications</b>	It is considered that the proposal does not raise any crime and disorder implications.
<b>Equalities Act 2010</b>	Due regard, where relevant, has been given to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.
<b>Planning Officer's Assessment</b>	<p><b>Site Description</b></p> <p>The application site comprises part of a field approximately 880m to the southwestern side of Scotch Hills, approximately half way between A515 and Rangemore Hill in the parish of Yoxall, 600m north of Sich Lane and 430m north east of Thatchmore Lane. The site is situated within the countryside – there are a number of dispersed buildings, domestic and agricultural, within the area but the principal use of the immediate and wider area is agriculture with some managed woodlands. The site is on the crest of a 'hill' as the land in the area undulates. A public right of way (PROW), No46 Yoxall Parish (noted as No.43 on the application and Yoxall 0.577 on the Staffordshire PROW website.), runs NE to SW along the south eastern boundary of the site. There is a hedge and mature tree to the front of the site along Scotch Hills Road. The field is accessed via a long track permitted under P/2018/01132 which runs from Scotch Hills through a couple of fields and woodland. To the south east is Oakwood Pasture Nature Reserve, Brankley Pastures and an ancient woodland.</p> <p>The applicants own a significant holding which is outlined in blue on the submitted plans.</p> <p>The application site is an agricultural field with a woodland backdrop. Whilst it sits on the crest of the undulating landscape it is not highly visible from any distant views and is well set back from the road. There is a public right of way that runs close to the site and a portion of it be redirected as approved by a separate application to enable suitable siting of the dwelling.</p> <p><b>Proposal</b></p> <p>The proposal is for a 4 bedroomed agricultural workers dwelling, which will be located in close proximity to the existing agricultural units/buildings, and will be occupied by a farm manager and his family.</p> <p>The dwelling also provides a farm office and farm welfare for staff employed by Macpherson Ltd, along with sufficient parking for staff and visitors.</p> <p>The style of the building could be classed as a traditional farmhouse with sash windows and chimneys forming a traditional style.</p>

The large vertical openings break up the facades of the elevations and offer a Georgian type of styling and are reflective of a traditional farmhouse.

The proposed dwelling has substantial floor space for the requirements of the farm, however incorporated into the proposal is a farm office and farm welfare facilities. It is considered that size of the dwelling is commensurate with the needs of the holding.

Supporting information shows an essential need for equivalent of over 3 workers and one part time employee and costings show that the proposed dwelling can be financially supported by the income generated. It also justifies an on site presence.

### **Assessment**

#### **Principle of Development**

The site is outside of the settlement boundary so Policy SP8 of the Local Plan is engaged which only permits developments in such locations that accord with one or more of the criteria listed. In this instance it is considered that the workers dwelling would fall under the first criterion:

- Essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location.

SP14 states, *inter alia*, that 'farm diversification proposals will be supported where they can make a long-term contribution to sustaining the agricultural enterprise as a whole and where the proposal is consistent with its rural location in terms of use, setting and scale.

The applicant proposes to move his business from Dorset. He has already gained planning consent for the new agricultural buildings which are currently under construction. Whilst concern could be made over the establishment of the business. The applicant has run a successful business for 15 years and can demonstrate the profitability of the business. The applicant has committed to move his whole business and 200plus herd to Staffordshire and the figures support the provision of a dwelling to support the function of the holding.

The agricultural justification statement established a present need for 3 full time workers and one part time given the 900SMD for the cows alone.

The business currently has 200plus herd of dairy cows and 74ha of owned land. The applicant also looks to increase this number once the business has undergone its transition from Dorset.

There is no existing residential dwelling at Scotch Hills and it is considered that there is now an essential need for a residential presence to ensure the welfare of the dairy herd is not compromised and for the security of the site.

The accounts show the business to have been profitable in each of the last three years, having taken account of all costs associated with the business. The balance sheet shows a positive net worth of the business (assets – liabilities).

It is generally accepted that the build costs of a rural worker's dwelling should be financed by the agricultural business. It is clear the current levels of profit as demonstrated in the accounts would be sufficient to meet the construction charges for the dwelling which would be spread over a normal borrowing period (20 to 25 year mortgage) and this has been demonstrated.

The dwelling supports an existing rural business and is therefore considered appropriate in the countryside whilst allowing the implementation of sustainable agricultural enterprises.

The ground floor provides a functional farm requirement which reduces the need for a separate building in that it provides office, lunch/ break room, changing facilities and a reception area which equates to a substantial area not under domestic use a condition is recommended to secure this.

It is considered that the proposed agricultural workers dwelling is appropriate in this instance and is required for the welfare and security of the cows and to ensure the site is operated in a proficient way. Therefore the proposal is acceptable in accordance with Local Plan Policies SP8 and SP14,

#### **Design and Impact on the character and appearance of the area**

Policies SP1, SP24 and DP1 require development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.

The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.

Detailed policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible. Summary of proposal against policies.

The NPPF is explicit in stating that architectural styles should not be imposed and that good planning goes beyond the aesthetic.

The dwelling offers a traditional design with a larger ground floor to accommodate the farming business functions within the dwelling.

The dwelling has been angled to break the massing of the dwelling up and ensure that there is segregation between the residential element of the property and the agricultural business, which also minimises the risk of incidents/accidents to provide a safe environment for the future occupiers and their children.

The design and scale of the property are considered appropriate and in line with local and national policy.

#### **Residential Amenity**

There will be no neighbouring properties to be affected by the proposals. The amenities of the future occupants will be acceptable as it would set a suitable distance from the agricultural buildings and free-roaming areas (see above for location justification). The amount of amenity space associated with the dwelling is commensurate with the size and permitted developments could be removed and conditions attached to prevent domestic paraphernalia from proliferating in the garden.

#### **Highway Safety**

The block plan shows a separate driveway with a frontage parking area sufficient in size to accommodate several cars for both workers and the dwelling. The proposed dwelling would rely on the existing access from the main road and creates an internal driveway.



There are no significant highway safety concerns arising from the proposals.

#### **Landscaping**

Staffordshire wildlife originally objected to the application on visual impact. They were concerned that the positioning of the dwelling would detrimentally impact on the views across the countryside. Whilst visual impact is a material consideration and has been considered within this application, it falls outside Staffordshire wildlife's remit. There are no harmful impacts to the ecology in the location and subject to appropriate landscaping along with the scheduled national forest planting it is considered that the application satisfactorily complies with SP29.

#### **Other considerations**

Examples of other agricultural workers dwellings permitted by the LPA have been submitted including P/2017/00631 which was 346.8 sq. metres in floor area.

	<p>Of additional note was the appeal App/B3410/A/13/2203166 (P2013/00496) where the LPA refused permission for a 4 bed property however this was allowed at appeal with the inspector concluding the dwelling was not unusually large in the context of other farmhouses.</p> <p>Given the proposal provides a large area within the dwelling which is clearly to be used as part of the farm enterprise it is considered the proposals are on balance of acceptable scale.</p>	
<b>Planning Officer's response to Parish Council</b>	None required	
<b>Conclusion (including Signature &amp; date)</b>	<p>Based on the above report it is considered that the proposed agricultural workers dwelling is acceptable in this instance and accords with the policies of the Local Plan, Design Guide and NPPF.</p> <p style="text-align: center;"></p> <p style="text-align: right;">17/07/19</p>	
<b>Engagement</b>	<p>During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraph 38 of the National Planning Policy Framework.</p>	
<b>Section 106 required?</b>	No	
<b>Draft Decision Notice checked by Planning Officer or Team Leader</b>		<p style="text-align: center;"></p> <p style="text-align: right;">18/07/19</p>
<b>Team Leader Comments</b>		