

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd August 2006
AUTHOR/S: Head of Planning Services

S/2309/05/F – West Wickham
Erection of Farm Manager's Dwelling Following Demolition of Existing Dwelling at
Skippers Hall Farm, Withersfield Road for B B Ratford

Recommendation: Refusal
Date for Determination: 27th January 2006

Site and Proposal

1. The application site is part of Skippers Hall Farm, an arable holding which lies in open countryside between the villages of West Wickham to the north-west and Withersfield to the south. The site, which is occupied by a vacant single storey timber structure previously used as a dwelling, lies adjacent to and on the west side of the main road and on the north side of the access serving the farm. The farm complex comprises a farmhouse and range of barns and stables. Public footpath No. 17, West Wickham runs along the farm roadway of Skipper's Hall Farm.
2. The full application, submitted on 2nd December 2005 and amended by business plan dated 14th February 2006 and plans date stamped 28th June 2006, seeks to demolish the existing timber building and to erect a farm manger's dwelling on the site. The proposed dwelling would be a low two storey (6.5 metre ridge height; 3.9 metres high to eaves) 3-bedroomed timber and pantile property that would utilise energy efficient methods of construction.
3. A covering letter, and subsequent supporting information, explain that the dwelling is needed in order to provide accommodation for a full time farm manager (the owner's son) and his family. The present owners (the applicant, Mr Ratford, and his wife) live in the main farmhouse, are fully retired from farming, no longer involved in the day-to-day running of the farm, and are often away for extended periods. The house is not available for the farm manager who has been running the farm for a number of years but lives 4 miles away in Withersfield. This makes it impossible to ensure the security of the premises or the proper care of the farm's horses. In addition to managing the farm itself, the farm manager also supervises the nearby warehouses. It is argued that the farm is a well established agricultural enterprise. The equine operation is already established (for personal use only) but there is no possibility of this side of the business expanding without on-site accommodation, as potential customers insist on proper 24 hour supervision of horses.
4. The supporting information also states that the existing dwelling on the site itself is dilapidated and unsuitable for human habitation and that there are no suitable existing buildings within the farm complex that are capable of conversion to provide a dwelling. The site is the only viable location for the new dwelling, as all other areas within the curtilage of the farm are taken up with operational buildings and working yards. It is argued that the application should be assessed against Policy HG15 of the Local Plan which supports the principle of replacing dwellings in the countryside.

5. A business plan in respect of the equine venture has also been submitted. This explains that the farm currently has some equine facilities. During the past 5 years, £43,000 of capital has been invested in Skippers Equine to provide stabling (7 boxes), a foaling facility (2 boxes), a horse walker, ménage and 10 acres of paddocks. This has been in operation on a non-commercial basis for over three years. Commercial operation will generate income from livery, hire of walker, hire of ménage and foaling facilities. The cashflow projection shows £40,000 profit in trading year 1 – this profit will be reinvested in the business to fund a stud farm comprising 15 more foaling boxes, 5 new stallion boxes and an extra 30 acres of paddocks. The facilities that have already been provided create a profitable business and generate sufficient working capital to allow it to expand in the future

Planning History

6. There is no planning history specifically relating to the application site. On Skippers Hall Farm itself, an application was submitted in 2004 seeking to change the use of a large agricultural building to an indoor riding arena. This application was withdrawn. (Reference: **S/1427/04/F**).

Planning Policy

7. **Planning Policy Statement 7 ('Sustainable Development in Rural Areas')** states that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
 - a. There is a clearly established existing functional need;
 - b. The need relates to a full time worker, or one who is primarily employed in agriculture;
 - c. The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so;
 - d. The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - e. Other planning requirements, eg in relation to access or impact on the countryside, are satisfied.
8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
9. **Policy P1/3** of the Structure Plan stresses the need for a high standard of design for all new development.
10. **Policy HG15** of the South Cambridgeshire Local Plan 2004 states that proposals for the replacement of a dwelling in the countryside will be permitted where:
 - a. The proposed replacement is in scale and character with the dwelling it is intended to replace; and
 - b. The proposed replacement would not materially increase the impact of the site on the surrounding countryside.
11. **Policy HG16** of the Local Plan states that, in the countryside, new dwellings will only be permitted on well-established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that

suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation. Any new dwelling permitted would be subject to an agricultural occupancy condition.

12. **Policy HG20** of the Local Plan states that permission will not be granted for dwellings in the countryside for the on-site security of horses, stabling and ancillary uses unless the applicant has proven an essential functional need for and financial justification of the dwelling in the location proposed having regard to other policy considerations concerning design and site layout.
13. **Policy HG22** of the Local Plan states that the Council will look favourably upon residential schemes that include measures to conserve energy subject to other policies in the plan.
14. **Policy EN1** of the 2004 Local Plan states that permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas.
15. **Policy EN3** of the 2004 Local Plan requires the scale, design, layout and landscaping of new development in the countryside to be appropriate to the Landscape Character Area.

Consultations

16. **West Wickham Parish Council** recommends approval, stressing that there is strong support from all the Parish Councillors for the dwelling providing it is subject to an agricultural tie. The Parish Council does, however, state the following:

“In section 6 of the Planning Application they have answered YES to “Do you propose to alter or divert a Public Right of Way”. They have answered NO to “Is the site adjacent to a Public Right of Way”. There is no map to show the proposed amendments and the answer to the second part is incorrect. Footpath 17 exits to the road through the farm entrance and therefore adjacent to the site! I suspect they have actually answered this section the wrong way round and they intended to answer NO to the first question and YES to the second. However, it would actually be a good idea to make an amendment to footpath 17, so that it doesn’t run through the farmyard. This would give greater security to the Fairheads, make a more pleasant walk (I seem to have been threatened by dogs every time I have walked this path!) and also make a circular walk if joined to footpath 21. I have drawn this on the map and put it forward for consideration as part of the conditions for planning approval. It would be even better if footpath 22, which disappears at the County/Parish boundary, could be extended via a new route northward along the County/Parish boundary to come out at the road near the end of footpath 22. This is also marked on the map.”
17. **Acorus**, the Council’s agricultural consultants, objects to the application, stating that it does not comply with either the functional or financial tests. The application has been considered as a second agricultural dwelling on the basis that the existing farmhouse is owned and occupied by the owner of the business. Although the owner is effectively retired from the business he still controls the capital assets including the main farmhouse and agricultural business, running the business as a sole trader. This means he could make the main farmhouse available to the business for any 24 hour supervision required. If, however, the owner was retired from the business and the land and business assets were separate from the house, it could be argued the house was unavailable to the business. Acorus would expect to see some evidence of a separate ownership of the dwelling from the farm, or confirmation of how the

applicants occupy the land for the operation of their business, and that they are not purely employees of a business controlled by Mr Ratford Senior.

As a background for its assessment, Acorus states that the farm holding extends to around 121 hectares consisting of arable, grass and woodland production. In addition, the farm runs a firewood business, there is a small equestrian unit currently being developed into a separate enterprise, and storage/distribution space is rented out in a redundant aircraft hangar owned by the farm. The owner of the farm, who runs the business as a sole trader but is effectively retired, lives in the farmhouse. He has handed the management and day to day labour to his son who runs the arable, firewood and business units and to his daughter who intends to develop the equestrian enterprise. The applicants state that the new dwelling is required for security reasons, to monitor the grain dryer and out of hours collection of grain and to supervise and monitor the horses on site.

With regards to the functional need for the dwelling, Acorus states that the supervision requirements of the enterprise principally concern the welfare and security of the horses on site, as the arable crops grown have little requirement for on site presence. There could be a functional requirement for on site supervision for aspects of the proposed equestrian development. However, the information supplied suggests an emerging enterprise which is not clearly established and all other on site requirements for out of hours work could be serviced by the existing dwelling, (although Acorus states that this would need to be reviewed if the owner was no longer part of the business and the house was unavailable to the business).

If there was a functional requirement for a second dwelling, Acorus accepts that it should be on the farm given its isolated location.

With regards to the financial test, Acorus notes that the agricultural business as a whole is well established and therefore likely to be profitable, although no accounts or business plans have been available for assessment. The equine element, however, fails the financial test which requires the unit to be established for 3 years and profitable for at least one of them. If the Authority is convinced regarding the separation of the dwelling from the holding, some form of temporary accommodation would be more appropriate to allow the equine business to establish itself. To back this up, a more detailed business plan than that provided, with profit and loss projection for at least 3 years, would be required.

18. **The Trees and Landscape Officer** raises no objections stating that any trees that would be lost are of an insignificant nature.
19. **The Chief Environmental Health Officer** raises no objections.
20. **The Ramblers Association** raises no objections providing the footpath is not obstructed during building works.
21. **The County Footpaths Officer** raises no objections providing informatives are attached to any planning consent to draw the applicant's attention to the need to avoid any obstruction of the footpath and to gain consent to use the footpath for vehicular access to the site.

Representations

22. None

Planning Comments – Key Issues

23. The key issues to consider in the determination of this application relate to:
 - a. The justification for the dwelling;
 - b. The impact of the dwelling upon the countryside.
24. Although the proposed dwelling would replace an existing property, it has been vacant for some years and is also in a poor state of repair. Without further information, it is unclear whether the use of the building has been abandoned and whether it can be brought into habitable use without works requiring planning permission. As such, the application contains insufficient information to demonstrate whether a replacement dwelling on this site would be acceptable in principle. Given this factor together with the presence of another dwelling on the holding (under the same ownership as the farm), the application needs to be considered as a proposal for a second agricultural dwelling.
25. Based on Acorus' comments, the proposed dwelling fails to meet the functional and financial tests set out in PPS7, given that the equine element, for which the need for a permanent on-site presence could potentially be argued, is not established and profitable as a business concern. The erection of a second dwelling to serve the needs of the holding would therefore be contrary to Policies P1/2 of the Structure Plan and HG16 and HG20 of the Local Plan. A need for a dwelling may arise in the future if, subject to planning permission for stabling etc, the equine business expands and becomes commercially viable, but the application needs to be, and has been, assessed on the basis of the existing situation. I have a lot of sympathy with the farm manager's situation – ie – that without on-site accommodation and a 24 hour presence, the business will not be able to become established and it will therefore be impossible to meet the required financial tests in the future. However, in such scenarios involving an emerging business, planning policies would only support, at the most, the provision of a mobile home for accommodation for a groom, thereby overcoming security concerns in the short-term during the initial years of establishing the equine business.
26. The applicant's agent has argued that the scheme should be supported as the dwelling incorporates energy-efficient methods of construction. However, Policy HG22 makes it clear that this only applies if a proposal would not conflict with other planning policies which is clearly not the case in this instance.
27. The proposal seeks to replace a single storey structure with a low two storey dwelling. The application has been amended to reduce the height of the dwelling by 1 metre, from 7.5 metres to 6.5 metres, and to reduce the total number of bedrooms from 4 to 3. However, due to the open nature of the surrounding landscape and the lack of substantial screening around the site, the proposed dwelling (even as amended) would have a significantly greater visual impact upon the surrounding landscape than the existing structure. In the absence of any accepted justification for the dwelling based on agricultural need, the increase in the impact of the site upon its surroundings would not be acceptable.
28. The proposal cannot be considered under Policy HG15 of the Local Plan as an unrestricted replacement dwelling in the countryside given that it has not been accompanied by the information referred to in the above paragraph. Even if such justification had been submitted, however, the development would, in any case, be contrary to this policy due to the size and visual impact of the dwelling compared to the existing property.

29. With regards the Parish Council's comments, the applicant's agent has already confirmed in writing that the application form is incorrect. The comments made regarding footpaths 17, 21 and 22 are not directly applicable to this application, given that no diversion is proposed, and should be referred to the County Council's Footpaths Section.

Recommendation

30. Refusal, as amended by business plan dated 14th February 2006 and plans No. 003C, 004B, 005A and 006A date stamped 28th June 2006:

In the absence of any supporting information, it is unclear whether the use of the existing dwelling on the site has been abandoned and whether the building is capable of being occupied as a dwelling without works requiring planning permission. The proposal has therefore been considered as an application for a new (rather than replacement) second agricultural dwelling:

1. The erection of a second agricultural dwelling to serve the needs of Skippers Hall Farm would not meet the functional and financial tests set out in Planning Policy Statement 7. Consequently, the development would be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which restricts development, including new housing, in the countryside to that which requires a rural location, Policy HG16 of the South Cambridgeshire Local Plan 2004 which states that agricultural dwellings will only be permitted on well-established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker and Policy HG20 of the 2004 Local Plan which requires a proven essential functional need for and financial justification of new dwellings in the countryside proposed for the on-site security of horses, stabling and ancillary uses.
2. The proposed development would, by virtue of the height and scale of the dwelling, be a more prominent feature in the landscape than the existing structure. In the absence of any agricultural justification for the dwelling, there is insufficient reason to set aside the harm to the character of the countryside. Consequently, the development would be contrary to Policies EN1 and EN3 of the South Cambridgeshire Local Plan 2004 which state that permission will not be granted for development which, by virtue of its scale, design, layout and landscaping, harms the character of the area.

Background Papers: the following background papers were used in the preparation of this report:

- Planning Policy Statement 7 – Sustainable Development in Rural Areas
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning application references S/2309/05/F and S/1427/04/F

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