
MAIN CASE

Reference No: 16/00099/FUL

Proposal: Proposed 4 bed detached farmhouse, garaging, driveway & associated site works

Site Address: Land Adjacent Shamara Northfield Road Soham Ely
Cambridgeshire CB7 5UF

Applicant: Mr & Mrs SJ Smith

Case Officer: Barbara Greengrass, Senior Planning Officer

Parish: Soham

Ward: Soham North
Ward Councillor/s: Councillor James Palmer
Councillor Carol Sennitt

Date Received: 25 January 2016 **Expiry Date:** 13 May 2016

[Q258]

1.0 **RECOMMENDATION**

- 1.1 Members are requested to REFUSE this application for the following reasons:
- 1.2 A need for an additional permanent dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU5 of the East Cambridgeshire Local Plan 2015. The proposal does not meet the functional test as the additional dwelling is not essential to meet the needs of the business, contrary to Policy HOU 5 and paragraph 55 of the National Planning Policy Framework. Furthermore, the proposal is far larger than required to meet the functional needs of the enterprise.
- 1.3 The proposal is considered to be contrary to Policy ENV1 of the East Cambridgeshire Local Plan which states that development proposals should have a location, scale and form which creates a positive and complementary relationship with the surrounding unspoilt rural area. Furthermore, the proposal is contrary to Local Plan Policy ENV2 which ensures that proposals respect the density and landscape of the surrounding area and are of a scale and massing that relate sympathetically to the nearby development. It is considered, by virtue of being a two-storey large development in the open countryside that the proposal is contrary to two Local Plan design policies and should not be permitted, in order to protect the contiguous rural aesthetic. Finally, the proposed is contrary to core planning principles as laid out in Paragraph 17 of the National Planning Policy Framework.

1.4 Insufficient evidence has been provided to ascertain whether a permanent dwelling of the size proposed would meet the functional needs of the business and is therefore contrary to Policy HOU 5 of the East Cambridgeshire Local Plan 2015 and paragraph 55 of the National Planning Policy Framework.

2.0 SUMMARY OF APPLICATION

2.1 This full application seeks consent for the construction of a four-bedroom two-storey farmhouse in order to fulfil the need for a rural worker to live permanently at this site in the countryside. The proposed dwelling will be occupied by the applicant and his family to allow them to live adjacent to their farming operation at Northfield Farm. It will be in addition to an existing farm workers bungalow already on site.

2.2 The application is accompanied by supporting documentation in the form of an agricultural appraisal which details the nature of the business and the case for an additional dwelling on the site.

2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.4 The application has been called to Planning Committee by Cllr Dan Schumann.

3.0 PLANNING HISTORY

3.1 Planning permission granted in 1979 for the erection of the bungalow on the site. Subject to an agricultural workers occupancy condition.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The development site is located alongside Northfield Road to the rear and south of the existing farm bungalow. The new dwelling would be located partly in the garden to the rear and south of the existing farm bungalow, Shamara, but the site and dwelling also extend beyond the boundary of the existing garden into a field to the south. The agricultural buildings are located to the north of the development site, with agricultural land in the surrounding area. The site is located 1.5 miles to the north of Soham and is located outside the development boundary. There is sparse development in the vicinity of the site including farm buildings and dwellings.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Environmental Health (Domestic) - Regarding the use of the outbuildings at Northfield Farm and whether they contained any external/internal fans. As reported by the client, the Environmental Health officer was informed that:

“...One fan is located internally in a potato store at the rear of the site, furthest farm building from Northfield Road

One fan is located internally in a grain store at the front of the site, closest to farm building to Northfield Road.”

The Environmental Health officer checked their records and can find no noise report having been made regarding these possible noise sources. As there are already domestic buildings currently closer to the noise source than the proposed site and due to the layout of the proposed building, they did not consider to have sufficient grounds for refusal due to noise. Other than that, no issues

Soham Town Council - No objections to the proposal, however, it is recommended that since the application is for a dwelling with associated agricultural need, a condition should stipulate this requirement for use.

Ward Councillors – Cllr Dan Schumann has made the following comment;
“I believe that this application would add an extra house to our housing deficit and could also be considered as an agricultural exception application.”

The Ely Group Of Internal Drainage Board - The application states that surface water will be disposed of via soakaways. Provided that soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. If any other method of surface water disposal is considered in relation to this application, the Board must be reconsulted in this matter.

Local Highways Authority – Amended plans were supplied by the agent following a holding Highways Authority objection regarding the access width being insufficient and an error in the development boundary on the plans. After a review of amended drawing number 16:010-1 REV A, the Highways Officer was satisfied that the objections have been overcome and have no further comments. They requested their previously recommended conditions and informatives be added to any permission for the Planning Authority is minded to issue

CCC Growth & Development - No Comments Received

Environmental Health (Contamination) - The Scientific Officer read the Envirosearch report dated 22 January 2016 and was satisfied that the site is at low risk of land contamination. As the proposal is for a sensitive end use (residential), it was recommended that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission.

Waste Strategy (ECDC) - East Cambs will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day. East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles.

5.2 **Neighbours** – One neighbouring property was notified, a site notice was posted and an advertisement placed in the Cambridge Evening News. No responses were received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision
HOU 5	Dwellings for rural workers

6.2 Supplementary Planning Documents

Design Guide
Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2012

- 3 Supporting a prosperous rural economy
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.1 The main issues to consider in determining this application are, the principle of development, the visual impact on the character and appearance of the area, residential amenity and highway safety.

7.2 Principle of Development

The site is located in the countryside, well outside the development boundary of Soham, where development is strictly controlled. The development of the site would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan in so far as it seeks to focus new housing development within defined settlement boundaries. As the Council cannot demonstrate a 5 year supply of housing land Policy GROWTH 2 cannot be considered up to date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. However, proposals for agricultural workers dwellings are catered for within Policy HOU 5 of the Local Plan.

This allows for permanent dwellings in the countryside for full time workers as an exception to the normal policies of control providing certain criteria are met. Critically, it must be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times). There must also be no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available. If these tests can be met then it must then be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable and that the size of dwelling proposed is of a size no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise can sustain.

7.3 Essential need to live on site most of the time

To meet this test the applicant must be able to demonstrate that it is essential for the proper functioning of the business for one or more workers, to actually live on the site most of the time. This normally equates to the need for a full time worker. Such a requirement might arise, for example, if workers are needed to be on hand day and night;

- in case animals or agricultural processes require essential care at short notice;
- to deal quickly with emergencies that could otherwise cause serious loss of crops, for example, by frost damage or the failure of automatic systems.

The applicant has provided supporting documentation in the form of an agricultural appraisal prepared by Peter Chillingworth, a Rural Planning Consultant. The information provided is summarised as follows. Northfield Farm is the centre of the operations for the applicant's arable farming business, growing root cash crops and cereals. The site itself comprises 9.7 ha (24 acres). The applicant also owner-occupies 67 ha (165 acres) and rents 923 ha (2280 acres) of other land. The cropping for the 2016 season on the owned, rented and family land was as follows;

Sugar beet	547 ha (1342 acres)
Carrots	20 ha (49 acres)
Main crop potatoes	110 ha (272 acres)
Spring beans	224 ha (554 acres)
Winter wheat	398ha (983 acres)
Grass	12 ha (30 acres)

The applicant also operates from the site a contracting business and 4 lorries in a haulage business.

During harvest of the applicants crops, parcels of grain are moved in and out of the drying shed and into store. The applicant states that the heating and ventilation for this requires constant supervision and manual adjustment, early in the morning and late in the evening from July until October. The consultant regards this as an agricultural process requiring essential care, often at short notice and during anti-social hours. Carrots or onions grown in some seasons need hardening off under controlled conditions before entering longer term environmentally-controlled storage. Potatoes also need to be stored in a cold store in an electronically

controlled refrigerated environment. This temperature must be maintained for a period from around September to June.

The farms cropping relies on irrigation provided by 12 diesel pumps. These are used to fill the reservoirs during winter and distribute water during the growing season, much of which is during the night in the summer months. This requires moving and monitoring of equipment.

The applicant's consultant also states there is also a need for another dwelling on the site for emergency situations, breakdowns and power cuts which must be dealt with quickly. Security is a factor as chemicals and fertilizers are stored on the site alongside the farm equipment.

Deliveries are also a factor as they can occur at odd hours after long journeys. Having a person available at all times living close by is important and saves all concerned considerable time. A farm office and staff facilities are to be incorporated within the proposed dwelling above the garage. The applicant's consultant states "when taken together, I consider these factors jointly create an essential functional need for a responsible person to live close to the site". This states the need for one person which already exists and that there is a need to live close to the site. No need is stated to actually live on the site.

The applicant's consultant states that the fact that a bungalow already exists on the site does not nullify the need for this managers dwelling. The bungalow is occupied by a farm worker whose main role is repairing and maintaining the farm machinery and he is on hand if the applicant is not there. He considers that given the scale of the operation "two workers need to be close to the enterprise to provide emergency and temporary cover for each other." He does not actually say they need to live on site.

Following a comprehensive review of the evidence provided, it is considered that the existing agricultural dwelling on the site of Northfield Farm is sufficient for the provision of accommodation for an agricultural worker. There is no essential need for an additional dwelling on the site to serve the needs of the farm enterprise. The haulage business and the contracting business can be discounted as they are businesses which can run from a site without the need to live on the site. The arable business has needs for temperature controls but this is not all year round and is not at all times during the day and night. These duties can adequately be fulfilled by living off site but if the applicant has a desire to have a presence on site these duties could be fulfilled by an occupant of the existing dwelling, whether it be a farm worker or the applicant himself. Little weight can be attached to security as a dwelling already exists on site and an additional on site presence cannot be justified on the basis of the irrigation and supervision requirements. Should the irrigation systems fail their repair and movements do not require the applicant to actually live on the site in addition to an existing worker.

In conclusion there is not sufficient justification for an additional dwelling on this site to serve the needs of the business.

No detailed accounts have been submitted although it is stated they can be made available. Any accounts could only take into consideration profits made by the

arable farming of the applicants land. However, given that the essential need is not met these accounts have not been requested or examined.

Even if a need for two dwellings could be established on the site to serve the needs of the arable business the dwelling proposed is considered excessive in size and scale. The proposed dwelling is a substantial two storey farmhouse with a projecting triple garage with staff room above and incorporating a farm office. Without these elements the residential accommodation itself measures approximately 448sqm (4400sq ft), with a width of 16 metres and a maximum depth of 14.5 metres, facing the road, with a height of 8.5 metres. Policy HOU 5 makes it clear that agricultural dwellings should be no larger than that required to meet the functional needs of the enterprise, nor should it be unusually expensive to construct in relation the income the enterprise can sustain. No accounts have been provided to satisfy the Local Planning Authority that the income from the business can sustain a dwelling of the size proposed but the dwelling is of a size larger than one would normally expect to be supported by an agricultural workers wage.

7.4 Visual impact

Notwithstanding the above comments on size, the sheer scale of the dwelling in the location proposed will make it very prominent and visually dominant in the undeveloped and low lying surroundings. The dwelling will be visible some distance from the site when approaching from the south and on approaching the site will be highly visible from the road and dwarf the bungalow and agricultural buildings which form the backdrop to the views from the south. This impact is exacerbated by the fact that the dwelling will project south of the existing residential curtilage and farm built form, allowing prominent views of it from the road bordering the site. In addition the depth of built form facing the road is some 14.5 metres.

The proposal is considered to be contrary to Policy ENV 1 which states that development proposals should have a location, scale and form which creates a positive and complementary relationship with the surrounding unspoilt rural area. Furthermore, the proposal is contrary to policy ENV 2 which ensures that proposals respect the density and landscape of the surrounding area and are of a scale and massing that relate sympathetically to the nearby development. It is considered, by virtue of being a two storey large development in the open countryside that the proposal is contrary to two Local Plan design policies and should not be permitted, in order to protect the contiguous rural aesthetic.

7.5 Residential amenity

The proposed dwelling will have adequate amenity space in line with the Design Guide SPD. Given that the proposal would be an additional farm dwelling the minor loss of amenity caused to the occupiers of the existing bungalow by way of additional traffic and loss of privacy would not warrant a refusal of planning permission on these grounds.

7.6 Highway safety

Regarding highway safety, the highways officer initially objected to the proposal stating that the access width was not sufficient to support the development and that

the outlined development site did not extend to the public highway. Following amendments to the scheme, a revised access arrangement of 6m width for the first 10m was submitted and the Highway Authority objection was removed.

7.7 Planning Balance

The proposed additional dwelling to serve this arable agricultural enterprise is not justified, as it is not essential to meet the needs of the business, to have another full time worker living on the site, to be on hand day and night to deal quickly with emergencies that could cause serious loss of crops. The proposal is therefore contrary to Policy HOU 5, not only due to the lack of need but also because it is of a scale which is excessive and an unwelcome and unjustified intrusion in this open rural setting.

Not only is the proposal contrary to Policy HOU 5 but it also conflicts with the provisions of Policies ENV 1 and ENV 2 of the Local Plan.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/00099/FUL	Barbara Greengrass Room No. 011 The Grange Ely	Barbara Greengrass Senior Planning Officer 01353 616240 barbara.greengrass @eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>