

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 03 June 2015

AGENDA ITEM NO 2
APPLICATION NO 1155/15
PROPOSAL Extension of clubhouse to residential accommodation for seasonal workers (March to October).
SITE LOCATION Home Farm, Coddendam Green, Crowfield
SITE AREA (Ha) 0.1
APPLICANT J Williamson & Son
RECEIVED March 27, 2015
EXPIRY DATE May 25, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

(1) A Member of the Council has requested that the application is determined by the appropriate Committee and the request has been made in accordance with the Planning Code of Practice or such other protocol / procedure adopted by the Council. The Members reasoning is included in the agenda bundle.

PRE-APPLICATION ADVICE

1. This application has been submitted following the refusal of application 4015/14. No pre application advice was sought prior to the submission of application 4015/14. The agent was made aware of the objection to the previous application and offered the opportunity to withdraw the application and advised of the deficiencies in the application.

SITE AND SURROUNDINGS

2. The application site relates to Home Farm, which is located in the Parish of Crowfield. The site is accessed by a single track road serving a handful of dwellings and farms. The site adjoins an existing metal profile sheet building which is in use as part of Crowfield Airfield which is the adjacent use. The proposed structure would be sited on an area currently laid to concrete.

HISTORY

3. The planning history relevant to the application site is:

4015/14	Extension of clubhouse to residential accommodation for seasonal agricultural workers (March to October)	Refused 17/03/2015
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PROPOSAL

4. Planning permission is sought for the erection of an extension to provide permanent residential accommodation for two seasonal agricultural workers. The proposed extension would provide a open plan kitchen/dining/lounge area, with a utility, bathroom and two bedrooms with a covered entrance lobby attaching it to the existing building. It measures 6.090 metres deep with a length of 18.12 metres. It has a lean-to roof with an eaves height of 2.342 metres and an overall height of 4.26 metres. It would be constructed in brick and clad walls and profile sheeting for the roof to match the building it is proposed to be attached to.

A supporting planning statement and desk top contamination report and site walkover questionnaire has formed part of the application submission.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

- 6.
- **Parish Council:** Support.
 - **SCC Highways:** Recommends that any permission has a condition relating to parking and turning of vehicles.
 - **Environmental Health (Land contamination):** I note that the Groundsure report highlights that an airfield is within 6 metres of the site and this leads to the conclusion of 'in need of further assessment'. However, given the low sensitivity of the proposed use, for temporary accommodation only, I do not consider that further investigation is required at this stage. The land contamination questionnaire does not highlight any matters of concern on the site itself. Therefore, I can confirm that I have no objections with respect to the application, I would request that the Environmental Protection team is contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.
 - **Environmental Health (Other Issues):** We would not normally support an application for residential accommodation at this location. Given, however, the low sensitivity of the proposed restricted use i.e. for seasonal agricultural works (March to October) we have no objection to the proposed development.
 - **MOD:** No safeguarding objections to this proposal.
 - **PROW:** Public Footpath 12 is recorded adjacent to the proposed development site. We have no objection to the proposed works but would

draw the applicants attention to their responsibility.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. No letters of representation have been received as a result of the publicity of this application.

ASSESSMENT

8. Background:

This application is almost identical to a proposal submitted under application 4015/14 which was refused under delegated authority on the 17th March 2015 for the following reason:

"The proposed development, would, if permitted, be contrary to development plan policies and National Planning Policy Framework, which seek to protect and preserve landscape quality and character of the countryside for its own sake, by restricting development in the countryside to that which is essential to the efficient operation of agriculture, forestry and appropriate recreation, and to direct new housing development to more sustainable locations within settlement boundaries. The application fails to demonstrate that the needs of the existing agricultural unit justify the provision of permanent residential accommodation on the site and also fails to justify why alternative temporary accommodation could not satisfy this need. On this basis, it is considered that the application is one of preference rather than existing needs of the agricultural unit. The proposal is therefore contrary to advice contained within the National Planning Policy Framework together with Policies H7 (Restricting housing development unrelated to the needs of the countryside) and H10 (Dwellings for key agricultural workers) of the Mid Suffolk Local Plan (1998), Policies CS1 (Settlement Hierarchy), CS2 (Development in the Countryside and Countryside Villages) and CS5 (Mid Suffolk's Environment) of the Mid Suffolk DPD Core Strategy (2008) and policies FC1 and FC1.1 of the Adopted Core Strategy Focussed Review (2012)."

This application is a resubmission and has been requested to be determined by Committee by the ward member.

Consideration/Assessment:

The core planning considerations raised by this proposal are:

- Principle of development
- Design and impact on the landscape
- Highway Safety
- Residential amenity

- Principle of development:

The application is located within open countryside and is therefore subject to the strict controls which govern development in this location. Local Plan Policy H7

'Restricting housing development unrelated to the needs of the countryside' seeks to ensure that housing in the countryside is only permitted in exceptional circumstances. This policy is further supported by Policy CS2 of the adopted Mid Suffolk Core Strategy DPD (2008) which specifically deals with development in the countryside, restricting development to specific categories. Policy CS2 does identify an agricultural workers dwelling as one of those specific permitted developments.

Also pertinent is the National Planning Policy Framework (2012) which has a core principle to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable". The thrust of these policies is to reduce the need to be reliant on the private car.

Development plan policies and NPPF does provide support for rural housing provided that an essential need can be proven. Local Plan Policy H10 'Dwellings for Key Agricultural Workers' states that "*in the countryside, dwellings for key agricultural personnel will be permitted only where it can be demonstrated to the satisfaction of the district planning authority that there is a proven essential and immediate agricultural need for a dwelling on the holding in respect of which permission for a particular site is sought*". The local planning authority has to be satisfied that there is an essential need for a dwelling. The fundamental question for this application is whether the applicants have made a sufficient case for a proven, essential need for a dwelling in this location.

The application has been submitted by a professional agent who has included a planning statement setting out the case for the proposal. A further letter from the agent has been submitted following the refusal of application 4015/14. This has set out that Mr Williamson's father is 70 years old and that there are no other employees on the farm and that the additional labour is required during the busier times, with these being predominately being during the months of March to October.

The agent has stated that the application is not for an agricultural workers dwelling but, for seasonal workers accommodation, that this form of development would be permitted development if the seasonal workers were in a caravan. They therefore consider that the application should not be determined as a pure agricultural dwelling.

However, whilst the proposal may be for seasonal workers these are still employed in agriculture and therefore the assessment of the proposal against policies relating to an agricultural workers dwelling is considered appropriate. The agent has not expanded on how they think the application should be determined if not against these policies.

Prior to the publication of the NPPF an assessment of such information would be assessed against the functional and financial tests in PPS7. Paragraph 55 of the NPPF does refer to the need for local planning authorities to avoid isolated homes in the countryside unless there are special circumstances such as an essential need for a rural work to live permanently at or near their place of work in the countryside. The NPPF does not provide a test on how such applications should be assessed. Whilst PPS7 may have been superseded, the functional and financial tests are still considered sound professional practice for assessing such applications.

(i) *Evidence of the intention to develop the enterprise concerned*

The planning statement has set out that the current arable farming operation relies on Mr Williamson on a permanent basis and the employment of two seasonal workers between March and October each year. The statement does not indicate that this accommodation would develop the enterprise any further but sustain its current operation.

(i) *Functional need*

The planning statement has set out that J Williamson and Son manage a total of 405 hectares by a combination of owned land (121), rented (61) and contract farmed (223). Mr Williamson also contract combines a further 162 hectares.

There is also an airfield operated at the site, run by the applicants father (Crowfield Airfield). The facilities include a hangar/garage, large clubhouse, scale of Maps and VFR flight guides as well as Instructors being available for training and flight reviews. The proposed extension would be on the building that houses the planes and the restroom associated with this use.

The planning statement has set out the justification for the proposal being that Mr Williamson works on his own on the arable enterprises and is reliant on seasonal workers during cultivation and harvest in particular. It goes on to state that he needs workers available during the busy summer months and at all times of the day during this season as they work late hours. The planning statement has referred to the expectation of seasonal workers to have accommodation provided, often in the form of caravans or dormitories.

At present Mr Williamson is housing the workers in his farmhouse but it has stated that this is "*not ideal given the length of time they are on the farm and the fact it is a family home*". It also states there is a need for rest facilities in the day given the long hours that are worked.

The agent has cited that caravans could be brought onto site without the need for planning permission. They have also stated that the extension of an existing building to provide basic accommodation would be preferable from a visual point of view and could then be used a rest room for workers when on the farm. The agent believes a condition could be imposed on the permission to limit occupation.

Protection of the countryside is fundamental to the planning system and it is clear from the objectives of the Core Strategy and saved Local Plan Policies that the grant of a dwelling in the countryside should only be permitted in exceptional circumstances. In addition, the introduction of the NPPF and Policies FC1.1 of the Focused Review of the Core Strategy have reinforced the need for sustainability in development. In this instance the planning statement has not set out an essential need for the seasonal workers to be housed in permanent accommodation.

The application has not provided evidence of the land that is farmed so it is unclear where the workers will be employed. It is also unclear why there is a

requirement for seasonal workers to be on site for eight months. The planing statement has emphasised the need for the workers to be on site in the summer months but, if this is the key time this need could be adequately met with the provision of caravans stationed on the site which as the agent has acknowledged, can be done under the Caravan Sites and Control of Development Act 1960, without the benefit of planning permission. On this basis of the application submission it does not appear there is a proven essential need for the accommodation but rather a preference on behalf of the applicant.

The Local Planning Authority must be satisfied that the principal of establishing any form of dwelling on this site is justified as this is what is being sought even if at this time it would be occupied for eight months in any year.

(ii) Evidence that the proposed enterprise is planned on a sound financial basis

No financial evidence has been submitted with the application and as such it is unknown if this farming business is financially sound. The grant of an exceptional permission for a rural dwelling needs to be proven to be both functional and financially sound. Part (i) above has concluded there is no essential functional need proven but on the basis of the information provided it is also not proven and therefore unknown if this business is financially sound. Without such information the local planning authority cannot agree to an exceptional permission.

(iii) The functional need could not be met by any other dwelling in the locality

As noted above there is no reason that seasonal workers cannot be accommodation on the site through the use of caravans which would provide both resting and sleeping arrangements. There would also appear to be no reason why arable farm workers need to live on or particularly near to the holding.

Highway Matters:

This is an established site which is accessed off a narrow rural road which serves a handful of properties both residential and farms. The proposed development would not result in a material increase in the number of vehicular movements to the application site to be prejudicial to highway safety. Refusal on highway safety grounds would not be justified.

Residential Amenity:

The proposed accommodation is to be attached to an existing building which is used as a hangar for planes in association with Crowfield Airfield and the office/rest room associated with this. The Council's Environmental Health department has advised that they would not ordinarily support such a proposal in this location but given the low sensitivity of the proposed residential use for seasonal workers they raise no objection. However, as set out above, the application falls to be determined as an application for residential development.

The desk top contamination report produced by Groundsure has identified that there is a potential risk to proposed occupants of the dwelling given the land uses of the site, in particular the airfield use. Having visited the site the proposed extension is on an area which is currently laid to concrete. It is considered that a condition could be imposed which would secure further work on this matter. It is not considered a ground for refusal.

Landscape Impact:

The proposed extension is of an appropriate scale, design and materials that would be a logical extension to the building in visual terms. It would be read as part of the existing large building in the landscape and as such would not cause harm to the prevailing landscape character.

Public Rights of Way:

Public Footpath No. 12 runs along the application site but the proposed development would not obstruct this public right of way.

Conclusion:

The proposed development would represent an unjustified residential development within the countryside. The application has failed to demonstrate an essential need to be within the countryside and as such is contrary to the development plan and the objective of the NPPF which seek to secure sustainable development and protection of the countryside.

RECOMMENDATION

That Full Planning Permission be Refused for the following reason:

The proposed development, would, if permitted, be contrary to development plan policies and National Planning Policy Framework, which seek to protect and preserve landscape quality and character of the countryside for its own sake, by restricting development in the countryside to that which is essential to the efficient operation of agriculture, forestry and appropriate recreation, and to direct new housing development to more sustainable locations within settlement boundaries. The application fails to demonstrate that the needs of the existing agricultural unit justify the provision of permanent residential accommodation on the site and also fails to justify why alternative temporary accommodation could not satisfy this need. On this basis, it is considered that the application is one of preference rather than existing needs of the agricultural unit. The proposal is therefore contrary to advice contained within the National Planning Policy Framework together with Policies H7 (Restricting housing development unrelated to the needs of the countryside) and H10 (Dwellings for key agricultural workers) of the Mid Suffolk Local Plan (1998), Policies CS1 (Settlement Hierarchy), CS2 (Development in the Countryside and Countryside Villages) and CS5 (Mid Suffolk's Environment) of the Mid Suffolk DPD Core Strategy (2008) and policies FC1 and FC1.1 of the Adopted Core Strategy Focussed Review (2012).

Philip Isbell
Corporate Manager - Development Management

Lisa Evans
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

Cor1 - CS1 Settlement Hierarchy

Cor2 - CS2 Development in the Countryside & Countryside Villages

Cor5 - CS5 Mid Suffolks Environment

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

H7 - RESTRICTING HOUSING DEVELOPMENT

H10 - DWELLINGS FOR KEY AGRICULTURAL WORKERS

H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

RT12 - FOOTPATHS AND BRIDLEWAYS

T9 - PARKING STANDARDS

T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application: