

**Item 4d**                      **13/00202/FUL**

**Case Officer**              **Ian Heywood**

**Ward**                         **Lostock**

**Proposal**                    **New agricultural dwellinghouse**

**Location**                   **Home Farm Grape Lane Croston LeylandPR26 9HB**

**Applicant**                  **Mr & Mrs Paul Smith**

**Consultation expiry:** **17 April 2013**

**Application expiry:**    **26 April 2013**

### **Proposal**

1. The proposal is for the erection of a new agricultural dwellinghouse.
2. The application site is to the rear (north) of Home Farm, which is situated to the north of Grape Lane and the River Yarrow, just to the west of the eastern boundary of Croston Conservation Area. The latter is a designated heritage asset as defined by Annex 2 to the National Planning Policy Framework (the Framework). The site is also in the Green Belt. To the east of the site are located a number of farm buildings – barns - and a stable block. The plot itself is surrounded on three sides by a hawthorn hedge and farm access track. The site itself is not visible from Grape Lane. Beyond the site boundary and the farmstead is open, generally flat agricultural land.
3. The proposed development is for a sympathetically styled agricultural dwelling for occupation by the current farmer's son and family. An agricultural statement accompanies the application together with the requisite farm management information, both logistical and financial.

### **Recommendation**

4. It is recommended that this application is refused permission

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Impact upon the significance of the Croston Conservation Area
  - Flood risk

### **Representations**

6. No letters of objection have been received
7. 37 letters of support have been received
8. Croston Parish Council 'wholeheartedly supports the application'.

### **Consultations**

9. **Lancashire County Council (Ecology)** puts forward their standard conditions should the Council be minded to grant permission.
10. **Lancashire County Council, County Land Agent** has stated that the operational requirements at Home Farm do not require two workers to reside on the unit.
11. **The Environment Agency** has no objection to the proposed development.

12. **Lancashire County Council (Highways)** has no objection to the proposed development providing that the accommodation is purely for use associated with Home Farm.
13. **Lancashire County Council (Footpaths Officer)** has no objection to the proposed development but suggests an informative reminding the applicant of the requirement to maintain all public footpaths unobstructed at all times including during the construction phase.
14. **Chorley's Waste & Contaminated Land Officer** has no comments to make on this application.
15. **Chorley's Planning Policy Team** has no objection to the proposed development and states that it is in conformity with paragraph 55 of the Framework. However the tests for the requirement for agricultural workers accommodation, as provided by the County Land Agent will be pivotal to the acceptability of the proposal. It also suggests that other options could be considered, for example locating the proposed dwelling immediately adjacent to the existing farm house or even constructing and extension to that building to provide the necessary additional accommodation.
16. Mention was also made of the emerging Chorley Local Plan 2012 – 2026 in which Policy 10 refers specifically to development of agricultural workers dwellings. Whilst this document is currently of limited weight it clearly supports the policy stance established in the Framework and the need for proposals such as this to demonstrate functional need for the proposed residential accommodation for an agricultural worker.
17. **Councillor request for the application to be determined by the Development Control Committee:** Ward Councillor Doreen Dickinson requested in writing (by email, followed up with a hard copy letter) on 24 March 2013 that the application be determined by the Development Control Committee.

## **Assessment**

### Principle of the development

18. Inappropriate development in the Green Belt is, by definition, unacceptable. However the Framework does provide situations whereby very special circumstances can be demonstrated to overcome that inappropriateness. Development for agriculture is one such scenario. The Framework, paragraph 55 also states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside'.
19. The emerging Chorley Local Plan 2012 – 2026, whilst currently of limited weight, is of some relevance and essentially reinforces the policy stance adopted by the Framework.
20. A key consideration in this respect is the determination of need for the new residential accommodation for an agricultural worker. In this respect the opinions of the Lancashire County Council Land Agent are critical. In his opinion the case for an agricultural workers dwelling is not made. The test as given in paragraph 55 to the Framework – the essential need for the agricultural worker to live permanently at or near their place of work is not made.
21. The County Land Agent's comments that whilst the calculation for the required number of workers is subjective it does not confirm whether or not those workers are required to reside permanently at the farm. He further suggests that the applicant already lives locally and that this is an adequate arrangement for the needs of the farm. He continues that it is usual to expect the worker engaged in the majority of the activities on the farm to reside at that farm and that in due course as the applicant's father, the current occupant of the farm house, becomes less active he could relinquish the farm house to his son and he (the father of the applicant) live elsewhere. Finally he argues that any matter of site security could be dealt with by measures other than having someone else additionally living at the farm.

### Impact upon the significance of Croston Conservation Area

22. As the application site is, to all intents and purposes, screened from view the impact upon the significance of the Croston Conservation Area is such that it will be sustained and that from this perspective the proposed development is considered to be acceptable.

#### Flood Risk

23. The Environment Agency has queried the land levels that are quoted within the Flood Risk Assessment. Although this document states that the proposed development has been designed with raised finished floor levels (600mm above current ground levels, which are normally considered acceptable) such that it will not be at risk from flooding, a pre-commencement condition demonstrating the current ground levels and the proposed finished floor levels to the satisfaction of both the Environment Agency and therefore also the Council will be required should any permission be subsequently granted.

#### Background Information

24. Two previous applications have been submitted for this type of development. On the first occasion the application was refused and the subsequent appeal made by the applicant was dismissed by the Planning Inspector. On the second occasion the application was withdrawn at the request of the agent with the application being recommended for refusal. On both occasions, as with this, the County Land Agent concluded that there were no grounds to warrant the construction of an agricultural workers dwelling as there was no operational need established.

#### Traffic and Transport

25. Lancashire County Council Highways Officer has confirmed that the proposed development is acceptable from his perspective, providing that the dwelling is tied to the farming operations of the site.

#### **Overall Conclusion**

26. The County Land Agent concludes that there is no case for allowing the construction of an agricultural workers dwelling in this case. There is simply no need for the additional accommodation.
27. The alternative option, as suggested by the Council Planning Policy team, to extend the existing farm house rather than build an entirely new dwelling has been made to the agent. His response was that the current proposal is in direct response to the Planning Inspectors advice that "any new dwelling at Home Farm would be less obtrusive and cause less harm to the countryside and Green Belt if it were sited on the west side of the access track and closer to the existing farm house." He also argues that the proposed position of the new dwelling would facilitate improved overlooking of the farm complex and therefore aid site security.

#### **Planning Policies**

##### National Planning Policy Framework (The Framework):

Section 6, Delivering a wide choice of high quality homes, paragraph 55

Section 9, Protecting Green Belt land, paragraph 89

Section 12, Conserving and enhancing the historic environment, paragraphs 128, 129, 131, 132.

#### **Planning History**

<b>Ref:</b> 00/00542/COU	<b>Decision:</b> PERFPP	<b>Decision Date:</b> 25 October 2000
<b>Description:</b> Conversion of existing farm buildings to create 9 No. dwellings with garages/car ports and new access road to side,		
<b>Ref:</b> 00/00734/FUL	<b>Decision:</b> PERFPP	<b>Decision Date:</b> 31 October 2000
<b>Description:</b> Silage clamp,		
<b>Ref:</b> 00/00847/FUL	<b>Decision:</b> PERFPP	<b>Decision Date:</b> 20 December 2000
<b>Description:</b> Extension to agricultural building (for workshop),		
<b>Ref:</b> 98/00497/FUL	<b>Decision:</b> PERFPP	<b>Decision Date:</b> 25 November 1998
<b>Description:</b> Erection of stock building - Phase 1,		
<b>Ref:</b> 98/00498/FUL	<b>Decision:</b> PERFPP	<b>Decision Date:</b> 25 November 1998
<b>Description:</b> Erection of stock building - Phase 2,		

**Ref:** 98/00499/FUL **Decision:** PERFPP **Decision Date:** 25 November 1998  
**Description:** Erection of stock building - Phase 3,  
**Ref:** 98/00854/FUL **Decision:** PERFPP **Decision Date:** 17 February 1999  
**Description:** New silage clamp, midden and dirty water store,  
**Ref:** 99/00165/AGR **Decision:** WDN **Decision Date:** 25 March 1999  
**Description:** Application for agricultural determination in respect of erection of storage building,  
**Ref:** 99/00166/COU **Decision:** PERFPP **Decision Date:** 16 June 1999  
**Description:** Formation of sand paddock with 1.2m high timber railed fence surround,  
**Ref:** 99/00247/FUL **Decision:** PERFPP **Decision Date:** 24 May 1999  
**Description:** Relocation of agricultural storage building,  
**Ref:** 04/00277/FUL **Decision:** PERFPP **Decision Date:** 7 May 2004  
**Description:** Addition of four garage doors to existing open carport,  
**Ref:** 04/01085/OUT **Decision:** REFFPP **Decision Date:** 7 April 2005  
**Description:** Outline Application for erection of agricultural workers dwelling (siting & access),  
**Ref:** 07/00114/FUL **Decision:** REFFPP **Decision Date:** 2 April 2007  
**Description:** Erection of two storey side and rear extension incorporating annexed accommodation,  
**Ref:** 12/00225/FUL **Decision:** WDLPA **Decision Date:** 29 May 2012  
**Description:** New agricultural dwellinghouse  
**Ref:** 12/00226/CON **Decision:** WDN **Decision Date:** 4 April 2012  
**Description:** New agricultural dwellinghouse  
**Ref:** 93/00288/TCON **Decision:** PERTCN **Decision Date:** 25 May 1993  
**Description:** Felling of pine trees in conservation area and replanting by broad leaved trees

**Recommendation: Refuse Full Planning Permission**  
**Reasons**

1. The proposed development would be located within the Green Belt as defined by the Adopted Chorley Borough Local Plan Review (2003) where planning permission will not be given except in very special circumstances. There are not considered to be sufficient agricultural or other special circumstances to justify the erection of a dwelling.