

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

17 September 2020

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| Application No: | SMD/2019/0749 | |
| Location | Land Adj. Blakely Farm Blakely Lane Whiston ST10 2HB | |
| Proposal | Erection of Agricultural Workers Dwelling | |
| Applicant | Mr and Mrs Cotton | |
| Agent | Mr Craig Barks Bagshaws | |
| Parish/Ward | Kingsley/Churnet | Date registered: 11 th Dec 2019 |
| If you have a question about this report please contact: Benjamin Hurst tel: 01538 395400 ex 4127 benjamin.hurst@staffsmoorlands.gov.uk | | |

REFERRAL

The application is before committee at the request of Cllr Gill Heath.

1. SUMMARY OF RECOMMENDATION

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| REFUSE |
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 Blakeley Farm occupies a prominent and elevated 'hill-top' position that is isolated within the countryside. The village of Whiston is more than a kilometre away to the west. The Farm comprises of a range of traditional and modern portal frame buildings, being the base of a substantial dairy enterprise approximately 283.48 acres (114.722 hectares) with 215.67 acres (87.280 hectares) owned and a further 67.81 acres (27.442 hectares) rented on long term arrangements. The range of agricultural buildings are divided by Blakeley Lane which runs through the farm. The main cubicle housing, silage clamps and manure storage is located to the West of the road. To the East are the young stock buildings.

2.2 At the centre of the complex the existing stone farmhouse presents an end gable to the roadside and, on the other side, has an adjoining barn and outbuildings opposite. Together they form the linear plan historic farmstead that was established by the beginning of the 19th Century. It survives relatively unaltered, although now surrounded by newer sheds and buildings.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is an outline application to build a new dwelling on 1000 sq metres of land taken from the north western, roadside, corner of an open field. All matters of detail

are reserved apart from access and its proposed to form an opening in the drystone wall that crosses the highway verge

3.2 The dwelling is very specifically to provide accommodation for the applicant's daughter and son in law who both work on the established dairy farm. The dwelling would be the second workers dwelling at the farm. The son in law is the second key worker who supports the applicant as business partners, he currently lives in and commutes from Leek.

3.3 The applicant did not seek any pre application advice from the Council regarding the application.

3.4 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128617>

4. RELEVANT PLANNING HISTORY

10/00949/FUL Agricultural building to house cattle. Approved.
SMD/2015/0577 Erection of replacement livestock building. Approved.
SMD/2020/0141 Livestock Building Phase I Approved.
SMD/2020/0142 Livestock Building Phase II Approved.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

Adopted Staffordshire Moorlands Core Strategy - 26th March 2014 (CS)

5.2 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Area Strategy
- R1 Rural Diversification
- R2 Rural Housing
- DC1 Design Considerations to protect residential amenity
- DC2 Historic Environment
- DC3 Landscape Character

Emerging Local Plan

5.3 On July 20th 2020, the Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the

recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

5.4 In this context, the Council's position on the weight to be given to the policies (as modified) in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at the most advanced stage of preparation prior to adoption as the Inspector has concluded that the Local Plan is sound subject to the recommended modifications being made.
- The extent to which there are unresolved objections to relevant policies – the Inspector has now drawn his final conclusions and there are no further matters to resolve
- The degree of consistency of the relevant policies in the emerging plan to this Framework – the policies (as modified) have been found by the Inspector to be sound in the context of the 2012 NPPF under which the Local Plan has been examined. One of the “tests of soundness” that the Local Plan has successfully been measured against is whether it is “consistent with national policy”. Because the Local Plan has been prepared and examined under the 2012 NPPF, it should be noted that in some limited cases, its policies do not directly reflect current national policy. However, planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Current national policy is a material consideration and should be given weight accordingly.

Given the above, all policies (as modified) should be given substantial weight.

Emerging Policies

5.5 The following policies are considered to be relevant to this application:

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS10 Other Rural Area
- H1 New Housing Development
- DC1 Design Considerations
- DC2 Historic Environment
- DC3 Landscape character

National Planning Policy Framework (NPPF) revised.

5.6 The following sections of the NPPF are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision Making
- 5: Delivering housing
- 12: Achieving well-designed places

15: Protecting natural environment

16: Protecting historic environment

6. CONSULTATIONS

Public response to consultation

6.1 One letter of objection has been received from a nearby resident submitting the following comment:

The dwelling could be better sited. The proposed location is extending the footprint of the farm buildings into the fields and filling some of the gap between the farm and the neighbouring property. A better site would be further North on the site of a derelict pig unit. These buildings have been unused for 15 years or more and are a bit of an eyesore. A house built from local stone would be a significant improvement to the look of the cluster of farm buildings and would complement Blakely Farmhouse itself.

Kingsley Parish Council

6.3 No Objection. Unanimous support.

SCC Highway Authority

6.4 No Objection.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to whether the proposal would comply with the development plan strategy for the provision of housing in the countryside; the impact that it would impose on the character and appearance of the area, with consideration for historic environment; and whether contribution to housing land supply and the applicant's needs, specifically as an agricultural worker, would be outweighed by any harm.

The Development Plan strategy for the countryside and the approach to housing provision.

7.2 The existing farm and application site occupies a location within the countryside approximately 1km from the settlement boundary that defines the 'larger village' of Whiston. It is in an 'Other Rural Area' for the purposes of the strategy policies SS6c of the Core Strategy and SS10 of the emerging Local Plan and can also be considered to be 'an isolated rural location' for the purposes of para.79 of the NPPF. With consideration for the Development Plan spatial strategies, both currently adopted and emerging, and the NPPF, there is a strong presumption against housing development in a location such as this. These are locations that are limited in facility and services and new development on a large scale would be unsustainable in these villages, as it would generate a disproportionate number of additional journeys outside the village.

7.3 However, to support local population and rural employment needs in these areas the development plan and the NPPF provide certain limited exceptions to provide for appropriate sensitive development. One such exception is where there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; and those needs cannot be met elsewhere.

7.4 Additionally to those central development plan and policy considerations, which provide the starting point for assessment, the proposal would provide one single dwelling as a small contribution to housing supply when the Council has an acknowledged short fall. Any small benefit in these regards would be further limited where the occupation of that dwelling is to be tied to the employment of the farm enterprise.

Would the development meet the essential needs of a rural worker that cannot be met elsewhere

7.5 The applicant explains that the proposal in this case would specifically provide a second worker's dwelling for the applicant's daughter and son in law who are key workers at the established dairy farm that has been farmed over three generations by the same family since 1958. Currently the original farm house is occupied by the applicant and his wife and their daughter lives with her family in a property at Leek while her husband, in particular, commutes every day to work at the farm as his main and only employment.

7.6 It is the applicant's evidence that the farm produces milk under a Tesco milk contract and that Blakeley Farm is now the base of a modern substantial dairy unit with herd genetics and breeding program which exceeds the national average breeding high quality and yielding dairy cows. It is said that the dairy herd comprises approximately 315 head of stock with 180 cows and heifers within the milking herd and 135 youngstock. There is evidence that the enterprise is well established with an ability and intent to expand and remain profitable for many years to come - confidentially, accounting information has been provided and planning permission has been recently granted for two new large cattle buildings. The applicant, who was once the main worker and farm manager says that he is now in a business partnership with his son in law and that they are both trained in the artificial insemination process and run a closed herd through a homebred selective breeding programme to raise herd standard and provide replacement. The application explains that to maximise profitability daily and nightly oestrus checks are necessary to maintain a tight calving pattern by frequent monitoring to detect when cows are in heat, the cows are also fed and milked twice a day.

7.7 It is clear from the evidence that there is enough fulltime labour for at least two people. As the enterprise expands, and particularly as he gets older, the applicant needs increasingly to share the labour and rely on the help from his son in law and business partner. The nature of that labour demands irregular working hours, often late at night or very early in the morning, and an ability to respond quickly to the distress or needs of their herd. The enterprise relies on that labour being readily available from those that live on the premises within sight and sound of the farm in a

way that living in town or even a nearby village does or could not provide. It is considered that overall the applicant has demonstrated that development to provide on site accommodation for a second worker and his family is reasonably essential to the benefit of his rural enterprise and that such development could be provided as an exception to the prevailing policy presumption against housing development in the countryside.

Impact on the character and appearance of the area with consideration for historic environment

7.8 Where, the provision of a second workers dwelling at this premises might exceptionally find policy support in the development plan and the NPPF, all of the other relevant policy provisions and requirements must still be taken and considered as a whole. Specifically, the other rural area strategy and those policies in the Core Strategy relevant to the provision of countryside development, summarised and taken as a whole, require that *all* development in the rural areas is to be assessed according to the extent to which it enhances the character and appearance of the countryside. A priority must be given to the need to protect the quality and character of the area and all development required to respect and respond sensitively to the distinctive qualities of the surrounding landscape and historic environment. Development that would not reinforce local distinctiveness by contributing to and complementing the special character and heritage of the area or would harm the character of the local and wider landscape should be resisted (Core Strategy Polies SS6c, R1, DC1, DC2, DC3). These same policy requirements and standards are echoed in the NPPF “planning decisions should contribute to the environment... by recognising the intrinsic character and beauty of the of the countryside” (para. 170); and, they are reflected and brought forward to no lesser extent in the equivalent policies of the emerging local plan (SS10, H1, DC1, DC2, and DC3).

7.9 The applicant has selected a very exposed and prominent open site on a large area of field. The dwelling would be placed beyond the southern peripheries of the farm complex where it would have a poor and divorced relationship with the existing farmstead and its collection of buildings. Whilst the proposal is in outline and the applicant is yet to provide any proposals for the design, siting or appearance of the dwelling, any building in this location would appear excessively intrusive and dominant within the landscape on approach from the south in particular, as the road climbs toward the high ground. As the land falls away from the high ground of the application site, increasingly steeply to the south, any dwelling would stand unusually tall and proud against the natural ground levels. The development in this location would be significantly harmful to the locally distinct landscape and the character and appearance of the area.

7.10 The historic core of the farmstead is centrally located within the complex toward the top or brow of the hill, the functional farm infrastructure and buildings have grown around the linear layout of these original stone buildings that were established by the early 19th Century. The original farmstead is largely unaltered and whilst it is not listed it has heritage value and appears on the Staffordshire County Council’s ‘Historic Environment Record’. In the location proposed a new dwelling would dominate the premises and the original house as the principal dwelling on the site, adversely affecting the setting and linear arrangement of the historic farmstead. New

development should relate sensitively to the historic buildings and reflect their character, appearance and layout, firstly through appropriate siting and then a complimentary design approach. Whilst the harm to the heritage assets would be less than substantial, the NPPF states that any harm which is identified must be outweighed by the public benefits of the scheme. In this case, aside from the minimal benefit associated with the provision of a single dwellinghouse at a time of housing undersupply, all of the benefits would be private benefits to the applicant and his business. On this basis, the application fails to comply with the tests in the NPPF in respect of heritage assets.

7.11 There would be significant harm here to the landscape, the character and appearance of the distinctive countryside locality and the setting and arrangement of a historic farmstead. This harm would outweigh the benefits to the farm enterprise and its employees that are identified above. It is not necessary to find an alternative site or solution to determine this application and reject the harm that would be imposed. However, it is of note that within the complex there appears to be the possibility of providing the additional accommodation more sensitively either within existing stone buildings; as a replacement for underused dilapidated buildings; or on space more centrally located within the complex. The applicant has offered explanations as to why the buildings are in use or other space does not offer a practical building plot. However, general observation suggests that some of the buildings are under used and that perhaps with a rationalisation of the farms layout and a considered design approach, particularly as planning permission has just been granted for more space in two large sheds, there would appear to be alternative possibilities. The applicant is not considered to have exhausted all possibilities to demonstrate that the only option is to site a dwelling in the proposed location. There has been some informal discussion around the possibility of using an alternative site but this has not been progressed by the applicant.

Planning Balance & Conclusions

7.12 It is accepted that the established and expanding enterprise has a need for a second key worker to live on the farm. In those regards there would be some compliance with the development plan and NPPF with policy providing for the development as an exception and, of course, there would be a small contribution to housing supply, albeit a new dwelling would be restricted from the open market by an occupancy condition. However, development plan policy and the NPPF should be taken as a whole and a dwelling in the location selected by the applicant would be so harmful to the character and appearance of the natural environment and the setting of a heritage asset that the need and minimal public benefits would be outweighed. Moreover, the applicant has not satisfactorily demonstrated that the accommodation could not be provided more sensitively either within existing buildings; as a replacement for under used dilapidated buildings; or on space more centrally located within the complex. The development therefore, would be contrary to the following policies taken as a whole SS6c, R1, R2 ,DC2 and DC3 of the adopted Core Strategy; SS10, H1, DC2 and DC3 of the emerging Local Plan; and the terms of the NPPF.

8. RECOMMENDATION

A. That an outline planning permission be REFUSED for the erection of a dwelling for the following reason(s):

A new dwelling in the isolated countryside location proposed would be intrusive and exposed within the landscape and have a poor overly dominant and uncomplimentary relationship with the original farmstead. This would result in significant harm to the character and appearance of the natural environment and less than substantial harm to the setting of a heritage asset. The extent of this harm would outweigh the minimal public benefit associated with the provision of a single dwellinghouse and the private benefits to the farm enterprise of providing accommodation for a second worker, the needs of that worker to live at their place of rural employment and any small contribution to land supply. Moreover, the applicant has not satisfactorily demonstrated that the accommodation could not be provided more sensitively either within existing buildings; as a replacement for under used dilapidated buildings; or on space more centrally located within the complex. The development therefore, would be contrary to the following policies taken as a whole SS6c, R1, R2 ,DC2 and DC3 of the adopted Core Strategy; SS10, H1, DC2 and DC3 of the emerging Local Plan; and the terms of the NPPF.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Informative

1. The application is for a sustainable form of development which complies with the development plan and the provisions of the National Planning Policy Framework. In the spirit of paragraph 38 of the NPPF amendments were secured to reduce the impact of the scheme.

