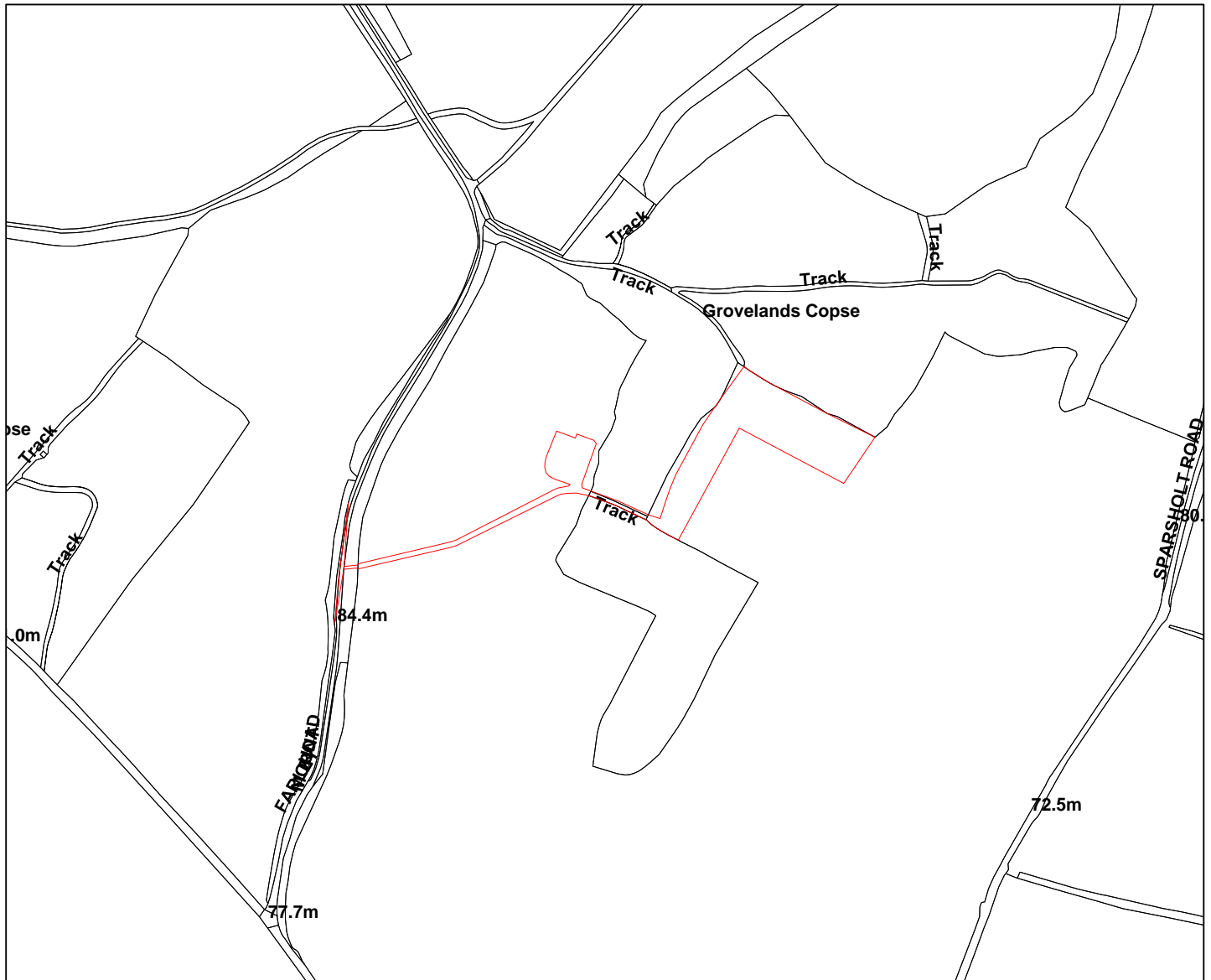


Land at Grovelands Copse, Farley Mount Rd,



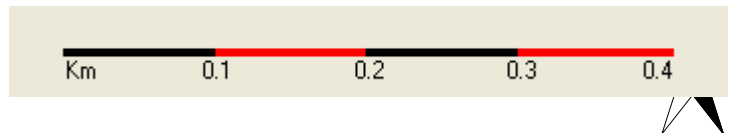
Winchester
City Council

10/01550/FUL



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	06 April 2011
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

Item No:	4
Case No:	10/01550/FUL / W21886
Proposal Description:	Erection of three bedroom agricultural workers dwelling with triple garage and hay barn/bull pen, access track and associated works
Address:	Land At Grovelands Copse Farley Mount Road Hursley Hampshire
Parish:	Hursley
Applicants Name:	Mr And Mrs N B Russell
Case Officer:	Mr Neil Mackintosh
Date Valid:	18 June 2010
Site Factors:	Countryside Civil Aviation
Recommendation:	Application Refused

General Comments

This application is reported to Committee at the request of Councillor Bell, whose request is appended in full to this report. Hursley Parish Council has expressed its wish, verbally, that the matter should be referred to Committee but, at the time of writing, no formal request has been received.

Amended plans were received on 18/01/11. These amended the siting of cattle buildings, since permitted under reference 10/01989/FUL under delegated powers, and, consequently, the siting of the associated hay barn/bull pen and the stockman's dwelling.

The amended plans show a three-bedroom house, as opposed to four, with a reduction in floor area from 235 sq.m to 208 sq.m. They also remove plans for a detached, triple garage.

Site Description

The applicant's holding comprises some 547 hectares of arable and pasture land on either side of the A3090, Winchester to Romsey road. It is, in the main, attractive chalk downland within the Landscape Character Area defined in the Winchester District Local Plan as Hursley Scarplands.

Apart from the A3090, Winchester to Romsey road, the remaining highways passing through the holding are narrow country lanes with occasional glimpses of the fields beyond. Access to the proposed stockman's dwelling and hay barn, and to the cattle building referred to above, is from the Farley Mount Road, an ancient, sunken lane with bordering yew trees.

The siting that is now proposed for the hay barn/bull pen is part of a large, open field. It will be between the proposed cattle buildings and the Farley Mount Road, and screened from public view due to the sunken nature of the lane, the presence of bordering trees and shrubs and the topography of the site.

The siting for the proposed stockman's dwelling is part of the same field but tucked into a

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

corner that is bordered on two sides by Grovelands Copse.

Proposal

The applicant has chosen to divide this large holding into two broadly separate entities, keeping the proposed cattle enterprise to the north of the A3090, known as Grovelands, and the larger arable enterprise to the south.

The Grovelands consist of 146 hectares comprising existing woodland but predominantly approximately 133 hectares of grassland. The cattle enterprise that is proposed would be a 200-strong spring-calving suckler cow enterprise with all progeny kept on and reared for sale as stores at 10-11 months of age.

Buildings to house the cattle have been permitted, under delegated powers, and this application would complete the picture by providing the associated hay barn/bull pen and living accommodation for the stockman.

The hay barn/bull pen would be open-sided with a fibrous cement roof and with pens attached. The dwelling is traditional in design and constructed from brick under a clay-tiled roof.

The means of access to both buildings would be from Farley Mount Road and shared with the access to the cattle buildings.

Relevant Planning History

None, but see also;

10/01989/FUL – Erection of 2 no. cattle sheds, cattle yard, access track and associated works – Land At Grovelands Copse, Farley Mount Road, Hursley - permitted March 2011

10/01990/FUL - Erection of principal farm house, garaging/implement store and associated works - Land south of Butchers Plantation, Main Road, Hursley – pending consideration.

Consultations

Engineers: Drainage:

No objection but refer to Environment Agency as non-mains drainage is proposed

Engineers: Highways:

No objection, subject to conditions

“Farley Mount Road is an unclassified rural road having low traffic volumes, the horizontal and vertical alignment of the road also ensures that vehicles speeds are kept relatively low”

“It is proposed to use the existing field access to enable vehicle access to the proposed development. The existing access is to be upgraded and its width increased to 4m for the first 10m; visibility splays of 2.4m by 43m in each direction are also to be provided, which is considered acceptable in this instance”

Landscape:

Objected to the original location of the cattle buildings as *“These are large buildings and will be prominent from a number of viewpoints along the Sparsholt Road”*

One of the Key Issues highlighted in the Council’s Landscape Character Assessment is the increasing intrusion of modern farm buildings within the open arable landscape. The

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

amended siting is found to be more acceptable, as the buildings will no longer be visible from Sparsholt Road and will be screened from the Farley Mount Road by existing banking and evergreen vegetation.

It is requested that attention is not drawn to the access road by the planting of hedging to either side.

Landscape (Trees):

"The submitted Arboricultural Implications Assessment accurately reflects the quality and category of tree stock. With regard to the proposed tree retention and tree loss, there are no major issues arising from an arboricultural point of view."

HCC Ecology:

Concerns regarding development adjacent to SINC woodland, creation of an access track through the SINC woodland and also the creation of a site access from the road through another woodland strip.

County Land Agent:

"At present the only existing dwelling, at Port Lane, is immediately adjacent to the grain store and fulfils functional requirement there"

"As far as the proposed siting of the new farm buildings complex, where the re-located beef enterprise is to be based, is concerned I can understand the logic of locating this somewhere on the block of land to the north of the A3090 so that this area predominantly accommodates the beef enterprise and the area south of this road predominantly is in arable use."

"Wherever the new farm buildings complex is to be located will also require one or more dwellings to be in close proximity in order to ensure that the functional need to provide husbandry, welfare, supervision and security of livestock is fulfilled"

Southern Water:

"The applicant is advised to consult the Environment Agency directly regarding the use of a private septic tank drainage which disposes of effluent to sub-soil irrigation"

Environment Agency:

No reply

Representations:

Hursley Parish Council

"Supports the proposal but is of the opinion that a suitably landscaped access road leading from the junction of Farley Mount Road and Sparsholt road would be preferable to the access shown on the submitted plans. An agricultural occupancy condition should be imposed"

If further information is received, including a formal request for this matter to be dealt with at Committee, an update will be published.

No other letters of representation have been received

Relevant Planning Policy:

South East Plan 2009:

None

Winchester District Local Plan Review

CE10, CE13, CE19, CE20, RT4, T1, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

PPS 7 Sustainable Development in Rural Areas
PPS 9 Biodiversity and Geological Conservation
PPG 13 Transport
PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance

Winchester District Landscape Character Assessment

Other Planning guidance

Guide to the Open Space Funding System
Hampshire Biodiversity Action Plan
Manual for Streets

Planning Considerations

The main considerations to be taken into account are whether this is an appropriate rural location for the proposed agricultural buildings and whether it is essential to provide the type and size of on-site accommodation that is proposed in order to service the proposed agricultural enterprise.

In addition, impacts upon highway safety, biodiversity and the landscape must be considered.

Principle of development

Policy CE13 of the Winchester District Local Plan Review deals with essential rural development and allows for the siting of suitably designed agricultural buildings in the countryside. In this case, the siting of the far larger cattle buildings has been accepted as required to support the agricultural enterprise and planning permission has been approved (10/01989/FUL). It is considered that it would be unreasonable to refuse the siting and design of the proposed, ancillary hay barn/bull pen that forms part of the current proposals.

Government guidance concerning agricultural worker's dwellings is contained in Planning Policy Statement 7. Paragraph 10 states that *"Isolated new houses in the countryside will require special justification for planning permission to be granted. Where the special justification for an isolated new house relates to the essential need for a worker to live permanently at or near their place of work in the countryside, planning authorities should follow the advice in Annex A to this PPS"*

Annex A relates to the provision of agricultural, forestry and other occupational dwellings and contains very specific criteria that should be met before planning permission should be granted, as follows (the underlining has been added by officers):

"New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing;

- (i) there is a clearly established existing functional need;*
- (ii) the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;*
- (iii) 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;*
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or*

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

- any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- (v) *other planning requirements, eg. In relation to access, or impact on the countryside are satisfied.*

Following advice from the County Land Agent and the Council's Highway Engineer and Landscape Architect, there would appear to be no need to question compliance in respect of (ii), (iv) and (v) above. However, as has been highlighted, there are concerns regarding criteria (i) and (iii). At present, the cattle rearing enterprise proposed for this site has not been established and has not, therefore, been there for three years. The cattle buildings are yet to be built and the cattle are yet to be introduced to the land. There is, therefore, no existing functional requirement for a stockman to be on site.

It might be argued that, if this is the case, and that cattle cannot be introduced until there is a stockman on site to look after them, how do other enterprises become established? This is also dealt with in Annex A to PPS7;

"If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally, for the first three years be provided by a caravan, a wooden structure which can easily be dismantled, or other temporary accommodation"

This part of the Annex to PPS7 goes on to lay down criteria for temporary accommodation:

- (i) *clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);*
- (ii) *functional need*
- (iii) *clear evidence that the proposed enterprise has been planned on a sound financial basis;*
- (iv) *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*
- (v) *other normal planning requirements, eg. on siting and access, are satisfied.*

The County Land Agent states that he has no doubt as to the genuine intentions of the applicants to re-locate their business from Somerset. However, he goes on to say that *"it is the needs of the enterprise concerned and not the personal preferences or circumstances of any of the individuals involved which is for consideration"*.

He concludes that *"Applications for a new permanent dwelling should only be allowed to support existing agricultural activities on well established agricultural units. There should be a clearly established existing functional need and, bearing in mind the nature and scale of the enterprises carried out at present, I consider that the existing permanent dwelling at Port Lane is sufficient for these purposes"*

The County Land Agent has not only taken into account the advice given in PPS7 but also the local policies contained in the Winchester District Local Plan Review. In particular, Policy CE19 which deals with temporary accommodation for agricultural workers and Policy CE20 which deals with permanent accommodation. In broad terms, these policies reflect the advice given in Annex A to PPS7 but go further in that they stipulate additional requirements that must be satisfied before planning permission may be granted.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

Policy CE20 repeats the functional need requirement and that the activity must be profitable and established for at least three years. It also repeats that there must be no other suitable accommodation in the area.

It goes on to add in sub-section (v) that permission should only be granted where *“the proposed dwelling is of a size appropriate to the productivity of the holding (normally 120 sq.m – 150 sqm. including office space)”*

This Policy goes on to say *“In assessing proposals, all of the above criteria should be met, and the Local Planning Authority will consider the needs of the holding rather than the desires of the applicant”*.

In this particular case, there is no established need for a dwelling and at 208 sq.m the proposed building is almost 40% larger than would normally be permitted. The cattle holding, if established, would consist of 200 cattle on 133 hectares of grassland, which is not considered to be adequate justification for departing from adopted criteria. In fact, the County Land Agent questions the excessive size of the proposed dwelling saying *“I would normally expect an agricultural dwelling to be in the region of 120-140 sq.m gross external floor area and, if required for occupation by an agricultural worker who is also the manager, then I would expect this floor area to be increased by perhaps 10% to reflect his or her expectations, with further additional space required for farm office/administrative requirements”*

WDLPR Policy CE19 allows for the provision of temporary accommodation where such a need can be established.

It is concluded that there is, at present, no functional requirement for permanent farm worker's accommodation on the site and that, even if there were, the proposed dwelling is larger than would normally be permitted to accommodate such a worker. To allow this application would not only be contrary to national and local policy but would also set a precedent for the determination of future applications for agricultural worker's dwellings in the area.

Design/layout

The hay barn/bull pen has been designed in a traditional manner that complies with current guidance concerning building materials. The applicant states that its position in relation to the proposed cattle building is dictated by good practice.

The proposed stockman's dwelling is not within sight of the proposed cattle buildings but is in a location to control access to and from the agricultural buildings when they are built. The design is traditional and acceptable in all respects other than its size.

Although it only contains three bedrooms, its gross floor area is 208 sq.m. The rooms within the building are large, with a kitchen and lounge measuring 30 sq.m each and the main bedroom and en-suite being 27 sq.m. The office/boot room/shower element of the building is 39 sq.m.

Impact on the character of the area

This application is closely linked to the provision of cattle rearing buildings. The Landscape Officer had objections to the original siting of these buildings and they would now be moved to an alternative, more acceptable, location. He is satisfied with the proposed new location of the cattle buildings, hay barn/bull pen and stockman's dwelling.

The current proposal involves less intrusion into Grovelands Copse and the submitted

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

Arboricultural Implications Assessment is still relevant in respect of the access drive. It is considered that, provided that the report is followed correctly, there should be no problems from an arboricultural point of view.

If permission were to be granted, the Landscape Officer would require a landscaping scheme, particularly in respect of the treatment of the access drive and the residential curtilage.

Biodiversity

An Ecological Survey was submitted with the application and this has been considered by the County Ecologist. She had concerns with the original location of the proposed buildings because this involved works close to, and through, Grovelands Copse, an ancient woodland and Site of Importance for Nature Conservation.

As a result of moving the proposed location of the buildings, an existing track through the Copse will no longer be improved and the haybarn/bull pen will be further from the Copse. Alterations to the existing access from Farley Mount Road will not involve the loss of any trees and should not, therefore, be harmful to the ecology of the roadside woodland.

What remains of concern is the proximity of the proposed dwelling to Grovelands Copse and the possible adverse affect upon woodland species, such as bats and dormice. However, it is considered that, if permission were to be granted, such concerns could be addressed by means of planning conditions to secure compliance with the submitted Ecological Survey, mitigation measures and details of lighting and landscaping.

Highway Access

Although the Parish Council would prefer an alternative access, the Highway Engineer has not identified any problem with that which is proposed by the applicant, subject to conditions. He points out that traffic speeds in Farley Mount Road are low and that adequate visibility splays can be provided. The Landscape Section confirms that their provision will not result in unacceptable harm to the character or appearance of the countryside. They go on to say that the Parish Council's idea would not be supported, from a landscape point of view, due to the visual prominence of such an access drive.

Public Open Space

Policy RT4 of the Winchester District Local Plan requires that *"Where public recreational space and facilities are deficient, residential development that accords with other relevant policies of this Plan will only be permitted where appropriate amounts of space and facilities are provided for children's play, sports grounds and general use"*

Hursley Parish is currently deficient in both

In the case of a single house, such as this, a contribution to the Council's Public Open Space Funding System is usually appropriate. However, if the application is to be refused, the lack of adequate provision needs to be an additional reason for refusal.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 21 April 2011

Recommendation
Application Refused

Reasons

1. Development as proposed is contrary to Policy CE20 of the Winchester District Local Plan Review and the guidance set out in PPS7 'Sustainable Development in Rural Areas' in that;
 - a) the farming activity, and therefore functional need, for the proposed agricultural dwelling has not been established on the land and
 - b) notwithstanding (a) the proposed dwelling is considered to be larger than reasonably required for the functional requirements of the proposed agricultural enterprise.As such, permission would set an undesirable precedent in respect of future applications for agricultural worker's dwellings, making it difficult for the Council to refuse other, similar applications.

2. The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

Informative:

The Local Planning Authority has taken account of the following development plan policies and proposals:-

South East Plan: None

Winchester District Local Plan Review 2006: CE10, CE13, CE19, CE20, RT4, T1, T4