

Case No: SDNP/21/03322/FUL
Proposal Description: Change of use of existing welfare unit for a temporary 3 year period to house an agricultural manager.
Address: King George Farm, Stakes Lane, Upham, SO32 1QA
Parish, or Ward if within Winchester City: Bishops Waltham Ward
Applicants Name: Mr Dan George
Case Officer: Miss Lisa Booth
Date Valid: 24 June 2021
Recommendation: Recommended for Approval



General Comments

This application is reported to the Planning Committee due to the number of objections received (7 objections from 7 different addresses).

1 Site Description

King George Farm is located along Stakes Lane, an unclassified rural road. The site lies in Upham, within the South Downs National Park.

Access to the field is via a farm gate, with crushed stone hardstanding and track running behind the field boundary hedge, to an existing animal and storage barn. There are other farm buildings in different ownership to the south.

King George Farm is owned by the applicant and his wife and extends to approximately 2.66 hectares (6.57 acres). In addition approximately 4.65 ha (11.5 acres) and 1.62 ha (4 acres) of pasture land are occupied under grazing licence arrangements from family members.

.2 Proposal

The proposal is for the change of use of existing welfare unit for a temporary 3 year period to house an agricultural manager.

The mobile home is stated to be 36ft x12ft (10.97m x 3.66m), approximately 40.15m² and comprises of one bedroom, office, shower room, kitchen/diner/living area.

3 Relevant Planning History

SDNP/20/04309/APNR - New access road to ensure access to the farm in adverse weather conditions STATUS: ANR 25th October 2020.

SDNP/20/00470/FUL - Erection of an agricultural building for use as livestock housing, machinery and fodder storage STATUS: APP 9th April 2020.

SDNP/21/02833/APNB - Cattle shed to house suckler herd STATUS: ARPN 30th June 2021.

SDNP/21/03535/APNB - Steel portal frame construction with mono pitch roof STATUS: ANR 27th July 2021.

4 Consultations

Parish Council Consultee – Bishops Waltham Parish Council

Comment only - would request that applicant provides viable business case for the proposal; ensure that siting is for a temporary 3-year period and that usage ceases and mobile home is removed from site at the end of the 3 years; concerns raised concerning drainage, waste and sewage and impact on the dark skies are addressed prior to consideration by WCC

HCC Highways

Given nature and context of the site, it is not considered that this proposal would lead to any material detrimental impact upon the public highway in regard to highway safety or Traffic Generation.

I therefore confirm the Highway Authority have no objection to this proposal.

WCC Service Lead: Environmental Services: Archaeology Officer

These linear buildings are thought to have been constructed as chicken houses as the Historic Environment Record indicates that remains of a possible Roman villa / large building with two mosaic floors was reportedly found during the construction of a chicken shed and concrete road at this site in 1967 (reported in 1974). It is likely that these remains were found in the area of the southern long building as a former area of quarrying has been recorded at the site of the northern building.

Notwithstanding any works that may have already been undertaken on the site the current proposal does not entail any further groundworks and as such archaeological conditions are not necessary.

Natural England

Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on the sites named above, proceeding to the appropriate assessment stage where significant effects cannot be ruled out. (Ref: Nitrates)

Bruton Knowles

Undertook an independent assessment of the farm operations and has assessed it against criteria of policy SD32 of SDLP.

- *Criteria a) There is a firm intention and ability to develop the enterprise* - It is considered that there is firm intention and ability to develop the business.
- *Criteria b) There is a clear functional need to support the enterprise* - It is considered there is justification for a temporary dwelling to enable the business to develop as proposed. There are no available properties for sale or rent in sufficient proximity to the farm to effectively meet the functional need requirements of the proposed business.
- *Criteria c) The enterprise has been planned on a sound financial basis* - Having reviewed the forecast provided, it is considered that the forecast profit by enterprise is potentially achievable on a gross margin

basis. It is not clear however that all potential costs, such as fixed costs, that may arise from such a business have been accounted for.

- *Criteria d) The location would be suitable for a permanent agricultural or forestry workers' dwelling* - It is considered that the proposed location would be suitable from a farm management perspective. It will however be for the LPA to comment further on siting.
- *Criteria e) It is easily dismantled and/or taken away* - The proposed dwelling is a mobile home, which is envisaged could be removed from site.

5 Representations

7 letters of representation from 7 different addresses have been received objecting to the application for the following reasons:

- Planning permission should have been sought to move the welfare unit onto site (alongside all the movement of huge quantities of chalk). The unit is overly large and completely incongruous with SDNP environs.
- Unit already on site was it always intended use? Uneasy with massive change in quick time – no regard for Park or residents.
- Site is known to have archaeological potential.
- No bore hole or foul connection details
- Will an independent advice be sought on the agricultural business case to justify on-site presence.
- Small site, not big enough to farm/support such a large proposed expansion of the new herd and a further large barn.
- Opportunistic development desecrating the SDNP
- Business escalated since first application – unnecessary change of use of land in National Park
- Ruse to turn part of a national park into potentially hugely profitable development land.
- Sited on a prominent and visible position.

1 letter of support:

- Comments seem very prejudicial.
- Farming happens in the countryside and is most people's way of life. We need young farmers to start in order to help British farming continue long into the future!
- If the residents do not like what happens in the countryside then they perhaps should have looked into it more before moving.
- The applicant, in my opinion, deserves the right to try and make a living from farming and should be granted permission in order to do so.
- As for the comment made that the mobile home should be removed after 3 years, what gives that person the right to say this? it would be upto the council to decide.
- They live next to or near a poultry shed, if they are complaining about the smell then they should think long and hard as there is nothing worse than the smell of chicken manure!

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 **Planning Policy**

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated July 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD32 – New Agricultural and Forestry Workers Dwellings

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1

8 Planning Assessment

Principle of development

The main issues for consideration are in relation to whether there is an agricultural need for a workers dwelling and impact on the character and appearance of the countryside.

The applicant submitted a comprehensive Planning Statement (Southern Planning Practice) and Rural Enterprise Appraisal (Giles Wheeler-Bennett), which has been assessed by an independent Senior Rural Surveyor from Bruton Knowles.

The criteria that has been assessed under policy SD32 of SDLP is shown below:

1. Development proposals for agricultural and forestry workers' dwellings will be permitted where it has been demonstrated that the nature and demand of the work concerned make it essential for one or more people engaged in agricultural and forestry enterprises to live at, or very close to, the site of their work.
2. Applications for new agricultural and forestry workers' dwellings will need to demonstrate that:
 - a) The agricultural or forestry enterprise is established, extensive, viable and contributes to the special qualities of the National Park;
 - b) There is an essential functional need for the agricultural and forestry dwelling that could not be fulfilled either by another residential dwelling on the

enterprise or existing residential accommodation in the local area which is suitable and available for occupation by the workers concerned;

- c) No other residential dwellings either on or closely connected to the enterprise have been sold off separately or alienated from it in the past five years unless the reason for separation is justified through robust evidence;
- d) Full consideration has first been given to the conversion of an existing building within the enterprise; and
- e) The proposed agricultural or forestry dwelling should be well-related in terms of siting to existing buildings or dwellings within the enterprise, result in and remain as a total habitable floor space not exceeding 120m² (gross internal area) and be sensitively designed.

The Applicant and his wife are new entrants to the farming sector, both have secured agricultural qualifications and started operating a small scale agricultural business from family owned land, before acquiring King George Farm to develop their business further.

They are both also currently employed at Manor Farm County Park, in roles which include farm work with livestock as well as public interaction. It is understood that as the business develops hours worked at Manor Farm will be reduced and there will be a full time presence at King George Farm.

It is understood that they are currently repaying a loan required for the purchase of King George Farm but otherwise have funded the 'set-up' costs from their own savings. Details of the investment to date have been provided in the rural appraisal.

The applicants have already made some connections in the locality for sourcing calves.

It is noted that the proposal does include additional land occupied under grazing licences and used for grazing.

It is considered that there is firm intention and ability to develop the business.

The independent assessor was satisfied that the criteria had been met and that the applicant had submitted sufficient evidence to prove that there is an essential functional need and that on balance there is justification for a residential presence on site. There is no other residential accommodation in the local area available to fulfil the needs of the applicants.

No other residential dwellings have been sold off separately in the past five years.

There are no buildings on site suitable for conversion.

The proposed mobile home is to be sited next to the main barns and animal buildings and does not exceed 120m sq GIA (proposal is 40 m sq). The design of the mobile home is as would be expected and its grouping with the

other agricultural buildings is not considered to be detrimental to its surroundings.

Further details of the assessment of the proposal in regards to policy SD32 can be found in the appraisal of the Rural Surveyor (Bruton Knowles).

Design, scale and impact on the character of the area

The proposed mobile home has already been bought onto the site and is currently being used as a welfare unit. It measures 10.97m x 3.66m and is sited next to the existing animal/storage barn towards the rear boundary.

There are trees to the rear and an avenue of new trees have been planted along the access track, which will eventually further screen the buildings from the road and longer distance views.

There is also a mature hedge along the road boundary, which also provides screening.

Although it can be seen from viewpoints, mostly due to its white colour which makes it stand out more, it is not considered that it is detrimentally harmful to the character of the area.

Impact on residential amenity

The mobile home is surrounded by various agricultural buildings and is the nearest residential dwelling is approximately 300m from the mobile home. Therefore, it is not considered that there will be any impact on residential amenity.

Highways

The Highway Officer raises no objection to the proposal. There are considered to be no significant impacts on the highway network.

Lighting

A condition has been added (4) to ensure that there is no external lighting. Any lighting will need to be submitted for approval by the Local Planning Authority.

The windows in the mobile home are limited in size and number, and it is not considered that they will result in detrimental light pollution.

Nitrates

All applications for new dwellings and overnight accommodation are required to demonstrate that they are nitrate neutral, in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed mobile home would generate additional nitrates that will need to be mitigated. The applicant has confirmed that they would accept the imposition of a Grampian condition to ensure that a mitigation strategy is submitted for prior approval before the development is occupied.

9 Conclusion

The principle of the proposal is considered to satisfy the stringent criteria of policy SD32 and has independently been assessed by a rural agent. For this reason and the reasons outlined above, the application is therefore recommended for approval, subject to the conditions outlined below.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. The permission hereby granted shall be for a limited period expiring on 18th November 2024 at which time or before the mobile home shall be removed from the land and the land shall be restored to its former condition in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: The development is of a type not considered suitable for permanent retention.

2. The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture or forestry.

3. The actions outlined within the eco systems services statement, submitted 30/06/2021, shall be implemented within one month of the occupation of the development hereby approved and thereafter retained. In the case of soft landscaping, this shall be implemented during the next available planting season following the completion/occupation of the development.

Reason: To protect and enhance biodiversity in accordance with Policies SD2 and SD9 of the SDNP Local Plan.

4. No external lighting shall be installed on the building or within the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of night time amenity, tranquillity and protect and conserve the International Dark night Skies.

5. The development hereby permitted shall NOT BE OCCUPIED until:

a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy SD1, SD2, and SD9 of the South Downs Local Plan (2014-33).

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
LOCATION PLAN			18.06.2021	Approved
BLOCK PLAN			18.06.2021	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.