

The Barn at Withering Farm

Proposed change of use, from agricultural farm building to dwelling.

Planning Statement

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1.0 INTRODUCTION

- This document has been produced to support a Full Planning Application for the change of use for the conversion of one of the farm buildings to a dwelling.
- The site referred to as The Barn, at Withering Farm, Cheadle Road, Alton, Staffordshire. ST10 4DH.
- The applicants are livestock farmers who operate solely from this site.
- This formal application has been made following the refusal of a Schedule 2 Part 3 Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended application. (Referred to as Class Q application).
- The Class Q application met all but one of the limitations of the GDPO order. That limitation being that the application had applied for and erected a purpose-built agricultural building some 50 meters, South-East of the application site within 10 years of the class Q application.
- The historic applications and reference numbers are referred to further in the report. Along with a description of the limitation and its context.
- This formal application follows multiple conversations and extended dialogue with the planning officers and the local and district councillors.
- This report aims to clarify why there is a functional need for some additional support at the farm to ensure the continuation of a long-standing farming entity.
- The proposal is considered essential to allow the farm business to remain as a sustainable entity, the current farming activities are undertaken by Mr & Mrs W Keeling who have farmed the land since 1981. The applicants are becoming older and on occasions the farming activities can become strenuous.
- In addition whilst the application is very capable of running the current farm activities Mr Keeling does have some health issues which may require long term treatment or hospitalisation. The applicants must also take into consideration long working hours, which generally require loan working, which of course is a health and safety matter when dealing with livestock, should an accident happen it is imperative that someone is on hand to assist.
- We consider that there is a very real need for an additional pair of hands on the farm, with the security and benefit of someone younger being on hand in the event of an unfortunate accident or health matter requiring the applicants to be hospitalised.
- The proposal would fulfil a social and economic role which is essential in any thriving rural community and by its very nature a working farm fulfils a key environmental role.
- It is vital that businesses and farms like this are supported. Primarily for them to operate in a sustainable way. The current arrangements are becoming a heavy burden for the applicant.
- The proposal has been assessed against relevant national and local planning policies and it is considered to comply with their various requirements. Consequently, it is considered that the application should be supported by the local planning authority.

2.0 HISTORIC APPLICATIONS AND PLANNING POLICY

- This application follows the submission of a prior approval Class Q planning application. The application reference number DET/2021/0039. The application was submitted on 29th October 2021, and we determined on 24th December 2021.
- The Class Q application sort determination as the whether the prior approval was required for details relating to the change of use of a building to a dwellinghouse. The starting point for such application is to consider whether the development would comply with the limitations and conditions of the GDPO Class Q
- Class Q part 3 Schedule 2 of the GDPO specifically **PERMITS**, subject to condition and limitations. In this case the class Q application fell short of **only one** of the limitations, which states that development is not permitted where:
 - f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—*
 - (i) since 20th March 2013; or*
 - (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;*
- The application site had a prior permission granted for a purpose build agricultural building under reference DET/2014/0013. That application was determined on the 5th May 2014 only 14 months short of the 20th March 2013 date.
- A further consideration must be that another Class Q application could be submitted on the site in May 2023.
- It is considered by the officer that the reason the limitation is in place is “to prevent what might be in effect the erection of a building under agri pd for the purpose of providing a dwelling under Part 3 Class Q.”
- Whilst we acknowledge that the limitations are not open to interpretation, we must make the point that the “Class Q” application route only came into force in 2015. Therefore, it must be acknowledged that the erection of the building in 2014 was not intended to be used for the purpose of providing a dwelling.
- We must also highlight that under our investigations of historic Class Q applications within SMDC there is an example of a Class Q application which has been approved by SMDC on 23rd November 2021 (One month earlier than our application), despite the fact that permission had been granted on 9th October 2019 for a new metal framed barn. The consideration by that planning officer was that the 2019 application had not been commenced, however, there are no conditions or limitations on either application stating that one cannot follow the other. In essence we consider that this is more likely to result in a building being erected for the purpose of providing a dwelling.

PLANNING POLICY:

The NPPF was introduced on 27th March 2012. The purpose of planning, as clarified within the Ministerial Foreword to the NPPF is to achieve sustainable development. The NPPF set out the Government's planning policies for England and how these are expected to be applied. In addition to Local and Community plans, the NPPF is a material consideration in planning decisions.

- The extracts from the NPPF which are relevant to this proposal are detailed below, in addition to the extracts from Planning Policy Statement 7 (PPS7) that were relevant prior to it being replaced.

2.1 Achieving Sustainable Development

- **Paragraph 7** confirms that there are three dimensions to sustainable development: economic, social, and environmental. These give rise to the need for the planning system to perform a number of roles:-
 - *"An economic role – contributing to building a strong, responsive and competitive economy*
 - *A social role – supporting strong, vibrant and healthy communities*
 - *An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change..."*.
- In **paragraph 12** The NPPF confirms that proposed development that accords with an up-to-date Local Plan should be approved. However, at the heart of the NPPF is a **presumption in favour of sustainable development**, *"which should be seen as a golden thread running through both plan-making and decision-making"*.
- **Paragraph 14** confirms that for **decision-taking** this means:
 - *"approving development proposals that accord with the development plan without delay; and Where the **development plan is absent, silent or relevant policies are out-of-date, granting permission unless:***
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole; or*
 - *Specific policies in this Framework indicate development should be restricted"*.
- **Paragraph 15** confirms that policies in Local Plans should follow the approach of the presumption in favour of sustainable development.

2.2 Core Planning Policies

- There are twelve core land-use principles that underpin both plan-making and decision-taking. The principles are that planning should:-
 - *"be genuinely plan led, empowering local people to shape their surroundings...;*
 - *Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
 - *Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of the area, and respond positively to wider opportunities for growth...;*
 - *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
 - *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognizing the intrinsic character of the countryside and supporting thriving rural communities within it;*

- *Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the use of existing resources including conversion of existing buildings, and encourage the use of renewable energy resources (for example, by the development of renewable energy);*
- *Contribute to conserving and enhancing the natural environment and reducing pollution...;*
- *Encourage the effective use of land by reusing that has been previously developed...;*
- *Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas; recognising some open land can perform many functions (such as for wildlife, recreation...);*
- *Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.*
- *Actively manage patterns of growth to make the fullest possible use of public transport...;*
- *Take account of land support local strategies to improve health, social and cultural wellbeing for all...”.*

2.3 General Policies

- **Section 3 (paragraph 28)** of the NPPF is titled Supporting a prosperous rural economy. This states that:-
- *“Planning policies should **support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development**. To promote a strong rural economy, local and neighbourhood plans should:*
- *Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- *Promote the **development and diversification of agricultural and other land-based rural businesses**...;*
- **Section 7** of the NPPF relates to the requirement for **good design**. In paragraph 56 it confirms that *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.*
- **Section 11** relates to **“Conserving and enhancing the natural environment”**. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by:-
- *“protecting and enhancing valued landscapes, geological conservation interests and soils;...*
- *Minimising the impacts on biodiversity...*
- *Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability...”.*
- **Paragraph 112** seeks to ensure the protection of the best and most versatile agricultural land, none of which will be taken by this proposal.
- **Paragraph 123** relates to **noise** and confirms that planning policies should aim to avoid noise from giving rise to significant impacts on health and quality of life as a result of new development. This proposal will not create any detrimental noise or other impact and is compliant with these requirements.
- **Section 12 of the NPPF** is titled **“Conserving and enhancing the historic environment”**. The essences of the various statements within this are that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. In this case there are no heritage assets impacted by the proposal.

2.4 Rural Workers

- **Paragraph 55** of the NPPF is most relevant to this application and it 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 development 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...*”
- This paragraph is similar to the provisions of **Annex A of Planning Policy Statement 7 (PPS7)** which related to permanent agricultural dwellings and which stated that:-

“There will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work”.

- **Paragraph 3** of PPS7 dealt with permanent agricultural dwellings and stated that:-

*“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...”

- In accordance with the current planning framework (NPPF) and also that previously in place (PPS7), this report addresses the issue of the functional requirement for a rural worker to live permanently at the farm and hence why this proposal is compliant with not only planning policy, but also relevant welfare and health and safety considerations.
- **Local Plan Policy R2 - Rural Housing** states that *“A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere.”*

3.0 PROPOSED DWELLING

- Planning permission is sought for the conversion of an existing agricultural building, in line with the Class Q limitation the building does not require any significant alterations or changes to the external envelope and as such will not impact the visual setting. It therefore must be considered that the building is suitable and appropriate in the open countryside.
- The proposed dwelling is intended for use by one of the applicant's family members. Who will help with Farm active as and when required?
- The proposed dwelling utilises and makes best use of an existing building, the size, mass and scale of the building which has been erected since 1986 has not change and will not change as part of the scope of works.
- The building is of a typical agricultural style, being a portal framed building, with a low-pitched roof and box profile cladding to the sides.
- The building is located in within the main courtyard of the farm and is served by the existing vehicle access drive with the aim of limiting the impact on the openness of the countryside. In addition to this the building is of a sympathetic design, a single storey form with a traditional agricultural style and material palette that reflects the local vernacular.

4.0 BACKGROUND TO THE FARM BUSINESS

- Mr & Mrs W Keeling (the applicants) are the current farm owners. They have owned and farmed the land since 1981. Mr Keeling being the third-generation farmer for this agricultural holding.
- The applicant intends to continue farming the land, with assistance from a younger family member, being on hand to assist and to learn the process, procedures and practices that currently take place on the holding.
- Being close to the livestock is fundamental to the success of any farm and therefore, it is imperative that care is always on hand. In addition farming with livestock does present risk for health and safety. The farmer must not only look after the health and wellbeing of their livestock, but also their own personal health and wellbeing.
- Managing the land, the maintenance and upkeep of any working farm is in itself a full-time commitment and even during quiet times there are essential works that must be undertaken to ensure a positive and sustainable future along with suitable standards for the livestock.

5.0 LAND AND BUILDINGS

- Withering Farm is – approximately 60 Acres
- The building and farmstead is in very good order, and show a perfect example of good farming practices.

6.0 LABOUR REQUIREMENT

- The labour requirement for Withering Farm is based purely on assisting and providing emergency and essential support for the applications, Mr & Mrs W Keeling.
- We consider that on the basis a Class Q application does not require a formal agricultural workers assessment, then there is no requirement for this type of application. This has been discussed and agreed with the planning officers.

7.0 HEALTH AND SAFETY

- As has been clarified above, this enterprise comprises a significant number of breeding animals.
- Whilst handling cattle, it is at such times that additional vigilance is required with animal welfare the primary concern.
- Farming is the most dangerous occupation industry in the UK with a significant number of injuries and deaths caused by cows and other livestock.

8.0 ESSENTIAL CARE AT SHORT NOTICE

- Should the applicant have to continue to rely on support from family member living some 20 miles away it would result in numerous trips to and from the farm each night. This is considered to be wholly unsatisfactory and certainly not supportive of a sustainable business. Similarly, at times when harvesting is being undertaken and when farmers work excessively long hours, then there will be a requirement for someone to manage the animals whilst the others ensure that crops are appropriately harvested and to deal with emergencies that could otherwise cause serious loss. This is also a valid criterion which forms part of the functional requirement for a property at the farm.
- It is also important that someone is on hand at all times to ensure the protection of livestock from theft or injury by intruders. The farm is in an accessible position and it is therefore susceptible to potential thefts. With the increasing value of livestock over recent years cases of theft have risen greatly and it is therefore essential that there is someone at the farm to prevent this.
- Therefore, based on the number of animals that are farmed and the nature of the enterprise, it can be clearly seen that there is a functional requirement for a worker to live at the farm for it to be able to operate on a sustainable basis.

9.0 ANIMAL WELFARE

- Maintaining animal welfare standards creates a management burden, particularly during the winter months and periods of inclement weather when the animals are housed. The farm buildings will be designed to provide a natural environment that ensures sufficient warmth, shelter and ventilation as necessary. The Farm Animal Welfare Council defines five ideals, known as the 'Five Freedoms', by which animal welfare should be tested. These five freedoms are as follows, and farm animals should have: - freedom from fear and distress; freedom from fear of pain, injury and disease; freedom from hunger and thirst; freedom from discomfort; and freedom to express normal behaviour.
- Each animal has easy access to both food and water. The cows are housed in the winter months, with bedding regularly replenished by the applicant to ensure the highest standards of hygiene and animal cleanliness. The cattle are kept in loose housing which are emptied once the cattle go out to grass in the spring. The farm yard manure is then cleared and spread onto the land farmed by the applicants, and this spreading is in accordance with the environmental cross-compliance regulations which the applicants are bound to comply with in order to be eligible for the Single Farm Payment subsidy scheme.
- Like most livestock farmers, the applicant has to ensure that sufficient space is available to cater for any animal movement restrictions. The new guidance based particularly around Tuberculosis testing, imposes certain time-periods and restrictions on animal movements on or off the farm.

10.0 SUITABLE ALTERNATIVE ACCOMMODATION

- Following a review, it has been concluded suitable alternative properties in the locality which satisfy the requirements that this farm has for a permanent dwelling. The applicants has sought to identify alternative properties but there are none available meeting their requirements.

Alternative Properties Considered

- Whilst the issue of affordability is a key issue when determining the potential suitability of a property for an agricultural worker, of equal importance is the location of the property and whether it enables the applicant to provide essential care at short notice that is required. On this basis, a review of properties within a 1/2 miles of the farm has been undertaken as this is considered to be the maximum that could be reasonably expected for anyone to travel several times per day and night.
- Using the search facility on the Rightmove website (www.rightmove.co.uk), then a search of properties has been undertaken. There are currently no properties for sale which are considered suitable for a farm manager within a 1/2 mile radius of the farm.

11.0 SUMMARY

- The proposal seeks to achieve planning permission for the conversion of an existing agricultural building into a dwelling at Withering Farm. The circumstances which have led an essential need for the dwelling are outlined above, and we reiterate the point that this application follows a Class Q application which would have been supported had it no have been for one limitation.
- Having reviewed all relevant factors, it is essential that there is a requirement for a permanent dwelling at the farm in order to help and appropriately manage the livestock and ensure that the animals have the care that they require.
- Full consideration has been given to the functional requirements for the dwelling and the principle that there is a requirement accommodation on the farm due to the size and nature of the enterprises.
- At a time when both the number of properties available in rural areas and investment in agriculture is extremely low, and more and more farmers are leaving the industry, it is considered that this application should be viewed positively. Small scale, essential residential and agricultural development such as this which helps preserve an existing farming enterprise is considered to be the least obtrusive solution to ensure that the farm can continue to operate on a sustainable basis.

2.1 The application site is accessed from the existing main vehicle highways access point which