

APPLICATION NO	PA/2013/1064
APPLICANT	Mr A Drury
DEVELOPMENT	Outline planning permission to erect a dwelling in connection with agriculture with all matters reserved
LOCATION	Rushcarr Farm, Clouds Lane, Beltoft, Belton
PARISH	BELTON
WARD	Axholme Central
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Agent request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 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.

Paragraph 55 states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One of these special circumstances is if there is an essential need for a rural worker to live permanently at or near their places of work in the countryside.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 100 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside)

Policy LC14 (Area of Special Historic Landscape interest)

Policy DS1 (General Requirements)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS19 (Flood Risk)

CONSULTATIONS

Highways: No response received.

Historic Environment Record: No response received.

Environmental Health: No comments to make.

Environment Agency: No objection subject to conditions.

National Grid: Has confirmed that it has apparatus in the vicinity of the application site. Should planning permission be granted, no works should be undertaken until detailed consultation has taken place with National Grid to ensure that its apparatus will not be affected. National Grid has not objected to the development.

PARISH COUNCIL

Belton Parish Council is concerned about this dwelling because it will be in open countryside outside the development boundary in the local plan. Why was the security question not raised when permission was recently sought to erect buildings on the site? The applicant was recently refused permission to operate a haulage business from the site and the parish council believes that the applicant fails to provide sufficient grounds for a new dwelling.

The parish council requests, in the event of planning permission being granted, that a condition be imposed limiting occupation of the dwelling to someone actually involved with the running of the business (agricultural tenancy) and excluding occupation by any other third party.

PUBLICITY

Neighbouring properties have been notified. No comments or objections have been received.

ASSESSMENT

This application was deferred at the last meeting of the Planning Committee to enable members to undertake a site visit prior to making a decision.

The application site is a piece of agricultural land located in a relatively isolated position in the open countryside between the villages of Beltoft and West Butterwick. Access to the

site is from Clouds Lane via an existing agricultural road. The surrounding area is predominantly agricultural in nature and the site is surrounded by agricultural fields. There are scattered dwellings in the local area, most of which are/were associated with agricultural businesses. The site sits adjacent to two existing agricultural buildings belonging to the applicant: one being a grain store and the other a general-purpose agricultural store. These buildings were granted planning permission in 2007 (PA/2007/1948). The applicant has stated that he owns 139 hectares of arable land locally and is currently responsible for an additional 763 hectares of arable land as a contract farmer. No plan has been provided to show exactly where this arable land is located. The applicant has further stated that they have a haulage business which operates from this site. This application seeks outline planning permission for the erection of an agricultural worker's dwelling to support the existing agricultural and haulage businesses.

In 2008 (PA/2008/1437) planning permission was refused for the operation of a haulage business from the site. This decision was subsequently upheld at appeal.

The main issue to consider in the determination of this application is whether there is an essential need for a full-time farm worker to live on the site.

The National Planning Policy Framework (NPPF), the North Lincolnshire Local Plan and the Core Strategy for North Lincolnshire all have restrictive policies with regard to new development in the open countryside. In particular all of these policy documents assert that new dwellings in the open countryside should be strictly controlled and only allowed in exceptional circumstances. One of the circumstances which is common to both national and local policy documents is the essential need for a rural worker to live permanently at or near their place of work in the countryside. In this regard applicants are required to demonstrate that there is a functional need for a rural worker to be present on site 24 hours per day and that this need cannot be met by existing housing stocks in the local area.

The applicant has stated that they currently own 136 hectares of arable land locally and that they are currently responsible for another 763 hectares of arable land as a contract farmer. They have used the John Nix Farm Management Pocketbook (43rd Edition) to calculate the labour required to operate this business and demonstrate that the agricultural operations on the site require approximately five full-time agricultural workers. The method used to calculate the labour requirements of the agricultural business is an industry standard and considering the amount of arable land that the applicant is currently responsible for, it is considered that the stated labour requirement is likely to be accurate. It is also obvious from the data provided that the agricultural enterprise would be financially capable of supporting a full-time farm worker.

The applicant has suggested that there is an essential need for a farm worker to live on the site permanently in order for the agricultural operation to function successfully. The justification that has been given in this regard is as follows:

- The arable operations require the application of pesticides, and the application of fertilisers and harvesting, and the timing of these operations is critical and can have a significant impact on the value of the crop. The applicant goes on to state that many of these operations require immediate attention at any time of day or night and are weather dependent.
- Due to the nature of the business there are significant volumes of high value substances and equipment stored on the site and, due to the isolated nature of the site, the

business has been the victim of thefts in the past. It is suggested that normal security measures are not adequate to deter such thefts and that the only reliable deterrent would be a permanent and visible on-site presence.

- Due to the scale of the business operations, deliveries occur at frequent and irregular intervals, often on a daily basis. These deliveries include fuel, fertiliser, seed chemicals and spares/parts. It is essential that a member of the business is on site to receive these deliveries and store them as required. Deliveries can occur between 7am and 8pm.
- The hours worked by the applicant can range from 7am to the early hours of the morning during harvest and during autumn. Crop protection is highly weather-dependent and difficult to predict. The applicant's haulage business also operates long hours from the site starting at 4-5am.
- Due to the large amount of maintenance required on vehicles and machinery, health and safety is a serious concern. An additional person being on site allows those carrying out the maintenance to do so in safety.
- An on-site office is required to cater for the records and documentation required for the business and this will be incorporated within the dwelling.

The applicant has confirmed that his agricultural operation is based solely around arable farming and that this operation extends over a wide area locally. The vast majority of the business relates to contract farming (763 hectares of the total 902 hectares farmed) of land controlled by other landowners. No details have been provided to show exactly where this land is located. Furthermore, such contracting arrangements are not permanent and are open to change in the future. It is obvious that the amount of land farmed by the applicant cannot be served solely by the two adjacent storage buildings and associated hardstanding which currently form the applicant's farmstead. In addition to this the applicant has stated that his current residence is located in the nearby village of Beltoft, which is approximately 750 metres to the north-west of the application site.

A farming enterprise consisting solely of arable farming, spread over a large, undefined area, does not require a rural worker to live permanently on the site. The need to react to weather patterns, whether during the day or night, can easily be managed from the applicant's current address, or from other existing dwellings within local villages, particularly as the majority of land farmed is on a contract basis where the land itself may be some considerable distance from the site. There is no need for a permanent presence on the site, which currently only consists of a grain store and a general-purpose storage building.

Furthermore, the security of the site can be adequately managed without the need for a dwelling on the site; insufficient evidence has been provided to suggest that all options for securing the site have been explored and that this is not possible. Furthermore, security alone is insufficient justification for a dwelling in the open countryside.

Much of the extended and unpredictable working hours will only be experienced during certain periods of the year when crops are being planted or harvested. These unpredictable hours do not require an on-site presence and can easily be managed by workers living in the local area. It should also be noted that there is no planning consent for the operation of a haulage business on the site; indeed, an application for such an operation on the site was refused planning permission in 2008 and subsequently upheld at appeal. Therefore the reference to the hours of operation of the haulage business have no relevance in the

determination of this application. The council's planning enforcement team are currently investigating whether the current haulage operations represent a breach of planning permission as a separate issue.

Deliveries to the site can be managed so that there is a worker present on the site to receive them without the need for somebody to live on the site permanently, especially as the applicant lives very local to the site. Irregular delivery times is not sufficient justification for the erection of a dwelling in the open countryside and can easily be managed by the applicant. Similarly, if potentially dangerous maintenance operations are taking place on the site, this can be managed by the applicant and another member of staff can be present if necessary; there is no need for a worker to live on site permanently to monitor maintenance of agricultural machinery.

It is acknowledged that an agricultural enterprise of the scale suggested by the applicant would generate significant amounts of paperwork and records and that an office may be required to cater for the administration of the business. However, there is no need for this office to be located on the application site, it could be located anywhere. If there were a need for an office on site, this would not necessitate the need for a dwelling to house it.

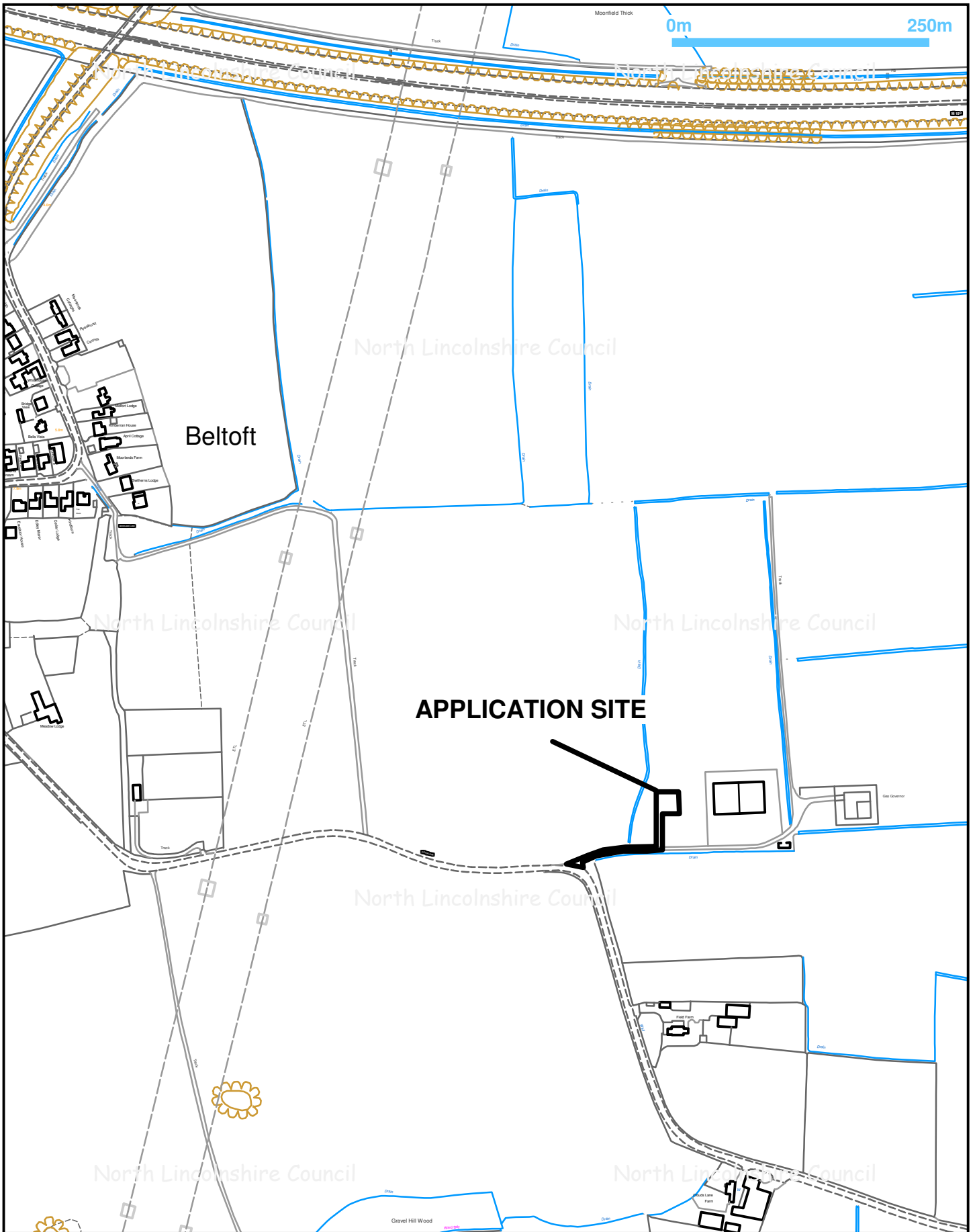
On this basis it is considered that there is not an essential need for an agricultural worker to live on the site permanently, and that the agricultural enterprise can be adequately managed without the proposed dwelling. The proposal is therefore contrary to policies RD2 of the North Lincolnshire Local Plan, CS2 and CS3 of the North Lincolnshire Core Strategy and paragraph 55 of the National Planning Policy Framework.

RECOMMENDATION Refuse permission for the following reasons:

Insufficient evidence has been provided to demonstrate that there is an essential need for a rural worker to live on the site permanently and as such the proposed dwelling would be contrary to policies RD2 of the North Lincolnshire Local Plan, CS2 and CS3 of the North Lincolnshire Core Strategy and paragraph 55 of the National Planning Policy Framework.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMI,AMIMechE