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**2016/1400****Applicant:** Mr John Richardson**Description:** Erection of detached agricultural workers dwelling (Re-submission of application 2016/0822).**Site Address:** Dovecote Farm, Westfield Lane, Barnburgh, Doncaster, DN5 7HS

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### **Site Location and Description**

Dovecote Farm is located in the open countryside on land in between Goldthorpe and Barnburgh, close to the Barnsley borough boundary with Doncaster. The farm comprises of a range of livestock, produce and storage buildings together with agricultural land. The site is accessed off Westfield Lane.

The farm business has ownership of 216 acres of land and farms a further 201 acres under a tenancy agreement. The main farm business is based around the dairy herd of Jersey cows, however, the farm also deals in arable farming and sheep farming.

The applicants, the Richardson family, own the farm and it has been in their family since 1930. There is an existing farmhouse on the site which serves as the only dwelling connected with the farm. This is occupied by Mr and Mrs Richardson (senior) together with their sons, Matthew and John Richardson and their young families. In total this means that there are 6 adults and 2 children currently living in the farmhouse. Mr and Mrs Richardson (senior) are now retired from the farming enterprise although Mrs Richardson (senior) does run a cattery from the site. It is therefore left to Matthew and John Richardson to meet the functional requirements of the farm

Currently the livestock on the site consists of 100 dairy cows, 25 in-calf and served heifers, 50 youngstock (6-15 months) and 25 calves under 6 months. All progeny from the dairy herd are kept as replacements and all bulls are reared and finished for beef with the heifers retained for replacements and to allow the continued expansion of the dairy enterprise. The application states that the farm enterprise is looking to expand the number of dairy cows to 150 within the next 18 months to two years.

### **Planning History**

B/04/0170/DE – Creation of a boarding cattery (Outline) – Refused March 2004

B/04/1585/DE – Creation of a boarding cattery – Approved September 2004

2009/0805 – Erection of a two storey side extension to dwelling – Approved September 2009

2016/0822 – Erection of a detached agricultural workers dwelling - withdrawn

### **Proposed Development**

The application seeks planning permission for the erection of a detached agricultural workers dwelling to the north west of the existing cluster of farm buildings. The dwelling is a one and a half storey property with a floor area over the two floors of approximately 165 square metres. The material proposed to be used are brickwork walls with a tiled roof in a similar appearance to the existing farmhouse on the site.

When the application was first submitted the applicant also proposed a detached double garage but this has since been removed from the scheme. A portion of an existing barn would also be removed to make way for the proposed dwelling

As the site is within the Green Belt, and the proposal is for an agricultural workers dwelling, the applicant has submitted a Planning Statement and an Agricultural appraisal. These provide a detailed account of the farm enterprise, labour requirements and comparison with the relevant planning policies. In addition a letter of support from the NFU has also been submitted.

## **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

## **UDP Saved Policies**

UDP Allocation – Green Belt

GS7 Development within the Green Belt

GS8B states that proposals for agricultural and forestry workers dwellings will be determined in accordance with the following principles:

- a) Agricultural and forestry workers dwellings within rural and green belt areas will only be permitted where essential need, to sustain a demonstrably viable agricultural or forestry enterprise, can be shown.
- b) Permission will not normally be granted for a new agricultural workers dwelling in cases where a farm dwelling has recently been or is separated from the agricultural land.
- c) Where new dwellings are accepted solely on the basis of an agricultural or forestry need, the size of the dwelling should be in proportion with the established functional requirement.
- d) Where new agricultural workers dwellings are permitted in the countryside they shall normally be sited directly adjacent to existing or proposed farm buildings.
- e) Where new dwellings are permitted they should be constructed using materials appropriate to the locality, to safeguard the visual amenities of the countryside.
- f) Where planning permission is granted for an agricultural or forestry workers dwelling, a condition will be imposed restricting the occupancy to a person solely or mainly working, or

last working, in the location in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents

g) Where permission is granted, on the basis of agricultural need, for an additional dwelling on a farm unit, then an occupancy condition will also be imposed on any existing dwellings on the unit which is under the control of the applicant, and is needed at the time of the application to be used in connection with the farm.

### Core Strategy

CSP34 Protection of Green Belt

CSP29 Design

CSP21 Rural Economy

CSP36 Biodiversity and Geodiversity

### Publication Version of Local Plan

SD1 Presumption in favour of sustainable development

GD1 General development

D1 Design

T4 New Development and Highway Improvement

Poll1 Pollution Control and Protection

### SPDs/SPGs

The following Supplementary Planning Documents are relevant to the proposal:-

‘Designing New Residential Development’ sets out the standards that will apply to the consideration of planning applications for new housing development.

‘Parking’ states that the parking standards for new housing development shall be 1 space for dwellings under 3 bedrooms in size and 2 spaces for 3 bed dwellings and above.

The South Yorkshire Residential Design Guide has been adopted as a best practice guide by the Council and covers issues relating to sustainability, local distinctiveness and quality in design and is underpinned by the principles in the CABI ‘Building for Life’ scheme.

### NPPF

The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Para 28 – Rural areas

Para 35- Local Planning Authorities should avoid new isolated homes in the countryside unless there are circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside

Para 80,81, and 82 – Green Belts.

Para 58 and 60 – Design Considerations

## **Consultations**

Highways – No objections

Pollution Control – No objections

Yorkshire Water – Given that the scheme proposes foul to mains and surface water to soakaway Yorkshire Water don't need to comment further.

Drainage – No objections raised

Doncaster Council – No comments on this application but no objections were raised to previous application (2016/0822)

Ward Councillors – No comments received

## **Representations**

There are no properties that adjoin the site so the proposal was advertised by a site notice. No letters of representation have been received.

## **Assessment**

### Principle of development

The site is within an area designated as Green Belt. The erection of new residential development is usually considered inappropriate within the Green Belt unless very special circumstances exist to justify it. Whilst the NPPF has little to say in respect of agricultural dwellings, paragraph 28 generally supports economic growth in rural area and paragraph 55 states that:

“Local Planning Authorities should avoid new isolated homes in the countryside unless there are circumstances such as:

-The essential need for a rural worker to live permanently at or near their place of work in the countryside”

The NPPF does not offer any detailed guidance on how to interpret these special circumstances or how to evaluate “essential need” so in these circumstances it would be appropriate to utilise the criteria set out in UDP Policy GS8B.

The first part of the criteria under GS8B requires the applicant to show that there is an essential need for the dwelling to sustain a demonstrably viable agricultural enterprise. In this case, as has already been stated, the applicants farm a significant area of land (416 acres). Farming operations have been taking place at the site for over 80 years and therefore the agricultural enterprises are well established. The business is mainly based on dairy farming but also involves arable farming and sheep. The applicant has submitted an assessment, based on The Agricultural Budgeting and Costing Book, to calculate the amount of labour hours required to carry out the various duties associated with the agricultural enterprise. They have not included the cattery business within these calculations.

Their calculations reveal that, for the dairy part of the business only, the labour requirements are for a permanent workforce of 2.43 full time positions, rising to 2.83 when the other elements of the farm enterprise are added on, and rising further to 3.23 full time positions if the enterprise increases to 150 cows as previously stated.

Given the enterprise is predominantly based on dairy farming, the applicant has stated the following:

“Care of the livestock may (and does) require workers to be available at short notice throughout the day and night for a variety of reasons. This includes the fact that calving takes place throughout the year, that young animals need constant attention, that artificial insemination needs to take place within a very narrow timeframe, and that emergency situations arise such as when animals are sick or distressed. As such there needs to be a rural worker within close proximity of the farm to respond to these events as they arise”

Given that Mr and Mrs Richardson (senior) are aged 75 and 65 respectively then the main activities of working with the animals falls to the two sons. It is therefore considered that there is a justification for the sons to be within sight and sound of the barns in order to deal with the activities mentioned and that, therefore, there is a justifiable need for suitable accommodation to provide for the application site.

There is, however, an existing dwelling on the site. This currently contains 6 adults and 2 children. The applicant has stated that the three families are now outgrowing the property with the property now proving impractical for all occupants to co-habit. The applicant has provided extracts from appeals for agricultural dwellings where Planning inspectors have concluded that extensions or subdivisions of an existing farmhouse would not provide a satisfactory independent residential unit for a family and it would be unreasonable for them to co-habit an existing dwelling. Furthermore, the applicant has said they are prepared to have an agricultural occupancy condition applied to both the new dwelling and existing dwelling to prevent either of them being sold off on the open market.

Under permitted development, the applicant could apply to convert the existing farm buildings to up to 3 dwellings. The principle of this would be acceptable but the applicant would still need to apply to the Local Planning Authority (LPA) for Prior Approval with the LPA able to consider factors including noise, transport, contamination, and whether the location or siting is practical and desirable. The applicant has stated that it is not practical to consider conversion as all the buildings are currently occupied for the farming business including machinery storage, grain storage, and livestock housing. The one part of the barn they are proposing to demolish to make way for the dwelling would be impractical and costly to convert and it also helps to mitigate the impact of the dwelling on the openness of the Green Belt.

Given the justification put forward it is considered that that an adequate case has been put forward of an ‘essential need’ to comply with the NPPF and part a of the criterion under Policy GS8B

In terms of the second and third criterion under Policy GS8B, there has been no separation of a farm dwelling from the agricultural land and the applicant has reduced the size of the dwelling from the previous proposal. The footprint of approximately 165 square metres (measured externally) is at the top end of what would be considered acceptable. Previous decisions have shown that a floor area of 150 square metres has been accepted. The dwelling is just above this but given that the garage has now been removed from the scheme, and that permitted development rights can also be conditioned to be removed, and that the first floor has been contained within the roof space, then the scheme is not considered to be of significant size to be of harm to the openness of the Green Belt.

In terms of the fourth and fifth criterion, the dwelling itself has been sited in close proximity to the existing complex of buildings. The demolition of part of the barn ensures that the overall impact on the openness of the Green Belt is minimised. The materials used are also in character with the existing farmhouse and the farm buildings that exist on the site.

In terms of the sixth and seventh criterion the applicant has accepted an agricultural occupancy condition for both the existing and proposed dwellings.

Given the above, it is considered that the proposal is in substantial compliance with GS8B and meets the test of the NPPF and as such is accepted in principle.

#### Residential Amenity

The proposed dwelling is remote from any neighbouring properties that do not form part of the agricultural enterprise, and so neighbouring amenities would not be detrimentally affected by the proposal. The scheme meets internal space standards for the occupants of the dwelling and the Council's Pollution Control team have raised no objections to the scheme.

#### Design and Visual Amenity

The property has been designed as a one and a half storey property which would therefore appear subservient to the existing two storey farmhouse and the large agricultural buildings that immediately surround the proposed dwelling. The materials used are in keeping with the rural surroundings and as such the proposal is not considered to be of significant detriment to visual amenities or the character of the Green Belt.

#### Highways

The proposal gains access off Westfield Lane. This has been assessed by the Council's Highways Section who are satisfied that this would be adequate to serve the dwelling. Sufficient parking spaces have been provided and given that the proposal is for a single dwelling it is not considered that it would have a significant impact on the local highway network.

#### Conclusion

It is considered that sufficient evidence has been provided to show that there is an essential need for an agricultural workers dwelling at this site to comply with paragraph 55 of the NPPF. This would therefore constitute the special circumstances needed for a dwelling in the Green Belt. In terms of other material considerations it is not considered that the scheme would cause any detriment to highway safety, visual amenities, or residential amenities subject to suitable conditions.

#### Recommendation

#### **Approve subject to conditions:**

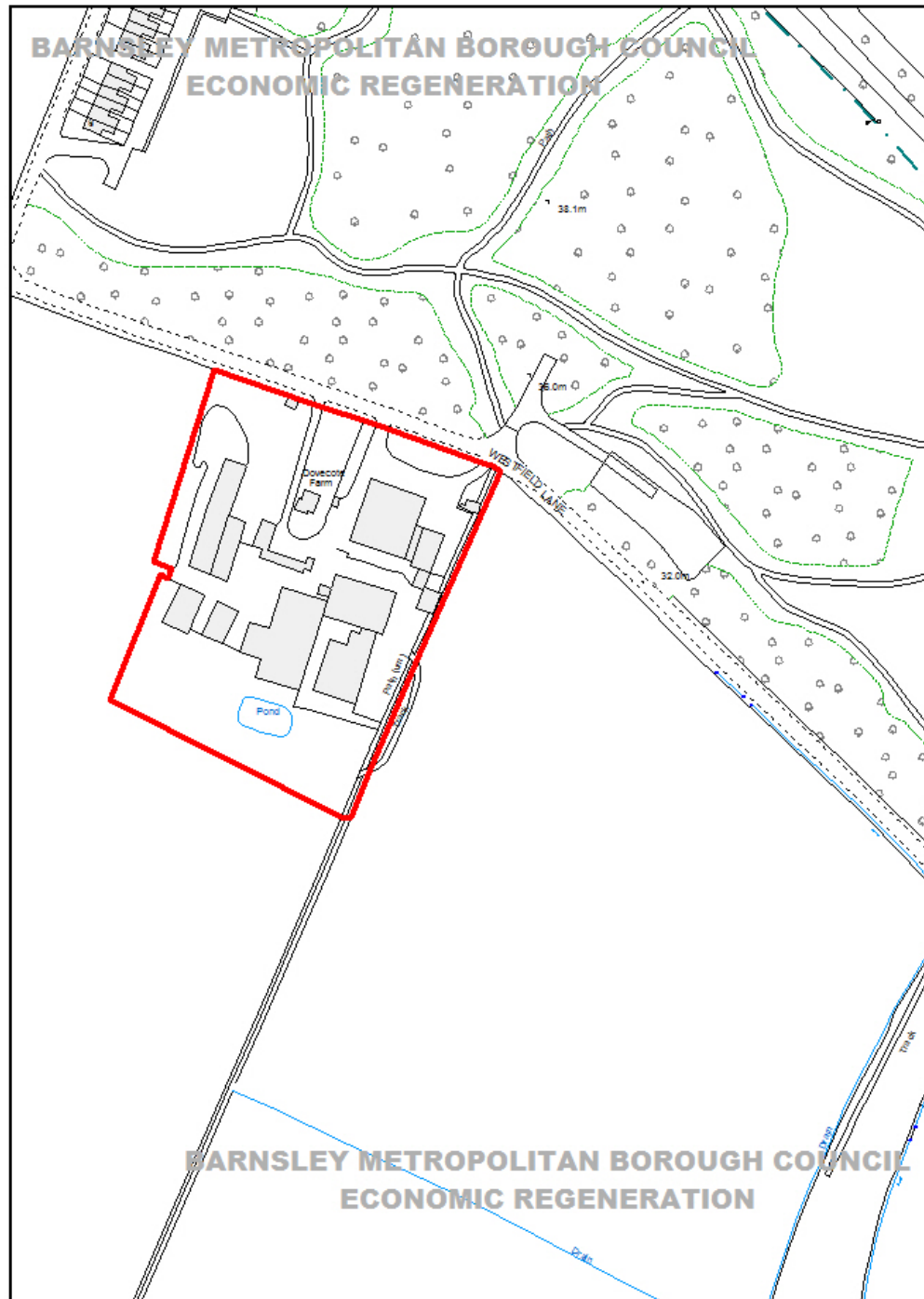
- 1        The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
          **Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**

- 2        The development hereby approved shall be carried out strictly in accordance with the amended plans (site plan and elevations plan received 2nd May 2017) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**
- 3        No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 4        No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.**
- 5        Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 6        Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.  
**Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Core Strategy Policy CSP 34, Protection of Green Belt.**
- 7        The dwelling hereby approved, and the existing farmhouse on the site, shall be occupied by persons solely or mainly or last so employed locally in agriculture as defined in Section 336(1) of the

Town and County Planning Act 1990, or in forestry and the dependants (which shall be taken to include a widow or widower) of such persons.

**Reason: In order to comply with Saved UDP Policy GS8B and Paragraph 55 of the NPPF.**





**BARNSELEY MBC - Economic Regeneration**



Scale 1: -----