

Application Number:	2015/0431	Application Type:	Other
Proposal:	Erection of one new agricultural workers dwelling.	Location:	Ivy House Farm, Burnley Road, Rawtenstall, BB4 8RG.
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	7.6.2016
Applicant:	Mr P Holt	Determination Expiry Date:	Extended to 17.6.2016
Agent:	Mrs Melanie Lawrenson		

Contact Officer:	Tom Parkinson (Urban Vision)	Telephone:	01706 252 432
Email:	tomparkinson@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	Cllr Alyson Barnes To ensure the proposal is in line with planning policy
3 or more objections received	
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That the Committee refuse planning permission for the reasons set out in Section 10.

2. SITE

Ivy House Farm is a working farm of approximately 700 acres and is located in an area of Countryside to the east side of Burnley Road, accessed via a track to the side of No. 1253 Burnley Road or via an unmade track off Goodshaw Lane to the south which is also Public Footpath No. 12.

Currently there is a complex of agricultural buildings to the north/north-east of the stone and slate farmhouse including a recently constructed building permitted under planning permission reference 2012/0391 and a lean-to extension to it permitted under planning reference 2013/0379.

The rear elevations of residential properties fronting Burnley Road are located to the west, in particular No.1263 Burnley Road, which is at a lower level than the site and has its rear elevation and garden facing toward the north side of the western gable to an existing pitched roof agricultural building. Fields to the north and east of the site rise upwards, with a further field to the south. The applicant stores bales on a part of the field to the north of the agricultural building identified above, facing the rear elevations of properties on Burnley Road.

3. RELEVANT PLANNING HISTORY

2011/0472: Erection of a wind turbine to maximum height of 20 metres. Approved 30 March 2012.

2012/0391: Agricultural Livestock building. Approved 18 September 2012.

2013/0379: Prior Notification to Construct a Lean to Extension for Storage to Side of Existing Agricultural Building. Approved 16 September 2013.

2013/0546: Construction of agricultural building to form a covered midden. Approved 30 June 2014.

4. PROPOSAL

The applicant proposes to erect a bungalow to accommodate an agricultural worker on site (the applicant's son). The applicant and his wife live at the main farm house however due to their advanced age are unable to attend to the day to day running of the farm, instead relying upon their 2 sons for most of the work. The proposed building, to be located to the south-east of the farmhouse, would be 9.7m wide and 11.5m long, having a floor area of 78 square metres. It would have a dual pitched roof with a front porch and a single storey rear element with a dual pitched roof. The dwelling would accommodate 2 bedrooms, a living room, kitchen-diner, utility room, bathroom and hall. It would introduce front (north-east) facing living room and bedroom windows, together with a front door and glazed surround, a side (north-west) facing kitchen-diner glazed double door, side (south-east) facing kitchen-diner and utility room windows, and rear (south-west) facing kitchen-diner, bathroom and bedroom windows.

The building would have stone clad walls, blue slate roof tiles and white UPVC doors/window frames. It would be positioned within a landscaped plot enclosed by post and rail fencing. An area of hard standing would be located to the south with access to the west via the farm's access track. The latter element would include 2 parking spaces.

Amendments: The applicant has amended the proposed external materials to natural stone walls and blue slate roofs following LPA advice.

5. POLICY CONTEXT

National

National Planning Policy Framework

Section 1: Building a Strong Competitive Economy;
Section 3: Supporting a Prosperous Rural Economy;
Section 4: Promoting Sustainable Transport;
Section 6: Delivering a Wide Choice of High Quality Homes;
Section 7: Requiring Good Design;
Section 8: Promoting Healthy Communities;
Section 10: Meeting the Challenges of Climate Change, Flooding, etc;
Section 11: Conserving and Enhancing the Natural Environment;

National Planning Practice Guidance

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 4: Strategy for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough;
Policy 1: General Development Locations and Principles;
Policy 2: Meeting Rossendale's Housing Requirement;
Policy 3: Distribution of Additional Housing;
Policy 8: Transport;
Policy 9: Accessibility;
Policy 18: Biodiversity, Geodiversity and Landscape Conservation;
Policy 21: Supporting the Rural Economy and its Communities;
Policy 23: Promoting High Quality Design & Spaces;
Policy 24: Planning Application Requirements.

6. CONSULTATION RESPONSES

Highways: No objection.

I would raise no objection to the provision of an agricultural workers dwelling. Should the dwelling be provided for the open market I would question its sustainability due to the location which is remote from the local facilities in Crawshawbooth.

The 2 bedroom bungalow would require 2 off-street parking spaces with adequate room to turn and exit in forward gear as shown on the proposed plan.

Lancashire County Council Estates:

Introduction

A full planning application has been submitted by Peter Holt for the erection of one detached agricultural workers dwelling located at Ivy House Farm. I undertook an inspection of the application site on 17 December whilst the applicant was also present. The information provided together with the written submission made in support of the application form the basis of this appraisal.

Background Information

Ivy House Farm is owned by Peter's parents who are elderly and have retired from the day to day management of the farm operations but continue to reside in the farmhouse. Peter resides in his own dwelling off but situated locally. Peter and his brother Steven manage the farm operations between themselves and also operate a milk round. Steven also resides in the farmhouse together with his wife and young family although I was advised that the house is not segregated internally as such the living area is shared.

The reason for the application is to enable two agricultural workers to reside on the unit as it is felt there is an operational need for two workers to be readily available at most times. Whilst the applicant recognises that the location of the farm means that there is existing residential accommodation located in close proximity to the farm but this option has been ruled out as suitable accommodation is not felt to be at an appropriate price.

Previous Planning Application

I note from my records I have commented upon two earlier planning applications made by Peter Holt for the erection of an agricultural workers dwelling these being application numbers 14/03/803 & 14/04/458. At the time the applicant's parents were actively involved in the farm operations together with Peter but not Steven. In addition they also operated a retail milk round. The farm operations comprised of a commercial breed suckler herd and commercial breed ewe flock and small pedigree ewe flock. At the time I advised that the functional need of the agricultural operations could be met by someone residing in the farmhouse. The reason for submission of the later application was as a consequence of an increase in the scale of the agricultural operations including the size of the farmland area and size of the commercial ewe flock. I advised that I did not consider the increase in the scale of the operations did create a functional need for a second dwelling so as to enable two workers to reside on the unit.

I am aware since these two applications Mr Holt has made several planning applications in order to provide new agricultural buildings for livestock housing and storage (some of which the county council were consulted upon) and these include: 2007 / 496, 2009 / 0090, 2012 / 0391, 2013 / 0371, 2013/0379, 2013 / 0546. It was evident from my recent inspection that there has been significant investment made by the Holt family in the provision of new agricultural buildings since the two earlier applications and it was evident that there this has been undertaken to meet the need for additional livestock housing and storage as a consequence of the expansion of the agricultural operations.

Agricultural Land

The applicants farm both land owned and rented as follows:

- 1. 300 acres owned which comprises several parcels although most located on the east side of Burnley Road between Rawtenstall and Dunnockshaw with the largest block located at Walls Clough Whitewell Bottom where there exist some agricultural buildings erected by the applicant and his family.*
- 2. In the region of 1000 acres from a range of landowners held on various types of agreements duration of occupation to include the following:*
 - 325 acres situated locally on a 25 years Farm Business Tenancy;*
 - 300 acres of moor land situated locally;*
 - 85 acres situated at Heywood on a 5 year term*
 - 100 acres at Tottington;*

- 600 acres in various parcels located on west side of Burnley Road between Rawtenstall and Dunnockshaw from various landowners in a range of size of plots

Agricultural Enterprise

This is a family run farming partnership comprising of Mr & Mrs RP Holt and their two sons Peter and Steven. The farm operations comprise as follows:

- 1. A commercial suckler herd approaching 100 head (subject to herd replacement requirements) comprising Limousine cross Belgian Blue cattle and two stock bulls also Limousin and Belgian Blue breeds. The core calving period is end of November through to 1 June. The heifer calves are reared to 15 months of age when they are sold as strong stores and bull calves which are left entire if calve before end of March are sold at 10 to 12 months of age.*
- 2. 1600 breeding ewes consisting of two commercial flocks, one of 700 lowland breeding ewes and the other a flock of 900 hill breed ewes and a pedigree flock of 100 texel ewes. Lambing season begins at end of January with the pedigree flock, then the lowland flock commence towards end of February and hill breed flock commencing mid-April onwards. Apart from the pedigree stock then all the lambs are sold finished.*

Non Agricultural Operations

The applicant undertakes a 100 gallon milk round which I am aware has been a family run operation for a long time

Agricultural Buildings

The centre of farm operations is Ivy House Farm where approx. half of the cattle are housed over winter and ewes are housed during lambing. There are two steel portal frame building ranges sited at Ivy House Farm used for livestock housing and storage. In addition there is a traditional style stone barn which adjoins the farmhouse although in spite of its conventional design it is put to a number of uses relating to the farm operations.

In addition there is an outlying range of buildings located on land owned by Mr & Mrs RP Holt at Walls Clough Whitewell Bottom Here there are two steel portal frame buildings each measuring 28m x 13m and are used for over wintering cattle. At this site are also the sheep holding and handling facilities.

I was advised that whilst the applicants have relied upon the need to overwinter cattle off the farm in the past, this year all cattle all cattle have been over wintered on the farm.

Labour

Essentially the farm operations are undertaken by Peter and Steven who use contractors for specific matters such as fencing.

Existing Accommodation

There exists the original farmhouse being a conventional style detached stone built two storey dwelling. This is lived in by Mr & Mrs RP Holt and Steven Holt and his wife and young family.

Peter lives in a terraced house property situated locally where he has lived for 6 years.

Proposed Accommodation

It is proposed to erect a bungalow with external rendered block walling and tile roof. It is stated that the internal floor area will be 78m² and is shown to provide 2 bedrooms, living room, dining kitchen, and bathroom and utility. The proposed location is to the east side of the farm house on slightly elevated ground which will be accessed from the farm's private access track.

Assessment

I refer to Paragraph 55 of the NPPF which lists a number of special circumstances where new isolated homes in the countryside may be permitted. In the case of this application the special circumstance would relate to the essential need for a rural worker to live permanently at or near their place of work in the countryside. Under the same paragraph it advises that residential development should be sustainable and this requirement can be linked to the financial performance of the operations and whether there is sufficient profit to sustain the livelihood of the worker concerned.

In order to assess whether an essential need exists this will depend upon the operational requirements of the farming operations to assess whether there is a need for one of more workers to be readily available at most times as well as the availability of exiting accommodation.

The nature of the agricultural operations does give rise to the requirement of hands on intervention by those employed in the business at any time of day and night .in particular when sheep are lambing and cattle are calving. Ivy House Farm is the centre of agricultural operations where the cattle calve in particular whilst housed and where ewes lamb except for the hill ewes which lamb later and will lamb outdoors. It is evident that this operational window runs from December through to April (5 months) and I consider in view of the large scale there will be a requirement for at least one person to be readily available at most times. Given that these occasions can be at any time then I feel it would be reasonable to expect these responsibilities should be shared between two workers as such I feel that two workers should be able to live where they can be readily available.

With this in mind and the fact that the farm is located on the fringe of existing residential accommodation that the availability of these should be considered. I noted from a survey of property sales local to the farm that there is greater availability of two bedroom terraced style dwellings than three bedroom family accommodation however both types have been available. The immediate neighbouring property No 253 Burnley Road sold in August 2015 I was advised by the applicant that the price was considered too expensive to be affordable. In addition No 263 Burnley Road which also borders the farm sold around December 2015.the sale price whilst not confirmed appeared to be significantly less. I noted that the price of the terraced properties are less reflected by size and availability.

I note the application is proposing a 2 bedroom dwelling as such I feel the applicant's housing need will be flexible. I am of the opinion though that the availability and suitability of existing residential accommodation means that there is not a requirement for a new agricultural dwelling on the unit.

I would be obliged to receive a copy of your decision notice in due course.

Lancashire County Council Rights of Way: No comment.

Thank you for your consultation. I have no comments to make with regards to this application.

Lancashire County Council Lead Local Flood Authority: No comment.

The LLFA has no comment to make on the above application for the following reason: It is not listed in the 'When to Consult the LLFA' document or in the DMPO 2010.

United Utilities: No comment received.

RBC Environmental Health: No comment received.

Ecology: No comment received.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a site notice has been displayed, a press notice published and 14 neighbour letters posted.

No neighbour comments have been received.

8. ASSESSMENT

The main considerations of the application are:

The main considerations of the application are: 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; and 4) Access/Parking.

Principle

The property is located outside of the Urban Boundary in the Countryside and Core Strategy Policy 1 states that development should take place within the Urban Boundary unless it has to be located in the countryside. However it is important to note that the Council does not have an up to date 5 year housing supply based on a Full Objectively Assessed Need (FOAN) assessment. This is due to a number of factors, mainly that the Council has yet to finalise its SHMAA as further work remains to be undertaken on defining the Housing Market Area (HMA), and data in respect of affordable housing is awaited from CLG. The Council will keep under review whether it can demonstrate an up to date 5 year housing land supply once the data set is complete. However, it accepts that at the present time it is unable to demonstrate its FOAN and as such Core Strategy Policy 1 carries little weight.

Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development, as explained in paragraph 7 of the NPPF has three dimensions; economic, social, and environmental and these should not be taken in isolation.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a 5 year supply of deliverable housing sites. As such the above Core Strategy Policies, for example Policy 1, which states development should normally take place within

the urban boundary unless it has to be in the countryside, and Policy 21, which states that rural housing should occur within settlement boundaries unless it has to be in the countryside, are considered to be out of date and therefore carry limited weight in terms of the proposed development's location in a Countryside Area outside of the Urban Boundary.

In this instance NPPF Paragraph 14 is relevant in that it states that where the development plan is absent, silent or 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 taken as a whole *or where specific policies in the Framework indicate development should be restricted*. Accordingly, the starting point for assessment of the application is that permission should be granted for the proposed scheme unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or where a specific NPPF policy indicates development should be restricted.

Paragraph 55 of the NPPF states that to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, and that LPAs should avoid new isolated homes in the countryside unless there are special circumstances:

Local planning authorities should avoid new isolated homes 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; or*
- *Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and leads to an enhancement to the immediate setting; or*
- *The exceptional quality or innovative nature of the design of the dwelling. Such a design should:*
 - *Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
 - *Reflect the highest standards in architecture;*
 - *Significantly enhance its immediate setting; and*
 - *Be sensitive to the defining characteristics of the local area.*

Considering the proposed development's rural location on what is currently open farm land, the lack of a dedicated access, and the Highway consultant's comment that the proposed house would be in an unsustainable location should it be sold on the open market due to its remoteness from local facilities within Crawshawbooth, it is clear that should planning permission be granted this would result in a new isolated dwelling house in the countryside.

The two possible Paragraph 55 exceptions either of which if satisfied would allow the proposed development are bullet points 1 (essential need for a rural worker) and point 4 (exceptional quality or innovative design). In terms of justification under bullet point 1, whilst it is accepted that the applicant in their Design and Access Statement has argued that the proposed dwelling house is needed to accommodate the applicant's son to provide on-site to help in the running of the farm, it is also noted that the LCC Estates Surveyor has disputed the need for new on-site accommodation to allow for this. This consultee has accepted that whilst there is indeed a need for one or more agricultural workers to be readily available to work on the farm, he considers there is scope for them to reside at a dwelling house in the vicinity (of which there are a number), and therefore the applicant has

not acceptably demonstrated the essential need for a rural worker to be accommodated on site via a new dwelling. Moving on to bullet point 4 it is not considered that the proposed building, representing a standard design which whilst admittedly not unacceptable purely in terms of its design, proportions and materials (although see the visual impact section below for an assessment of its impact at this countryside location), is nevertheless not considered to be of exceptional quality or an innovative nature.

As such it is considered that the proposal would fail to satisfy the provisions of NPPF paragraph 55, and would result in an unacceptable isolated dwelling house in this rural and unsustainable location. It is therefore concluded that the proposed development would not be acceptable in principle.

Visual amenity

Considering the proposed dwelling's wider visual impact at this countryside location it is noted that the NPPF and Core Strategy Policies seek to ensure development is visually acceptable with reference to design considerations and its visual impact on wider landscape setting, local character and the natural environment. The proposed building would be visible from several points along Burnley Road, which runs parallel to the west of the site, as well as from Public Footpath No. 12 which would run between the new building and the farm house. Whilst it is accepted that the proposed development would be of a standard type in terms of its design and materials (as noted above) it would nevertheless introduce an unacceptable domesticated/urban element to the south-east of the current farm house on what is currently a field, thereby unacceptably undermining the openness and rural character of the countryside at this point.

It is therefore concluded that the proposed development would not comply with the NPPF and Core Strategy Policies 1, 18, 23 and 24 in terms of its unacceptable visual impact on countryside openness and rural landscape setting at this point.

Neighbour Amenity

Post development the dwelling would introduce several front, side and rear facing windows/openings. These would include a side (north-west) facing kitchen-diner glazed double door facing the farmhouse (at an angle) at a distance of 22m, which would be acceptable.

The remaining windows/outlooks would overlook open fields.

The proposed development would comply with Core Strategy Policies 1, 23 and 24 and the NPPF with reference to its impact on neighbour amenity.

Access/Parking

There has been no objection from the Highway Authority with adequate access, parking and turning provided.

9. RECOMMENDATION

That the application be refused planning permission.

10. SUMMARY REASON FOR REFUSAL

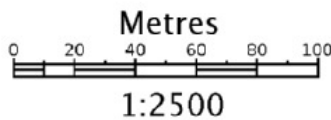
The proposed development would result in an unacceptable isolated dwelling house in an unsustainable location, as well as having an unacceptable landscape visual impact on the openness of the countryside and the plot's wider rural setting. The proposed development would be contrary to Core Strategy Policies 1, 18, 23 and 24 and the NPPF, including NPPF paragraph 55 with reference to its isolated and unsustainable location, and therefore would be unacceptable in principle.



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The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

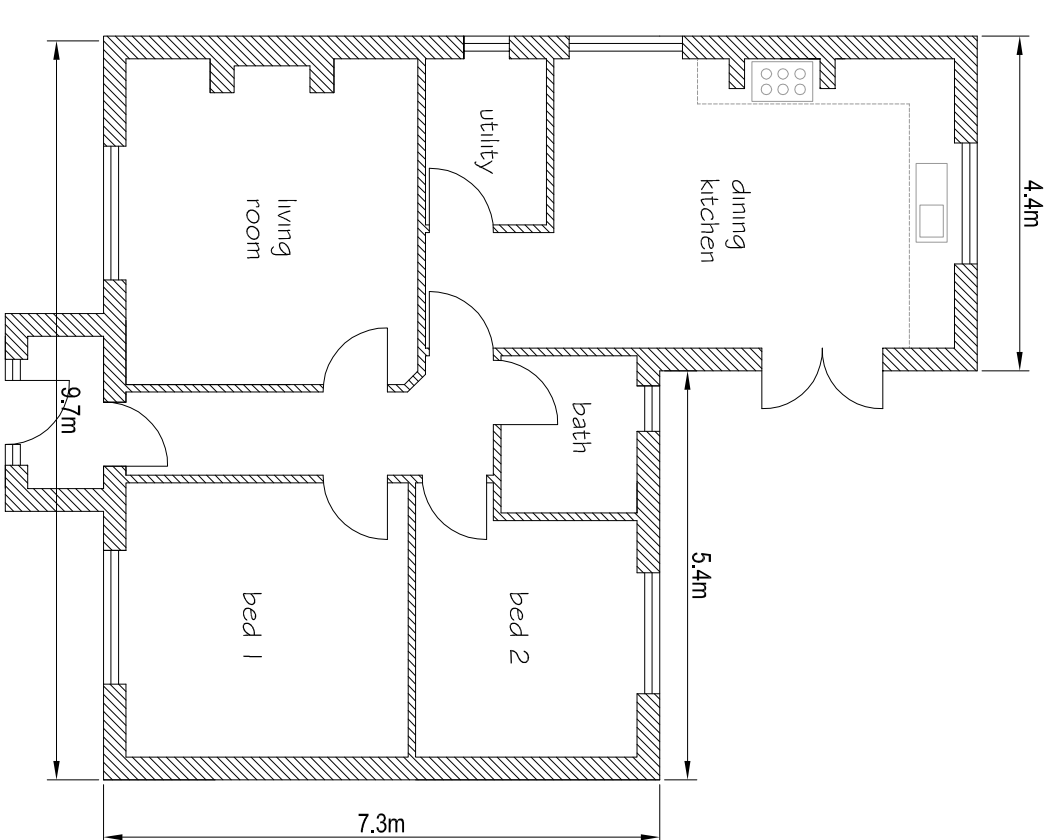


IVY HOUSE FARM
BURNLEY ROAD
ROSSENDALE
BB4 8RG

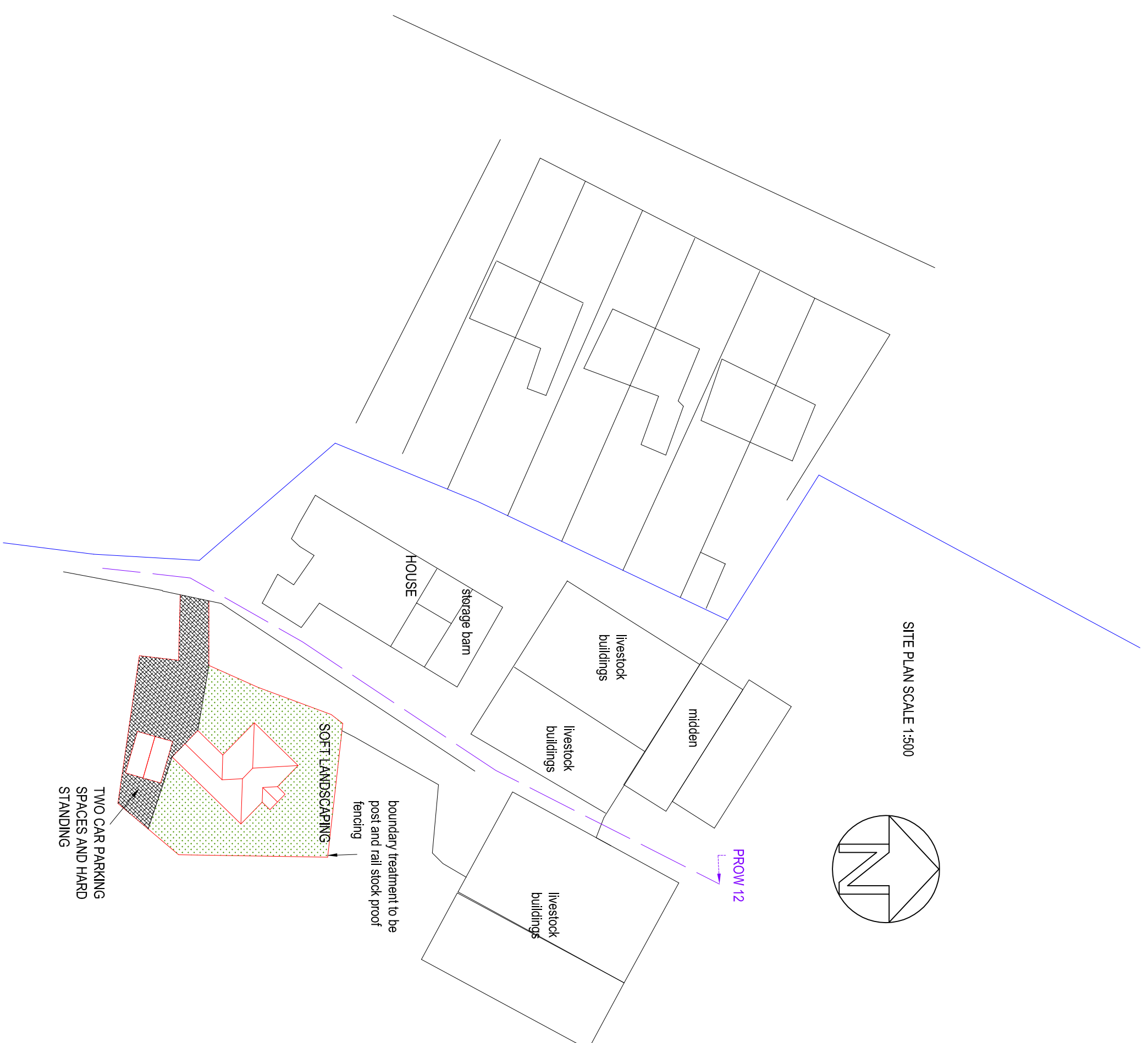
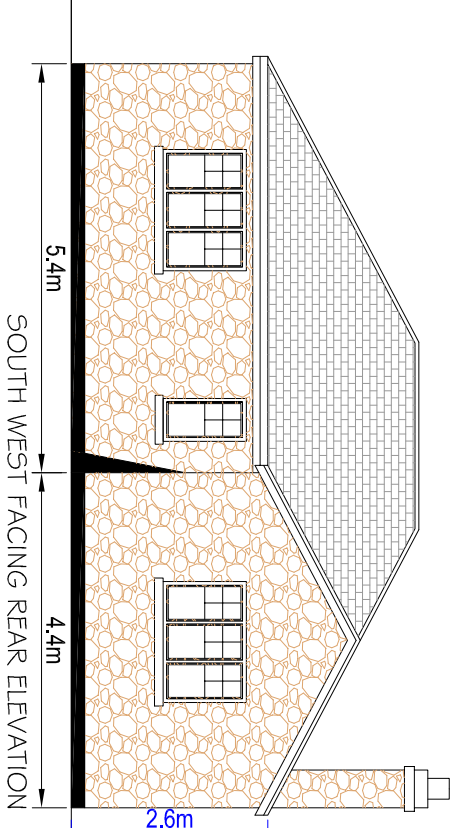
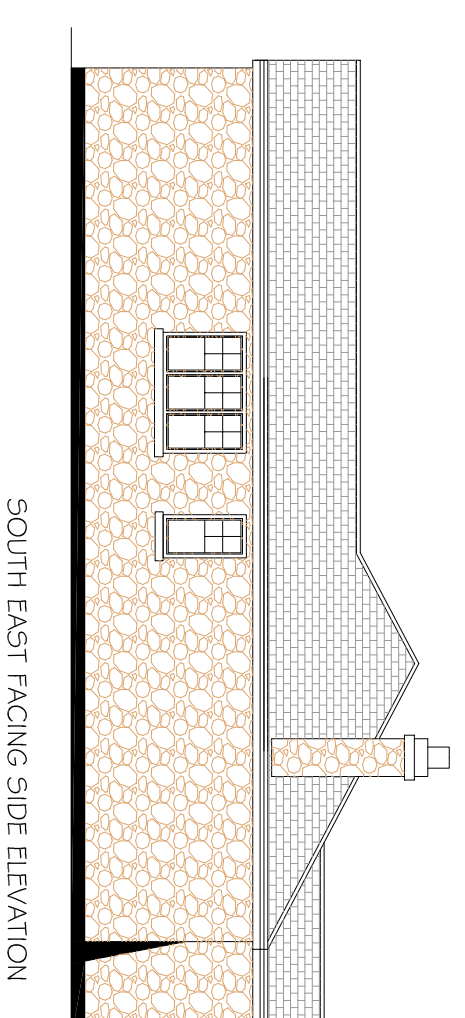
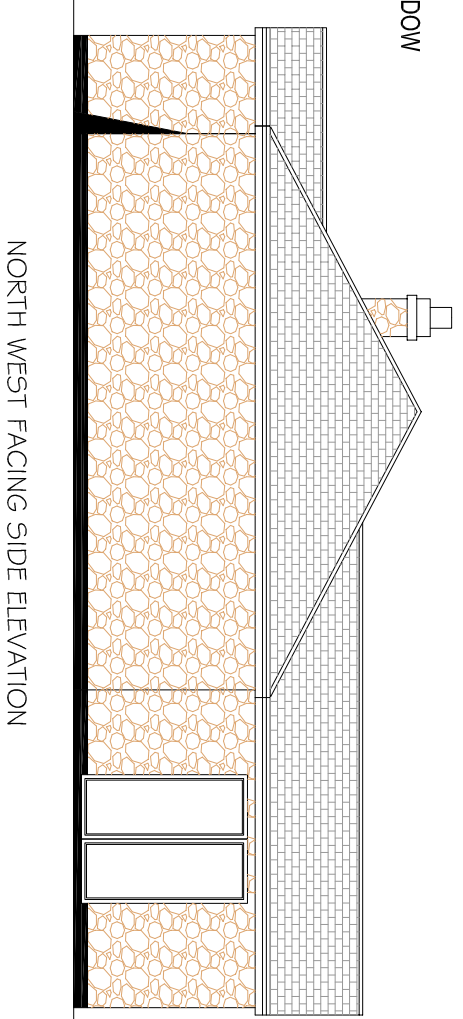
Supplied by: Stanfords
 Reference: OI452172
 Centre coordinates: 381460 427403

ELEVATIONS

SCALE 1:100



MATERIALS: WALLS IN LOCAL NATURAL
STONE
ROOF: NATURAL BLUE SLATE
WHITE UPVC DOORS AND WINDOW
UNITS



<p>DRAWN BY: Planning Consultancy 212</p> <p>5 Bobbin Hill Cottages, Stubbins Lane, Langston on the Hill, St Leon, FK5 0FL Tel: 01753 841135 Mobile: 07813 296 287 e-mail: me@planning.co.uk</p>	<p>CLIENT: RP & MM HOLT</p> <p>PROJECT: AGRICULTURAL WORKERS DWELLING</p> <p>LOCATION: IVY HOUSE FARM, BURLEY ROAD, LOVE CLOUGH, ROSSENDALE B94 8RG</p>	<p>DATE: 9 OCTOBER 15</p> <p>DWG NO: MJA0559</p> <p>SCALE: 1:100 & 1:300</p> <p>A1</p>
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