Planning Statement

Land at Tudor Lodge

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Prepared for Client:
Seagate Homes

Site Address
Land at Tudor Lodge
Fen Road
Holbeach
PE12 8QA



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Date of Application	November 2021
Local Planning Authority	South Holland District Council
Applicant	Seagate Homes
Development Description	Notification for Prior Approval for a proposed change of use of an agricultural building to a dwellinghouse (Class Q(a) and Q(b))
Site Address	Land at Tudor Lodge, Fen Road, Holbeach
Our Reference	2803
Report Revision	V1

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1 Introduction

1.1 This 'Supporting Statement' has been prepared by Parker Planning Services Ltd on behalf of Seagate Homes ('The Applicant') to accompany a notification for Prior Approval for a proposed change of use of an agricultural building to a dwellinghouse under Schedule 2 Part 3 Class Q(a) and Q(b) of the General Permitted Development Order (2015) (as amended) ('GPDO').

1.2 This statement should be read in conjunction with the plans submitted alongside the application.

2 Site Context

2.1 The application site ('the site') is a roughly rectangular 0.15 ha plot of land situated in the countryside to the south of Holbeach but within its defined boundary.

2.2 The site includes an elongated reversed "U"-shaped former agricultural building which is currently vacant. The building is in good physical condition, capable of conversion, comprising mostly red brick walls, timber cladding and metal sheet roofing. The site has existing electricity and water utilities as well as a minor drainage system.

2.3 The site is part of a large agricultural holding (King Farms) mostly related on livestock activities and growing of high value vegetables. To the east, there is a residential property, with a Motor Dealer further north. The wider area is mostly described by open agricultural land.



Figure 1: Site's location.

3 Development proposal

3.1 The proposed development comprises the conversion of an agricultural building to a residential property under Schedule 2, Part 3, Class Q(a) and Q(b) of GPDO.

3.2 The external alterations are kept to a minimum with modest changes to the existing openings and external materials but will also include reasonable works to the interior to ensure adequate living conditions for future occupiers.

3.3 The proposed dwelling will comprise, open plan kitchen, dining and living room, an entrance hall, bathroom, and two bedrooms, of which one ensuite. Parking will be provided to the front.

4 Summary of Class Q

4.1 Under the provisions described under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('Class Q'), planning permission is not required for the change of use of an agricultural building (or former agricultural building) to a residential property subject to specific criteria.

4.2 Specifically, Class Q allows, without planning permission, "*development consisting of:*

a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or

b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule."

4.3 The paragraphs below demonstrate how the client's agricultural building complies with the criteria set within Class Q.

5 Summary of Class Q.1 criteria

Class Q.1(a)(i) Agricultural Use

"Development not permitted by Class Q if-

a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;"

5.1 The agricultural building has been used for agricultural purposes, mainly agricultural storage and livestock feed & kit, on and after 20th March 2013. The agricultural building was used as part of the wider agricultural holding (King Farm) related to cattle grazing and other related agricultural activities such as growing high value vegetables.

5.2 This is confirmed by an appeal decision dated 15th September 2014 (ref APP/A2525/A/14/221369) (Appendix 1) related to a site immediately to the south, which stated at paragraphs 5 and 6 that:

"[…] the appeal site is also contained within the appellant's larger agricultural holding of approximately 3,900 acres spread across a wider area in and around the Holbeach area.

I heard that the bulk of the agricultural holding is mainly put to arable farming, growing high value vegetables on good quality silt soils, with the existing livestock of 180 head of cattle accommodated at Bank House Farm, approximately 7 miles away from the appeal site at Moulton Seas

End. Currently, the herd are grazed at a number of different locations throughout the holding on grassland totalling 300 acres. The appelants intend to relocate the existing 180 head of cattle from Bank House Farm to the appeal site at Manor Farm, and to initially increase the size of the herd to about 250 head."

5.3 Indeed, aerial images confirm that large parts of the agricultural holding were used for grazing purposes. Please refer to Appendix 2 for the relevant images.

Class Q.1(b)(i) Larger Dwellinghouse

"Development not permitted under Class Q if-

(b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;"

5.4 The agricultural building has a gross internal floorspace area of approximately 111.6 sqm therefore it would be classified as a "larger dwellinghouse" as defined under 'interpretation of Class Q' (GIA of more than 100 sqm but under 465 sqm).

Class Q.1(b)(i)(aa) and (bb) Cumulative number of dwellinghouses and floorspace.

5.5 Within the agricultural unit, no other dwellings have or are being developed under Class Q. The submitted plans confirm that the

cumulative floor space of the existing building does not exceed 465 m^2 in compliance with criterion (bb).

Class Q.1(ba) Developed floor space

"Development not permitted under Class Q if-

(ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres;"

5.6 The submitted plans confirm that the developed floor space of the building does not exceed 465m2 in compliance with this criterion.

Class Q.1(c) Smaller Dwellinghouse

5.7 The proposal is for a larger dwellinghouse and therefore these criteria do not apply.

Class Q.1. (d)(i) and (ii) Class Q Development within an Established Agricultural Unit

"Development not permitted under Class Q if-

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;"

5.8 There were no records found of any developments under Class Q within the established agricultural unit. The agricultural unit therefore meets the requirements of Q.1. (d - i and ii) as it does not result in a floor space of over 465m² or an excess of 5 dwellings being developed under Class Q within the established agricultural unit.

Class Q.1. (e) Agricultural Tenancy

"*Development not permitted under Class Q if-*

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;"

5.9 The site is not currently occupied by any agricultural tenancy thus no consents need to be received.

Class Q.1. (f) (i) and (ii) 1 year Before Development Begins

"*Development not permitted under Class Q if-*

(e) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;"

5.10 As stated above, the site is not currently occupied by any agricultural tenancy and a tenancy has not been terminated for the purpose of carrying out development under Class Q in the last year.

Class Q.1. (g)(i) and (ii) Part 6 Class A (a) or Class B (b) Development on the Established Agricultural unit

"Development not permitted under Class Q if-

(e) 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;"

5.11 No records were found of any development under Class A (a) or Class B (b) of Part 6 of the GPDO has been carried out on the established agricultural unit since 20 March 2013.

Class Q.1. (h) External Dimensions

"Development not permitted under Class Q if-

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;"

5.12 As per the submitted drawings which accompany this application, the '*building operations reasonably necessary to convert the building*' will not

extend the external dimensions of the existing building at any given point.

Class Q.1. (i)(i) Building Operations

"Development not permitted under Class Q if-

(i) the development under Class Q(b) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);"

5.13 In order to convert the existing building into a dwelling, only a modest number of "reasonably necessary" building operations are likely to be undertaken:

- Refurbishing rainwater goods where needed;
- Replacing timber infilling of two existing openings with windows (part east elevation and south elevation);
- Limited infilling or enlarging of other openings (north elevation and part west elevation);
- Amending the external timber materials with back weatherboarding; among other things.

5.14 As confirmed by PPG Paragraph 001 Reference ID: 13-001-20140306: "*The categories of work that do not amount to 'development' …. include… building operations which do not materially affect the external appearance of a building…".*

5.15 Internal operations, including works for insulation, flooring etc., may be required to convert the barn however these will not have an external effect and therefore are not a planning matter. As stated in the PPG Paragraph: 105 Reference ID: 13-105-20180615: "*Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q"*.

5.16 Therefore, no substantial works or alterations are proposed outside what is "reasonably necessary" in line with criterion Q.1.(i)(i). Please refer to the drawings submitted as part of this application for further details relating to the works proposed.

5.17 No partial demolition is required under the proposal in compliance with criterion Q.1.(i)(ii)

Class Q.1. (j and k) Article 2(3) land / Sensitive Location

"*Development not permitted under Class Q if-*

(j) the site is on article 2(3) land;

(k) the site is, or forms part of—

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;"

5.18 Article 2(3) land is defined is defined as

"*Land within-*

(a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of conservation areas);

(b) an area of outstanding natural beauty;

(c) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside)43;

(d) the Broads;

(e) a National Park; and

(f) a World Heritage Site."

5.19 The site is not within a Conservation Area nor within: a National Park, an Area of Outstanding Natural Beauty; a World Heritage Site; or a Site of Special Scientific Interest (SSSI).

5.20 Furthermore, the site is not within a Local Nature Reserve; a National Nature Reserve; a Special Protection Area; a Special Area of Conservation; a safety hazard area; a military explosives storage area.

5.21 Therefore, the site complies with criteria Q.1.(j) and (k).

Class Q.1. (l and m) Scheduled Monument or Listed Building

5.22 There are no scheduled monuments or designated heritage assets in the vicinity of the site.

5.23 On this basis, the site is in line with criteria (l) and (m) of Class Q.1.

6 Summary of Class Q.2 conditions

Class Q.2.(1)

6.1 Development proposed under both Class Q(a) and Class Q(b) is permitted subject to the condition that prior to development commencement, the developer must apply to the local planning authority for the determination on a number of specific aspects, including:

Class Q.2.(1)(a) Highways

6.2 Access to the site is achieved via a private driveway linking with the highways network off Fen Road, approx. 175m to the east of the site. The hedge adjacent to the access is further back allowing for good visibility splays in both directions. Furthermore, due to the winding section of this road in this area, drivers would be pressured to slow down to negotiate these bends, further improving access visibility splays.

6.3 Lastly, it worth noting that the building's existing lawful use is agricultural, and thus the potential impact of the vehicular movements associated with this use, if it were to be used at full capacity, is a material consideration.

6.4 Consequently, taking the above into account, the proposal would not have an unacceptable impact on highway safety and thus would comply with criterion Q.2.(1)(b) of the GPDO.

Class Q.2.(1)(b) Noise impact

6.5 In terms of noise impacts, the barn is evidently redundant. The barn is capable of having significant internal works undertaken to it to limit noise ingress in the event the local planning authority are concerned about any potential noise impact.

6.6 The surrounding area is generally described by open agricultural land, with a residential property to the north east. As such, it is considered that the proposed development is acceptable in terms of the amenity to be enjoyed by the future occupiers of the residential property.

Class Q.2.(1)(c) Contamination risk

6.7 Following a site visit, no apparent signs of potential contamination were found. The building was used mainly for storage of feed and cattle kit. As such, it is considered that there would be no unacceptable harm to the occupiers of the proposed dwelling in terms of contamination.

Class Q.2.(d) Flooding risks on the site

6.8 A Flood Risk Assessment accompanies this application which confirms that the site is located withing Flood Zone 3. The assessment suggests that floor level is a minimum of 0.1 m above level with 0.3 m of flood resilient construction above finished floor level. The report concludes that, subject to mitigation measures, the development passes the Sequential Test and Exception Test and is therefore suitable for the proposed location.

6.9 The proposed finished floors implement the recommended mitigation measures. Therefore, the proposal complies with criterion (d) of Class Q.2.

Class Q.2.(1)(e) Location and siting

6.10 The location and siting criterion is generally assessed against whether it is 'undesirable' or 'impractical' to change the use from agricultural to residential.

6.11 Planning Practice Guidance states that:

- "Undesirable reflects that it would be harmful or objectionable"
- "Impractical reflects that the location and siting would not be sensible or realistic"

6.12 The PPG also provides guidance on the meaning of these terms:

> "*What is meant by impractical or undesirable for the change to residential use?*
>
> *Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable"*.
>
> *When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.*
>
> *There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.*
>
> *When a local authority considers location and siting in this context it will not therefore be appropriate to apply tests from the National Planning*

Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant.

Paragraph: 109 Reference ID: 13-109-20150305

Revision date: 05 03 2015".

6.13 The existing agricultural building is not impractically located. There are full services to the site and the location is not "on the top of a hill with no road access, power source or other services"; there are other houses in close proximity and Holbeach (and Spalding thereafter) is a short distance away, providing easy access to facilities and services.

6.14 The barn is not near to active intensive poultry buildings; poultry is used as an example because of the ammonia and odour issues associated with that livestock, more so than others.

6.15 The dwelling will not be located near uses such as silage storage or buildings with dangerous machines / chemicals which could cause harm to residents. It is therefore not harmful nor undesirable. Therefore, the proposal complies with this the requirements of Q.2.(1)(e) of GPDO.

Class Q.2.(f) Design or External appearance

6.16 The elevation drawings show how the aesthetic of the agricultural barn has been enhanced within the limitations of the Class Q requirements.

Class Q.2.(g) Internal Lighting

6.17 The submitted drawings show how high levels of natural light will be provided to all habitable rooms.

Class Q.2.(2)

6.18 The development will take place under Class Q (a) and Class Q (b), therefore Q.2. (2) is not relevant.

Class Q.2.(3)

6.19 The applicant notes that development permitted under Class Q must be completed within 3 years starting with the prior approval date.

7 Conclusions

7.1 The applicant has demonstrated that the change of use and conversion of the existing barn and associated curtilage conforms with the provisions within Class Q, Part 3, Schedule 2 of the GPDO (2015) (as amended) and the prior approval of the local planning authority is either not required for the permitted change of use from agricultural to residential use (Class C3) to be undertaken, or should be given, with any relevant planning conditions.

7.2 A Flood Risk Assessment and architectural drawings have been submitted to support the prior approval and confirm the building's capability to be converted to and use as a dwelling.

7.3 Paragraph W (11) of part 3 of the GPDO restricts the commencement of the development until the occurrence of one of the following:

- The receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
- The receipt by the applicant from the local authority of a written notice giving their prior approval; or
- The expiry of 56 days following the date on which the application under sub-paragraph (2) was received by the local planning authority without the authority notifying the applicant as to whether approval is given or refused.

7.4 The applicant looks forward to receiving confirmation that the prior approval of the local planning authority is either not required or has been granted with the requisite conditions so this permitted development can be delivered.

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Appendix 1

Appeal Decision ref APP/A2525/A/14/2213669

The Planning Inspectorate

Appeal Decision

Hearing held on 12 August 2014
Site visit made on 12 August 2014

by Thomas Shields MA DipURP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 September 2014

Appeal Ref: APP/A2525/A/14/2213669
Land adjacent Tudor Lodge, Fen Road, Holbeach, Spalding, Lincs, PE12 8QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by JH and AJ King against the decision of South Holland District Council.
- The application Ref H09-1070-12, dated 21 December 2012, was refused by notice dated 16 August 2013.
- The development proposed is a house, garage and cattle shed.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although not referred to in the application description, it was clarified and agreed with the main parties at the hearing that the application drawings also included an area of hard-standing associated with the cattle shed. As the proposed development was clear from the drawings I have determined the appeal on that basis.

Main Issue

3. The main issue is whether, having regard to the aims of national and local planning policies that seek to resist new dwellings in the countryside, there is an essential need for a stockman to live permanently at the site.

Reasons

Background

4. The appeal site lies within an area of land attached to Manor Farm and comprises an 'L' shaped section of an agricultural field located off Fen Road to the south of Holbeach in open countryside. It is bordered by a mature hedgerow and trees such that the proposed dwelling would not be readily visible from any public vantage point. It also adjoins Tudor Lodge, a substantial residential dwelling owned and occupied by AJ King, one of the appellants. The appeal site is also contained within the appellants' larger agricultural holding of approximately 3,900 acres spread across a wider area in and around the Holbeach area.

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5. I heard that the bulk of the agricultural holding is mainly put to arable farming, growing high value vegetables on good quality silt soils, with the existing livestock of 180 head of cattle accommodated at Bank House Farm, approximately 7 miles away from the appeal site at Moulton Seas End. Currently, the herd are grazed at a number of different locations throughout the holding on grassland totalling 300 acres. The appellants intend to relocate the existing 180 head of cattle from Bank House Farm to the appeal site at Manor Farm, and to initially increase the size of the herd to about 250 head.

6. The Council have no objection to the proposed development in terms of size, design, or its impact upon the character and appearance of the area, and I have no reason to disagree with that view.

Policy framework

7. Policy SG4 of the South Holland Local Plan (2006) (LP) sets out the Council's strategic approach to development in the countryside. It permits development in the countryside only which is essential in a proposed location and cannot reasonably be accommodated within defined settlement limits. LP Policy HS7 sets out an exception to the general presumption against development in the countryside where new housing is proven to be essential to meet the needs of agricultural, forestry, or other workers.

8. Paragraph 28 of the Framework[1] sets out a positive approach to sustainable new development in rural areas, and paragraph 55 of the Framework states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One such circumstance is the essential need for a rural worker to live permanently at or near their place of work in the countryside. In my view LP Policies SG4 and HS7 broadly reflect the provisions of the Framework.

9. Having regard to the proposed development in the context of the above LP policies and Framework provisions, I consider that in order to determine whether the need would be *essential*, *permanent*, and *sustainable* it is necessary to establish that there would be a clear need for someone to be on site all or most of the time; that such need could not be satisfied by any alternative and suitable existing accommodation; and that the proposed enterprise is likely to endure in the longer term with regard to its financial viability, such that it could properly be regarded as permanent and sustainable.

10. Although it no longer forms part of Government planning policy, the parties agreed at the hearing that the functional and financial tests set out in the now cancelled PPS7[2] remain a useful tool for the purposes of assessing the proposal in the context of paragraphs 28 and 55 of the Framework. I agree with that view.

Essential need for a full time stockman

11. With regard to the proposed dwelling at the appeal site it was argued for the appellants that the care of the livestock, including for example such matters as feeding, general welfare, breeding, and calving, would necessitate the need for a full time stockman. I heard detailed quantitative evidence from both parties as to whether such a need existed. Reference was made by the Council to

[1] National Planning Policy Framework (2012)
[2] Cancelled Planning Policy Statement 7: Sustainable Development in Rural Areas, Annex A, para.3

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Nix[3], and to ABC[4] by the appellants, in terms of calculating 'standard man days' (SMD). I consider both of these reference manuals to be useful guidance.

12. Notwithstanding some disagreement between the parties in respect of the detailed SMD calculations in some areas, I do not agree with the appellants' inclusion of some of the activities that were suggested would be attributable to the labour requirement for a trained and qualified stockman, for example in terms of some of the fieldwork such as grass cutting and muck spreading, particularly when considering the predominantly arable nature of the 3,900 acre holding, and that such activities would be more likely carried out by other workers. In my view the assessment of essential need should only relate to those activities which would be carried out by the stockman. Consequently, I am not persuaded by the appellants' evidence that there would be a labour requirement necessitating a full time stockman.

The need for a dwelling

13. The appellants argue that the size of the herd has reached capacity at Bank House Farm and that the soil at that farm is of such high quality, compared to the lower quality soil at Manor Farm, that in terms of farm and soil management in the context of the entire holding, it would be more advantageous to relocate the livestock to the appeal site at Manor Farm and improve and grow the size of the herd there, allowing Bank House Farm to be used for growing crops. In this regard, I appreciate the logic applied by the appellants in terms of making the most efficient use of land and soil types within the holding, and the desire to re-locate the livestock base in order to centralise that element of the business and increase the size and improve the breed quality of the cattle.

14. However, I heard that the cattle are grazed at a number of separate locations throughout the holding, and also that within the holding the appellants also own a number of residential properties, some of which it was argued were too far away from the appeal site to be suitable. It was not clear to me, and no evidence was presented for the appellants, as to the location of the existing areas of land within the holding used for grazing, or the proximity of the other existing dwellings in relation to those areas of land. Consequently, I am unsure that the appeal site is the only suitable land within the holding that could be utilised for the proposed enterprise, and whether there is a need for a further dwelling within the holding.

15. The appellants' evidence refers to a comprehensive list of many of the day to day activities that would be undertaken by the stockman. Other than a few which I have previously referred to as being more likely to be carried out by other workers, I have no doubt that the general care and welfare of the livestock would require the presence of a trained and specialist stockman.

16. However, particularly in respect of welfare during calving, and monitoring for security purposes overnight, I am not convinced that a permanent on-site presence would be necessary. I note the appellants' concerns related to the outside storage of straw bales, and previous incidents of theft and vandalism on the holding. The appellants' consultants accepted at the hearing that the use of closed circuit television and internet technology was a useful tool for

[3] Farm Management Pocketbook, John Nix, 44th edition, 2014
[4] Agricultural Budgeting and Costing Book, Agro Business Consultants, 2014

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such purposes, but nonetheless argued that such technology would not negate the need for a permanent on-site presence. I have some sympathy with that view, but only in circumstances where the stockman's residence would be too far away from the appeal site such that there would be an unacceptable delay in attending to any calving difficulties, unforeseen incidents, or any other emergencies requiring a fast response.

17. It was clarified at the hearing that although Tudor Lodge is adjacent to the appeal site, it could provide no support in managing or supervising the livestock because the appellant occupier would be focussing his future area of management on the arable side of the business. However, in addition to this adjoining dwelling, the appellants own a further 11 dwellings within the holding. It was argued for the appellants that none of the other 11 dwellings could be regarded as available or suitable alternatives to the proposed dwelling. Having regard to the evidence before me I am not persuaded by that argument. Firstly, as already explained above, I am unsure as to the proximity of the other 11 dwellings relative to the existing grazing areas for the herd within the holding, and hence whether the proposal could be located elsewhere without the need for a further dwelling.

18. With regard to the location of the appeal site in relation to the other 11 dwellings, the two 3 bedroom semi-detached dwellings at Manor Farm Cottages are 0.8 miles and 2 minutes or less driving distance away from the proposed cattle shed. In addition, Halls Farmhouse, a detached 3 bedroom dwelling to the south of the appeal site, is also 0.8 miles away and equally short in driving time. I heard that the current occupation of Halls Farmhouse was required in respect of the security of its farmyard, but there was no convincing evidence of why that security was required, or why that would be an overriding concern in respect of this appeal.

19. These 3 properties would be of a suitable size for occupation by a stockman and are currently occupied on a short hold tenancy and so could be available within a reasonable period of time. In my opinion, given such a short travelling distance to the appeal site, and the potential use of CCTV and internet technology for monitoring purposes, the need for a stockman to live sufficiently close to the livestock would be adequately met by these 3 dwellings.

20. I accept that the Grade II listed Manor Farmhouse, which I was able to see at the time of my visit to the appeal site, is currently in a poor state of repair and would require a substantial investment to bring it back into habitable use, estimated at £500,000 by the appellants. I have no doubt that such expenditure would adversely affect the financial viability of the enterprise. Of the remaining 7 other dwellings, I accept that they are further away from the appeal site and would not be suitable at times when the care and welfare of livestock require a swift response.

21. To conclude, I consider that the need for an adequate level of care and welfare for the livestock would be met by any of the 2 existing dwellings at Manor Farm Cottages or by Halls Farmhouse.

Financial viability

22. Detailed budget and forecasting analysis was submitted for the appellants. This was disputed by the Council in terms of non-inclusion of a notional rent for the 700 acres of land to be used by the enterprise, and no mortgage payments

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for the proposed dwelling, together with a projected low wage level for the stockman. This, it was argued, produces an artificially high forecast of overall profitability. I also note that the appellants already own the appeal site, and that the £200,000 cost of building the proposed dwelling would not require finance.

23. While I give some weight to the Council's evidence I also note that the appellant's have been farming in the area for many years and have successfully built up a large agricultural business which they intend to continue to grow. Given this background and the appellants' reputation and track record of success in farming, I conclude overall that notwithstanding I have some doubt over the initial forecasted profitability of the enterprise, it would nonetheless be likely to endure and to be permanent in the longer term.

Conclusion

24. Although in support of the appeal I have found that the proposed enterprise would be likely to endure and hence would be financially sustainable in the longer term, it does not overcome my conclusions which weigh against the appeal in respect of the labour requirement and the need for the proposed on-site house. As such, the proposal would conflict with the aims and objectives of LP Policies SG4 and HS7 and paragraph 55 of the Framework which, taken together, seek to resist new dwellings in the countryside unless there are special circumstances.

25. For all the above reasons, I conclude that the appeal should be dismissed.

Thomas Shields

INSPECTOR

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Appendix 2

Satellite images [source: Google Pro Earth]



Figure 2: Aerial image [dated 2006] showing the agricultural building circled in red with livestock outlined in blue.



Figure 3: Aerial image [dated March 2006] showing the agricultural building (red) and fencing around trees for protection from grazing [blue].

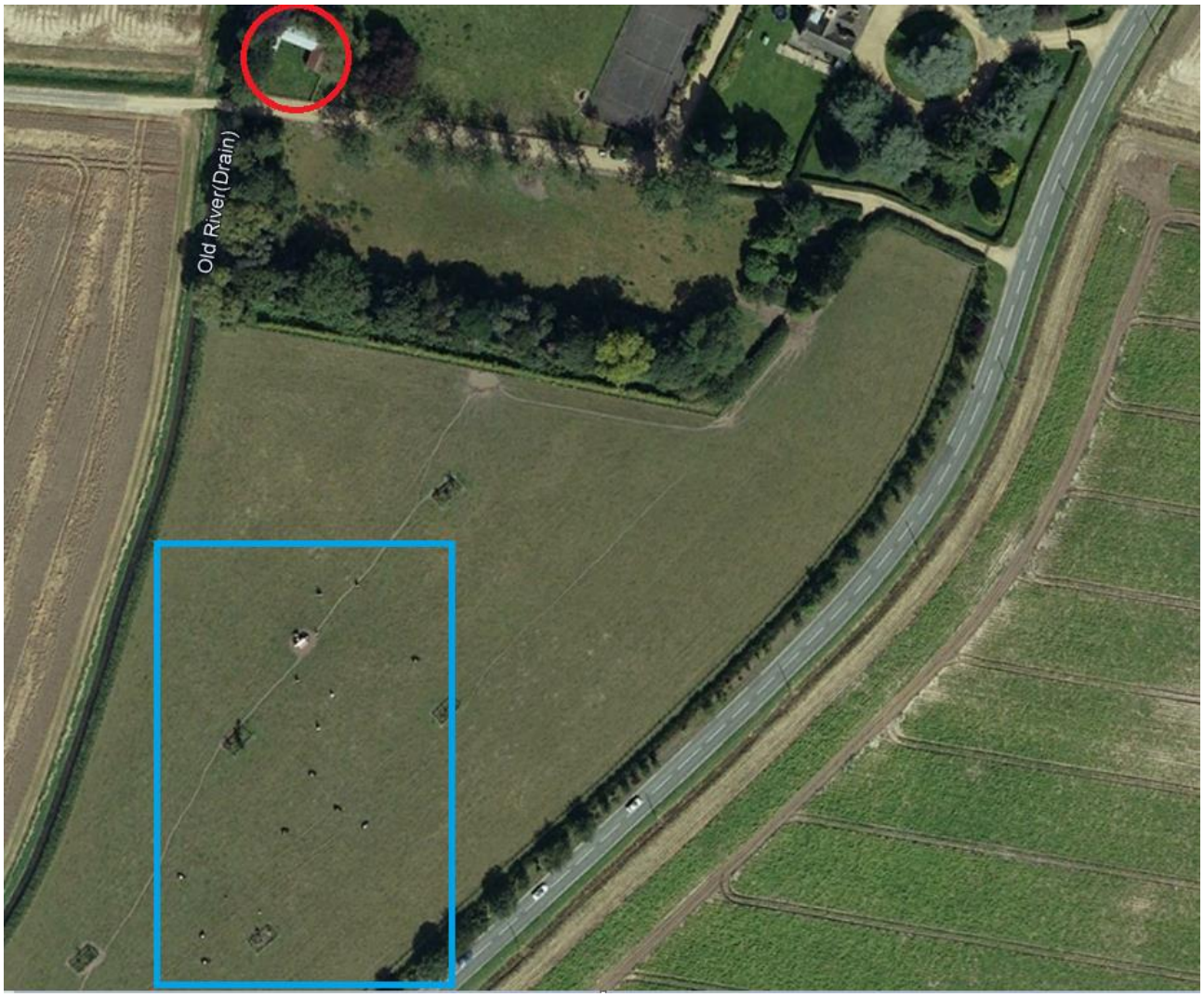


Figure 4: Satellite image [dated January 2007] showing the agricultural building (red) and the grazing cattle [blue].



Figure 5: Satellite image [dated September 2018] showing the agricultural building (red) and the grazing cattle (blue).

