

Re: Proposed Construction of Farmworkers Dwelling, At The Old Pit Yard, off Baggerwood Hill, Hood Green, Barnsley.

This report has been prepared by Simon M Elliott - Dip. URP. of S.E.A. Planning Limited. The purpose of this report is to support the proposed development, as described above, for Saville Hall Farm, at land off Baggerwood Hill, close to the village of Hood Green.

1. Introduction

- 1.1 The purpose of this report is to highlight the relevant and material considerations and the benefits of the proposed development, in planning terms. This report is to support the application for planning permission as submitted by SEA Planning Limited and supported by documents and reports prepared by Whitcher Wildlife Limited and Carter Jonas LLP of York. All of the attached reports and survey results represent an integral part of the application for planning permission for the above-mentioned development and are to be considered as an integral part of that planning application.

- 1.2 This report takes account of the current status of Saville Hall Farm, its outbuildings and its surroundings. Account has also been taken of the current Development Plan Policies and any current Supplementary Planning Guidance Notes, where they relate to development of the type proposed in this application. This report also makes reference to current Central Government guidance notes and statements relating to the construction of farmworkers dwellings within Green Belt Areas.

- 1.3 This report also makes reference to all other material planning considerations that are deemed to be relevant to this particular development. The site of this application is located within an area of Green Belt and an Area of Borough Landscape Value and part of the land adjacent to the site is also identified as a Nature Conservation Site. However, the proposed development is located on open land within the confines of a long-established and hard surfaced vehicle parking area.
- 1.4 This report also takes account of other material planning considerations that are believed to be relevant to the proposed development or may have some influence on the LPA's decisions on this planning application. These include the content of the supporting report prepared by Carter Jonas, the Protected Fauna Survey prepared by Whitcher Wildlife Limited and the Government's current advice, as contained in PPG2 and PPS7, where they relate to development within the Green Belt and Sustainable Development in Rural Areas.

2. Site & Surrounding Area

- 2.1 The site of the proposed development forms part of the Saville Hall Farm farming enterprise, which farms approximately 400 acres of land, the majority of which is located in close proximity to this site. A large proportion of the land that is farmed by E & D Danforth is located between Gilroyd, Dodworth and Hood Green. Full details of the farming enterprise, its size, livestock numbers and available buildings are included in the Carter Jonas report. As you will see from that report the land that is currently farmed by the applicants is a mixture of owned land and buildings, together with an area of rented land and buildings.
- 2.2 The main buildings on this agricultural holding that are used for rearing livestock are located on the land adjacent to Hood Green, which is why a dwelling unit is required on this particular site. The buildings are all set well back from the closest highway and are generally well hidden from the road. The site is comprised of a number of buildings, with a further planning permission having been granted for an agricultural machinery store building. The buildings at Hood Green are modern and purpose-built for the operations that take place on this farm.
- 2.3 The site is all set at a lower level than Baggerwood Hill and the adjacent land is made up of a mixture of woodland, which is obviously not farmed, together with arable production and land that is retained as grass, which is used for grazing purposes and when possible it is mown twice every year for silage purposes.
- 2.4 The land adjacent to the application site has been used in the past as part of the old colliery workings and large areas of hard surfacing and the sites of old buildings can still be seen around the site. A disused railway line also exists to the north west of the application site.

2.5 The means of access to serve the proposed development is already in existence off Baggerwood Hill and it is considered that this access is suitable to serve the proposed development in addition to its use in connection with the existing agricultural uses on the adjacent land. However, it is possible for the existing access drive to be widened if this is deemed to be necessary by the Council's highways officers. No public or private rights of way would be affected as a result of the proposed development.

3. Outline of Proposals

- 3.1 The development, as proposed, involves the construction of a single dwelling for occupation by a key worker for this agricultural holding. The site of the proposed dwelling is close to the existing agricultural buildings on the applicants land to allow the proper supervision of the farms livestock on a round the clock basis.
- 3.2 The proposed dwelling has been designed to accord with the vernacular architecture of the local area, which includes the proposed external facing materials, which are proposed to be natural stone to the external walls and *artificial stone tiles to the roofs*. The windows and gutters and down pipes will all be as shown on the submitted plans unless otherwise agreed in writing with the Local Planning Authority. Samples of the stone to be used on the walls will be made available for inspection on site if and when required.
- 3.3 The proposed dwelling has been purpose designed for this site and it is considered that it will fit in very well with the backdrop of trees and the closest of the *agricultural buildings adjacent to the entrance drive to this site*. This proposal will also involve the tidying up of further areas of the adjacent land, which represents part of an on-going project by the applicants to improve the visual amenity of the area.

4. Planning Policy & Other Material Considerations

4.1 It is considered that the UDP Policies that are, in some way, relevant to the proposed development are as follows:

Policy ED13, which provides guidance on rural diversification.

Policy GS7, which relates to development within Green Belt areas which are as defined in the UDP.

Policy GS8, which provides guidance on the construction of new buildings within the Green Belt;

Policy GS8B, which provides guidance on the construction of new agricultural and forestry workers dwellings;

Policy GS9 refers to the visual amenity of the Green Belt

Policy GS13 refers specifically to Areas of Borough Landscape Value where conservation and enhancement of the landscape will be extremely important considerations.

Policy BE6 provides advice on the design standards that are expected for all types of development.

Policy T2A advises that roads, footways, private drives, points of access and vehicular manoeuvring areas should be constructed in accordance with the Council's standards and should be constructed so that it is useable in a safe and convenient manner.

Policy WR13, which refers to Nature Conservation Sites in the Western Rural Area.

Copies of the relevant extracts of the UDP are referred to as necessary in this statement.

4.2 The following Central Government PPG's are also considered to be relevant to the proposed development:

PPS1 relating to Delivering Sustainable Development;

PPG2 relating to development within and adjacent to Green Belt areas;

PPS7 relating to Sustainable Development in Rural Areas.

- 4.3 As mentioned above in this report the site of the proposed development is located within an area of Green Belt land and also within an Area of Borough Landscape Value. The site is also adjacent to a Nature Conservation site and a report was commissioned last year to investigate the existence of any protected species around the application site relating to the submission of a planning application for the construction of an agricultural building. However, the content of the Protected Fauna Survey is still considered to be relevant to this current proposal and copies of the report that was prepared in 2009 by Derek Whitcher are attached to this planning application.
- 4.4 In terms of the Policy considerations of this proposal it is my view that the development is consistent with the Council's UDP Policies, as referred to above, and also to Supplementary Planning Guidance Note SPG14 relating to Agricultural and Forestry Workers' Dwellings. Even though SPG14 was issued back in 2003 and a number of Government Planning Policy Statements have been issued since then the content of the SPG is still considered to be relevant to our proposal. **SPG14** refers specifically to **UDP Policy GS8B**, which states that:-
- 4.5 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 to be 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 site 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 dependants.
- (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 dwelling 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.

4.6 SPG14 goes on to explain the reasons behind Policy GS8B and then outlines the level of information required to support a planning application for an agricultural or forestry workers dwelling. It is considered that the necessary information is included within this report and also in the attached report by Carter Jonas. The farm business on this site and on neighbouring land has been established for many years with Mr Danforth senior having farmed in the area for in excess of 40 years.

4.7 It is clear from the attached report that the agricultural business is viable and has been for a number of years. Planning permission has been granted for a number of agricultural buildings around the Old Pit Yard and the operations on that part of the farm, including buildings that are used to rear cattle and sheep have become more intensive over recent years and will continue to do so.

- 4.8 The applicants business currently farms over 400 acres of land for a variety of farming uses and the only dwelling that is available to the applicants as a dwelling unit is at Saville Hall Farm, which is a rented property and cannot be relied on in the longer term as the only farmhouse for this farming enterprise. It is also clear that the location of the dwelling unit at Saville Hall Farm is too remote from the buildings and animals at Hood Green to provide the necessary supervision, which will be even more vital when the additional farm buildings are constructed. The applicants are intending to increase the size of their livestock holding from the current 32 suckler cows to around 50 the 120 store cattle will be increased to 130 and the current 142 breeding ewes will increase by over 100% to 150 ewes.
- 4.9 The existing business activities indicate that in excess of 2 full time equivalent jobs are required to carry out the necessary activities on this farm. That number will increase to 3 full time equivalent jobs when the business expands, which provides sufficient justification for the proposed development in this location.
- 4.10 It is considered that the proposed development accords with the Council's relevant planning policies as highlighted above. It is also considered that the development also accords with current Government planning guidance, which is mainly detailed in Annex A of PPS 7. Annex A provides national guidance on Agricultural, Forestry and Other Occupational Dwellings in the Countryside. For permanent agricultural dwellings, paragraph 3 of Annex A advises that: New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
- (i) There is a clear established existing functional need (see para 4)
 - (ii) the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part time requirement;

- (iii) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so (see paragraph 8);
- (iv) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

4.11 Paragraph 4 of Annex A advises that a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) In case animals or agricultural processes require essential care at short notice;
- (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

4.12 Paragraph 5 relates to possible abuse of the planning system but it is not considered that such an eventuality is relevant to this application. It is considered that sufficient justification is submitted along with this application to allay any fears that the Council may have regarding the viability of this project. The provisions of paragraph 6 are also not considered to be relevant to this particular proposal.

4.13 As referred to above there is currently a requirement for one additional full time worker on this farm, which will increase to two in the near future. However, only a single dwelling unit is considered to be necessary at the present time to look after the animals on this part of the farm around the clock.

- 4.14 It is proposed that the dwelling unit will be occupied by the applicants son John Danforth and his family, who currently live some 12 miles away from the site. The Carter Jonas report clearly acknowledges that there is both a functional requirement for a dwelling unit on this site and also that the farming enterprise is economically viable. The levels of profit that this farming enterprise has made over a three year period are shown in the attached report, which also provides details of the turnover of the business and the profit left after all rents, wages, feed etc have been taken off.
- 4.15 With regard to the size of the proposed dwelling it is considered to be appropriate for an agricultural holding of this size. It is not unusually large in relation to the agricultural needs of the unit or unusually expensive to construct, as highlighted in paragraph 9 of Annex A. It is also considered that the proposed development accords with the requirements of paragraphs 10 and 11. The applicants would not object to the removal of specific permitted development rights if this is deemed to be necessary in line with the advice contained in Circular 11/95 relating to the Use of Conditions in Planning Permissions. The siting of this dwelling will also clearly meet the functional needs of this farming unit and is well related to the entrance drive for deliveries and collections and for security purposes.
- 4.16 The proposed development has been well designed and as such it will not adversely affect the character or the visual amenity of the Green Belt or this Area of Borough Landscape Value. The proposed dwelling is architecturally consistent with the existing site and its surroundings. The proposed external facing materials are to be coursed natural stone for the external walls and artificial stone tiles for the roof. Samples of all external facing materials can be produced before the planning application is determined, or after permission has been granted if required by an appropriately worded condition.

- 4.17 The Council's own policies, as referred to above, together with the advice contained in PPG2 and PPS7, allow for the construction of dwellings for agricultural workers within the Green Belt. These policies support such development if it is built in the correct 'local' materials and in an appropriate location.
- 4.18 PPG2 and PPS7 make it clear that building new dwellings for agricultural purposes does not represent an inappropriate form of development within the Green Belt. As there are a number of substantial buildings in close proximity to the dwelling that are used for a variety of agricultural purposes it is not considered that this dwelling will be deemed to be an isolated building but in keeping with the layout and use of this part of the farm.
- 4.19 The proposed development is for the creation of a single dwelling on a long established farming unit and the proposed building is to be sited in close proximity to the existing buildings within the confines of the Old Pit Yard. As this development represents an appropriate form of development in the Green Belt it is considered that it will not be detrimental to the openness, the visual amenity or the character of the Green Belt or the countryside. The windows and doors and rainwater goods will all be consistent with this rural area and if necessary details will be agreed with the LPA before any works are commenced on the development.
- 4.20 The main consideration for the Council regarding this proposal is whether the development will accord with the provisions of the UDP. It is clear from a perusal of the relevant UDP Policies, together with the advice contained in PPG2 that this development will not be contrary to any of the 5 purposes of including land in Green Belts. It is also evident that this development will accord with the provisions of Annex A of PPS7 in all respects and should therefore be supported by the Council's planning officers.

5. Conclusions

- 5.1 In conclusion it is my opinion that a convincing case has been made in the report by Carter Jonas that sets out the need for a dwelling on this agricultural holding. As we consider that the principle for a farmworkers dwelling has been established by that report the main issues for the Council to consider are the location of the proposed dwelling and its external appearance.
- 5.2 The proposed construction of a farmworkers dwelling on the application site represents an acceptable form of development in the Green Belt in accordance with current Government advice and the Council's own policies as contained in the Unitary Development Plan and Supplementary Planning Guidance. The location of the building has been carefully chosen to take account of the applicants own functional requirements and also to ensure that it will not have a significant impact on the visual amenity or character of the Green Belt as it will be fairly well screened by existing trees and the general topography of the area.
- 5.3 In terms of the appearance of the proposed dwelling it has been designed to be similar in nature to the traditional architecture of the area, constructed using coursed natural stone, pointed verges and with a chimney. The roof is to be covered with an appropriate artificial stone slate, such as Denby Dale's Farmer Brown slates or Greys Art Stone artificial slates. The dwelling will sit well against the back drop of trees and adjacent to the existing access drive in close proximity to the existing agricultural buildings on the site.

5.4 It is not considered that there is any need to improve the existing access off Baggerwood Hill. However, if it is considered that any alterations do need to be carried out then there is space for the necessary works within the applicants control. The Council is therefore requested to grant planning permission for the proposed development subject to conditions that are deemed to be necessary in accordance with the advice contained in Circular 11/95 – the use of Conditions in Planning Permissions.