
Appeal Decision

Site visit made on 30 July 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 14th November 2019

Appeal Ref: APP/A2335/W/19/3228605

Moss Side Farm, Moss Road, Heaton With Oxcliffe LA3 3ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Edward Thornton against the decision of Lancaster City Council.
 - The application Ref 18/01219/REM, dated 19 September 2018, sought approval of details pursuant to condition No 3 of a planning permission Ref 17/00769/OUT, granted on 27 February 2018.
 - The application was refused by notice dated 13 November 2018.
 - The development proposed is erection of an agricultural worker dwelling.
 - The details for which approval is sought are: access, appearance, landscaping, layout, scale.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is an outline planning permission (ref 17/00769/OUT) for an agricultural worker dwelling at this site. All matters were reserved for future consideration.
3. The application the subject of this appeal is a resubmission of a previously refused reserved matters application (ref 18/00948/REM).
4. The application the subject of this appeal sought approval of all reserved matters. The Council has confirmed that it has no concerns in respect of access, appearance, landscaping or layout. The reason for refusal relates solely to the size and scale of the proposed dwelling.

Main Issue

5. The main issue is whether the size of the proposed agricultural dwelling is commensurate with the established farm holding.

Reasons

6. The appeal site is an area of land close to Moss Side Farm. Moss Side Farm and the nearby Downhollands Farm are farmed as one agricultural unit. There are 3 dwellings split between the two Farms. The two dwellings at Downhollands Farm are occupied by the appellant and his wife, both employed by the business, and a Grandmother, who is retired from farming. The single dwelling

at Moss Side Farm is occupied by one of the appellant's sons who is also employed by the farming business.

7. The functional need for an additional dwelling to support the agricultural unit, and which will be located at Moss Side Farm, has been established through the outline planning permission.
8. The proposal is a detached 2 storey dwelling. On the ground floor there would be generously proportioned lounge and a dining kitchen room at either end of the property, both spanning the entire depth of the building. In the central section, and behind a large entrance hall, there would be a boot room and a ground floor toilet and shower room. There would be 3 double bedrooms and a farm office on the first floor.
9. The proposal would therefore be a large dwelling and the internal accommodation would exceed the minimum size set out in the Nationally Described Space Standards for either a 3 or 4 bedroom dwelling over 2 floors.
10. The dwelling proposed under the previously refused reserved matters application (ref 18/00948/REM) was a large 4 bedroom dwelling with no boot room, downstairs shower or office. At the time of that application, the appellant indicated that the dwelling would become the main farmhouse at Moss Side Farm, but stated that there was no requirement for an office since there is already an office serving the unit. The size of the dwelling was justified on the basis that one of the appellant's sons and the son's wife, who wish to start a family in future, would live in the dwelling. However, it was also suggested that it would be easier to attract potential farm managers in future if the associated accommodation was a 4 bedroom dwelling.
11. The appeal scheme differs from the earlier refused scheme through the inclusion of a ground floor boot room and shower room and the use of a fourth bedroom as an office. However, the size of the building is unchanged, the internal accommodation remains generous, and the proposed office could be readily converted into a fourth bedroom. The introduction of a ground floor boot room and shower room is appropriate for an agricultural worker dwelling. However, the location of the farm office on the first floor in proximity to the family bedrooms appears less than ideal. Even accepting that there is now a need for a second farm office to serve the unit, there is little before me to indicate that the existing dwelling at Moss Side Farm could not accommodate an office or that there would not otherwise be more appropriate layouts that would better meet the needs and practicalities of the farming business.
12. I appreciate that the appellant and his family work hard and that his preference would be a large and comfortable 4 bedroom property suitable for a large family. However, it is the requirements of the enterprise rather than the wishes of the owner or occupier which are most relevant in determining the appropriate size of agricultural worker dwellings. In this respect, the outline application established the need for a fourth dwelling for the farm and which would allow a worker to live at Moss Side Farm to assist particularly with calving and also to provide cover when the appellant and his wife are away from the farm. No further justification has been provided to support a functional need for a large farm manager's dwelling at this site.
13. The appeal proposal seeks to justify the size of the dwelling on the basis that it would be both the second dwelling at Moss Side Farm and the main farmhouse

at this site. However, no substantive evidence has been provided which demonstrates that Moss Side Farm and Downholland Farm are functionally separate and operate independently of one another. In this respect, while an office is now proposed at Moss Side Farm, the need for such has only recently been identified and the unit has apparently been served historically by one office. The agricultural justification submitted with the outline application related to the agricultural unit as a whole and not to Moss Side Farm as a separate entity. Notwithstanding the functional need for an additional dwelling to be located at this site, it was acknowledged to be the fourth associated with the agricultural unit. Given that one of the existing dwellings at Downholland Farm is not available to an agricultural worker, the appeal proposal would effectively be the third dwelling to serve the farming unit. Furthermore, there is no evidence before me in respect of the existing farmhouse at Moss Side Farm which would now justify the proposal on the basis of a need for it to be the principal dwelling at this site.

14. Both parties have submitted evidence in the form of numerous planning permissions and appeal decisions relating to agricultural worker dwellings elsewhere. While full details of these schemes are not before me, they demonstrate that there is no one standard size for an agricultural worker dwelling. Subject to factors including the functional need of the unit and particular personal circumstances, both smaller and larger dwellings than the appeal scheme have been found acceptable in this and other local authority areas. However, I note that the schemes differ in that they appear to relate to primary and secondary, rather than tertiary, dwellings and none of them appear directly comparable to the appeal scheme or the farming business before me. The majority of cases also differ from the appeal scheme by virtue of being 3 bedroom dwellings with a ground floor farm office that is more suitably located to be accessible to farm workers.
15. Therefore, while I do not dispute the need for an agricultural worker dwelling at this site, the large size of the appeal building is not justified by the agricultural requirements of the established farm holding. In this respect, it would conflict with the rural housing aims of Policies DM42 and DM43, and Appendix C, of A Local Plan for Lancaster District 2011-2031 Development Management Development Plan Document Adopted December 2014, including that the size of the dwelling should be determined on the basis of functional need. It would also conflict with policies in the National Planning Policy Framework that relate to rural housing.

Conclusion

16. For the reasons set out above, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR