
Appeal Decision

Site visit made on 13 April 2021

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2021.

Appeal Ref: APP/X0360/W/20/3260152

Farley Estate, Farley Hall, Castle Road, Farley Hill RG7 1UL

- 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 Farley Estate against the decision of Wokingham Borough Council.
 - The application Ref 201661, dated 6 July 2020, was refused by notice dated 3 September 2020.
 - The development proposed is the demolition of a former dairy building; clearance of the site; and erection of a single storey replacement building for residential occupation by a worker in connection with Farley Hall and its rural estate.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Farley Estate against Wokingham Borough Council. This application is the subject of a separate Decision.

Main issues

3. The main issues in this appeal are:
 - Whether, having regard to national planning policy that seeks to avoid isolated new homes in the countryside, there is an essential need for a rural worker to live permanently at or near their place of work;
 - The effect of the proposal upon the character and appearance of the area; and
 - Whether the appeal site is a suitable location for residential development with regards to its accessibility to services and facilities.

Reasons

Rural worker

4. The application site comprises a single storey former dairy building and its associated concrete yard. The site is located within Farley Farms and Estate, which is an arable, equestrian and shoot business. There are also a number of other businesses which operate from within the Estate. Farley Hall itself is a Grade I listed building, which also includes a Grade II listed stable building and Farley Hall Registered Park and Garden, also Grade II listed.

5. Paragraph 79 of the National Planning Policy Framework (the Framework) states that local planning authorities should avoid the development of isolated homes in the countryside unless one or more specific circumstances apply. Amongst other things, these exceptions include where there is the essential need for a rural worker to live permanently at or near their place of work in the countryside. I consider the site to be in an isolated location.
6. There is no definition of a rural worker provided within the Framework. I have however been referred by both parties to a number of slightly different definitions in support of their respective cases.
7. The Planning Practice Guidance (PPG) also provides some further clarification and guidance in considering proposals where Paragraph 79 is relevant. The PPG identifies that relevant factors to take into account could include evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise. The PPG identifies a number of examples which include where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products.
8. It is intended that the proposed dwelling would be occupied by a housekeeper. From the evidence provided by the appellant, the role of the housekeeper would be varied and involve, amongst other things, cleaning and maintaining the existing Hall, along with providing cleaning services to tied and rented cottages on the Estate. The role would also include supporting and assisting the existing family who reside at the Hall. There would also be out-of-hours tasks, such as attending fire or burglar alarms, or calls for medical help. The role would also provide wider support to the Estate, such as cleaning the estate office and equestrian centre clubhouse, and housekeeping for the shoot and other hospitality events at the Hall.
9. It has been put to me by the appellant that given the wider Estate, the provision of a further housekeeper would support this, and that without it, the farm would not exist in the form it does now. In their view, this provides a justification of its rural worker status.
10. On the basis of the evidence, a significant proportion of the activities that the housekeeper would undertake would be predominately involved with the maintenance of the Hall and providing support to its occupants. In my view, neither of these roles are directly related to the existing rural activity. Taking the description of the role provided by the appellant, even if the wider Estate did not exist, a substantial number of the jobs and tasks identified to be completed by the proposed housekeeper would still need to be undertaken. This leads me to the conclusion that, whilst the role of the housekeeper is important to the overall running of the Hall, the contribution of the role to the wider estate would not be of such a level as to enable me to conclude that it actively contributes to the management of land, with the person being employed for the purpose of agriculture, forestry or similar land-based rural enterprise.
11. Therefore, in this instance, whilst the appeal site lies in a rural location and is within an established rural estate, on the basis of the evidence before me, I do not consider that the role of the housekeeper would meet the definition of a

rural worker as required within Paragraph 79 of the Framework. Furthermore, there is insufficient justification to demonstrate the essential need for this person to live at or in close proximity to their place of work.

12. For the above reasons, I conclude that the proposal would result in an isolated new home in the countryside and that there is insufficient evidence to demonstrate that there is an essential need for a rural worker to live permanently at or near their place of work and, in this respect, would be contrary to Policy CP11 of the Wokingham Borough Core Strategy (WBCS) and Paragraph 79 of the Framework.

Character and appearance

13. Policy CC02 of the Wokingham Managing Development Delivery Local Plan 2014 (MDDLDP) and Policy CP9 of the WBCS identify the development limits across the Borough. The appeal site lies outside of any defined development limits and therefore within the open countryside.
14. Policy CP11 of the Core Strategy relates to development in the countryside and aims to protect the separate identity of settlements and maintain the quality of the environment. Proposals will not normally be permitted except in certain circumstances. These include where it contributes to diverse and sustainable rural enterprises, does not lead to excessive encroachment or expansion of development away from the original buildings or would be contained within suitably located buildings which are appropriate for conversion. WBCS Policy CP3 requires development to be of an appropriate built form, height, materials and to have no detrimental impact upon important landscape features.
15. The existing building is single storey and, whilst being contained entirely within the Farley Estate, forms part of the rural landscape. In comparison, the proposed dwelling would be of a slightly larger footprint and would be a similar height to the existing building. However, the development would involve the use of the existing yard as garden space to provide parking and outdoor space. This would introduce a distinct urban feature along with associated residential paraphernalia into the countryside. Whilst this impact would be reasonably localised, it would, nonetheless, result in the encroachment of residential development into the countryside that would unacceptably diminish the existing rural character. As a consequence, the proposed development would be more visually prominent than the building to be removed, which would harm the character and appearance of the area.
16. For the above reasons, I conclude that the proposal would harm the character and landscape setting of the area and, in this respect, would be contrary to Policies CP1, CP3 and CP11 of the WBCS, Policies CC03 and TB21 of the MDDLDP, Policies R1 and RD1 of the Borough Design Guide Supplementary Planning Document and Paragraphs 127, 130 and 170 of the Framework.

Location

17. Policy CP1 of the WBCS requires proposals to demonstrate how they support opportunities for reducing the need to travel, particularly by private car. Policy CP6 of the WBCS requires proposals to be located where there are choices in the mode of transport available and which minimise the distance people need to travel.

18. In terms of local services and facilities, there are none within a safe or convenient walking distance. Furthermore, the surrounding road network comprises rural roads, with no footpaths or street lighting.
19. It is recognised that, in rural areas, the potential to provide for alternative means of transport is often limited. However, in this case, I find the characteristics of the location to be one that would not encourage future residents to use alternative modes of transport or be in a location where alternative modes are a realistic choice. It is therefore likely that future residents would rely heavily upon private vehicles to access local services and facilities.
20. I note that the appellant has referred to the potential for the proposal to reduce trips, in particular commuting and from shared deliveries. I do not seek to bring this into question, however, it is likely that the use would also generate other travel requirements, for which, due to the isolated nature of the site, only the private car would be suitable.
21. Taking into account all of the above, it follows that the site lies in an unsustainable location.
22. For the above reasons, I therefore conclude that the proposed development is not in a suitable location for housing and, in this respect, would conflict with Policies CP1, CP6, and CP11 of the WBCS and the Framework.

Other Matters

23. The site is located within the 5 km buffer zone of the Thames Basin Heaths Special Protection Area. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. Thus, given my overall conclusion on the main issue it is not necessary for me to consider this matter in any further detail.
24. The appellant has referred to a number of benefits, which, in their view, the proposal would deliver. These include the re-use of a redundant building, an additional on-site person to take care of the heritage asset and the economic benefits in the form of new employment. Whilst I agree that these would be benefits of the proposal, given the modest scale of the proposal, they are not considered to be of sufficient weight to outweigh the harm found.

Conclusion

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

Adrian Hunter

INSPECTOR