
Appeal Decision

Hearing (Virtual) Held on 21 July 2021

Site Visit made on 22 July 2021

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2021

Appeal Ref: APP/P1615/W/21/3272236

Moys Hill Farm, Strand Lane, Westbury on Severn, Gloucestershire

GL14 1PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Martin Watkins (WD and MP Watkins) against the decision of Forest of Dean District Council.
 - The application Ref P1389/20/OUT, dated 10 August 2020, was refused by notice dated 20 January 2021.
 - The development proposed is for the erection of a rural managers dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal seeks outline permission with all matters reserved except for access. In so far as the submitted plans and drawings show details of matters other than the access, I have treated those as being purely illustrative.

Main Issues

3. The main issues are whether, having regard to national planning policy that seeks to avoid isolated new homes in the countryside and inaccessible rural locations, there is an essential functional and financial need for a rural worker to live permanently at or near their place of work.

Reasons

4. The proposed permanent dwelling on the site is explained as necessary so that the occupants can provide welfare for the livestock and security 24 hours a day. There is already a farmhouse, owned and occupied by the appellant's parents, but they are elderly and not so involved with the farming activities anymore.
5. The farm appears to be profitable and there is no dispute between the parties whether the farm requires a full time worker, which would usually be Mr Watkins, the appellant. The issue is whether there is justification for Mr Watkins and family to live on site, given that a dwelling in this rural countryside location, outside of any defined settlement, would usually be contrary to policy.

6. There is cattle at the farm, including a suckler cow herd, with year round calving. The cattle for beef appears to be the main farming operation. I recognise that these cattle require attention and care to comply with welfare regulations, for example, especially when calving. The appellant and the letters from the Gloucester Veterinary Consultancy Ltd explains some of these benefits. I accept that at times the livestock may require attention and assistance in unsociable hours, such as overnight. Currently, this would seem to mean Mr Watkins senior calling his son to travel the approximate 6 miles from their home to attend the incident or emergency. This would be difficult and not ideal.
7. However, the National Planning Policy Framework (the Framework) requires that there is an essential need to justify a new dwelling in these circumstances. Whilst there would be advantages to living on site, such as being close to livestock to help with animal welfare and also for the appellant's children to grow up on the farm to learn the farming trade, I am not satisfied by the evidence that this is essential. If there was to be a larger quantity of livestock on the farm the frequent regularity of night time visits to the farm may have warranted a new dwelling as an essential need. However, given the scale of the current farming activities the frequency of necessary trips to the farm in unsociable hours would not constitute an essential need. Furthermore, if there was an expected need to be on site for a night, there is a farmhouse which could be used in such circumstances, albeit this is not reasonable for longer term incidences like severe floods.
8. With regards to flooding, the evidence suggests there are multiple rainwater floods, but tidal flooding is rarer. In many cases the chance of flooding can be forecast and prepared for in more sociable hours. In any case, the frequency of flooding of the access does not warrant a new dwelling at the site as it would not result in an essential need to address such an issue.
9. There could also be an incident which could threaten to cause serious loss of crops or products, but the evidence of the likelihood or frequency of such events are not clear. From the evidence provided such incidents along with workshop duties or general maintenance could either be undertaken in the typical farming working day or would not be frequent enough to warrant a further dwelling on site.
10. Security is another issue raised. I am aware of the issues of rural crime and I also understand that the appellant's father should not be thought of as some form of security. However, I would consider it likely that the presence of a farmhouse on site which is occupied would put off potential criminal activity such as theft, for example. I also note that there are cameras in place as a form of crime prevention and there has not been much in the way of serious crime at the farm in recent years. As such, security does not represent an essential need for a new dwelling at the farm.
11. There does appear to be some other dwellings available within the area of the site for purchase, but these would not be much closer than the existing home of Mr Watkins and family, which is approximately 6 miles from the farm. The only difference would be a slightly shorter journey time. I also note the high prices of larger dwellings which would likely be required for the family. However, from the evidence I am not satisfied that there is the essential need

to live closer to the site, even if that would result in less car trips and associated pollution.

12. There is provision for barn conversions and similar developments to be undertaken following a Prior Approval application to the Council, which would provide rural housing in appropriate circumstances. However, this proposal for a new farmhouse is not such a scheme and is considered against relevant local and national planning policy. Furthermore, agriculture is important for the rural economy, but I am not convinced from the evidence before me that this dwelling is needed to continue farming operations at the site. The farm at the site could continue to operate sustainably.
13. Overall, the proposed new farm dwelling would have its advantages for Mr Watkins as the main worker at the farm but based on the current farming activity the cumulative reasons given do not constitute an essential need for a dwelling. Therefore, there is not the sufficient justification for a new dwelling in this countryside location. The proposal fails to accord with Policies CSP.4 and CSP.5 of the Forest of Dean District Council Core Strategy 2012, and Policy AP.1 of the Forest of Dean District Council Allocations Plan 2018. These policies require proposals to be a form of sustainable development, reinforce the existing settlement pattern, and to help promote thriving communities, amongst other things. However, I am not satisfied from the evidence that the proposal is necessarily in conflict with policy CSP.1 of the Core Strategy.
14. Furthermore, the proposed development conflicts with Paragraph 80 of the 2021 Framework which requires that decisions should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside. The site is relatively isolated in that it is remote from services, facilities and settlements, though there is not currently the essential need for a rural worker to live at the farm as justification for the proposal.
15. Even with the shortfall of housing in the District, the single dwelling proposed which would support this farm and reduce car trips, for example, would have only limited cumulative benefit. The harm of the proposed new dwelling in a countryside location without appropriate levels of justification would significantly and demonstrably outweigh the benefits.

Conclusion

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

Mr S Rennie

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr and Mrs Watkins – Appellant

Mr Brian Griffin FRICS FAAV (BRIAN GRIFFIN PLANNING & COUNTRYSIDE CONSULTANTS LIMITED) - Agent

FOR THE LOCAL PLANNING AUTHORITY:

Stephen Colegate MRTPI - Principal Planning Officer (Appeals Enforcement)

Robert Fox BSc (Hons) MRICS FAAV - Fox Rural Planning

INTERESTED PARTIES:

None