



Appeal Decision

Site visit made on 7 February 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2023

Appeal Ref: APP/T2350/W/22/3307740

Bradleys Farm, Four Acre Lane, Longridge PR3 2TD

- 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 & Mrs Hayhurst against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2021/1104, dated 21 October 2021, was refused by notice dated 6 June 2022.
 - The development proposed is outline application for the erection of an agricultural workers dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline with some matters reserved. The application form indicates that approval was sought for appearance, landscaping, layout, scale, with the matters of access reserved for subsequent approval. However, the main parties have clarified that the application form is incorrect with the matter of access being sought and appearance, landscaping, layout and scale reserved for subsequent approval. The Council dealt with the appeal on this basis, and so shall I.
3. The appellant confirmed there is an agreed revised description of development being 'outline application for the erection of an agricultural workers dwelling including access, all other matters reserved'. I have therefore used this description in my formal decision.
4. The access details are shown on Drawing No. LO2 Revision T1 and will form the basis of my assessment. On the same drawing, an indicative layout for the dwelling has been shown and indicative proposed plans, elevations, site sections have been provided under Drawing Nos. LO3 Revision T2, LO4 Revision T1. However, as these matters are not being considered I have taken this into account only in so far as establishing whether or not it would be possible, in principle, to erect an agricultural workers dwelling on the site.
5. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issues

6. The main issues are:

- Whether the proposed development demonstrates a functional need at Bradley's Farm; and
- The effect of the proposed development on the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Reasons

Functional need

7. The appeal site relates to Bradley's Farm as per the red line shown on the submitted Location Plan. However, it is connected to Wheatley Farm which lies within close proximity to the appeal site and the farming business operates across both sites as a single farming unit which is said to cover some 63 hectares.
8. Policy DMH3 of the Ribble Valley Borough Council Core Strategy 2008-2028, 2014 (CS) relates to dwellings in the open countryside and AONB. The policy requires amongst other matters, residential development to be limited to development essential for the purposes of agriculture. It then goes on to explain that in assessing any proposal for an agricultural workers dwelling, a functional and financial test will be applied.
9. Paragraph 80 of the National Planning Policy Framework (The Framework) explains that planning policies and decisions should avoid the development of isolated homes in the countryside unless amongst other circumstances, where there is an essential need for a rural worker, including those taking majority control of the farm business, to live permanently at or near their place of work in the countryside. The need to apply a financial test as set out in Policy DMH3 is therefore not consistent with the approach in the Framework which I have had regard to. Nonetheless, for the purpose of the appeal and the functional test, Policy DMH3 forms the most relevant policy in this instance. I am aware of the appellants reference to Planning Policy Statement 7. However, this was superseded by the Framework.
10. The appellant currently resides at the Farmhouse located at Bradley's Farm but seeks to provide their granddaughter and her partner who already work on the farm a dwelling to run the family farming business as the appellant is nearing retirement. The granddaughter currently lives in a static home on the farm to help manage the farming business due to the appellants personal circumstances. I acknowledge the appellants comments that it would be impossible for the granddaughter to provide the level of stockmanship required if she resided away from the farm.
11. Bradley's Farm comprises a farmhouse, static caravan, a number of agricultural buildings and hardstanding along with a number of surrounding agricultural fields. The buildings were largely used for general storage, farm machinery and straw at the time of my site visit with a small section of a building used to house a small number of pigs. Two further buildings were being used to house a number of heifers and young cattle.

12. Wheatley Farm also comprises several agricultural buildings which is where the milking parlour is located. I saw at the time of my site visit there were a large number of milking cows present within the buildings along with in calf heifers and young calves. On this basis, it is therefore clear that Wheatley Farm would comprise the main farming dairy unit for the business.
13. I have had regard to the report relating to the proposed permanent agricultural workers dwelling completed by AG & P Jackson (Chartered Surveyors & Land Agents) dated February 2022 and the subsequent email correspondence dated 15 April 2022. This sets out that there is an established functional need on the holding itself which is not disputed and whilst there is a farmhouse located at Bradley's Farm, this will become unavailable to the farming business due to retirement and thus an additional dwelling would assist the farming business. However, the report also strongly advises that the location of the dwelling should be at or near the dairy complex at Wheatley Farm where dairy cows are milked, housed, and fed and where in calf heifers and young calves are also housed.
14. Furthermore, although heifers and young cattle are being reared to enter the milking herd at Bradley's Farm, in calf heifers and young calves are already located at Wheatley Farm. This location at Wheatley Farm would ensure that those entering the milking herd would endure minimum stress at the time of calving and afterwards. Thus, ensuring milk supply is readily available without the need for transportation. Therefore, based on the evidence in front of me along with my own observations onsite, it is clear that the functional need to support the heifers and young cattle is located at Wheatley Farm opposed to Bradley's Farm.
15. I acknowledge the appellant's comments that if a dwelling were to be built at Wheatley Farm, then it would require travel to Bradley's Farm to care for the livestock. However, given there is no substantive evidence to show that a functional need for a new dwelling exists at the appeal site itself, then there is nothing to show that any such issues would arise. I also appreciate that there is already a static caravan onsite although no compelling case has been provided to show that this arrangement is solely to fulfil the role that exists at Bradley's Farm or that the farming business could not continue without a further residence on the farm particularly given that the functional need exists at Wheatley Farm. Whilst it is important to support the continuation of a well-established farming business and the next generation, this would not omit the requirement to demonstrate a functional need for the development.
16. I conclude that on the basis of the evidence before me, it has not been demonstrated that there is a functional need for the proposed development at Bradley's Farm. Consequently, the development would be contrary to Policy DMH3 of the CS which relates to dwellings in the open countryside and AONB requiring amongst other matters, residential development to be limited to development essential for the purposes of agriculture.

AONB

17. The appeal site is located on land designated as an AONB. Paragraph 176 of the Framework explains that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and AONB's which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also

important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

18. The appeal site rises upwards towards the farmhouse and agricultural buildings, and the indicative layout suggests that a substantial sized dwelling would be located within the land and given the topography, would require extensive changes to the site levels with the introduction of retaining walls/structures. Access would be taken from an existing gated opening off the existing private farm track. This would be some distance away from the appeal site and would result in a lengthy new access track to serve a dwelling at this location. Whilst matters relating to appearance, landscaping, layout and scale are reserved for a subsequent approval where a full assessment would be had, it is clear from the outline submission where the proposed siting and access would be and the level of changes that would be required in order to accommodate the principle of a new dwelling. Cumulatively, these works would be significant within the landscape and an area where development is limited.
19. I note that Bradley's Farm is located further back from the main road close to the existing buildings onsite and existing landscaping would help to screen the proposed development. I also acknowledge the assertions that it would not appear as an isolated dwelling, due to the cluster of existing residential and agricultural buildings. However, the proposed development would still be visible from several public viewpoints including the main road. Given the rising land level, together with the significant works required for the creation of a new access track would unacceptably encroach into the undeveloped field resulting in an adverse visual impact. The proposed development would not therefore be sensitively located and designed to minimise adverse effects on the AONB.
20. Given that I have found that the proposal does not demonstrate a functional need for its location at Bradley's Farm, there is no substantive evidence before me to justify such significant works within the AONB. The AONB has the highest status of protection where great weight should be given to conserving and enhancing landscape and scenic beauty in accordance with the Framework. The suggestion that the design of the access track could resemble an informal agricultural track would not adequately mitigate this visual impact as it would still unacceptably encroach into the landscape without demonstrating a functional need for this specific location.
21. I conclude that the proposed development would unacceptably impact upon the AONB and would therefore be contrary to Policy DMH3 of the CS which amongst other matters, seeks to protect the open countryside and designated landscape areas from sporadic or visually harmful development. The proposed development would also be contrary to paragraph 176 of the Framework which sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and AONB's which have the highest status of protection in relation to these issues.

Other Matters

22. Whilst I appreciate the appellant's comments regarding the difficulties of providing a dwelling at Wheatley Farm in terms of levels, overlooking, electric lines, access, and nearby watercourses as well as this location not providing a

materially superior alternative. I am considering the appeal scheme that is in front of me based on the evidence, including the red line as shown on the submitted Location Plan and I have identified above the harm that would arise.

23. My attention has been drawn to other approved developments by the Council for agricultural workers dwellings. However, I have not been provided with sufficient information of these developments to be able to consider these matters further. In any event, I have considered the appeal on the basis of the evidence before me, and my own site observations.
24. I note that the appeal site benefits from existing services and its location in relation to local amenities. I have also had regard to the search area complete showing alternative accommodation in the area and note the appellants claims regarding availability, budget and viability. I am also aware of previous cases in relation to existing buildings/farmhouses in terms of it being unreasonable for occupants to vacate their home to make it available for the essential worker. Such matters would not however outweigh the harm or the conflict with CS Policies and the Framework I have identified.
25. I acknowledge the assertion that it is essential that 24-hour supervision is in place against theft, predators, and intruders. However, no substantive evidence has been provided of such issues in the area, and there is no compelling case that any such issues would arise from the outcome of my decision.

Conclusion

26. For the above reasons, the proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR