



Appeal Decision

Hearing held on 3 May 2023

Site visit made on 3 May 2023

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th July 2023

Appeal Ref: APP/P0240/W/22/3313068

Vine Farm, Edworth Road, Langford, SG18 9TA

- 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 Mr E Wainwright-Lee (of A E & W A Farr Ltd) against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/02611/FULL, dated 27 June 2022, was refused by notice dated 29 September 2022.
 - The development proposed is an agricultural dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether it has been demonstrated that there is an essential need for a rural workers dwelling;
 - The effect on the character and appearance of the area; and,
 - The accessibility of sustainable transport options and the effect on highway safety.

Reasons

Whether an Essential Need

3. The appeal site forms parts of a field within a wider agricultural holding known as Vine Farm which itself is part of an agricultural business running a mixture of arable and poultry farming. The poultry element has recently expanded from eight to ten sheds housing up to 37,000 birds each, totalling 370,000. Three permanent members of staff (Poultry Manager, Assistant Poultry Manager and Apprentice) operate this element and are supplemented by contractors and other temporary workers at particular points through the growth cycle.
4. The proposal is for the erection of a new dwelling with a rural workers' tie to accommodate the existing Assistant Poultry Manager (the APM) on site. The proposed dwelling would be adjacent to an existing rural worker's dwelling which houses the Poultry Manager (the PM). The APM was formerly housed in Ashwell but has now been provided with accommodation, in the form of a static caravan, on site.

5. It is accepted that the recent expansion of the poultry elements has resulted in an increased level of work at the unit and that this work often involves activities outside of a typical working day. In particular, I note that the unloading, thinning and loading of birds will usually take place early in the morning or later in the evening when it is cooler, and the birds are less active.
6. Work overnight can also arise from breakdowns and faults in the automatic systems maintaining the poultry sheds. This can include issues with the heating, ventilation, feeding and water systems. Any faults or breakdowns can result in harm to the health and wellbeing of the poultry, including deaths. Less extreme instances can also result in missed feedings or increased stress levels which ultimately can stunt growth resulting in poorer quality meat and reduced profits. It is agreed between the parties that such issues should be responded to within 15 minutes to meet good practice requirements.
7. The response to any out of hours alarms had been carried out by the PM who lives on site at the existing rural worker's dwelling. I heard at the hearing how, by effectively being permanently on-call, the PM had no opportunities for downtime or time away from the farm, such as holidays. However, I understand that now the APM also lives on site they have begun being able to help respond to some of these alarms. Although there is an Apprentice, they are only able to support the PM or APM and cannot carry out work on their own.
8. Given the above, I find it is reasonable to consider that relying upon one individual to respond to all alarms would not be viable in the long run and that it would likely adversely affect the worker's personal and work life to the detriment of the agricultural business. However, this does not, in itself, justify the erection of a further dwelling at the appeal site.
9. I heard at the hearing that the agricultural business owns a number of dwellings alongside those referred to within the submissions. While I was not provided with the exact number of properties under the business' control, I understand that there are two dwellings and two caravans at Vine Farm, three dwellings at the farm at Newnham and a further dwelling at Ashwell. Neither of the caravans have planning permission but are, along with the houses at Vine Farm and Newnham, used to accommodate staff associated with the agricultural business. The main farmhouse at Vine Farm is occupied by the director who does not participate in any farm labouring. The house at Ashwell is no longer used for the APM as it is deemed by the appellant to be too far away. The appellant did not expand upon the remaining properties within the business' ownership or their location as they considered them to be too distant to be viable.
10. I note that at least some of the existing properties are occupied and that there are concerns regarding the time in which it would take to reach Vine Farm. However, I find that Newnham and Ashwell are not so distant as to make a timely response improbable, especially as most of these journeys would be outside of typical working hours when traffic would be quieter. Although the appellant raised a number of delays such as a car breaking down, these would likely be rare occurrences. Similarly, although it may take time to get up and don protective clothing, these would quickly become second nature for staff and not result in any serious delay. Furthermore, given there is a property available in Ashwell, it may be possible to rearrange staff accommodation

arrangements to open up a dwelling closer to Vine Farm. Given the lack of information regarding the remaining properties, in my mind there is a potential for these to also be realistic options.

11. I am also mindful that as well as Ashwell and Newnham, there are a number of settlements that form a crescent around Vine Farm on the western side. These are in close proximity and would readily accommodate a 15-minute response time. Whilst I am mindful of the appellant's concerns regarding the availability and cost of dwellings within the local area, without any substantive evidence to support this I cannot be certain that it would not be a viable option.
12. The appellant has raised concerns that the alarm system may fail and that, as a failsafe, workers would need to be within sight and sound of the sheds. I understand that the alarm system creates an alert on the computers within the sheds, sets off a klaxon at the farm and calls the mobile phones of the relevant staff. I also understand that this system has been in place for at least the last six years and that there have been no failures in that time. Whilst this does not mean that a failure will never occur, it suggests that the system is robust and that failures are likely to be rare. Moreover, should only the mobile phone alert fail there are other workers on the farm and the existing dwelling from which the klaxon could be heard. Should both the klaxon and mobile phone alert fail then I find that workers would not be aware of an issue without checking the computers within the site office or sheds. An additional dwelling would not, therefore, be essential on this matter.
13. As noted above, the proposed dwelling would be sited adjacent to the existing dwelling on the southern access track to the site. This route leads from Astwick through a small area of commercial units converted from former farm buildings, towards the poultry sheds. The existing and proposed dwelling are set away from the sheds and the turning off the northern track towards them. Anyone trespassing along the southern track would already pass a number of buildings including two dwellings, whilst those traveling down the northern track would be unlikely to be heard or seen from the dwellings. Moreover, whilst I heard of potential protests, I understand that these did not come to fruition and no evidence of theft or vandalism has been provided. Given this, and that there is a dwelling next to the appeal site, another dwelling would not be essential for, or substantially alter the existing level of, security.
14. I note that faults, breakdowns and criminal activity overnight could lead to the loss of poultry or a deterioration of their end value if not promptly responded to. However, it has not been demonstrated that there are no properties available within the local area or that none of the properties within the appellant's ownership would be viable.
15. I cannot therefore conclude that it is essential for an additional member of staff to live on site in a new permanent dwelling. The proposal would therefore conflict with Policies SP7 and DC3 of the Central Bedfordshire Local Plan (July 2021, the LP). These policies, amongst other matters, only support residential development outside of settlements in specific circumstances, such as rural worker's dwellings where an essential need has been demonstrated. The proposal would also conflict with Paragraph 80 of the National Planning Policy Framework (the Framework) that requires an essential need for a rural worker to live permanently on or near the place of work. It would also conflict with the guidance on such developments contained within the Planning Practice

Guidance under Paragraph 010 of the Housing Needs of Different Groups section.

Character and Appearance

16. The appeal site forms part of a paddock within an agricultural holding that, along with neighbouring fields and farmland characterises the wider area. As noted above, the site is adjacent to an existing rural worker's dwelling. Whilst there are some settlements nearby, including Astwick and Stotfold, by way of their nature and location they are clearly discrete from Vine Farm and its setting, they do not contribute towards, or otherwise affect, the rural character and appearance of the area.
17. The proposed dwelling and its associated garden space would, however, by way of its domestic character and the proliferation of domestic paraphernalia, sit uncomfortably within this rural landscape. Although the development would be a relatively small addition relative to the surrounding area it would nevertheless erode the character of the area. Moreover, whilst it would sit next to an existing dwelling, this does not justify further development. As I have not found the dwelling to be essential for the operation of the farm, I do not find that this harm would be outweighed by any need.
18. The existing dwelling is a two-storey building with a gabled roof. The proposal, as a result of its single-storey height and half-hipped roof, would not reflect, or be sympathetic to, the existing dwelling. Nevertheless, given the visually isolated location of the two dwellings there is no residential character for the proposed dwelling to follow. Therefore, in this instance, the lack of uniformity between the two buildings would not be unacceptable. Consequently, the proposed dwelling would not, in this regard, be unacceptable.
19. In light of the above, by way of its siting within a rural setting, the proposal would erode and therefore harm the character and appearance of its surroundings. The proposal would therefore conflict with LP Policies SP7 and HQ1 which collectively, and amongst other matters, recognise the intrinsic character and beauty of the countryside and require developments to enhance or reinforce the distinctiveness of a local area. The proposal would also conflict with Chapter 12 of the Framework and in particular Paragraph 130 which requires developments to add to the overall quality of an area, be sympathetic to the landscape setting and maintain a strong sense of place.

Highway Safety and Sustainable Transport

20. As noted above the main vehicular access to Vine Farm is from the north, off Edworth Road. The junction is at a fairly shallow bend in the road and is laid out in a wide concrete apron. Views in both directions are fairly substantial although views towards the left, when leaving the site, are somewhat reduced by a roadside tree. I understand Edworth Road to be national speed limit and, at the time of my visit, there was a low level of passing traffic. However, Edworth Road provides access to Langford from the A1 and so traffic levels are likely to increase at points during the day. The northern access is used for the majority of vehicles, associated with the poultry and arable farming carried out at Vine Farm, as well as the existing dwelling.
21. Although I note the Council's concerns regarding visibility at the junction, I find that intervisibility in both directions is good. Whilst the trees towards Langford

do reduce visibility, a more central positioning within the splay largely negates this. Moreover, I understand that the access has been in use for some time, and I have not been provided with any evidence of accidents at this location.

22. The holding would already generate a significant number of vehicular movements associated with the poultry and arable farming, as well as the existing dwelling. Although the proposal will likely increase the number of movements, I find that the likely increase would not be so substantial as to significantly increase the risk of the highway around the northern access. Moreover, although the apron may not match that agreed upon under the permission for the additional poultry sheds, I find that in the event the appeal were to be allowed, this matter could be dealt with via a condition.
23. The closest settlements to the appeal site are Astwick and Stotfold. Astwick is a very small settlement which provides little beyond a nursery and church. Stotfold in contrast is a much more significant settlement where I noted a range of services, facilities and shops. Although Stotfold is at some distance from the site, it would be accessible for future occupiers by walking or cycle. I heard at the hearing how there is a recently constructed footpath which allows at least one member of staff to cycle from the farm to Stotfold. Whilst future occupiers may use private motor vehicles, they would be no more reliant than residents of Stotfold where new residential development is supported by the development plan.
24. In conclusion the proposal would have suitable access to sustainable transport options to reach daily needs and would not result in an unacceptable increase in vehicular movements through the northern access to the detriment of highway safety. The proposal would therefore comply with LP Policy T2 which requires developments to reduce the need to travel by catering for safe and convenient walking and cycling. The proposal would also comply with Framework Chapter 9 and in particular Paragraph 111 which seeks only to refuse proposal on highways grounds where there would be an unacceptable impact on highway safety.

Other Matters

25. The appellant has brought my attention a number of examples of farms with multiple rural worker's dwellings, and I note the comparisons made. However, having considered the limited details available to me, it is not possible to ascertain the exact circumstances or context leading up to the erection of multiple dwellings. These examples have therefore had no substantive bearing on my assessment on this proposal. Moreover, all proposals must be considered on their own individual merits as I have done in this case.

Conclusion

26. The proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Brian Barrow

Rob Bray

Tim Far

Ed Wainwright-Lee

FOR THE LOCAL PLANNING AUTHORITY:

Jade Moss

Annabel Robinson

Andrew Coombe

Rob Page