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## Appeal Decision

Hearing held on 13 March 2024

Site visit made on 13 March 2024

**by Rachel Hall BSc MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19<sup>th</sup> April 2024**

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**Appeal Ref: APP/N2535/W/23/3319721**

**Castle Farm, Cowdale Lane, Sturton By Stow, Lincoln, Lincolnshire LN1 2PL**

- 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 Neil Elliot of Castle Farm against the decision of West Lindsey District Council.
  - The application Ref is 145718.
  - The development proposed is new dwelling for farm worker.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application was refused by the Council with reference to policies in the Central Lincolnshire Local Plan 2012-2036 (April 2017). The Council subsequently adopted a new Central Lincolnshire Local Plan in April 2023 (Local Plan) which resulted in the former Local Plan policies being superseded. I have determined the appeal on that basis.
3. A revised National Planning Policy Framework (Framework) was published on 19 December 2023. Insofar as it is relevant to the matters at hand in determining this appeal, the Framework is consistent with the previous iteration. References to the Framework in this decision are to the new paragraph numbers.

### Main Issue

4. The main issue is whether there is an essential need for a dwelling to accommodate a rural worker to live permanently at the appeal site in the countryside.

### Reasons

5. Castle Farm is a family run, arable farming enterprise. The farm employs two full time staff, comprising the appellant and his son. In addition, seasonal workers are employed at peak times. The appellant's son is a partner in the business and succession planning is underway with the intention that he will take over the running of the farm in the coming years, enabling the appellant to retire. The proposal would provide independent living accommodation for the appellant's son, who currently lives in the farmhouse with his parents and sister. The farmland is split into two areas. This comprises land immediately

- surrounding the appeal site, and a separate parcel of rented land accessed off Cowdale Lane. These areas can be farmed simultaneously.
6. Key components of the work in running the farm include the growing and monitoring of crops, crop spraying when weather conditions are favourable, monitoring of grain drying, day-to-day management of the farm and seasonal workers, general maintenance, as well as providing security. The grain store and fertiliser containers require daily checks. At times there is a need to work late into the evening to complete tasks such as crop spraying. However, the evidence has not demonstrated a sufficiently frequent need for working overnight that would justify both the appellant and his son residing on the farm all year round.
  7. I accept that having the appellant's son living on site would make the transfer of knowledge between father and son more convenient for both parties. Nevertheless, given the nature of the work described, it would also be feasible for the appellant's son to live nearby and travel to work at the farm. No substantive evidence indicates otherwise. Consequently, the succession planning and subsequent transfer of responsibilities to the appellant's son does not amount to an essential need for a new permanent dwelling.
  8. I recognise that rural crime is a concern. The appellant has experienced diesel theft. Also, research from the NFU (Rural Crime Report 2022) anticipates that rural crime may be on the increase due to rising prices and the cost of living. An additional dwelling would provide greater potential for passive surveillance of machinery and fertiliser storage, which could act as a deterrent to criminal activity.
  9. However, the entrance to the farm is gated and there is already passive surveillance provided by the existing farmhouse. Even if the appellant remains living in the farmhouse for his retirement, the presence of an occupied farmhouse with direct visibility of the agricultural barns would remain a physical deterrent. Therefore, the benefit from increased surveillance from an additional dwelling does not of itself amount to an essential need here.
  10. In addition, if the appellant's son lived away from the farm, it was suggested that the appellant would need to make arrangements for his son to stay on the farm to provide an overnight presence for security reasons. Nevertheless, the farmhouse contains four bedrooms. Therefore, it could reasonably accommodate the appellant's son on the occasions when the appellant is away. The same would be true even if in future the appellant's son has his own young family. Consequently, the need for an overnight presence on those occasions would not be sufficient to justify development of a new permanent home in the countryside.
  11. The appellant has indicated that he intends to expand the business subject to suitable land becoming available. Nevertheless, there is considerable uncertainty over the timing and scale of such expansion, and the implications of this on the day-to-day operations of the farm.
  12. Very limited evidence was provided by the appellant on the suitability of alternative accommodation in the locality. However, the Council conducted a property search using the Rightmove website (October 2022). Whilst anecdotal, this identified a range of properties for sale in Saxilby and Sturton by Stow. These villages are less than a 10 minute drive from the appeal site.

13. The properties identified range in price from £120,000 to £250,000. Property values are likely to have increased since that time. Also, I accept that the cost of constructing a self build property would be more economical for the appellant given the potential to make use of farm machinery and labour. Nonetheless, no robust evidence was before me to indicate that such properties would be unaffordable. Given the proximity of those villages to the appeal site, it appears reasonably likely that suitable properties would be available and would be realistic alternatives to the appeal scheme.
14. The appellant's evidence also made reference to another proposal said to be allowed in similar circumstances to the appeal scheme (Ref APP/F4410/A/12/2173826). Nevertheless, at the hearing the Council advised that that proposal was for a new farmstead, including a farmhouse and agricultural buildings. Whereas this appeal is for an additional rural worker house on an existing farm. As such that proposal does not seem sufficiently similar to the circumstances of this appeal. In any event, very limited details of that decision were provided such that I cannot make a more detailed comparison.
15. Drawing together my findings above, there is a large amount of work involved in managing the farm and it would certainly be more convenient for the appellant's son to live on the site. This would particularly be the case during busy periods when the working day is longer or additional labour is on site and needing to be managed. However, for the reasons given, the various demands on the appellant and his son's time do not require an additional dwelling to provide overnight on-site presence on a regular basis. Moreover, the benefit of additional surveillance to increase farm security is not sufficient on its own to justify the proposal here.
16. Therefore, I conclude that it has not been demonstrated that there is an essential need for the proposed dwelling to accommodate a rural worker to live permanently at the appeal site in the countryside. Accordingly, it would conflict with Policy S5 part D of the Local Plan. Amongst other matters, this seeks to ensure new houses in the countryside are essential to a rural business. In addition, it would conflict with paragraph 84 of the Framework which seeks to avoid isolated homes in the countryside unless certain criteria are met, including that there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

### **Other Matters**

17. The proposal would provide one new dwelling and would generate some employment during its construction. In addition, there would be some small personal benefit for the appellant and his son in providing more independent living accommodation. I note the letter of support on behalf of the National Farmers Union. Nevertheless, I see no reason to conclude that in dismissing the appeal, there would be any material harm to the success of the farm business or its contribution to the local and wider economy.
18. The proposal would not adversely affect the living conditions of any existing occupants. It would not harm the character and appearance of its surroundings or highway safety. Subject to a suitable condition it would also be acceptable in respect of matters such as drainage. These are neutral factors. Whether or not it would be feasible to convert an existing agricultural building to residential

use does not alter my conclusions on the absence of an essential need for the dwelling.

### **Conclusion**

19. The proposed development would be within open countryside where there is a presumption against new residential development. This attracts significant weight and outweighs the combination of its benefits. Therefore, the proposal would be contrary to the development plan as a whole, and there are no material considerations that outweigh this conflict.
20. Accordingly, for the reasons given above, and having regard to all matters raised, the appeal is dismissed.

*Rachel Hall*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

|             |                                |
|-------------|--------------------------------|
| Neil Elliot | Appellant                      |
| Sean Madden | Agent, Hubble Architecture Ltd |

### FOR THE LOCAL PLANNING AUTHORITY:

|               |                         |
|---------------|-------------------------|
| Richard Green | Planning Officer        |
| Ian Elliot    | Senior Planning Officer |