



Appeal Decision

Hearing held on 9 July 2025

Site visit made on 9 July 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th August 2025

Appeal Ref: APP/X2220/W/25/3362946

Home Farm, Ringwould Road, Ringwould, Kent CT14 8FB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms A Ledger on behalf of Appleton Farms Limited against the decision of Dover District Council.
 - The application Ref is DOV/23/01200.
 - The development proposed is erection of 3no 3 bedroom terraced dwellings for agricultural workers.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 3no 3 bedroom terraced dwellings for agricultural workers at Home Farm, Ringwould Road, Ringwould, Kent CT4 8FB in accordance with the terms of the application, Ref DOV/23/01200, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal property is in the Kent Downs Area of Outstanding Natural Beauty (AONB). On the 22 November 2023, all designated AONBs in England and Wales became National Landscapes (NL).
3. As part of the appeal, the appellant has submitted an Archaeological Desk Based Assessment (ADBA) in response to a reason for refusal. The Council has commented on this document during the appeal. Whilst I cannot be certain that this document has been subject to wider publicity it is a technical document which does not alter the location or nature of the scheme. As such I shall accept the ADBA for the purposes of this appeal and do not consider that any interested party would be prejudiced by my acceptance of this technical evidence.
4. During the Hearing the appellant submitted results from a search of nearby properties for sale. The documentation provides an up-to-date search and is relevant to the main issue.

Background and Main Issues

5. Following the appellant's submission of an ADBA the Council confirmed that it no longer wishes to pursue the second reason for refusal which relates to archaeology as they consider this can be dealt with by condition. I see no reason to disagree. Accordingly, I have considered the appeal on this basis and the main issues are:

- i) whether the proposal meets the requirements of local and national policy with regard to development in the countryside; and
- ii) the effect of the proposal on the Kent Downs National Landscape (KDNL).

Reasons

Need

6. By reason of the appeal site's location outside of any settlement boundary and for the purposes of applying planning policy, the appeal site is considered to be located within the countryside. Policy SP4 of the Dover District Local Plan adopted October 2024 (LP) seeks to restrict development in the countryside subject to a list of exceptions. These include support for new dwellings in the countryside where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
7. This LP policy is broadly consistent with paragraph 84 of the Framework insofar as it seeks to avoid isolated homes in the countryside unless in accordance with certain circumstances including where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
8. The Planning Practice Guidance (PPG), which underpins the Framework, provides further advice over the need for isolated homes in the countryside for essential rural workers and the considerations that may be relevant in applying Framework policy. Appropriate to this case is evidence of the necessity to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural enterprise, including where processes require on-site attention 24-hours a day, where otherwise there would be a risk from crime or where there might be a need to deal quickly with emergencies.
9. The dairy operation at Home Farm has been grown from a very low base over a 20-year period into a 520 strong herd of Holstein-Friesians with new buildings and covered modern milking parlour. The herd produces about 10,000 litres of milk per cow annually, which above the national average. A parallel calving operation has been established at the nearby New Townsend Farm and the farm now proposes to consolidate the operations bringing the calving unit to Home Farm and to expand the dairy herd to 600. There is a core workforce of 11 supported by 4 flexible workers. This includes a variety of skills from dairy farm management through to calving, weaning and milking.
10. At the Hearing the appellant set out that there are few dairy farms located in Kent and that the lack of permanent accommodation at the farm has made it difficult to attract and retain suitable staff. They go on to state that competitive farms have enticed staff, and this remains a threat to the viability of the business which is dependent upon skilled staff.
11. The farm has been heavily invested in over recent years and at the Hearing the parties both confirmed that planning permission has been granted for additional agricultural buildings to enable further investment in the dairy and calving operation at Home Farm. It is not disputed by the Council that the enterprise is based on a sound financial basis with confidence that it will remain viable for the foreseeable future. Furthermore, it is also agreed by both main parties that there is no existing lawful accommodation at the site that would meet an essential need for rural

workers. From the information available to me, in relation to these matters, I have no reason to disagree.

12. The Council accept that there is an essential need for at least one worker to live permanently at the site. It is the need for three dwellings that is disputed.
13. The appellant submits that two trained staff need to be within audible range of the calving unit on a 24 hour, 7 days a week, 365 days a year basis. The appellant confirmed that the dwellings would not be for housing seasonal workers, as the operations undertaken are large-scale which require permanent, skilled staff.
14. The appellant's core argument is that due to the animal welfare requirements of the animals kept on the farm workers are required to be on site, and available overnight, throughout the year. An on-site presence is required to monitor the birthing process of the livestock and to intervene as necessary to prevent loss.
15. Calving occurs regularly at the farm with a weekly flow of 10+ calves and onward heifers passing through the calving unit and that at any one time there is a significant number of cows that are pregnant. It is understood that the calving process takes on average 2 to 12 hours during which time it is critical that the calf is closely monitored to ensure a safe and healthy birth process. They go on to state that manual intervention is often required to reduce risk to mother and calf. Cows can calve at any point in the day and often during the night. Accordingly, the appellant submits that at least 2 staff must be present throughout the year regardless of the weather and season to support modern animal husbandry practices.
16. Furthermore, the appellant advances that a cow in heat and bulling needs to be spotted in a small window of time and that if the heat is missed it would cost the farm on average £7-10 per day, per animal which includes the loss of milk and costs to feed the animal, averaging at £248 per month.
17. The appellant indicates that the farm has a high yield in terms of milk putting the farm in the top 5% of performers nationally. The appellant states that yields could be improved through workers located close by as an effective, and well supported, calving operation and animal husbandry is the key to success.
18. Remote monitoring and alarm systems are installed in the calving barns. However, any emergencies, particularly in respect of calving, must be dealt with quickly in person, in order to minimise losses.
19. The appellant has suggested a response time of 5 minutes, with the workers being in sight and sound of the herd/cattle being the optimum position. Whilst I have not been made aware of any prescribed industry time as to how fast a worker should attend, nor a specific distance of how close a worker should be to attend in an emergency, there is little doubt that the faster an emergency can be dealt with the better in order to attend to the cattle's welfare and minimise losses. An off-site worker would need to be woken by the alarm, dress, and travel to the farm. All of this would take time.
20. As calving and emergencies can extend long beyond normal working hours, and at various times of the week often involving an early start and late finish, the intensive operation at the farm could not reasonably be expected to be adequately managed

by full-time workers having to travel to and from the site, potentially at multiple times daily, from a home elsewhere.

21. Whilst routine work such as feeding and milking, could reasonably be planned for and managed whilst residing nearby, I am not satisfied that this arrangement would be suitable in relation to the welfare of the livestock and in terms of preventing and effectively managing livestock escapes and calving.
22. Due to the scale of operations at the holding, it is not reasonable that one farm worker should carry the burden for dealing with such incidents. Furthermore, given that the enterprise would be susceptible to loss from, amongst other matters, livestock which could have a significant impact on production, it could reasonably be concluded that there is an essential need for two skilled workers to live permanently at Home Farm. However, having regard to shift patterns there would be a need for three employees to ensure continuity in the husbandry of the herd and the overall efficient operation and management of the farm.
23. Whilst the Council raises concerns regarding the scale of the size of the proposed dwellings in terms of the number of bedspaces, I find it reasonable for the accommodation to be a family-sized rather than a single person/couple occupancy.
24. Although the appeal site lies outside of the settlement of Ringwould it is a short distance from it. The Council submits that suitable properties were available for sale and rent nearby, both at the time the planning application was made and at the time of the appeal submissions. Evidence over the availability of similar sized accommodation, to which they seek, has been provided by the appellant with them asserting that these properties are beyond the affordability of an agricultural worker. Notwithstanding the availability of properties, the appellant maintains the position that the proposed accommodation needs to be located on the farm itself to be within sight and sound of the buildings for which these existing properties in the area would not be able to provide.
25. Based on the specific circumstances of this rural business, including the scale of the operation, the intensive farming processes and animal welfare, I am satisfied that there is an essential need for three workers to reside on the farm and that the proposed 3no terraced dwellings would meet that need. Accordingly, the proposal satisfies the requirements of Policy SP4 of the LP and the provisions of the Framework. Together, and amongst other things, these require that development is necessary to meet the proven needs of a rural enterprise.

National Landscape

26. The appeal site lies within the KDNL A statutory duty under section 85 of the Countryside and Rights of Way (CROW) Act 2000 requires me to seek to further the purpose of conserving and enhancing the natural beauty of the NL. This duty is also reflected in the Framework that states great weight should be given to conserving and enhancing the landscape and scenic beauty of the NL.
27. The KDNL characteristics are identified as gently undulating coastal chalk plateaux punctuated by dry valleys, with relatively few trees creating an open landscape with a dominant land use of arable farming.
28. The appeal site is located within this undulating rural landscape. The proposed dwellings would occupy an irregular shaped plot of land between existing farm

buildings, silage clamp and properties positioned on the south side of the A258 and Ringwould Road. As a result, there is limited visibility into the site. As the site appears as part of a more developed cluster of built form its contribution to the open character of the KDNL and its wider setting is limited.

29. Development in the countryside will inevitably have a degree of impact on the countryside. The proposed dwellings would be of a modest scale and have been designed as a simple terrace, largely reflective of Kent Downs vernacular. Due to their position within the farm complex, and the presence of existing built form and landscaping, the proposed dwellings would not be highly prominent in the wider landscape.
30. The proposal would not be unduly prominent, including from nearby public rights of way. Any glimpsed views would be seen in the context of other built development, including large scale agricultural buildings. I also note that the KDNL Team does not raise an objection to the proposal.
31. The Council seeks to ensure the roof of the proposed dwelling would be an appropriate clay tile. Given the context of the site the imposition of a condition requiring the submission of sample materials, to the local planning authority for approval, would be reasonable and necessary to safeguard the visual amenity of the KDNL.
32. Accordingly, I conclude that the proposal would conserve and enhance the natural beauty of the KDNL. It would therefore accord with Policies PM1 and NE2 of the LP and the Framework. Collectively, amongst other things, these seek development that is of high-quality design, respecting local, natural and historic character, appropriate to local landscape character and does not have a significant adverse impact on the setting of the KDNL.

Conditions

33. I have considered the proposed conditions against the statutory tests outlined in the Framework and the advice in the PPG. I have made minor amendments, where necessary, to ensure that the conditions comply with these documents.
34. In addition to the standard implementation and plans condition, a condition requiring a sample of external materials of the development is necessary to ensure a satisfactory appearance.
35. The appeal site lies within an area of archaeological potential. At the Hearing the appellant suggested an alternative condition to that suggested by the Council to secure an archaeological watching brief. Whilst the appellant submits that this approach would be more reasonable and proportionate, I am mindful that Policy HE3 of the LP states that on sites where a desk-based assessment reveals that important, or potentially significant archaeological heritage assets may exist, developers will be required to arrange field evaluations to be undertaken and a programme of archaeological excavation and recording. Accordingly, having regard to this, and in light of the findings of the ADBA, a condition is necessary for a scheme of archaeological investigation.
36. In the interests of highway safety, a condition is necessary requiring that the areas shown on the plans for parking and turning be kept available at all times.

37. A condition for the provision of refuse storage and cycle stores is necessary to safeguard the quality of the local environment, the living conditions of future occupiers and to encourage the use of sustainable transport modes.
38. To reflect the description of the development and the justification for allowing it in this location, a condition is necessary limiting the occupancy of the dwellings associated to agriculture. However, having regard to the guidance of the PPG and Framework, particularly in respect of enforceability, I have omitted reference to Home Farm.
39. A condition to manage surface water drainage is necessary to ensure no environmental harm arises. Given the historic use of the site, it is reasonable and necessary to include a condition in respect of the remediation of contamination not previously identified in the interests of human health and the environment.
40. A condition is reasonable and necessary in respect of water efficiency standards, as supported by Policy CC4 of the LP, as the evidence indicates that the Dover District is classed as a severely water stressed area.
41. The Council suggests a condition restricting permitted development rights for Classes A, B, C, E and F of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) (the GPDO). Advice contained in the PPG¹ advises that such conditions may not pass the test of reasonableness or necessity. However, in this case, given the location of the appeal site within the KDNL, and the potential effect on landscape and scenic beauty, restricting the ability to extend the dwellings without the need for planning permission is justified. Similarly, a restriction on alterations to the roof (Classes B and C) are also justified. At the Hearing it was agreed between the parties that to remove Classes E and F were unnecessary. Accordingly, I have imposed the suggested condition, but have excluded reference to Classes E and F, control over which would be unnecessarily restrictive.
42. I observed existing substantial landscaping and boundary treatments proximate to the appeal site. Given the location of the proposal within the farm complex, set back from the highway and positioned adjacent to existing built form a condition regarding additional landscaping is not necessary in this instance.

Conclusion

43. By reason of my findings above, I conclude that the erection of 3no 3-bedroom terraced dwellings for agricultural workers would comply with Policies SP4, PM1 and NE2 of the LP. As I have not found conflict with any policies of the LP, it therefore accords with the development plan as a whole and there are no material considerations that justify a refusal of planning permission in this instance. Accordingly, the appeal should succeed.

R. Gee

INSPECTOR

¹ Paragraph 017 Reference ID: 21a-017-20190723

APPEARANCES

FOR THE APPELLANT:

Mrs Jane Scott BA (Hons) DipTP MRTPI Planning Consultant, Finn's

Miss Mollie Lay, Graduate Town Planner, BSc (Hons) Graduate Planner, Finn's

Mrs A Ledger, Director of Appleton Farms Ltd - Appellant

Mr Ben Ledger, Director of Appleton Farms Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Karen Evans, Senior Planning Officer

Mr Adam Reynolds, Development Manager Team Leader

DOCUMENTS SUBMITTED DURING THE HEARING

1. Property search – Rightmove dated 16.06.2025
2. Email dated 5 June 2025 from the Council's Senior Archaeological Officer

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing nos: drawing number 230615-P-001A, 230615-SP-001A, Foul and Surface Water Drainage Strategy and Invicta Archaeological Desk Based Assessment dated 31 July 2023.
3. No development shall take place until: (i) An archaeological Written Scheme of Investigation (WSI) been submitted to and approved in writing by the local planning authority; and (ii) Any necessary safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the WSI have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority. The development should be carried out in full accordance with the approved details within the WSI.
4. No development above ground level shall take place until samples of all external materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
5. Prior to occupation of the dwellings, the area to be laid out for the parking and turning of vehicles, shown on drawing 230615-SP-001A, shall be provided, surfaced and drained and shall be kept available for this purpose at all times.
6. Prior to occupation of the dwellings, the bin store and cycle stores, shown on drawing 230615-P-001A shall be provided and shall be kept available for this use at all times.
7. The occupation of the accommodation hereby permitted shall be limited to a person (together with their spouse or partner, children and dependents) solely or mainly working, or last having worked, in the locality in agriculture or forestry, as defined in Section 336(1) of the Town & Country Planning Act 1990 (as amended).
8. No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

10. All new dwellings shall be built to the higher water efficiency standards under Regulation 36(3) of the Building Regulations, to achieve a maximum use of 100 litres per person per day.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A, B and C, Part 1 of schedule 2 of that Order.

*****End of Schedule*****