

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	21 November 2018
TITLE OF REPORT:	181925 - PROPOSED ERECTION OF POULTRY MANAGERS DWELLING, TOGETHER WITH GARAGE/STORAGE BUILDING AND PACKAGE TREATMENT PLANT. AT SHERRINGTON MANOR FARM, SHERRINGTON ROAD, BROXWOOD, HR6 9JR For: J G & D C Thomas per Mr Bryan Thomas, The Malthouse, Shobdon, Leominster, Herefordshire HR6 9NL
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181925&search=181925
Reason Application submitted to Committee - Redirection	

Date Received: 23 May 2018

Ward: Arrow

Grid Ref: 337555,254630

Expiry Date: 23 November 2018

Local Member: Councillor RJ Phillips

1. Site Description and Proposal

- 1.1 The application relates to a site located in the open countryside and in the area known as Lower Broxwood. The site is situated approximately 3.5km to the south west of the village of Pembridge and approximately 3km due west of the village of Dilwyn. The approximate location of the site is denoted by the red star on the map below.

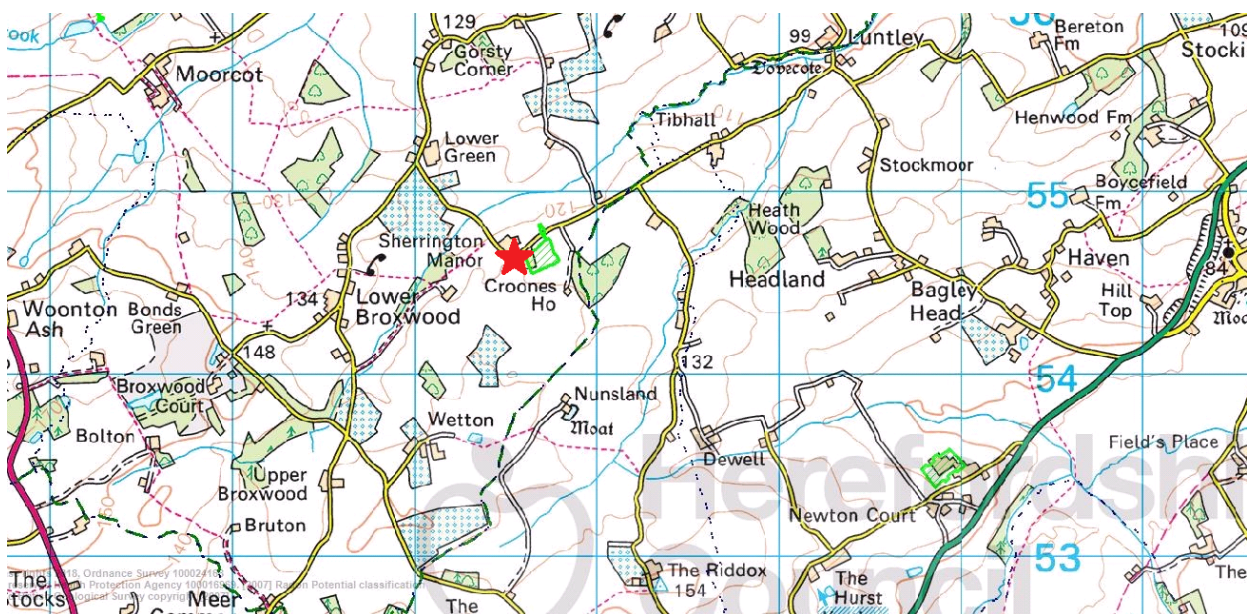


Figure 1: Site Location Plan

Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

- 1.2 Sherrington Manor is a farming complex which is spread across two parcels of land on either side of the un-classified highway known as Sherrington Road (UC93203). The host farmhouse lies on the northern side of the highway along with a range of predominantly modern agricultural buildings, whilst five poultry units and other associated development is found to the south east on the opposite side of the highway. A second dwelling in the ownership of the farm, Little Sherrington, is found approximately 500m to the north of the site. The farm holding extends to approximately 150 hectares in total, and the supporting statement outlines that the farm is a mixed enterprise including arable crop rotations, cider apple orchards, grassland, and a small herd of suckler cows. The five broiler units are of varying ages and collectively produce approximately 900,000 birds per annum.

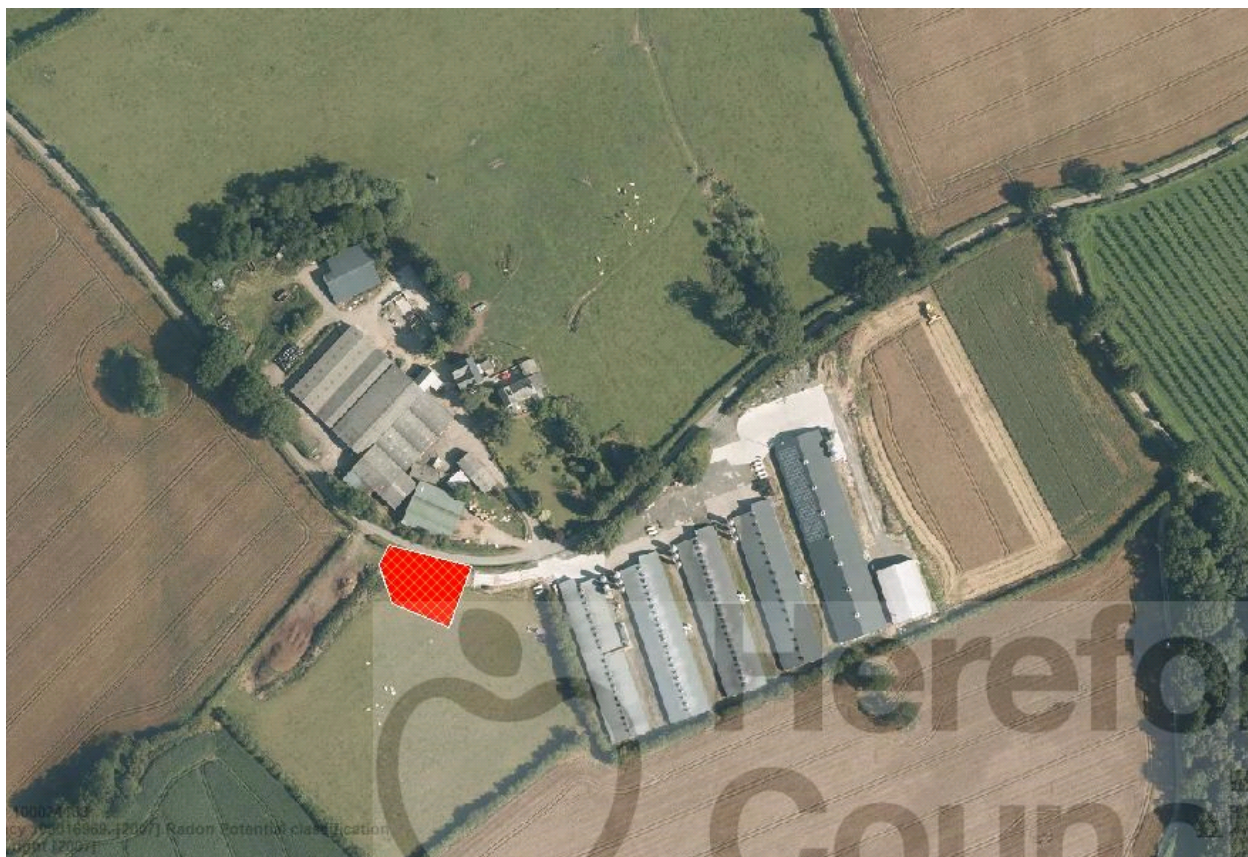


Figure 2: Site Aerial Photograph

- 1.3 The current application relates to a parcel of land on the southern side of the unclassified Sherrington Road (Figure 2). The site currently forms part of a larger agricultural field and is laid to pasture. The topography is generally flat, and a mature hedgerow is found at the northern roadside boundary. An earth embankment forms the boundary to the west and open countryside extends beyond the site to the south.
- 1.4 The application seeks full planning consent for the erection of a new detached dwelling on the site to serve as accommodation for an agricultural worker. The supporting Agricultural Business Appraisal outlines that the applicant wishes to employ a specialist Poultry Manager to oversee the operation of the broiler units, which in turn would reduce labour pressures on the existing workforce and release the applicant to manage the other elements of the farming enterprise. The new accommodation would take the form of a two storey detached dwelling providing three bedrooms of accommodation and a total internal floor space of 138sqm. This would include a farm office and wet room at ground floor level. The dwelling would be finished externally in red facing brick under a roof of natural slate, and it would be sited on a parcel of land to the west of the broiler units. Its principal elevation would be orientated to the north east and it would be served by the existing agricultural access off Sherrington Road. A detached garage and carport

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building is also proposed to the south east corner of the site which would be clad with larch boarding under a slate roof. Foul water would be managed through the installation of a new package treatment plant and associated spreader field, whilst surface water will be discharged to soakaways.

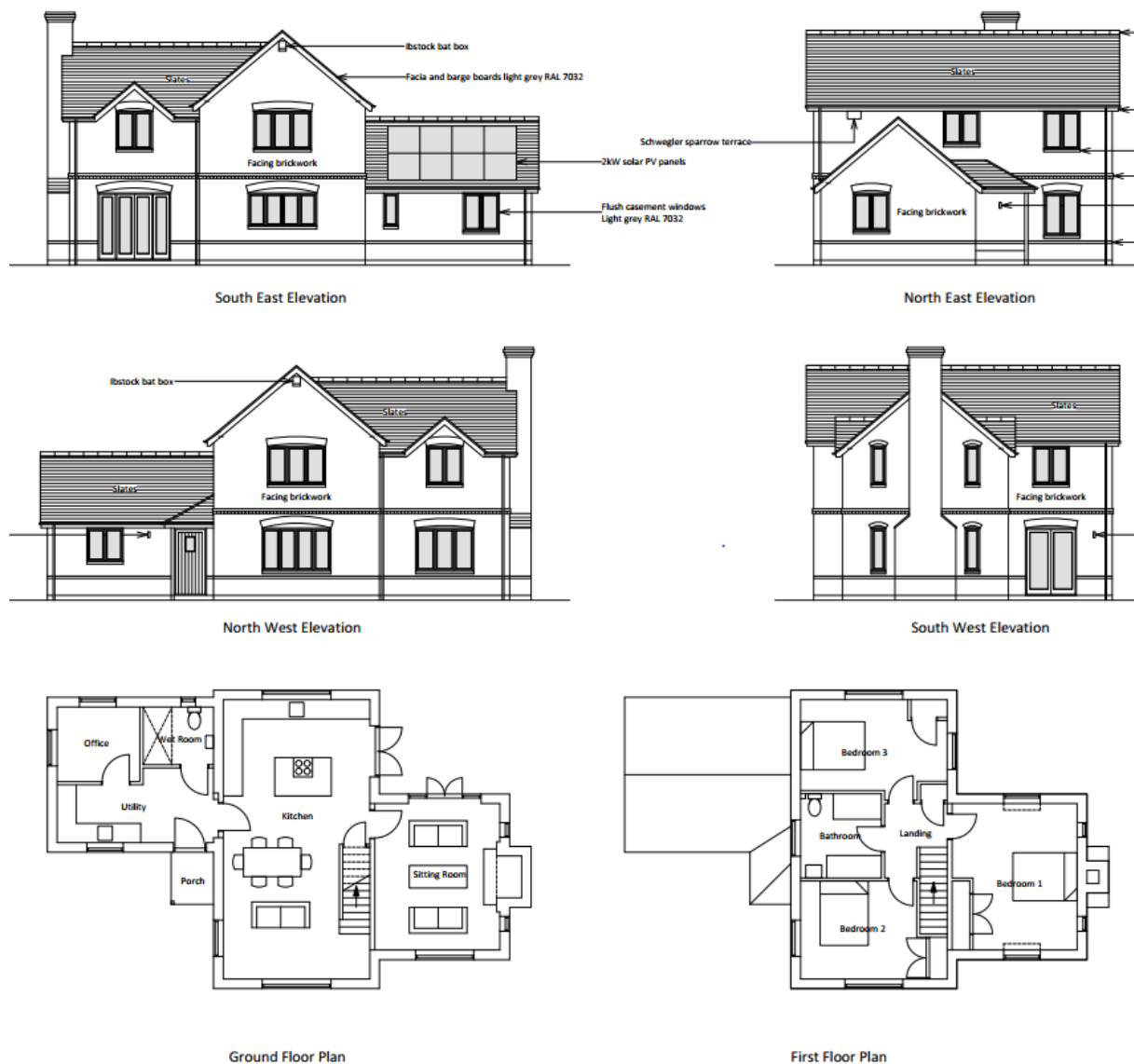


Figure 3: Proposed Elevations and Floor Plans

2. Policies

2.1 Herefordshire Local Plan – Core Strategy (2015)

The following policies are considered to be of relevance to this application:

- SS1 - Presumption in Favour of Sustainable Development
- SS2 - Delivering New Homes
- SS3 - Releasing Land for Residential Development
- SS4 - Movement and Transportation
- SS6 - Environmental Quality and Local Distinctiveness
- RA1 - Rural Housing Strategy
- RA2 - Housing in Settlements Outside Hereford and the Market Towns
- RA3 - Herefordshire's Countryside

- RA4 - Agricultural, forestry and rural enterprise dwellings
- RA6 - Rural Economy
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD3 - Green Infrastructure
- SD1 - Sustainable Design and Energy Efficiency
- SD3 - Sustainable Water Management and Water Resources
- SD4 - Wastewater Treatment and River Water Quality

The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.2 The National Planning Policy Framework (NPPF)

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
9. Promoting sustainable transport
12. Achieving well design places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the historic environment

2.3 Neighbourhood Development Plan

The Pembridge Parish was designated as a Neighbourhood Area on the 31st August 2012. The draft Neighbourhood Development Plan was sent for Independent Examination on the 3rd October 2018. The draft plan is material consideration and, at its current stage of progression, it is considered to carry moderate weight for the purposes of decision taking.

- PEM1: Promoting Sustainable Development
- PEM2: Development Strategy
- PEM5: Meeting Housing Needs
- PEM6: Design Criteria for Residential Development
- PEM9: Working from Home
- PEM10 - Agricultural Diversification and Tourism Enterprises
- PEM11: Intensive Livestock Units Policy
- PEM18: Retaining the Natural Environment and Landscape
- PEM23: Sustainable Design
- PEM25: Highway Design Requirements

https://www.herefordshire.gov.uk/download/downloads/id/14726/neighbourhood_development_plan_april_2018.pdf

3. **Planning History**

3.1 The proposal site itself has not been the subject of any past planning applications. The following applications relating to the adjacent poultry units and wider farm are however considered to be relevant to the current proposal;

- **P171829/FH** - Proposed change of use and alterations to form ancillary dwelling – Little Sherrington - Withdrawn

Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789

- **DCN091082/F** - Proposed additional poultry house and feed bins alongside existing four poultry houses – Approved 2009
- **DCH960073/F** - Erection of one additional poultry house, feed silo and ancillary works at Sherrington Manor, Pembridge – Approved 1996
- **DCH910290/A30** - Erection of one additional poultry house and ancillary works at Sherrington Manor, Pembridge – Approved 1991
- **DCH880127/A30** - erection of 1 no. 240' x 60' poultry house for producing broiler chickens at Sherrington Manor, Pembridge – Approved 1988
- **DCH860056/A30** - Erection of a poultry house (240ft x 60ft) at Sherrington Manor, Pembridge – Approved 1986

4. Consultation Summary

Internal Council Consultations

- 4.1 **Agricultural/Rural Business Consultant – Objection - No essential need.** An extract of the consultation response is found below. The full response can be viewed on the Council's website.

Clause 28 of the National Planning Policy Framework (NPPF) states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses.

In accordance with Clause 55 of this framework, local planning authorities are required to promote sustainable development in rural areas with regard to housing but “should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

This exact wording originated from clause 10 of PPS7, the only difference being was that clause 10 went on to recommend that planning authorities should follow the advice in Annex A to PPS7.

Despite the status of the NPPF, Annex A of PPS7 provided clear criteria to assess the ‘essential need’ for a dwelling. This guidance is tried and trusted and continues to be used by professionals and accepted as a process for assessing essential need by planning inspectors, and one which I continue to use.

Importantly, Policy RA4 – Agricultural, forestry and rural enterprise dwellings of the Core Strategy clearly reflects the criteria of justification as set out in PPS7.

Functional Need

The most frequent reason for a functional need for a rural worker to be permanently based on a site is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the year and during the middle of the night.

Aside from emergencies, the day to day management of the Broiler houses will be meticulously planned for, with routines varying with each stage of flock development. When birds are ‘in’, this will involve checking the birds a few times a day and sometimes late, depending at what stage, plus monitoring the automated systems.

As previously referred to the unit is fully automated and alarmed and linked to phones, and so if anything seriously became amiss members of the family and whosoever else selected would be immediately aware.

The important factor is here that there should be somebody readily available who can make the correct decision and take the right action in the event of a system breakdown.

It is important to note that such an occurrence may not happen in a given year. However unlikely, there is always the potential for an emergency situation occurring and considering the scale of operation, it would seem at the very least, to be reasonably necessary, for there to be somebody based close enough to be able to get to the site quickly during those periods the houses are occupied, which is a scenario that could occur throughout the year.

Reacting quickly would especially apply to the latter part of the rearing cycle when the body mass of the birds will make them more vulnerable to quick deterioration if there was for instance a break down in the system causing sudden temperature fluctuation. In mid-summer this might require somebody getting to the site within minutes.

If the cause is a power cut then it would still be important for somebody to get to the site quickly to make sure the automatic generators have kicked in.

Full Time Labour

It stands to reason that the labour input associated with the enterprise on which one is assessing an essential cannot be a part time occupation. In this case it is clear that the poultry enterprise justifies equivalent of at least one full time employee.

Establishment and Viability

A permanent dwelling clearly cannot be considered essential unless the enterprise on which the proposed essential need is based is viable and likely to continue be so into the foreseeable future.

The sustainability of the proposed enterprise will be reliant on the enterprise being able to survive financially, with a minimum requirement to meet cost of a full-time worker to justify an on-site presence.

The poultry enterprise is clearly a viable business in its own right and likely to remain so for the foreseeable future.

Other Dwellings

This relates to whether there are any dwellings functionally available to the farming business that would render the proposal of a new worker's dwelling non-essential.

During normal working hours, and during the periods when birds are in, there should be a worker in and around the poultry buildings or if not somewhere on the farm, and so a dwelling within easy access is largely superfluous during the working day.

The need for a worker to be based nearby arises during the night time hours when there could conceivably be breakdown in the automated system. At present this is covered by the presence of David or Andrew at the main farmhouse. Although currently occupied by Mrs Thomas senior some weight must be given to the potential availability of Little Sherrington which is only 2 minutes away by car.

The difficulty arises in sourcing a Poultry Manager without being able to offer some accommodation taking into account that he or she might come with a family. Despite what planning status the mobile home has, in its present state it would not be considered commensurate.

In the event that Little Sherrington could not be made available then a dwelling within commutable distance would be the alternative. Leominster is 9 miles away and Kington only 7 miles. There are numerous properties for sale and rent within these settlements.

According to Rightmove there are 15 properties under £250,000 within 3 miles in nearby villages such as Weobley, Lyonshall and Dilwyn.

Although there might be some inconvenience involved with the manager having to commute, a dwelling away from the poultry unit is often the preferred option for a manager especially with a family.

A common reason for it being desirable for a poultry manager to be sited close to a broiler site is for security, since such units are often located in isolated locations. In this case however the applicants live only across the road.

Conclusion

There is currently no essential need for the development of a further dwelling at Sherrington Manor Farm.

4.2 Transportation Manager – No objections

Based on the submitted plans we have no objections for this development.

We would expect there to be a minimum of three car parking spaces within the site and suitable space for cycle storage within the garage.

The access arrangements are sufficient and in existing use

4.3 Conservation Manager (Ecology) – No Objection

I note that the proposed PTP to manage foul water will discharge final outfall to a soakaway field on land under the applicant's control. This proposal is in line with best practice and Core Strategy Policies SD4 and LD2 and should be subject to implementation as part of approved plans.

The supplied planting plan and proposed Biodiversity enhancements as detailed on supplied drawing ref 1841/003 appear relevant and appropriate and should be subject to implementation in full as part of plans approved under any planning consent granted.

5 Representations

5.1 Pembridge Parish Council – Support

Pembridge Parish Council recognise the need for a dwelling on this site and SUPPORT this application to promote sustainability for the functioning of the farm and it is in line with Core Strategy policy RA4

5.2 18 Letters of Support have been received, 13 of which are from the operators of other poultry enterprises across the county. The content of the letters can be summarised as follows

- A manager is needed on site to respond quickly to alarms and emergencies such as blocked feed pipes, water leaks, power cuts and temperature changes. A manager living off site could not respond fast enough and this would be a risk to the welfare of the birds and the viability of the business
- A manager living off-site would not be able to commute or respond to emergencies in extreme weather events such as snow
- The typical working pattern of a site manager does not suit commuting as it is spread across a long working day involves early morning and late night checks.
- Reducing travel to-and-from the site reduces biosecurity risks
- Good quality workers accommodation is required in order to retract and retain staff.
- Living off-site does not create a good work-life balance for the farm manager
- The existing enterprise is big enough to justify a manager's dwelling
- The proposal would help to provide employment in a rural area
- The proposal would contribute to increasing the housing supply
- Having a dwelling on site is more sustainable as it would reduce the need of travel/commute

All consultation responses can be viewed in full on the Council's website using the following link;

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=181925&search=181925

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Policy Context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. The site also falls within the parish of Pembridge, which is a designated Neighbourhood Area for the purposes of preparing a Neighbourhood Development Plan (NDP). The draft NDP was sent for Independent Examination on the 3rd October 2018 and the Examiner's Report is awaited. At this stage, it is considered the draft plan carries moderate weight for the purposes of decision taking.

6.3 A range of CS policies are relevant to development of this nature, and these are outlined in full at Section 2.1. Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption that lies at the heart of the NPPF. Policy SS1 confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

6.4 The presumption in favour of sustainable development and how this should be applied to planning decisions is discussed in more detail at paragraph 11 of the NPPF. At 11 (d), the framework states that where the policies most important for determining the application are 'out-of-date' planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or the application of the policies in the framework provides a clear reason for refusing the proposal. At footnote 7, it is confirmed that a

failure to demonstrate a five year supply of housing and requisite buffer in accordance with paragraph 73 will render policies relevant to delivering housing out-of-date.

- 6.5 The matter of housing land supply has been the subject of particular scrutiny in a number of recent appeal inquiries and it has been consistently concluded that that the Council is not able to demonstrate a 5 year supply of housing land. The most recent supply statement (published October 2018) outlines that the supply position in Herefordshire stands at 4.55 years. Whilst this represents a marginal improvement from the previous position, the shortfall in the five year supply means that the presumption in favour of sustainable development as set out at Paragraph 11 of the Framework is engaged.
- 6.6 Notwithstanding this, the absence of a 5 year housing land supply does not render policies related to the supply of a housing an irrelevance for the proposes of decision taking. Indeed, recent case law (Suffolk Coast DC v Hopkins Homes [2016 – EWVA Civ 168]) has reinforced that it is a matter of planning judgement for the decision-maker to attribute the degree of weight to be afforded depending on the context of the decision. In this case, given that the shortfall in supply is relatively low and the CS policies relevant to housing supply are in general conformity with the NPPF, it is considered that the relevant policies of the CS continue to attract significant weight. This is particularly relevant in the context of housing supply in the rural context, where policies RA2 and RA3 accord with the approach endorsed at Paragraph 79 of the NPPF whereby isolated homes in the countryside should be avoided unless there are special circumstances.
- 6.7 Strategic policy SS2 of the CS makes an overall provision for the delivery of a minimum of 16,500 new homes in Herefordshire between 2011 and 2031 to meet market and affordable housing needs. The policy confirms that Hereford is to be the main focus for new housing development in the county, providing 6,500 new homes over the plan period. This is followed by the five market towns in the tier below which are to provide 4,700 new homes. In the county's rural settlements, a minimum of 5,300 new homes will be delivered. In these areas new housing will be acceptable where 'it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community'. This accords with Paragraph 78 of the NPPF, which advises that to promote sustainable development housing should be located where it will enhance or maintain the vitality of rural settlements.
- 6.8 Core Strategy policy RA1 explains that the minimum requirement for 5,300 new homes to be provided in the rural areas will be distributed across seven Housing Market Areas (HMAs). The application site in this instance lies within the Kington HMA, which has an indicative growth target of 12% (equivalent to delivering 317 new homes across the plan period). For the parish of Pembridge, this equates to providing a minimum of 61 new dwellings.
- 6.9 Policy RA2 identifies the rural settlements which are to be the main focus for proportionate housing development in the rural areas (Fig. 4.14) and the other smaller settlements where proportionate housing is considered appropriate (Fig. 4.15). The policy states that residential development proposals should be located within or adjacent to the main built up area of the settlement. The policy also sets the expectation that, where appropriate, settlement boundaries or reasonable alternatives for the the identified settlements will be defined by either Neighbourhood Development Plans or Rural Areas Sites Allocations DPD.
- 6.10 In this case, the Pembridge Neighbourhood Plan has been drafted and is currently undergoing Independent Examination. The plan is a material consideration and at this stage it is considered to hold moderate weight for the purposes of decision taking. Through emerging policy PEM2 the plan sets out the development strategy for the parish, and states the village of Pembridge will be the main focus for new development during the plan period. At point a) a draft settlement boundary for the village is defined, and policy PEM3 goes on to state that proposals for new housing will be restricted to infilling within this boundary and to sites allocated through policy

PEM4. At point b), policy PEM2 states that housing development outside of Pembridge village boundary should be exceptional and located in accordance with relevant policies in Herefordshire Local Plan Core Strategy, in particular, but not exclusively Policy RA3.

- 6.11 The application site in this case is clearly significantly divorced from the nearest settlement where new housing growth can be supported. The village of Pembridge lies approximately 3.5km to the north of the site across open countryside, whilst the other nearest identified settlements of Dilwyn and Holme Marsh are approximately equidistant (~3km) from the site to the east and west respectively in neighbouring parishes. It follows therefore that the site is not sustainably located and the principle of new residential development is not supported under CS policy RA2 or the emerging policies of the Pembridge NDP.
- 6.12 CS policy RA3 relates to proposals for new residential development in rural locations outside of settlements, and states that proposals in such locations will be limited to proposals which satisfy one or more exceptional criteria. This accords with the approach set out at paragraph 79 of the NPPF, which states that new isolated homes in the countryside should be avoided unless special criteria are met. Under point 1, RA3 states that one of the special exceptions where a proposal can be supported is where it meets an agricultural or forestry need for a worker to live permanently at or near their place of work and complies with Policy RA4. This reflects point a) of paragraph 79.
- 6.13 Policy RA4 states that proposals for dwellings associated with agriculture, forestry and rural enterprises will be permitted where it can be demonstrated there is a sustained essential functional need for the dwelling and it forms an essential part of a financially sustainable business and that such need cannot be met in existing accommodation. Policy RA4 states that proposals for such dwellings should:
1. demonstrate that the accommodation could not be provided in an existing building(s);
 2. be sited so as to meet the identified functional need within the unit or in relation to other dwellings; and
 3. be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape.
- 6.14 Applying RA4 to the current case, the poultry enterprise at Sherrington Manor is accepted as being financially sound. The majority of the poultry units having been on site for a period of approximately 20 years the enterprise is clearly well established and the current application is supported by business accounts for the years ending 2015, 2016 and 2017. These have been reviewed by the Council's Agricultural Consultant, and it is confirmed that the poultry enterprise is considered to be a financially sustainable business and that it is likely to remain so for the foreseeable future.
- 6.15 CS policy RA4 states that proposals for a new agricultural worker's dwelling will be supported where it can be demonstrated that there would be a sustained functional need for it, and the supporting text at 4.8.27 outlines that such needs typically relate to providing essential supervision and management. That is the case with the current application, with the supporting Agricultural Business Appraisal at Section 7 outlining that in the context of the poultry units the essential need for a worker to live on site is considered to arise from the need to respond quickly to any alarms or systems failures. It is accepted that it is essential that such issues are dealt with expediently; both for the welfare of the birds and to prevent harm occurring to the business if a crop is lost.
- 6.16 In this case, the poultry enterprise at Sherrington Farm has been in operation for a considerable period of time. The first four of the units were all granted consent and constructed over twenty years ago, and the last unit was constructed in 2012 (see Section 3). Over this time the units

have been managed effectively by the applicant from Sherrington Manor Farmhouse, which is found adjacent to the broiler units on the opposite side of the highway. The close proximity of this dwelling to the site allows for a prompt response to any alarms or systems failures in the units, and this is presumably why no need for an additional dwelling has arisen in the preceding decades they have been in operation. Whilst the supporting Agricultural Business Appraisal briefly outlines a desire to dedicate more time to other areas of the business, no legitimate reason is given why the applicant or his son (both residing in the main farmhouse and solely employed by the farm) cannot continue to respond to emergencies or breakdowns. Outside of these extraordinary scenarios, the operation of the poultry units is highly automated and each crop of birds will be methodically planned for. The day-to-day running of the poultry units could therefore be adequately overseen by a manager who resides off-site and commutes on a daily basis. Whilst it may be desirable to have a manager live on site therefore, the continued successful operation of the poultry enterprise for a period exceeding twenty years without one demonstrates that it is clearly not essential, as the need to respond quickly to alarms and emergencies is met by the presence of the applicant and his son in the existing farmhouse. Indeed, the specialist advice received from the Council's Agricultural Consultant reaffirms the view that there is no essential functional need for the provision of a further dwelling on the farm. The proposal would thus be in conflict with CS policy RA4 in this regard, and the proposal would not satisfy the exceptional circumstances which would allow for a new dwelling in the open countryside to be supported.

- 6.17 Notwithstanding the matter of functional need, RA4 also makes it clear that proposals for new dwellings will only be supported where the need cannot be met in existing accommodation. Under point 1), it also sets out a preference whereby the use of existing buildings should be considered first in order to meet accommodation needs. As well as existing residential properties, it is explained at 4.8.33 that preference should be given to the conversion of suitable existing buildings before new development is considered.
- 6.18 As well as the main farmhouse, the farm also has a second dwelling within its ownership at Little Sherrington, which is found approximately 500m to the north of the poultry units and is a few minutes away by car (Figure 4). It is understood from the supporting Agricultural Business Appraisal that this dwelling is currently occupied by the applicant's mother who, whilst partner in the business, has a reduced role in the day-to-day running of the farm. Given this low level of active involvement, it is considered that some weight should be given to the potential availability of this dwelling to house a worker if there were a genuine essential need.

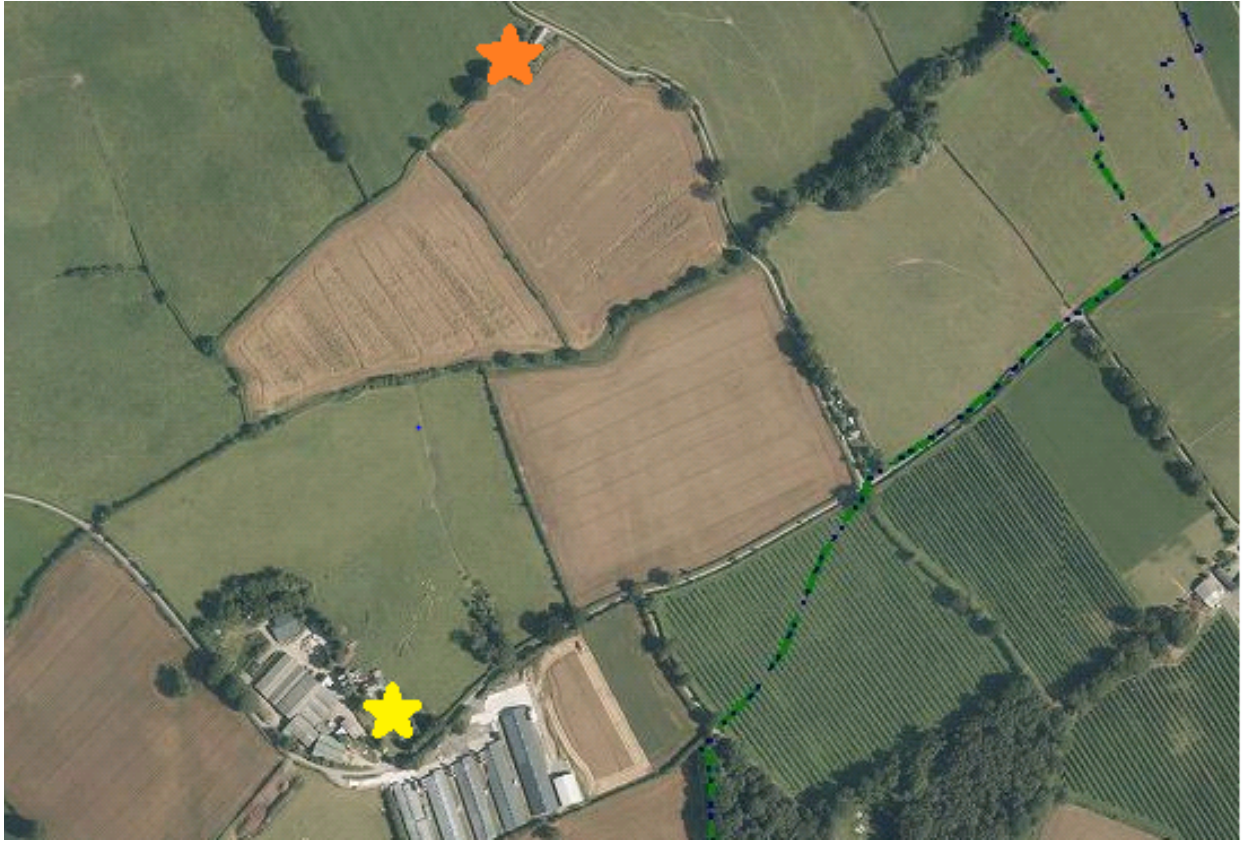


Figure 4: Aerial photograph showing location of Sherrington Manor Farmhouse (Yellow) and Little Sherrington (Orange)

- 6.19 Whilst there is a large mobile home on the site which is reported to be used as seasonal workers accommodation, this does not appear to have the benefit of planning permission and it is not known how long it has been in place. It is therefore assumed the mobile home is on the site unlawfully, and little weight can be given to this as an option for accommodation.
- 6.20 In the wider context, a search of property websites Rightmove and Zoopla show 9 properties for sale within a 3 mile radius of the site under £250,000 (at the time of report publication). Whilst this may be slightly less convenient than living on site, it is not considered that this would be an unreasonable day-to-day commute for a farm worker given that the existing farmhouse would still be occupied by the applicant and his son so that any emergencies with the adjacent sheds can be responded to immediately.
- 6.21 With regards to the potential of converting existing buildings, it is noted that the supporting Agricultural Business Appraisal at Section 6 asserts that there are no buildings on the farm suitable for conversion to a worker's dwelling in a cost effective manner. However, no detailed assessment or justification as to why this is the case is provided. From the Officer's visit to the site, it would appear that the existing brick and timber framed barn to the north-west of the main farmhouse (Figure 5) would be suitable for conversion to a dwelling and would be sited in a manner which would satisfy any management needs that may exist. No detailed consideration of this option however has been provided. Moreover, it is also noted that an application was submitted in 2017 to convert an existing outbuilding at Little Sherrington to a two bedroom 'ancillary dwelling' (P171829/FH). The supporting statement at the time outlined that this accommodation would be used to accommodate the Applicant's son and his partner, both of whom were reported to work on the farm. However, this application was withdrawn by the applicant in September 2017. The submission of this application however demonstrates that the existing structure at Little Sherrington was considered to be practically capable of being converted to residential use, yet no consideration of this as an option to provide additional accommodation has been made in the current proposal.



Figure 5: Existing barn to the north-west of the farmhouse

- 6.22 Notwithstanding the issue in respect of essential need, it is also therefore considered that the application has not adequately demonstrated that it is not possible to provide accommodation within existing buildings on the farm holding (either in existing dwellings or through the conversion of farm buildings). Further conflict with RA4 is therefore identified in this sense.
- 6.23 In light of the proceeding, the application is found to be in conflict with policies RA4 and RA3 of the CS and the proposal would not represent an exceptional circumstance whereby new residential development in the open countryside can be supported. Rather, the principle of the development is found to be unacceptable. Notwithstanding this, other matters relevant to the application are considered below.

Design, Amenity and Landscape Impacts

- 6.24 CS policy is of most relevance to the erection of new buildings, and requires that new developments are designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding developments. In the context of an agricultural worker's dwelling specifically, policy RA4 also requires that proposals should be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the rural landscape. Similar principles in respect of sustainable design are found in policy PEM23 of the emerging NDP. These policies are in accord with the principles set out in the NPPF, particularly Paragraph 127 which requires (inter alia) that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 6.25 In respect of landscape impacts SC policy LD1 is of pertinence, and requires that the character of the landscape and townscape has positively influenced, inter alia, the design, scale and site selection and that the scheme incorporates new landscape schemes to ensure development integrates appropriately into its surroundings.

- 6.26 The scheme in this instance is not considered to cause any tension with the above policies. The proposed siting of the dwelling is considered to be appropriate in the context of existing surrounding development, and the scheme proposes new landscaping measures to ensure the building would integrate to its surroundings and not appear as isolated from the rest of the farm. The design of the dwelling itself is also appropriate, utilising materials and detailing which are reflective of the rural context of the site and reflect local distinctiveness. The general scale of the dwelling is also considered to be commensurate with the proposed use as accommodation for a rural worker.
- 6.27 Policy SD1 also requires that all developments achieve good standards of residential amenity for existing and future occupiers, which again accords with the overarching principles of the NPPF. In this instance, the absence of any other existing dwellings adjacent to the site is such that no adverse impact would occur upon neighbouring amenity through overlooking, overshadowing or overbearing. In terms of the amenity of future occupiers of the dwelling itself, the proximity of the site to the adjacent poultry units may ordinarily give cause for concern in terms of odour. However, the nature of the proposal, being for manager's accommodation, is such that this relationship is acceptable in this instance.

Highways Matters

- 6.28 Core Strategy Policy MT1 relates to the highways impacts of new development, and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development. It also requires under (4) that developments are designed and laid out to achieve safe entrance and exit and have appropriate operational and manoeuvring space, having regard to the standards of the Council's Highways Development Design Guide. This approach accords with the principles outlined in section 9 of the NPPF, in particular Paragraphs 108-9 which advise that it should ensure that safe and suitable access can be achieved for all users and that development should only be refused on highways grounds if there would be an unacceptable impact on highways safety. Similar principles are also found within draft policy PEM25 of the emerging NDP.
- 6.29 The proposed dwelling would be served by the existing access onto the unclassified Sherrington Road, which also serves the adjacent broiler units. It is considered that the provision of a single new dwelling would lead to a minimal intensification in the use of this access over the current, and the layout of the access and nature of the highway is not such that any concerns arise in respect of highways safety. Appropriate parking to serve the new dwelling would also be provided within the site, and adequate manoeuvring space would be available to ensure that vehicles can turn and enter/leave the site in a forward gear. The Council's Transportation Manager does not object to the proposal, and no conflict with policy MT1 is identified.

Drainage

- 6.30 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order; package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).

- 6.31 The scheme in this instance proposes the use of a package treatment plant to manage foul water with outfall to a soakaway drainage field. In the absence of a mains sewer proximal to the site, this would be an acceptable solution which would accord with the hierarchal approach set out in CS policy SD4. Surface water from the development will be managed through the use of soakaways. This is an acceptable method in principle which would accord with CS policy RA3. Full details of both management schemes would be secured through condition.

Ecology/Biodiversity

- 6.32 The site as existing is considered to be of limited ecological value, and the Council's Ecologist has offered no objections to the scheme. In accordance with policy LD2 and Paragraph 170 of the NPPF, the application has also put forward a range of ecological enhancement measures as part of the scheme and these would be secured by condition.

Planning Balance and Conclusions

- 6.33 Both Core Strategy policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The NPPF encompasses the government's view of what is meant by sustainable development in practice. The three themes, economic, environmental and social should be pursued jointly and simultaneously.
- 6.34 The proposal in this instance is for housing, and in the context of a deficit in the housing land supply the application must be considered in accordance with the tests prescribed at Paragraph 11 of the NPPF and policy SS1 of the CS. Permission should be granted, therefore, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole or specific policies in the framework protecting areas of assets of particular importance provide a clear reason for refusing the development.
- 6.35 In the case the proposal site is significantly divorced from the nearest settlement (Pembridge) which has been identified as an appropriate location for new housing growth by both the CS policy RA2 and the relevant policies of the emerging NDP. The site is therefore considered as being unsustainable in a locational sense for open market housing, and the application consequently falls to be considered against the exceptional circumstances set out by CS policies RA3 and RA4 and at Paragraph 79 of the NPPF.
- 6.36 The application has been made on the premise that the new dwelling is required to satisfy a sustained essential functional need to have a worker live permanently on the site to manage the existing poultry units. However, having regard to the existing dwellings on the farm and the long-established nature of the enterprise, it is considered that no such functional need exists. This is in the sense that the need to respond quickly to alarms and emergencies in the poultry units can continue to be met by the applicant and his son, both of whom reside in the existing farmhouse found immediately adjacent, and the provision of an additional dwelling for these purposes would hence be superfluous and unjustified. This view is reaffirmed by the specialist advice received from the Council's Agricultural Consultant. In light of this, the provision of an additional dwelling at Sherrington Manor Farm is found to be unjustified and the proposal would be contrary to the policy RA4 and RA3 of the CS and the advice set out at Paragraph 79 of the NPPF.
- 6.37 In applying the overall planning balance, the proposal for a new residential dwelling in this rural location is found to be without justification and would lead to significant harm in terms of its conflict with the Development Plan and promoting unsustainable patterns of development. The scheme would hence not be representative of sustainable development, and as a consequence it does not benefit from the positive presumption set out in in the NPPF and CS. The application is accordingly recommended for refusal in line with the reason outlined below.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. **Having regard to the information provided in the supporting Agricultural Business Appraisal, the nature of the existing enterprise and the existing dwellings on the farm, the application has failed to demonstrate that there is an essential functional need for an additional worker’s dwelling to be provided at Sherrington Manor Farm or that any such need for accommodation cannot be met with existing buildings. The proposal would hence not satisfy any of the special circumstances which would allow new residential development in the countryside to be supported as it would be contrary to Polices RA3 and RA4 of the Herefordshire Local Plan – Core Strategy, Paragraph 79 of the National Planning Policy Framework, and Policy PEM2 of the draft Pembridge Neighbourhood Development Plan.**

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason(s) for the refusal, approval has not been possible.

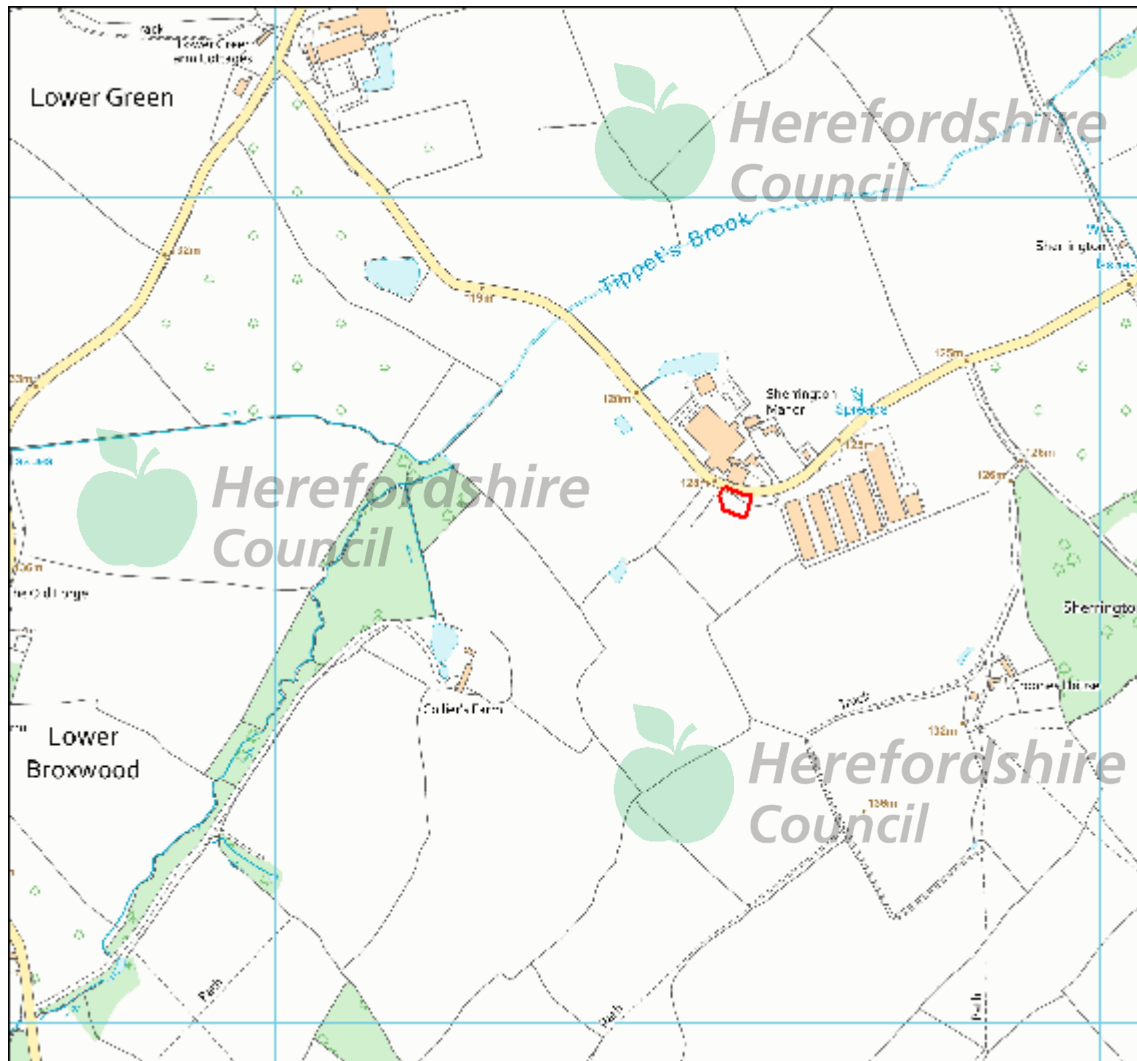
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 181925

SITE ADDRESS : SHERRINGTON MANOR FARM, SHERRINGTON ROAD, BROXWOOD, HR6 9JR

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Further information on the subject of this report is available from Mr Adam Lewis on 01432 383789