

**13 DCNW2006/4049/O - OUTLINE APPLICATION FOR AGRICULTURAL DWELLING TO REPLACE COLLAPSED FARMHOUSE AT SPOND FARM, SPOND, KINGTON, HEREFORDSHIRE, HR5 3LB**

**For: C Matthews per Mr E Price, Moorcourt, Lyonshall, Kington, Herefordshire, HR5 3JZ**

**Date Received:**  
28th December 2006

**Ward:** Castle

**Grid Ref:**  
31369, 53549

**Expiry Date:**  
22nd February 2007

Local Member: Councillor JW Hope

## **1. Site Description and Proposal**

- 1.1 The site is located adjacent to a working farmyard located to the east of the application site, containing a range of modern farm buildings. Directly abutting the western elevation is the unclassified 91032 public highway. To the north of the application site is a detached two-storey farmhouse, in occupation by the applicant. To the eastern side of this dwelling is a traditional farm building.
- 1.2 On site itself stands the ruins of a former dwelling that is Grade II listed. The remains are clearly beyond repair, the only significant section still remaining on site is the chimney stack.
- 1.3 The application is made in 'outline' with all matters reserved for future consideration for an agricultural dwelling to replace the collapsed farmhouse on site.

## **2. Policies**

### **2.1 National Planning Policy Statement 7: Sustainable Development in Rural Areas**

### **2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

S1 – Sustainable Development

S2 – Development Requirements

DR1 – Design

DR2 – Land Use and Activity

DR3 – Movement

DR4 – Environment

H7 – Housing in the Countryside Outside Settlements

H8 – Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses

LA2 – Landscape Character and Areas Least Resilient to Change

HBA1 – Alterations and Extensions to Listed Buildings

HBA2 – Demolition of Listed Buildings

HBA4 – Setting of Listed Buildings

CF2 – Foul Drainage

### 2.3 Leominster District Local Plan

- A1 – Managing the District's Assets and Resources
- A2(D) – Settlement Hierarchy
- A9 – Safeguarding the Rural Landscape
- A18 – Listed Buildings and their Settings
- A23 – Creating Identity and an Attractive Built Environment
- A24 – Scale and Character of Development
- A43 – Agricultural Dwellings
- A70 – Accommodating Traffic from Development

### 3. Planning History

- 3.1 NW02/1099/L - Repair, reconstruction and improvement of the old farmhouse, including retention and conversion of attached barn to form additional living accommodation - Refused 13th June 2002.
- 3.2 NW02/1098/F - Repair, reconstruction and improvement of the old farmhouse including retention and conversion of attached barn to form additional living accommodation - Refused 13th June 2002.
- 3.3 NW02/0614/L - Reconstruction, repair and renewal of farmhouse - Withdrawn 26th March 2002.
- 3.4 NW02/0612/F - Reconstruction, repair and renewal of farmhouse - Withdrawn 26th March 2002.
- 3.5 NW02/0215/L - Dismantling of existing building to allow reconstruction and repair - Withdrawn 22nd January 2002.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None required.

#### Internal Council Advice

- 4.2 Transportation Manager raises no objections to the proposed development.
- 4.3 County Land Agent raises concerns about the proposal in that no accounts have been submitted in support of the enterprise, land ownership appears complicated, there is already a farmhouse on site and that a previous listed house on site was allowed to fall down.
- 4.4 Archaeology Manager - states that given the current condition of the structure on site I have no comment to make.

### 6. Representations

- 5.1 Parish Council: No response received at time of writing this report.

## 6. □ Officers Appraisal

6.11 This application is presented to Committee at the request of the local Member who has requested Committee consideration because of the planning circumstances of the site.

6.2 The key issues in respect of this application are:

- Is there an essential need for an agricultural dwelling at this location.
- Listed status of existing structure on site.

### Essential need

6.11 The applicant as part of his application has submitted an agricultural appraisal. This appraisal states that Upper Spond Farm is a traditional upland livestock farm and that the applicant has within his control 37.16 hectare (91.82 acres) of land at this specific location. The business enterprise also includes 35.99 hectare (88.93 acres) of land at other locations away from the main unit. The appraisal also states that the applicant operates a mixed livestock enterprise comprising some 80 suckler cows that calf all year round producing single suckler calves, 50 beef stores are over-wintered, and 350 breeding ewes producing lambs for the fat and store market, 12 rams and 150 ewes for fattening.

6.11 Relevant Local Plan policies to this application are Policy H8 – Agricultural and Forestry Dwellings and Dwellings associated with Rural Businesses in the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policy A43 – Agricultural Dwellings in the Leominster District Local Plan.

Both policies emphasise that it must be demonstrated that a long term genuine need exists for the dwelling as an essential part of a financially viable business and that such need cannot be met in existing accommodation and wherever possible make use of existing buildings in preference to new development.

6.11 The agricultural appraisal as part of the application in paragraph 7.5 on existing accommodation states:-

“There is no other existing suitable accommodation available. The house is where the applicant currently resides and is jointly owned and he may not be able to continue to reside there indefinitely.” Paragraph 7.6 on labour states Mr Colin Mathews is engaged full-time with casual labour support from his 17-year-old son.

6.11 The appraisal establishes that the holding requires functional need for 2.18 labour units. However the appraisal has stated that the holding is divided between 4 separate sites (paragraph 3). Therefore in consideration of the nature of the business, Officers are of the opinion that this holding only generates need for one person to be on site, where the main holding is based. 37.16 hectare (91.82 acres). It is considered that this amount of land would not generate sufficient income for an additional worker, in consideration of the nature of the enterprise.

6.11 The applicant has also stated that he currently resides in a dwelling adjacent to the site, in which he does have a share in the ownership. Adjacent to this house alongside its eastern elevation is a traditional barn of external brick construction. The application further states that as a result of a recent family bereavement it is the family's wish to sell this house as it has no agricultural occupancy restriction placed upon it.

- 6.8 Planning Policy Statement 7: Sustainable Development in Rural Areas in Annexe 1: Agricultural, Forestry and other Occupational Dwellings states in paragraph 3 on Permanent Agricultural Dwellings. In order to show consideration for a new dwelling on site that it must be demonstrated that the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned. Paragraph 5 states that Local Planning Authorities should also investigate the history of a holding to establish the recent pattern of use of land buildings including buildings suitable for conversion to dwellings. As earlier mentioned in this appraisal the holding does contain a traditional farm building within close proximity to the dwelling where the applicant currently resides.
- 6.11 There is an existing dwelling adjacent to the site which satisfies any essential need. Furthermore there is a traditional barn adjacent to the site suitable for residential use should a further dwelling be required.

Listed status of the existing building on site.

- 6.11 The site has an extensive planning history in that an application for repair, reconstruction and improvement of the structure on site was refused planning permission on 13<sup>th</sup> June 2002. The applicants were Mr & Mrs P Dye, 11 Chapel Close, Wesham, Preston, Lancashire. The ownership form submitted as part of the application stated that Mr Mathews, Spond Farm was the owner of the site. It was considered that although the collapsed structure was Grade II listed, it was in such a poor state of repair that the proposal was tantamount to the erection of a new dwelling in open countryside and hence the application was refused.
- 6.11 Previously listed building consent was refused, as too little of the building was being retained. Since that time the building has significantly deteriorated. A comment on the total loss of the listed building will be made at the meeting.

## RECOMMENDATION

**That planning permission be refused for the following reasons:**

- 1. No essential need has been proven for an additional agricultural worker to be on site. Therefore the proposal does not comply with Policy H8: Agricultural and Forestry Dwellings and Dwellings associated with Rural Businesses in the Herefordshire Unitary Development Plan (Revised Deposit Draft), Policy A43: Agricultural Dwellings in the Leominster District Local Plan and National Planning Policy Statement 7: Sustainable Development in Rural Areas**
- 2. Notwithstanding the above should an essential need for a further dwelling be proven, there is a suitable building adjacent which could be converted for such a use. Therefore the proposal does not comply with National Planning Policy Statement 7: Sustainable Development in Rural Areas And Policy H8: Agricultural and Forestry Dwellings and Dwellings associated with Rural Businesses in the Herefordshire Unitary Development Plan (Revised Deposit Draft), on this issue.**

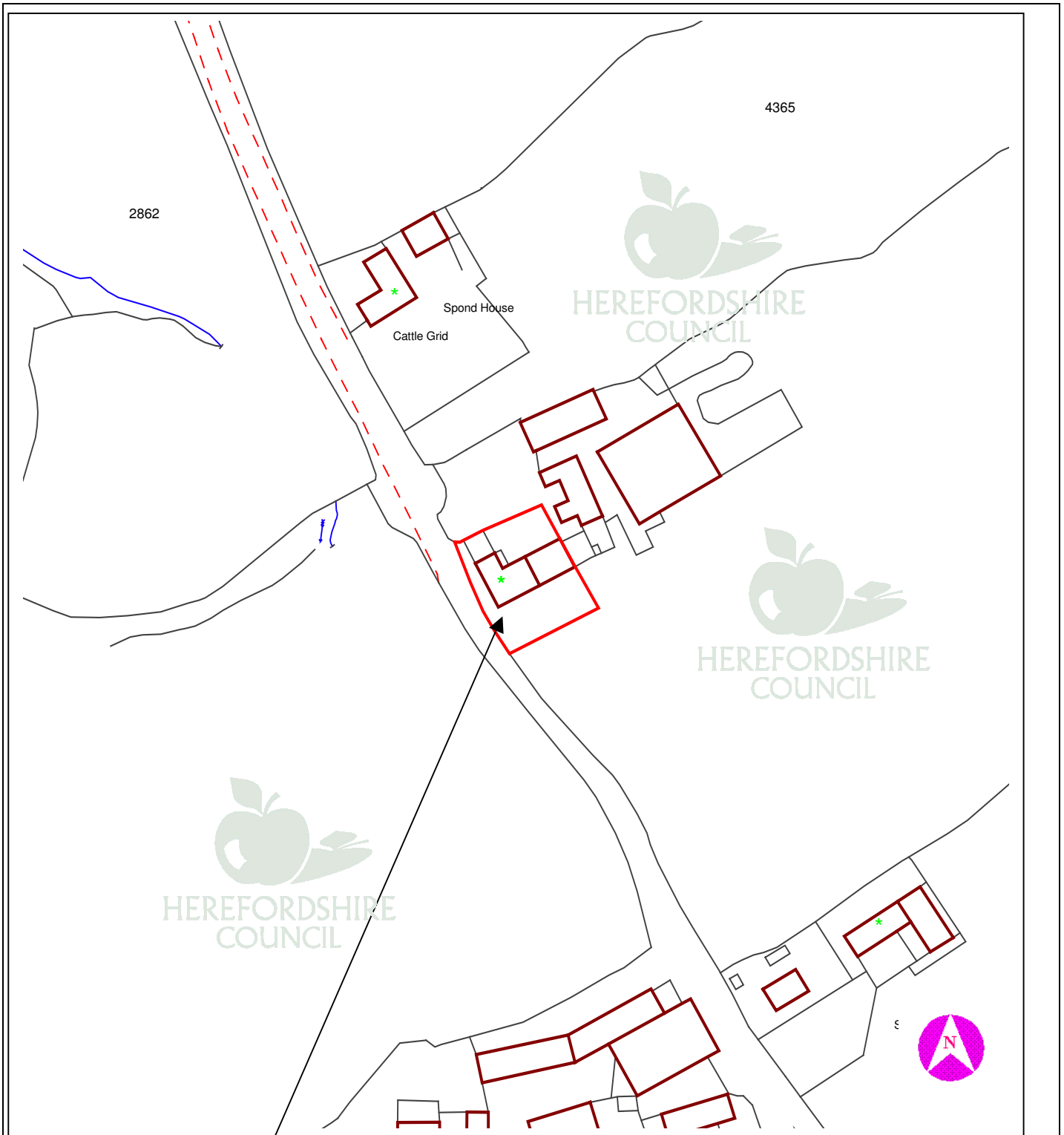
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW2006/4049/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** Spond Farm, Spond, Kington, Herefordshire, HR5 3LB

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