

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 19 July 2005

<b>PLAN:</b> 16	<b>CASE NUMBER:</b> 05/02697/OUT
<b>APPLICATION NO.</b> 6.122.286.B.OUT	<b>GRID REF: EAST</b> 436899 <b>NORTH</b> 451866
	<b>DATE MADE VALID:</b> 07.06.2005
	<b>TARGET DATE:</b> 02.08.2005
	<b>WARD:</b> Spofforth With Lower

Wharfedale

**APPLICANT:** G T Heslop Esq

**AGENT:** Carter Jonas

**PROPOSAL:** Outline application for the erection of detached farmhouse, farm office, workshop and garage with siting and access considered (residential site area 0.09ha).

**LOCATION:** Land Comprising Part Of OS Field 0005 Ribston Road Spofforth Harrogate North Yorkshire

## REPORT

### SITE AND PROPOSAL

The proposal is seeking outline planning permission for a new farmhouse, farm office, workshop and garage off the Ribston Road, Spofforth where there is at present a general purpose agricultural building.

Siting and access are for consideration at this time. Details of design, external appearance and landscaping have been reserved for future consideration. The agent has advised that his client has a large family, lives in a six-bedroomed house and would be expecting a new farmhouse to be adequate for his family needs.

Accompanying the application from the agent is a letter, an agricultural appraisal and financial statements prepared by chartered accountants for the last three financial years up to April 2004: these latter are confidential, being exempt information of private financial details of the farming partnership.

### MAIN ISSUES

1. Policy
2. Agricultural Justification
3. Siting, design and Landscaping
4. Agricultural Occupancy
5. Open Space

## **RELEVANT SITE HISTORY**

6.122.286.PNA - Erection of general purpose agricultural building - prior approval not required - ???.06.2005.

6.122.286.A.FUL - Erection of livestock building: not determined at time of writing.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Spofforth with Stockeld

### **Highway Authority**

Requires more information

### **Yorkshire Water**

No objections

### **Chief Estates Surveyor**

No comments

### **Claro Internal Drainage Board**

No comments received

### **Heritage Unit of NYCC**

No comments received

## **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 15.07.2005

**PRESS NOTICE EXPIRY:** 15.07.2005

## **REPRESENTATIONS**

SPOFFORTH WITH STOCKELD PARISH COUNCIL - No objections.

OTHER REPRESENTATIONS - None.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

## **RELEVANT PLANNING POLICY**

PPS1 Planning Policy Statement 1: Delivering Sustainable Communities

PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas

SPH5 North Yorkshire County Structure Plan Policy H5

LPC02 Harrogate District Local Plan (2001, as altered 2004) Policy C2: Landscape Character

LPC11 Harrogate District Local Plan (2001, as altered 2004) Policy C11: Landscaping of Development Sites

LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of

- Rural Areas not in Green Belt
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
  - LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
  - LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
  - LPH18 Harrogate District Local Plan (2001, as altered 2004) Policy H18: Siting and design of dwellings in the countryside
  - LPH19 Harrogate District Local Plan (2001, as altered 2004) Policy H19: Agricultural Occupancy

## **ASSESSMENT OF MAIN ISSUES**

1. POLICY - National, County and Local Plan policies all resist new dwellings in the countryside unless there is a special justification for a building in a particular location.

Policy C11 requires appropriate landscaping of development sites, Policy H18 requires new dwellings to be adjacent to existing groups of buildings of a design reflecting the character of traditional buildings in a locality and Policy H19 requires an agricultural occupancy condition on the proposed dwelling as well as on any existing dwellings on the holding.

2. AGRICULTURAL JUSTIFICATION - The applicant, Mr G T Heslop and his brother, Mr M Heslop are the two partners in a large farming enterprise centred at Crosper Farm, Spofforth. The agricultural holding comprises some 592 hectares (1,463 acres) of land of which approximately 88 hectares (216 acres) is owned at Crosper Farm, 426 hectares rented under various Farm Business Tenancies and a further 74 hectares of grassland usually taken under grazing licences. Rented land includes land at Braham Hall, Stockeld Park Estate, Sturdy, East Keswick Moor Farm, and Wetherby Racecourse.

The farm is a mixed unit comprising livestock and crop production producing a variety of arable crops. The partners also operate a substantial agricultural contracting service. The business currently has established primary production of potatoes, wheat, winter barley, sugar beet, fodder beet, and pulses over a total of 247 hectares.

The livestock enterprise comprises a herd of 100 to 110 Belgian Blue and Limousin cross suckler cows calving all year round: beef fattening unit with 250 cattle at any one time: 470 breeding ewes which lamb from mid-January onwards: and between 700 and 1000 hogs are over-wintered on the farm.

The agricultural contracting business includes 80 hectares of stubble-to-stubble contracting, 48 hectares of stone picking, 485 hectares of combining, 404 hectares of contract silaging as well as fertiliser/lime spreading extensively in the locality.

One partner, Mr M Heslop, lives at Crosper Farm where presently all the livestock, arable and contracting business is centred. The applicant, Mr G Heslop currently lives in Knaresborough. As well as the two partners, there are five full time employees, mainly on the arable side, two casual labourers taken on in October and November and one further part time worker. Crosper farmhouse is the only house on the holding.

Both the arable and livestock enterprises have expanded over the years and the intention

is that each will continue to expand. The intention is that new farm buildings will be erected beside the site of the proposed dwelling to cater for the livestock enterprises, thereby freeing-up the buildings currently used for livestock at Crosper Farm to be developed further for the arable purposes and crop storage. There is really no further opportunity for further buildings at Crosper Farm because the land falls away down into the valley floor on all sides.

This is a large and expanding farming enterprise which quite reasonably requires two key workers to live on the holding where there is at present only one. There are really no reasonable opportunities for the expansion of the agricultural business and/or for a new farmhouse at Crosper Farm. The two brothers, farming in partnership are proposing to make a reasonable and justified decision to sub-divide the agricultural activities to enable their continuation and future expansion. The future intention is to sub-divide the farming business with Mr M Heslop living at Crosper Farm, developing the arable activities and Mr G Heslop developing the livestock enterprises. Firstly, by relocating the livestock enterprises to Ribston Hill, thus freeing-up the present livestock buildings at Crosper Farm into which the arable activities and crop storage can expand, and secondly, by sub-dividing the business to enable the next generation of the respective families to be brought into the two respective enterprises. Given the scale of the arable and the livestock enterprises I consider there is a good case for a second dwelling to serve this substantial farming business partnership.

3. SITING, DESIGN AND LANDSCAPING - There is already a general purpose farm building at Ribston Hill, the proposed site for the dwelling. There is 'permission' for another similar sized general purpose building, and by the time this application is considered, there will probably be planning permission for a third building at Ribston Hill for livestock accommodation. It is intended that the existing building at Ribston Hill will itself be converted for livestock accommodation, which will result, if the permissions are initiated, in two livestock buildings and a general purpose building being sited at Ribston Hill to accommodate the livestock enterprises. The design and layout of the farm buildings has been the subject of prior discussion and negotiation and is such that future expansion of the livestock enterprises can be suitably accommodated.

If the approved buildings are erected and the livestock enterprises are relocated to Ribston Hill, then it would be quite reasonable to require a new dwelling together with farm office, workshop and garage to be sited close to the farm buildings. A characteristic of this area is that farms steadings are set away from the road often in prominent or elevated positions and the current proposal will simply replicate this characteristic of the area. The siting and design of the whole steading, including the farm buildings, workshop, dwelling and access track have been the subject of considerable prior discussion and negotiation with your officers. So far as siting is concerned, I am satisfied that the proposal will be in character and keeping with the area, will be reasonably required, and although it will result in the creation of a new farm steading in the countryside, because of its design and layout, would be acceptable.

The one concern is that the proposal is based on a series of intentions, specifically: the conversion of the existing building at Ribston Hill to accommodate livestock, the erection of a second livestock building, the erection of a general purpose building, and the relocation of the livestock enterprises to Ribston Hill from Crosper Farm. Only when these intentions have materialised would a new dwelling be justified.

Without any preconditions, if Members granted outline permission for a dwelling, it would be possible to implement that permission without putting up two new buildings or relocating the livestock enterprises without which there would be no justification for a dwelling in the proposed location. It is therefore recommended that construction of the dwelling does not start until the two new farm buildings have been erected and that occupation of the dwelling does not take place until at least the whole of the suckler cow enterprise has relocated to Ribston Hill. The alternative would be to refuse planning permission for the dwelling and invite an application for a temporary form of accommodation to ensure the justification has become established.

The applicant should also be advised that the size of any dwelling should be commensurate with the established functional requirement of the enterprise in accordance with Policy H7.

A condition of any permission should require significant tree planting to be carried out adjacent to the buildings and dwelling to help to assimilate the new steading into the countryside.

The applicant should also be advised that the design should reflect the character of traditional buildings in the locality in terms of scale, form, material and architectural detail in accordance with Policy H18.

4. AGRICULTURAL OCCUPANCY - A condition should restrict occupancy of the proposed dwelling to an agricultural worker to accord with Policy H7.

In granting a second agricultural worker's dwelling on the holding, it is normal to include an occupancy condition on the existing dwelling, in this case Crosper Farm. Given the scale of the agricultural activities nucleated at Crosper Farm, and the stated intention to further develop the arable activities there, such a condition would not cause unreasonable inconvenience and should be included.

5. OPEN SPACE - In accordance with Policy R4, any permission should include a condition requiring payment towards the provision of recreation and open space.

**CONCLUSION** - There is a good case for a second dwelling to serve this large agricultural farming partnership. There is no reasonable scope for further expansion at Crosper Farm. Provided the new agricultural buildings are erected at Ribston Hill and at least the suckler cow enterprise is relocated to Ribston Hill, there would be a reasonable justification for the proposed dwelling. Provided the new dwelling is not started until the farm buildings have been erected, the dwelling is not occupied until the livestock enterprise has moved to Ribston Hill, and agricultural occupancy conditions are included, it is recommended that permission is granted.

**CASE OFFICER:** Mr M A Warden

## RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01C OUTLINE - SITING,ACCESS,SEWAGE/SW NOT RM
- 2 CA01CR SAFEGUARD RIGHTS OF CONTROL
- 3 CD01 DWELLING IN TRADITIONAL STYLE
- 4 CL02X PROVISION FOR TREE PLANTING
- 5 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 6 The occupation of the proposed dwelling shall be limited to a person solely or mainly employed or permanently retired but last employed in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.
- 7 The occupation of Crosper Farmhouse shall be limited to a person solely or mainly employed or permanently retired but last employed in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.
- 8 No works shall commence unless and until:-
  - (i) the agricultural building the subject of Prior Notification dated ???.06.2005 has been constructed; and
  - (ii) the agricultural building the subject of planning application dated 06.06.2005 has been constructed.
- 9 The dwelling shall not be occupied unless and until the whole of the suckler cows enterprise referred to in the Agricultural Appraisal has been relocated to Ribston Hill agricultural buildings unless otherwise approved in writing by the Local Planning Authority.
- 10 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 11 Such Highway conditions as are appropriate.

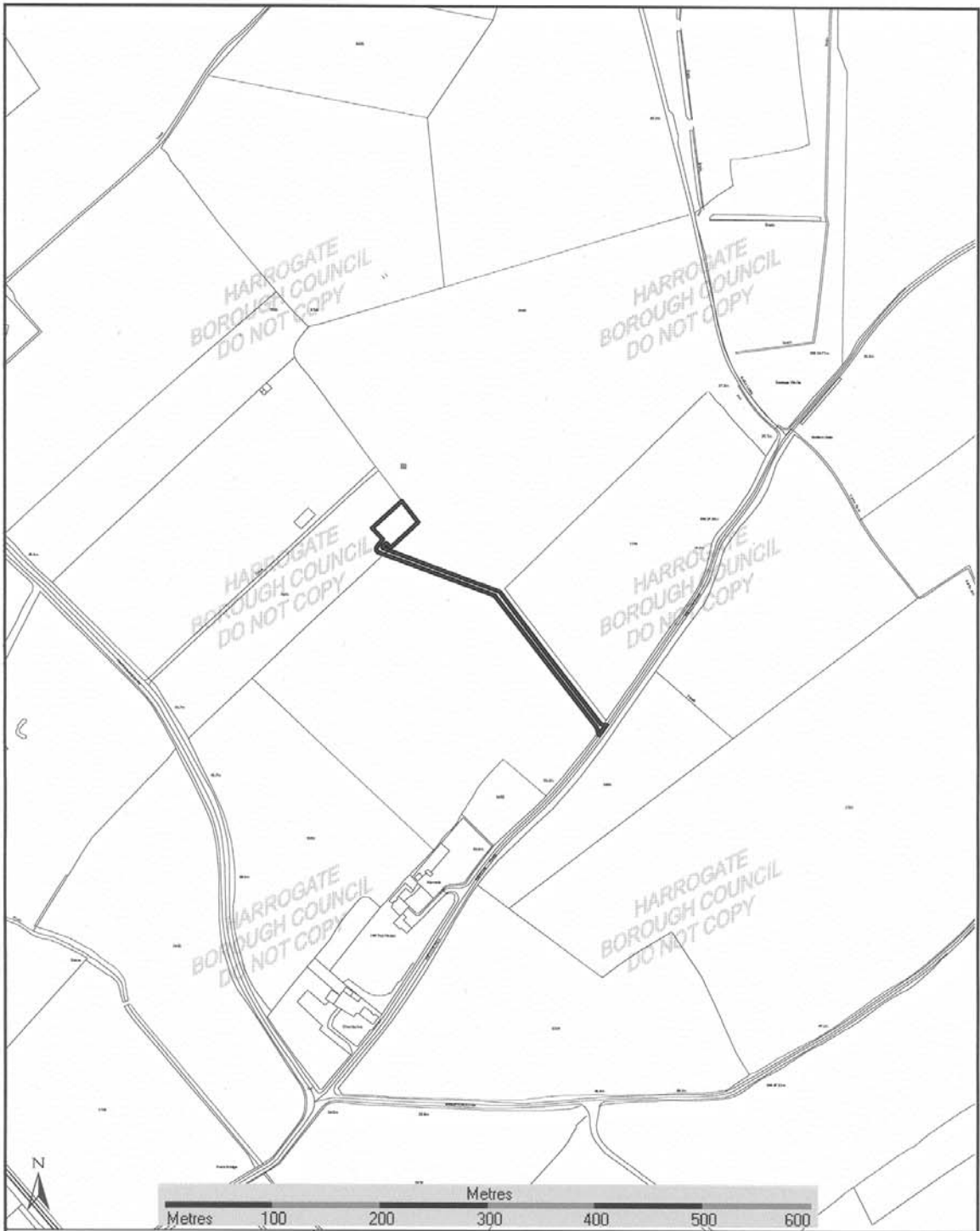
Reasons for Conditions:-


- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 3 CD01R DWELLING BE IN KEEPING WITH OLDER PROPS
- 4 CL02XR SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 5 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 CF01R AGRICULTURAL WORKER ONLY JUSTIFIED
- 7 CF01R AGRICULTURAL WORKER ONLY JUSTIFIED
- 8 REASON
- 9 REASON
- 10 CI02YR PROTECT VISUAL AMENITY

**INFORMATIVES**

- 1 The size of any dwelling should be commensurate with the established functional requirement of the agricultural enterprise to accord with Harrogate District Local Plan Policy H7.

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- 2 The design of the dwelling should reflect the character of traditional buildings in the locality in terms of scale, form, materials and architectural detail.



 <b>Harrogate</b> BOROUGH COUNCIL <b>Department of Development Services</b> <small>This map has been reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright.          Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.          Harrogate Borough Council 1000 19628 2005.</small>	<b>AREA 2 DC COMMITTEE</b>		
	Item No. 16		
	App No./Case No.	6..122.286.B.OUT 05/02697/OUT	
	Scale (at A4 size)	1:5000	Site area 0.24 ha
	Drawn	MDTT	Date 19/07/2005
		Site boundary 