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**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

Application:	2022/0449/FUL	ITEM 2	
Proposal:	Construction of 4 bed farmworkers dwelling to allow family member to live on site.		
Address:	Land to the SW Of Flitteris Park Farm, Knossington Road, Braunston In Rutland		
Applicant	Mr James MacCartney	Parish	Braunston in Rutland
Agent:		Ward	Braunston & Martinsthorpe
Reason for presenting to Committee:	Connection to elected member		
Date of Committee:	18 <sup>th</sup> July 2023		
Determination Date:	18 <sup>th</sup> July 2022		
Agreed Extension of Time Date:	21 <sup>st</sup> July 2023		

## EXECUTIVE SUMMARY

The proposal is for the construction of a two-storey dwelling on land associated with an agricultural enterprise. The proposed dwelling would be connected to the agricultural business and provide accommodation for the farm and his family.

The application initially proposed to site the dwelling in an alternative location closer to the road, however following initial assessments a revised location was proposed giving greater proximity to the farmyard for welfare purposes whilst maintaining an element of segregation for family safety reasons.

The revised location is considered to balance the competing needs of the business and safety adequately, and additional information has been supplied to demonstrate that the enterprise is capable of supporting the cost of the dwelling.

## RECOMMENDATION

### **APPROVAL, subject to the following conditions:**

1. The development shall be begun before the expiration of three years from the date of this permission.  
Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers.....  
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, boundary treatments and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

4. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

5. No development above damp course level shall be carried out until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.

6. The occupation of the dwelling shall be limited to a person solely or mainly working or last working, in the locality in agriculture (as defined in Section 336(1) of the Town and Country Planning Act 1990) or in forestry, or a widow or widower of such a person and to any resident dependants.

Reason - The site of the permission is outside any area where planning permission would normally be forthcoming for residential development not directly related to a clearly and specifically identified exceptional need related to a recognised countryside activity.

7. No development above ground level shall take place until a scheme detailing provision of bird/bat nesting boxes at the premises has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the scheme has been implemented in accordance with the approved details, and the scheme shall be retained in perpetuity.

Reason: To ensure that appropriate provision is made for protected species at the site and maintained for the lifetime of the development.

## Site & Surroundings

1. The application site is located to the west of the settlement of Braunston in the countryside and comprises a parcel of land forming part of an agricultural enterprise.

2. The landscape of the surrounding area is typical rolling countryside, comprising agricultural fields separated by hedgerows.
3. The enterprise has an existing farmyard, located to the northeast of the application site, and comprises a number of buildings including traditional older farming structures alongside newer buildings. A dwelling sits on the land immediately opposite the farmyard and the applicant's mother resides in this property, however it is separate from the agricultural enterprise and is not available for occupation in relation to the business.

## **Proposal**

4. The proposal is for the construction of a new dwelling associated with the operation of the agricultural enterprise to the northeast of the application site. The dwelling proposed is a two-storey, four-bedroomed property with an attached double garage.
5. It is located approximately 200m from the main complex of farm buildings associated with the enterprise as in addition to providing on-site supervision of the agricultural operation it will also serve as the applicant's family home.

## **Relevant Planning History**

There is no relevant planning history.

## **Planning Guidance and Policy**

### **National Planning Policy Framework 9NPPF) 2019**

Chapter 2 – Achieving Sustainable Development

### **Site Allocations and Policies DPD (2014)**

SP06 – Housing in the Countryside

SP15 – Design and Amenity

SP19 – Biodiversity and Geodiversity Conservation

### **Core Strategy DPD (2011)**

CS04 – The Location of Development

CS19 – Promoting Good Design

CS20 – Energy Efficiency and Low Carbon Energy Generation

CS21 – The Natural Environment

### **Neighbourhood Plan**

There is no neighbourhood plan in place covering the application site.

## Officer Evaluation

### Principle of the use

6. The proposal is for the construction of a single dwelling in association with the agricultural enterprise operating from Flitteriss Park Farm to the west of Braunston.
7. Applications of this nature are addressed through a number of linked policies within the development plan, beginning with policy CS4, which seeks to limit development in the countryside to a number of types that support the rural economy and meet affordable housing needs. This approach is supplemented by policy SP6 of the Site Allocations and Policies Development Plan Document, which sets out the criteria for assessing rural worker's dwellings. This policy framework supports the construction of such dwellings in the countryside therefore subject to those dwellings demonstrating that they meet the tests required of them. In particular these tests are as follows:
  - a) That there is an established functional need.
  - b) That the need relates to a full-time worker.
  - c) That the proposed dwelling is commensurate with the functional requirement and the financial capabilities of the enterprise
  - d) That the dwelling, where possible, is sited within and designed in relation to the main building complex or a nearby group of dwellings.

### Need

8. The detail regarding the agricultural enterprise being undertaken at the premises submitted alongside the application has been assessed by a specialist in such matters on behalf of the Local Planning Authority. This information specified that the enterprise currently stocked 840 breeding ewes and 121 cattle ranging from calves to 20-month old animals. On the basis of the information provided and using standard calculation methods for evaluating the labour requirement associated with livestock enterprises, the advice provided to the LPA is that the business is able to demonstrate a need for in excess of one full time worker. The scheme is therefore considered to satisfy points a) and b) above.
9. Points c) and d) were initially of concern in relation to the assessment of the application, and were highlighted in the response of the specialist at that time. Further to those comments being provided, the applicant has revised the location of the proposed dwelling to ensure it is much closer to the agricultural buildings it serves (whilst retaining some separation from the working farmyard for the purposes of safety in relation to children living in the dwelling). Furthermore, additional detail regarding the financial capability of the enterprise to sustain the cost of the dwelling has been provided.

10. The revisions and additional information are sufficient to allow officers to conclude that the four tests are satisfied in this instance.

#### Scale of the dwelling

11. The dwelling would be the principal accommodation associated with the farming enterprise and the applicant's family home. A four-bedroomed dwelling is proposed with an attached double garage. The main bedroom is served by an en-suite shower room, there is a secondary double bedroom and two single bedrooms served by a separate bathroom and wc. Ground floor accommodation includes a living room, kitchen and dining room, downstairs toilet and utility space/boot room.
12. The scale of the dwelling is proportionate to the proposed use and is not of an excessive scale in relation to the justification for the property.

#### Highway issues

13. There are no objections in relation to the highway implications of the proposal, which uses an existing vehicular access.

#### Crime and Disorder

14. It is considered that the proposal would not result in any significant crime and disorder implications.

#### Human Rights Implications

15. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
16. It is considered that no relevant Article of that act will be breached.

### **Consultations**

17. Parish Council

Braunston Parish Council initially stated their objection to the original position of the proposed dwelling, stating that it should be located in the environs of the existing farmyard and not on productive grazing land. Given the revised location of the dwelling is also on existing agricultural land this comment is considered to also apply to the revised location of the dwelling.

18. LCC Ecology

Recommend suitable ecological enhancements are provided in respect of the site, such as integrated bat boxes and new planting.

## **Neighbour Representations**

19. 15 responses were received from members of the public to the initial proposal, all of which stated they were in favour of permitting the development.

## **Conclusion**

20. The proposal is for the construction of a single dwelling on the land in association with an existing established agricultural enterprise. The location of the proposed dwelling has been amended following initial concerns, and additional information has been provided to demonstrate that the agricultural business is capable of supporting the proposed dwelling.
21. The proposal has support of the general public, and the concerns of the Parish Council regarding the loss of grazing land are not considered sufficient to justify refusal of the scheme given the limited area over which the proposal is located, in particular in relation to the amended site plan.
22. Subject to conditions therefore the Local Planning Authority is satisfied that the application can be recommended for approval.