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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2016/0971/FUL	ITEM 2	
Proposal:	Relocation of farmstead to include erection of an agricultural livestock building, associated hardstanding, farm dwelling; construction of internal roadway and new access to highway. Removal of condition 4 of planning permission F/93/0199, which restricts occupancy to an agricultural worker and their family.		
Address:	Meadowsweet Farm, Knossington Road, Braunston In Rutland, OAKHAM, Rutland, LE15 8QX		
Applicant:	Mr Richard Gale	Parish	Braunston-in-Rutland
Agent:	N/A	Ward	Braunston and Belton
Reason for presenting to Committee:	Applicant is a County Councillor		
Date of Committee:	20 December 2016		

EXECUTIVE SUMMARY

This application for removal of an agricultural occupancy condition is recommended for approval, given the applicant's willingness to enter into a Planning Obligation intended to impose agricultural occupancy control on a barn within the farmstead that already has approval for change of use into a dwelling. There are no other material considerations that would justify resisting this proposal.

RECOMMENDATION

APPROVAL, subject to the prior completion of a Planning Obligation restricting the occupancy of another dwelling within the farmstead to an agricultural worker and dependants, and subject to the following Condition:

- Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed, in the interest of highway safety.

Site & Surroundings

- Meadowsweet Farm is located on the southern side of Knossington Road, approximately one mile from the centre of Braunston village. The complex of farm buildings includes (from east to west):
 - The farmhouse subject to the current application
 - An "L" Shaped group of four barns facing onto a central courtyard
 - Two larger barns further west.

Relevant Planning History

- The following table sets out the planning history of Meadowsweet Farm, where relevant to the current application. In summary:
 - Planning permission was granted in 1993 for relocation of an existing farmstead from elsewhere in Rutland into Meadowsweet Farm. The permission was conditional on the farmhouse being occupied by a farmworker and their dependants.

- A further permission was granted on appeal in 2002 for the change of use of two of the smaller barns into residential use as holiday lets.
- Prior Approval (Part 3Q of the General Permitted Development Order) was then granted on appeal in 2015 for the Change of Use of three of the smaller barns into individual dwellings, including one of the two that already has permission for use as a holiday let.

Application	Description	Decision
F/93/0199	Relocation of farmstead, including farmhouse	Approved 29/09/93
FUL/2002/0063	Change of use of agricultural storage buildings to form two holiday lets	Refused 16/04/02 Appeal Upheld 16/10/02
2015/0289/PAD	Prior Approval of Change of Use of three barns into three dwellings	Refused 22/05/15 Appeal Upheld 17/12/15

Proposal

3. This application (made under Section 73 of the Act) is intended to remove the agricultural occupancy condition from the farmhouse. Any approval would be a fresh permission for the farmstead.
4. A Supporting Statement submitted with the application, specifies that the applicant is willing to enter into a Planning Obligation intended to impose such an agricultural occupancy control on the residential use of a barn, located adjacent to the remaining working farm buildings, and subject to a 2015 Prior Approval for Change of Use to residential.
5. Two other applications are presently under consideration:
 - 2016/0972/FUL – Change of Use of two barns into a single dwelling
 - 2016/1093/PAD – Prior Approval of the building works necessary to implement the extant prior approval for change of use of three barns into individual dwellings.

Planning Guidance and Policy

National Planning Policy Framework

Section 3 Rural Economy
Section 6 Housing

The Rutland Core Strategy (2011)

CS1 Sustainable Development
CS4 Location of Development
CS16 Rural Economy

Site Allocations and Policies DPD (2014)

SP1 Sustainable Development
SP6 Housing in the Countryside

Consultations

6. **Braunston Parish Council**

Concerned at the justification for this application, as the need to remove the agricultural occupancy condition from the existing farmhouse and then re-impose it on a new dwelling closer to the farm buildings has only arisen from the applicant's recent successful applications to convert other existing buildings from agriculture to residential, thereby separating the remaining farm buildings from the farmhouse.

Neighbour Representations

7. None received

Planning Assessment

8. The main issue is the principle of development; ie the indirect creation of a new dwelling in the open countryside, unrelated to an agricultural or other rural land use. Other associated issues are then addressed together at the end of the report.

Principle of Development

9. A key principle of Planning Policy is significant restraint on the creation of new dwellings in the open countryside, with Planning Permission to be granted only for dwellings that support an appropriate rural land use. In this case, planning permission was granted for the farmhouse as it was part of the relocated farmstead, but subject to a condition limiting its occupancy to an agricultural worker and their family.

10. Given this, any subsequent application for removal of such a condition usually warrants very close consideration. In almost all cases, it is necessary for such an application to be accompanied by evidence that there is no longer a need for agricultural workers accommodation in the vicinity. Established practice involves marketing the dwelling for a sufficient length of time (usually 12 months) at a price that reflects the agricultural occupancy condition. An absence of genuine interest from the farming community could then provide justification for removal of the occupancy condition.

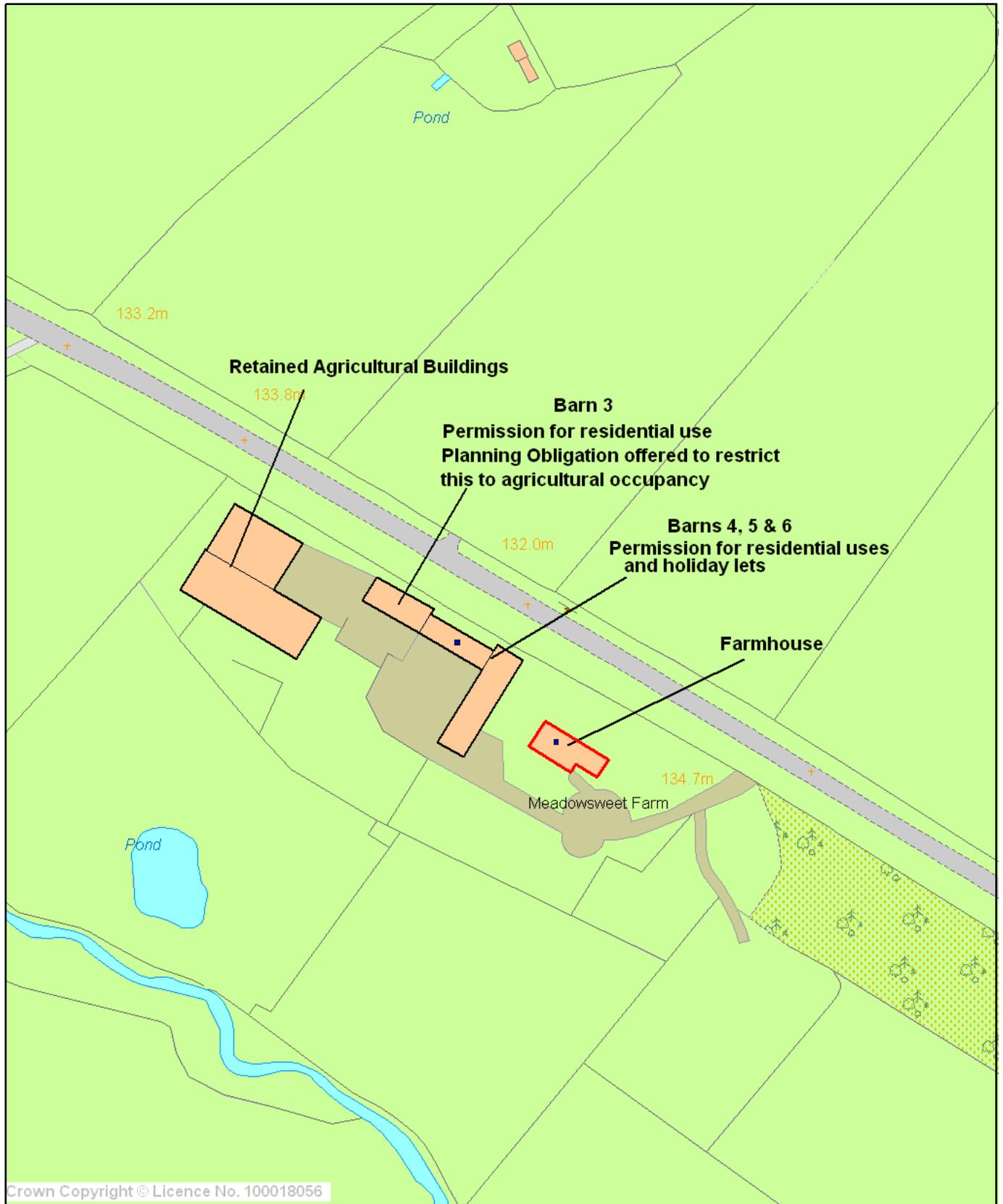
11. In this case, however, the application includes the offer of a Planning Obligation in association with any grant of permission, to impose agricultural occupancy control on one of the barn conversions previously granted Prior Approval for such residential use. As a result, there would be no change in the potential number of dwellings within the farmstead, and one of them would still be subject to agricultural occupancy control. The only difference via this application is that the control would then be imposed on a different dwelling within the farmstead. The applicant's Supporting Statement also emphasises the better farm management arising from use of the dwelling closest to the retained farm buildings, rather than continued use of the existing farmhouse which would then be separated from the farm buildings by three other dwellings.

12. The fact that the occupancy control would be imposed on a smaller dwelling, thereby releasing a larger dwelling from such control does not have any bearing on the recommendation.

13. The applicant has submitted a copy of a letter sent to the Parish Council in response to its objections. This again emphasises the comments already offered in his supporting Statement.

Miscellaneous

14. Given that this application is concerned only with removal of the agricultural occupancy condition, there are no other material considerations (for example access and parking) that require consideration. However, as an approval of the current application would be a fresh permission for the entire relocated farmstead, consideration must be given to whether any of the conditions imposed on the original permission should be re-imposed.
15. Planning permission F/93/0199 included eighteen conditions, of which only the requirement for any new entrance gates to be set back at least five metres behind the highway boundary is still relevant. This condition is again recommended, but with the updated wording used today. The key change is that a six metres set back (rather than five metres) is required for any entrance gates, to be consistent with the updated wording now used.



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