

**Applicant: Mr M Dale**

**Agent : Mr Lee Bevens  
L Bevens Associates Ltd**

**Land North East Of, 34 Eldernell Lane, Coates, Cambridgeshire**

**Erect a dwelling (2-storey 5-bed) with farm office, 1.2 metre high (approx) with 1.6 metre high (max approx) metal sliding gates, detached workshop and cattle shed (as part of an agricultural holding)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations received contrary to Officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The proposal would provide a family home for the applicant who is due to give up his current farm tenancy in c.5 years' time and would support an established agricultural enterprise, which comprises mainly arable and some livestock operations. There are no technical issues associated with the development as a whole e.g. in respect of highways, environmental and neighbour conflicts.
- 1.2 However, in order to maintain a sustainable supply of homes FLP policy LP3 seeks to restrict growth in areas away from those settlements defined within it. The restriction is set out through a strict test which requires a demonstration that such development is demonstrably essential for the effective operation of (in this case) local agriculture. Such demonstration is assessed via the criteria as set out under FLP policy LP12 Part D.
- 1.3 It is considered that this application presently fails to demonstrate that the agricultural operations comprising arable and livestock, warrant a permanent dwelling - as those relevant elements of the operations (livestock) are not of a scale (or predicted scale) to justify the nearby presence of a full-time agricultural worker – the recognised assessment method to determine a functional need.
- 1.4 Whilst it is acknowledged that a permanent dwelling would likely be beneficial and therefore desirable to address the security concerns and operational needs set out by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3.
- 1.5 Having regard to the existing limited scale of the livestock business, the potential options to remain on the current farm (which haven't been fully explored as yet) and the lack of demonstration of other essential need to reside permanently at the application site, the proposal is considered to conflict with Policy LP3, having regard the assessment criteria as set out under LP12 Part D (a), (b), (c) and (d).
- 1.6 The application is therefore recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises 0.55Ha of high-grade agricultural land located along the eastern side of Eldernell Lane, north east of Coates. The site is enclosed on either side by established trees and hedgerow and a 1.5m high fence where it abuts the single-storey properties of No. 34 to the south. To the north is No.42.
- 2.2 An established hedgerow also runs along the front of the site adjacent to the highway. Eldernell Lane is predominantly single track with informal passing places at sporadic intervals. The area is distinctly rural in character, with sporadic housing separated by agricultural fields which extend into the open countryside.
- 2.3 The western half of the site lies in flood zone 1 (where the development is proposed), with the eastern fringes in flood zone 3 as the site gradually drops in level by around 2m to 3m from west to east.

## **3 PROPOSAL**

- 3.1 The application seeks full planning permission for the erection of a detached 2-storey dwelling with attached garage, a workshop and livestock shed. The dwelling is proposed to be sited at the western edge of the site, with the workshop and barn to the east, approximately 42m and 114m from the highway respectively.
- 3.2 The dwelling accommodates a footprint of around 420m<sup>2</sup> with a height of c.8m and is proposed to provide residential accommodation and an office to support the agricultural enterprise on the adjacent and surrounding land within the Coates area. It is designed as a 'chalet-style' with bedroom in the roof space and the dwelling is proposed to be finished externally in a buff facing brickwork (specification tbc) and grey slate roof tiles.
- 3.3 The workshop accommodates a footprint of around 233m<sup>2</sup> with a height of c.6m. It is proposed to be finished externally in green steel profile wall sheeting and grey sheeting for the roof.
- 3.4 The cattle shed accommodates a footprint of around 196m<sup>2</sup> with a maximum scale of c.4.8m. It is proposed to be open on one side (facing north) and finished externally on the walls with slatted timber 'Yorkshire boarding' to enable ventilation and grey sheeting for the roof, including rooflights and ventilation ridges.
- 3.5 The layout indicates that the hedgerow along the frontage will be mainly retained, except to facilitate the access as well as the boundary hedge and trees, with additional hedge planting along the southern and part of the south-eastern boundary. The eastern boundary will be mainly enclosed with 1.2m high timber rail fencing, with gated access the workshop and cattle shed
- 3.6 The application is supported by the following plans and documents;
  - Application form
  - Outline Business Plan (redacted for public access)
  - Location Plan CH20/LBA/539/FP-1-106 B
  - Existing site and topographical plan SFS-103BEV-1-2D
  - Proposed site plan and fence details CH20/LBA/539/FP-1-100 G
  - Dwelling proposed elevations FP-1-102 E
  - Dwelling proposed floor plans FP-1-101 E
  - Workshop proposed elevations and floor plans FP-1-103
  - Cattle Shed proposed elevations and floor plans FP-1-105 A

- 3.7 Full plans and associated documents for this application can be found at:  
<https://www.fenland.gov.uk/publicaccess/>

#### 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR20/0628/F	Erect a dwelling (2-storey 5-bed) and an agricultural building (as part of an agricultural holding)	Withdrawn 04.09.2020
F/91/0403/O	Erection of a dwelling	Withdrawn 24.10.1991

#### 5 CONSULTATIONS

- 5.1 **Whittlesey Town Council**  
Recommends Approval

- 5.2 **Middle Level Commissioners**  
No comment received

- 5.3 **Cambridgeshire County Council Highways Authority**  
No highway objections subject to a condition requiring provision of the access prior to occupation.

- 5.4 **Environment & Health Services (FDC)**  
*"A site visit hasn't been made and this response is based on a desk-top study.  
The issues which I would consider need addressing are: -*

*1-Noise from powered machinery in the workshop and I would recommend a time restriction to address this issue.*

*2-Storage of animal waste and potential odour and insect nuisance*

*3-Potential light pollution in the workshop and cattle-shed areas.*

*In that respect I would recommend the attachment of conditions to address these.*

*This proposal will not have any adverse effects on the local air quality climate.*

*There are no local noise sources which could adversely affect the occupants of the dwelling. There are mineral extraction processes close by, but none with a potential to adversely affect this proposal.*

*There are no issues with ground contamination and there are no known present, or former contaminative uses of the part of the site proposed to be used for the dwelling, or the garden.*

*Consequently, there are no objections to this proposal, but I would recommend the attachment of the following conditions to any consent granted: -*

Noise

*Any powered machinery, except hand tools, used in connection with the agricultural business, shall only be used in the workshop and restricted to the following times: -*

*Monday to Saturday 08:00 - 18:00 hours*

*Sunday and Public Holiday Nil*

#### **Waste storage**

*Any animal waste shall only be stored in such a manner that it does not cause odour nuisance to the occupiers of nearby residential properties.*

#### **Insect control**

*In the event there are excess insects, which may be attributed to the cattle-shed and any waste storage associated with it, shall be treated with insecticide in order to prevent an insect nuisance to the occupiers of residential properties.*

#### **Lighting**

*Any external artificial lighting, installed in connection with the workshop or cattle-shed areas, shall be adequately shielded to prevent any light nuisance, including glare, to the occupiers of nearby residential properties.”*

### **5.5 Local Residents/Interested Parties**

8 letters of support have been received from residents of Coates;

1 at Eldernell Lane, 2 at South Green, 2 at March Road, 1 at Fieldside, and 1 at Nobles Close making the following comments (summarised);

- The dwelling would fit in well
- Would allow a local farmer to move back to the village with better/ closer access to the business
- Will contribute to the local distinctiveness and character of the area

## **6 STATUTORY DUTY**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework (NPPF)**

Paragraph 78: Rural Housing

Paragraph 83: Supporting a prosperous rural economy

Chapter 9: Promoting sustainable transport

### **7.2 National Planning Practice Guidance (NPPG)**

### **7.3 National Design Guide 2019**

- Context
- Identity
- Built Form
- Movement
- Nature
- Lifespan

### **7.4 Fenland Local Plan 2014 (FLP)**

LP1: A Presumption in Favour of Sustainable Development

- LP2: Facilitating Health and Wellbeing of Fenland Residents
- LP3: Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP12: Rural development
- LP14: Climate Change and Flood Risk
- LP15: Facilitating a More Sustainable Transport Network in Fenland
- LP16: Delivering and Protecting High Quality Environments Across the District

## 7.5 Supplementary Planning Documents/ Guidance

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)

## 8 KEY ISSUES

- Principle of Development
- Demonstration of essential need
- Character and Appearance
- Highways and Access
- Residential Amenity

## 9 BACKGROUND

- 9.1 An application for a dwelling and agricultural workshop was previously submitted under F/YR20/0628/F. This followed a pre-application enquiry for the same, whereby Officers advised that there is support in principle for such development – subject to adequate demonstration of a functional (and financial) need for the development and consideration of environmental and highways impacts.
- 9.2 Following the submission of F/YR20/0628/F, Officers instructed an agricultural consultant to assess the proposal whereby it was opined by the consultant that a functional need could not be demonstrated. This was due to the fact that the agricultural enterprise described was only for arable farming which did not demonstrate an essential full-time, on-site presence was required for the proper functioning of the enterprise. This advice also took into account the security concerns raised by the applicant in their supporting Outline Business Plan.
- 9.3 The application was subsequently withdrawn. Officers then undertook further discussion with the applicant who advised that they also manage some livestock as part of the business, which was not indicated on the application. Officers advised that it may be prudent to include this element in any future application, given that a reliance on the arable operations alone would not be sufficient - but that the success of an application would depend on the scale and nature of the business having regard to the strict tests set out under policy LP13 of the Fenland Local Plan in demonstrating an essential functional need.

## 10 ASSESSMENT

### Principle of Development

- 10.1 The site lies within an area of dispersed, intermittent buildings that are detached from the main settlement of Coates and comprises a parcel of land currently in use for arable agriculture. Eldernell Lane is located to the east of Coates and comprises predominantly a single track road extending northwards from the A605 for approximately 1 mile and incorporates no pedestrian infrastructure or lighting. These characteristics and its clear separation denote that Eldernell Lane relates

more to the rural countryside, than to the built-up area of the nearest settlement of Coates.

- 10.2 As the site is considered to fall outside of a settlement it is therefore defined as an 'Elsewhere' location under FLP policy LP3; which seeks to restrict development to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. This follows the rationale set out through the relevant policies of the NPPF where the concept of concentrating additional housing within settlements is seen as generally more likely to be consistent with the promotion of "sustainable development in rural areas" than building isolated dwellings elsewhere in the countryside. To do otherwise would result in an urban sprawl of dwellings with poor access and a reliance on private motor car to make essential journeys, contrary to the NPPF's aims of minimising the need to travel and supporting the transition to a low-carbon future.
- 10.3 The NPPF does however support the principle of sustainable rural housing where it will enhance or maintain the vitality of rural communities, and sustainable economic growth in rural locations - where appropriate i.e. the right development in the right location, and it is considered that the requirements of policy LP3 are wholly consistent with the NPPF in this regard.
- 10.4 The application comes forward as a proposal for residential accommodation to serve an agricultural enterprise with associated buildings. Therefore, the principle of the development is accepted through LP3, which amongst others, supports the farming community and agricultural development, and recognises that in certain circumstances it is necessary to locate dwellings in otherwise unsustainable locations. But this allowance is subject to meeting (where residential development is concerned) the strict test of demonstrating an essential need. FLP policy LP12-Part D sets out the requirements as to how this essential need will be demonstrated.

**Demonstration of essential need**

- 10.5 Policy LP12 Part D relates specifically to the development proposed and sets out that applications of this nature should provide supporting evidence to explain the following;
- (a) The existing functional need for the dwelling,
  - (b) The number of part time and full-time worker(s) to live in the dwelling,
  - (c) The length of time the activity has been established,
  - (d) The financial viability of the enterprise,
  - (e) The availability of other suitable accommodation on site or in the area,
  - (f) How the proposed size of the dwelling relates to the viability of the enterprise.
- 10.6 The application is supported by an Outline Business Plan which provides the background to the applicant, the current and future business plans and predicted business growth (financial details are held as confidential items). The plan also provides information on the agricultural holding as a whole and how this relates to the overall function and viability of the enterprise.
- 10.7 The Council has used the services of an agricultural consultant, Ian Pick Associates, to review the outline business case and provide an assessment of the demonstration for essential need.

- 10.10 The applicant advises that his tenancy with Cambridgeshire County Council at his current farm, Copalder Farm at Floods Ferry Road, Doddington will cease in October 2026, in-line with CCC retirement policies. Therefore, the applicant is seeking to secure planning permission to erect his own property for himself and his family on land he owns, to continue the agricultural operations which would include 185.69Ha of total land in the applicant's control across the Coates/ Doddington area.
- 10.11 The previously withdrawn application proposed only the dwelling and workshop, however this latest application comes forward with the proposal also for a livestock shed, for the rearing of cattle.

#### Arable enterprise

- 10.12 The main operations themselves currently comprises arable farming on various parcels of land in and around the Benwick/ Coates area which in itself is a viable enterprise. In addition, the applicant has a small herd of Dexter cattle bred for meat, currently comprising up to 8 cows and followers. The Outline business plan sets out a proposal to increase the scale of the cattle enterprise to 20 cows, plus 40 to 50 followers. The applicant has advised that his daughter is currently attending college to study agriculture and it is expected that she will assist in the business moving forward.
- 10.13 Having regard to the arable side of the enterprise, it is well-established that arable farming rarely justifies an essential, functional need for a full-time worker to be present at the site on a permanent, round the clock basis<sup>1</sup>. This is notwithstanding that the arable enterprise, in any case, covers a wide area with detached parcels of arable land spread over a wide radius from the application site therefore meaning an on-site presence could not reasonably be expected to monitor the entire holding.

#### Security

- 10.14 The applicant has however advised that the dwelling is required, in part for security – to reduce the risks of theft of machinery and parts e.g. sat-nav equipment and specialist tools which he intends to store in his workshop.
- 10.15 Cambs Police has reviewed crime in the Coates area (including Eldernell Lane) over the past 2 years and advises that in respect of agricultural-related incidents, the following information is available;

- 1 x threat to cause damage (to farm property)
- 1 x theft of a horse
- 1 x theft of a generator (from an outbuilding)
- 1 x theft of a compressor (from a construction site)

Specific to Eldernell Lane: -

- 1 x theft of a quad-bike (from an outbuilding – March 2020)
- 1 x report of poaching
- 1 x report of coursing

- 10.16 As detailed above, there are clearly some incidents of theft in the area. However, the frequency is considered to be low and opportunities would be available to install security equipment e.g. CCTV, perimeter alarms and securing fencing to reduce the risks of crime.

10.17 The applicant's Outline Business Plan also quotes NFU Mutual as stating;  
*"...security technology is developing fast and we're already clearly seeing that thieves avoid tractors fitted with good security kit and sheep that have been marked with microdots"*

10.18 This is also notwithstanding that the site is sandwiched between 2 other residential properties which would provide some surveillance and potentially some deterrent. Regard is also had to several recent appeal decisions whereby the Planning Inspectorate has concluded that security is rarely justification for a functional need for a permanent residence<sup>1</sup>.

#### Livestock

10.19 As set out in the consultants response; The predecessor to the NPPF, being Policy Statements (PPS7, Annex A), provided a clear description of situations where a functional need might arise, suggesting that "where livestock or agricultural processes require essential care at short notice" a functional need could arise. Whilst the PPSs were withdrawn following the publication of the NPPF in 2012, the information contained within Annex A of PPS7 is, in the main, still applicable.

10.20 It is accepted that some livestock enterprises require supervision at certain periods, and providing for the care and welfare of calving cows and young calves is an activity that could give rise to a functional requirement for a worker to be readily available at most times, dependent on the scale of the enterprise. The functional test applied here, is whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

10.21 The cattle enterprise proposed by the applicant of 20 cows and 40 to 50 followers is small in scale and is not yet realised, with current (existing) stock at 8 cows and followers. Some cattle needing closer supervision will be kept in the proposed shed, with the remaining livestock left out to graze on the paddock land and at the north of Eldernell Lane, on the Ouse Washes. The policy test set out in LP12 part D (a) is whether there is "*an existing functional need for the dwelling*". For a functional need to be established, the enterprise from which the functional need is derived must equate to a full-time worker.

10.22 The Council's consultant has assessed the current and future predicted stock levels and compared this to the standard labour requirements as set out in The John Nix Pocketbook 2021. This sets out that the standard labour requirement for one cow is 1.35 standard man days per annum, and the labour requirement for a follower is 1.1 standard man days per annum.

<sup>1</sup> [APP/F2630/W/17/3174429](#), [APP/N0410/W/19/3226363](#), [APP/L2630/W/19/3223110](#),  
[APP/W1850/W/20/3251167](#), [APP/V2635/W/19/3242691](#), [APP/Q3115/W/17/3175806](#)

10.23 This would indicate that even at predicted stock levels, this would equate to only 82 standard man days which is the equivalent of 0.3 full-time workers, and this is based on future predicted levels, not existing levels which LP12 requires the LPA to assess.

10.24 Therefore, whilst the arable business can demonstrate the need for a full-time worker and remains viable, the livestock business (which ultimately could yield a



functional need subject to an appropriate scale of stock) shows a significant shortfall of an essential functional need both at existing and predicted levels.

10.25 The applicant's own consultant appears to conclude this point where he sets out

"While perhaps not strictly functional, Mr Dale's chosen way of involvement with farming's contribution to the community is through livestock."

#### Tenancy and succession planning

10.26 Notwithstanding the above, Cambridgeshire County Council has advised that a tenant would have 24 months to vacate the premises upon termination of contract, which takes the applicant to 2028, by which time, the business may look significantly different, dependant on the success of the livestock and arable elements. Furthermore, CCC has advised that where family members are intending to carry on the business, they would consider an application for succession planning, but only within a 5-year period of the tenancy termination.

10.27 The applicant has advised that his daughter is currently training to work alongside him as part of the succession plan and therefore the option to remain on the current farm (which is understood to be established with ancillary barns and currently accommodates the livestock and agricultural machinery) may be open to them, subject to the successful outcome of an application. Based on the timings advised by CCC, the application for succession could be submitted in 2021.

#### Availability of other accommodation

10.28 Notwithstanding that remaining on the current farm may be an option in the future which hasn't yet been explored, the outline business plan sets out that;

*"It is necessary to have a stockperson nearby, on quick and easy call to prevent possible losses, from whatever reason."*

10.29 The term 'nearby' is not defined but having regard to the above assessment, it is considered that a permanent on-site presence would be desirable rather than essential for the proper functioning of the enterprise. The policy test under LP3 sets out an 'essential' need. Furthermore, it is likely that dwellings would be available within the Coates area – within a 5-minute drive of the site to check on stock. During calving, when it is likely a more regular presence is required, the applicant could utilise their permitted development rights to site a temporary accommodation e.g. caravan on the land to oversee this function. Based on the current and predicted stock levels yielding the requirement for 0.3 full-time workers, this would not be anticipated to be a regular occurrence. Furthermore, it is understood that the applicant has land with agricultural buildings at Cross Drove, Coates, although it is acknowledged that the applicant advises that this land is not suitable for cattle due to the proximity of the railway line.

10.30 Having regard to the existing limited scale of the livestock business, the potential options to remain on the current farm (which haven't been fully explored as yet) and the lack of demonstration of other essential need to reside permanently at the application site, the proposal is considered to conflict with Policy LP3, having regard the assessment criteria as set out under LP12 part D (a), (b), (c) and (d).

#### **Character and Appearance**

- 10.31 The dwelling measures 8m to the ridge which is c.1 m higher than the dwelling immediately north and c.2m higher than that to the south. Whilst it is a sizeable property, given the variety of scales, materials and massing of dwellings and buildings found along Eldernell Lane, it is concluded that the dwelling would not result in any significant harm to the character and appearance of the area, (subject to agreeing appropriate facing brickwork), albeit it would result in a small concentration of 3 dwellings which is arguably uncharacteristic for Eldernell Lane which is generally characterised by dispersed buildings.
- 10.32 Furthermore, the livestock building and workshop are not alien features on Fenland's landscapes and would not appear out of character having regard to their scale, locations and external finishes. This is notwithstanding the existing and additional soft landscaping proposed which also has biodiversity benefits.
- 10.33 In this respect there is no conflict with FLP policy LP16.

### **Highways and Access**

- 10.34 The Local Highways Authority has assessed the application and raises no objection to the proposal, subject to conditions securing the delivery of the access and the retention of off-road parking areas.
- 10.35 In this regard, the application presents no technical issues with regards to highways impacts and would comply with FLP policy LP15.

### **Residential Amenity**

- 10.36 The dwelling is sited sufficiently away from neighbouring boundaries so as not to result in any overshadowing or overbearing issues. Furthermore, windows are located to avoid any unacceptable overlooking. The dwelling therefore presents no compatibility issues with adjacent properties. In addition, given the belt of dense tree and hedgerow along the northern boundary, the workshop is not anticipated to result in any visual harm – likewise the cattle shed which is sited c.90m east of No.34.
- 10.37 The future operation of the farm, as with most farms does have some potential for disturbance and the Council's Environmental Health team has recommended conditions to address this potential;

### ***Operating hours***

- 10.38 The recommendation to restrict operating hours would run counter to the nature and likely viability of the business. Given that operations are likely to naturally restricted given the identified limited scale of the business and the site constraints, which would restrict any significant growth and associated operations, coupled with the fact that the adjacent dwelling at No.42 is restricted to agricultural occupancy, it is not considered reasonable to restrict operating hours.

### ***Waste Storage / insect control***

- 10.39 Given that the cattle shed is sited within c.90m of No.34 which is a 'protected i.e. an unrestricted property; matters of odour and pest nuisance need to be considered. In this respect it would be reasonable to require a scheme (secured via planning condition) of how and where any waste material is to be deposited and periodically removed from site

### ***Lighting***

- 10.40 It would also be prudent to consider an appropriate condition to securing a lighting scheme – in the interests of residential amenity, site security and also biodiversity in the area.
- 10.41 Subject to the above conditions, it is not expected that the scheme would result in any obvious conflicts with policy LP2 and LP16 and LP19 of the FLP.

## **11 CONCLUSIONS**

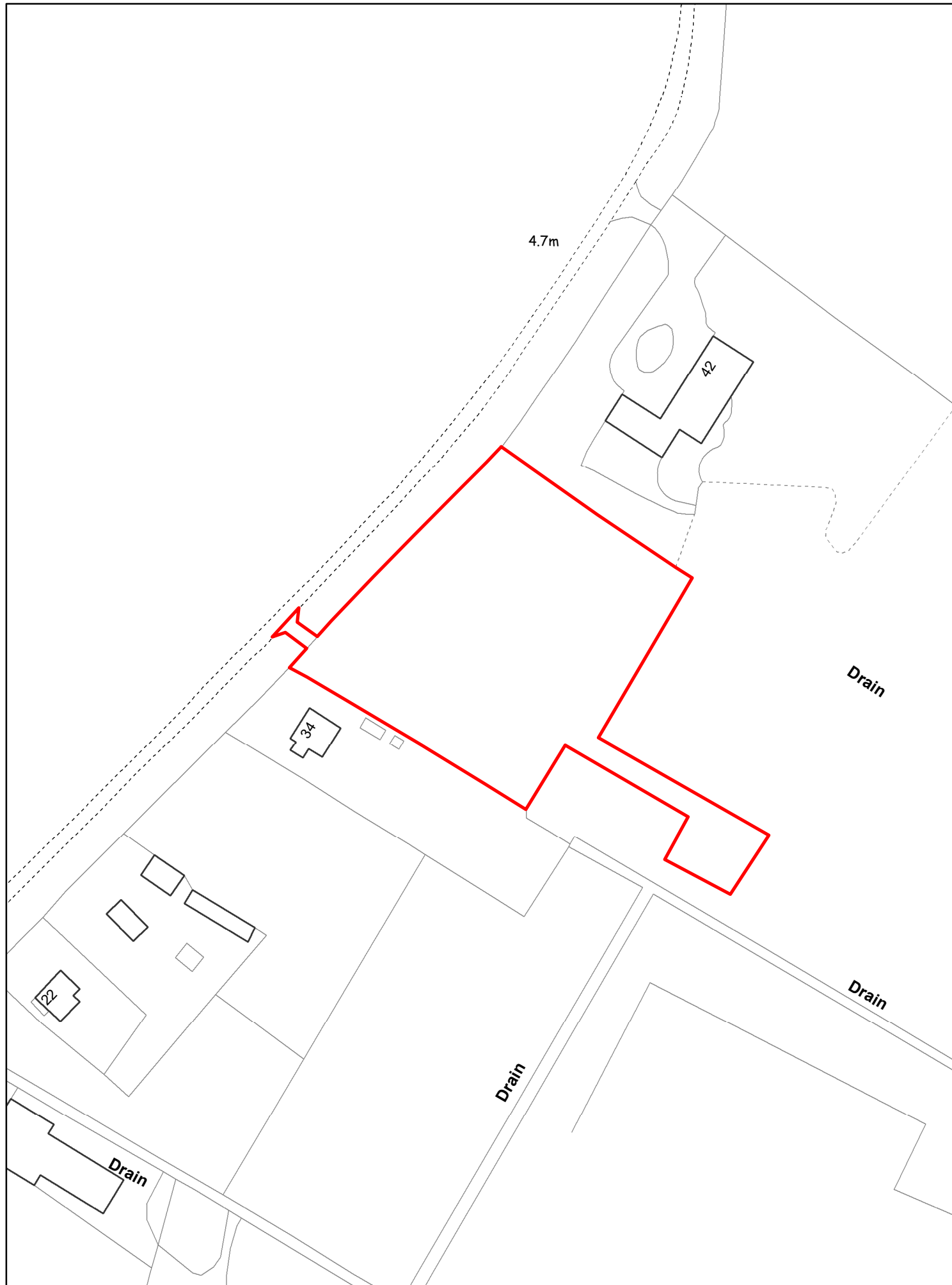
- 11.1 The proposal would provide a family home for the applicant who is due to give up his tenancy in 5 years' time and would support an established agricultural enterprise, which comprises mainly arable and some livestock operations through, the workshop and cattle shed, which are acceptable in all respects. There are no technical issues associated with the development as a whole, with no identified highways, environmental or neighbour conflicts.
- 11.2 However, in order to maintain a sustainable supply of homes FLP policy LP3 seeks to restrict growth in areas away from those settlements defined within it. This is amongst other things to avoid placing homes in areas which are poorly linked to main settlements thereby placing a reliance on private motor car to access services and facilities. The restriction is set out through a strict test which requires a demonstration that development is essential for the effective operation of (in this case) local agriculture. Such demonstration is assessed via the criteria as set out under FLP policy LP12 Part D.
- 11.3 It is considered that this application fails to demonstrate that the agricultural operations comprising arable and livestock, warrant a permanent dwelling as those relevant elements of the operations are not of a scale to justify the nearby presence of a full-time agricultural worker – the recognised assessment method. It is considered that the arable operations, which remain viable, can and do exist without a permanent on-site presence. The livestock business however, as it currently exists and is predicted to be, is too limited in scale to establish an existing functional need for the dwelling. Whilst it is acknowledged that a permanent dwelling would likely be beneficial and therefore desirable to address the security concerns and operational needs raised by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3.
- 11.4 Furthermore, it is recognised that by 2026, the applicant would have needed to have secured alternative accommodation, with a requirement to have left the current farm by 2028. However, there is nothing to suggest that alternative accommodation in a more sustainable location (i.e. within a defined settlement or using an existing premises in the countryside) could not be secured elsewhere that could still perform an effective function for the enterprise, or demonstration that the potential for remaining at the current County Council farm has been scoped out through the County Council's succession policies.
- 11.5 It is clear that policy LP3 supports rural and agricultural communities and enables sustainable growth, in line with national policy. However, in instances where agricultural enterprise is at an early stage of growth, as is the case with the livestock element with this application, it is more appropriate and commonplace for applicants to seek permission for a temporary style of dwelling, with the intention to grow the business and subsequently demonstrate an essential functional need to warrant a permanent residence.

- 11.6 However, this application comes forward with the only legitimate, potentially functional element (livestock) at its infancy, and a risk therefore that to approve a permanent dwelling without robust supporting evidence could be premature and could ultimately result in one which is not essentially required to functionally support the agricultural enterprise, which in-turn would undermine the aims of delivering sustainable growth in rural areas as per policies of the NPPF and the Fenland Local Plan (2014), in particular policies LP3 and LP12.

## 12 RECOMMENDATION

### 12.1 Refuse for the following reason;

1.	<p>To promote sustainable development in rural areas, Policy LP3 of the Fenland Local Plan, 2014 (FLP) seeks to restrict development in areas outside of settlements to that which is demonstrably essential for the effective operation of land-based enterprise e.g. agriculture. This demonstration is determined through the criteria as set out under FLP policy LP12 Part D.</p> <p>The proposal is for the erection of a new dwelling and ancillary buildings associated with an established agricultural enterprise. However, the application fails to adequately demonstrate an essential, functional need for a full-time worker to be readily available at most times at or near to the site. This is contrary to the criteria of LP12 Part D and therefore conflicts with policy LP3 of the Fenland Local Plan, 2014 as the proposal would result in the unwarranted erection of a dwelling in an otherwise unsustainable location.</p>
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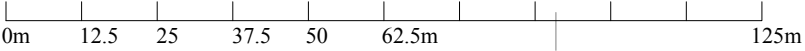
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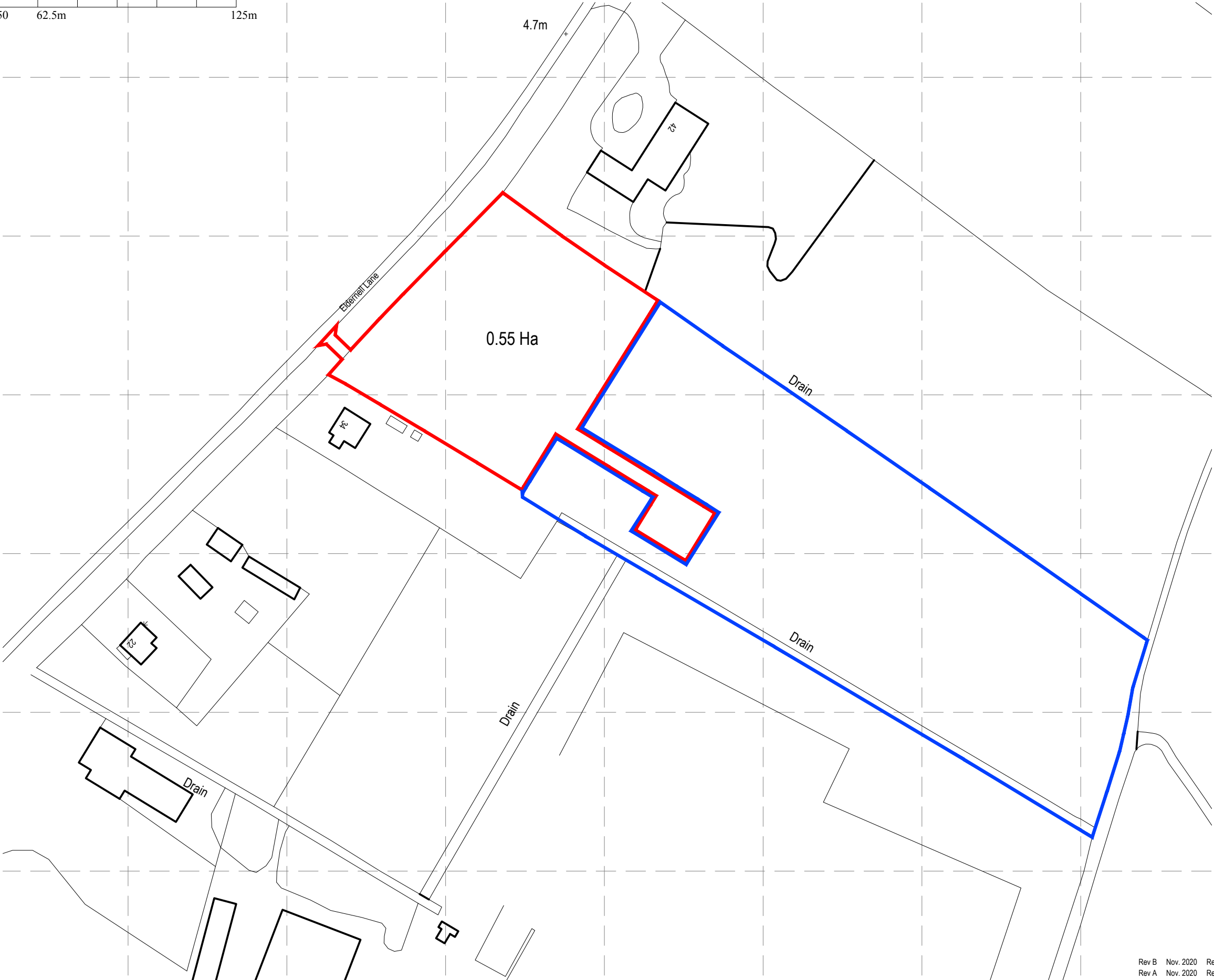
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ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

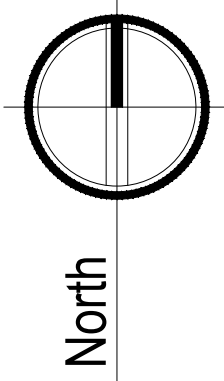
IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.



<b>L BEVENS ASSOCIATES LTD ARCHITECTS</b> The Doghouse, 10 Cricketers Way, Chatteris, Cambridgeshire. PE16 6UR Tel: 01354 693969  Mob: 07739 562818		Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.		Location Plan		Rev B Nov. 2020 Red line amended to suit new cattle shed position. L B	Scale 1:1250 @ A3		Date May 2020	Drawn L B	Checked
Project Mr and Mrs M Dale		Title		Drawing Number CH20/LBA/539/FP-1-106		Revision B					



Scale: 1:250  
0m 2.5 5 7.5 10 12.5m 25m



Access to be in tarmac construction in accordance with Cambridgeshire County Council's standard access crossover details.

New vehicular access to ensure that access is sealed and drained away from the highway for the first 10m.

New vehicular access measuring 4m wide measured from the near edge of Eldernell Lane.

New 1.2m high timber post and rail fence  
New 6m wide metal sliding gate set 10m back from Eldernell Lane.

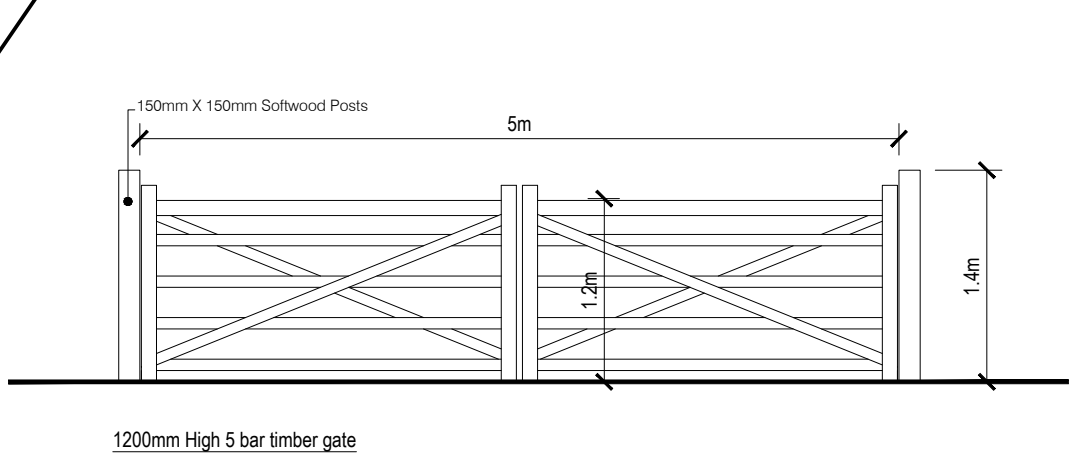
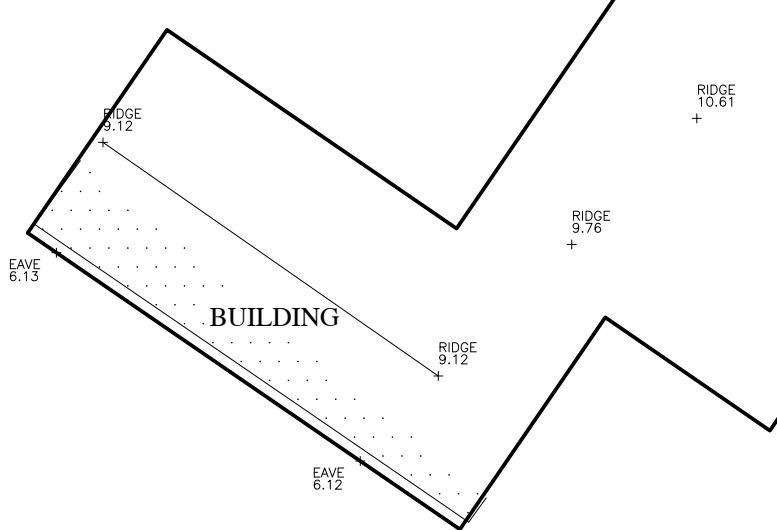
New hedge planting to boundary to consist of Viburnum Opulus (30%), Cornus Sanguinea (30%) and Craetyaegus monogyna (40%)

Permeable surface treatment to be agreed

New hedge planting to boundary to consist of Viburnum Opulus (30%), Cornus Sanguinea (30%) and Craetyaegus monogyna (40%)

Permeable surface treatment to be agreed

## Proposed Site Plan 1:250



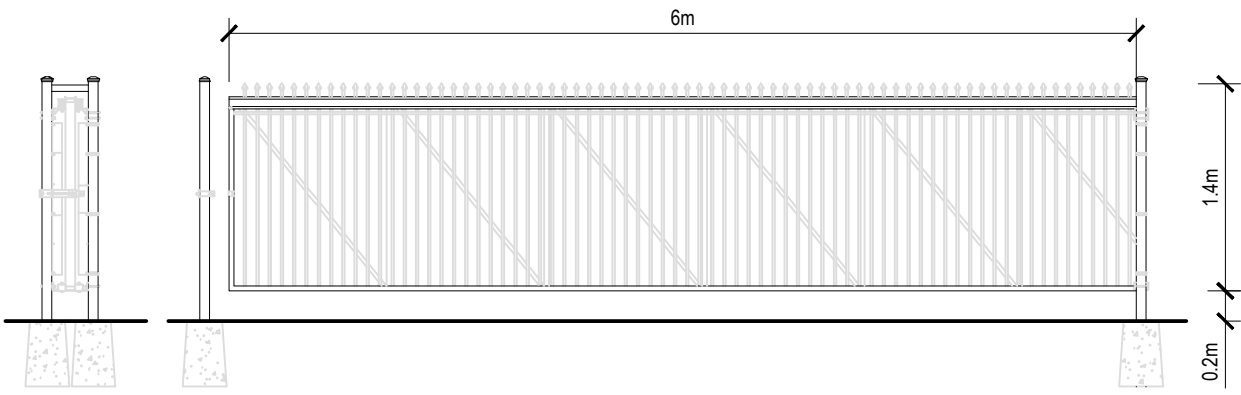
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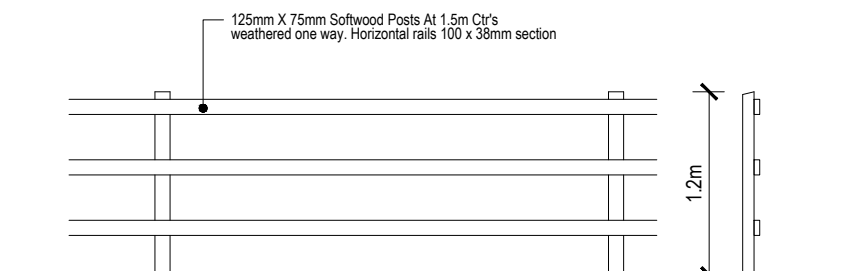
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Side Elevation 1.4m high (1.6m high overall) metal sliding gates 1:50

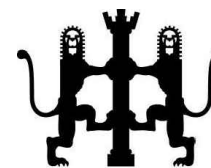


1200mm High Post and Rail Fence 1:50



House Sparrow Bird Box Starling Bird Box Robin Bird Box  
**NOTE:** FOR SPECIFIC LOCATION OF BIRD BOXES PLEASE REFER TO WORKSHOP ELEVATIONS

Rev G	Nov. 2020	Cattle shed position amended to remain in Flood Zone 1. (Moved 8m south-east and 6m south-west)
Rev F	Nov. 2020	Cattle shed position amended to suit discussions with neighbour and scale amended.
Rev E	Sept 2020	Cattle shed added and location plan removed.
Rev D	June 2020	Porch canopy removed.
Rev C	June 2020	Roof plan updated to suit latest proposals and entrance gate amended.
Rev B	June 2020	Roof plan updated to suit latest proposals.
Rev A	June 2020	PV Panels added to roof plan.



L Bevens Associates Architects Ltd  
The Doghouse  
10 Cricketers Way  
Chatterton  
Cambridgeshire  
PE16 6UR  
Tel: 01354 493969  
Mob: 07739 562818  
Email: enquiries@lbevns-associatesltd.co.uk  
Web: www.lbevns-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY	PLANNING	CONSTRUCTION
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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CLIENT  
Mr and Mrs M Dale

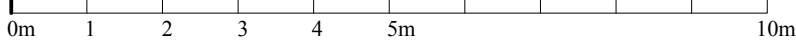
PROJECT  
Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.

DRAWING TITLE  
Proposed Site Plan  
Fence Details

SCALE	DATE	DRAWN	CHECKED
1:250 @ A1	May 2020	LB	
DRAWING NUMBER	REVISION		
CH20/LBA/539/FP-1-100	G		



Scale: 1:100



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#### General Notes

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Rev E June 2020 Porch entrance detail removed to suit client comments.

Rev D June 2020 Scheme amended to suit client comments.

Rev C June 2020 Scheme amended to suit client comments.

Rev B June 2020 Porch entrance feature added.

Rev A June 2020 Window and door styles amended to suit client. PV panels added to elevations



L Bevens Associates Ltd  
Architects  
10 Cricketers Way  
Chatteris  
Cambridgeshire  
PE18 6JR  
Tel: 01354 693969  
Fax: 01354 692426  
Email: enquiries@lbevens-associatesltd.co.uk  
Web: www.lbevens-associatesltd.co.uk

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CLIENT

Mr and Mrs M Dale

PROJECT

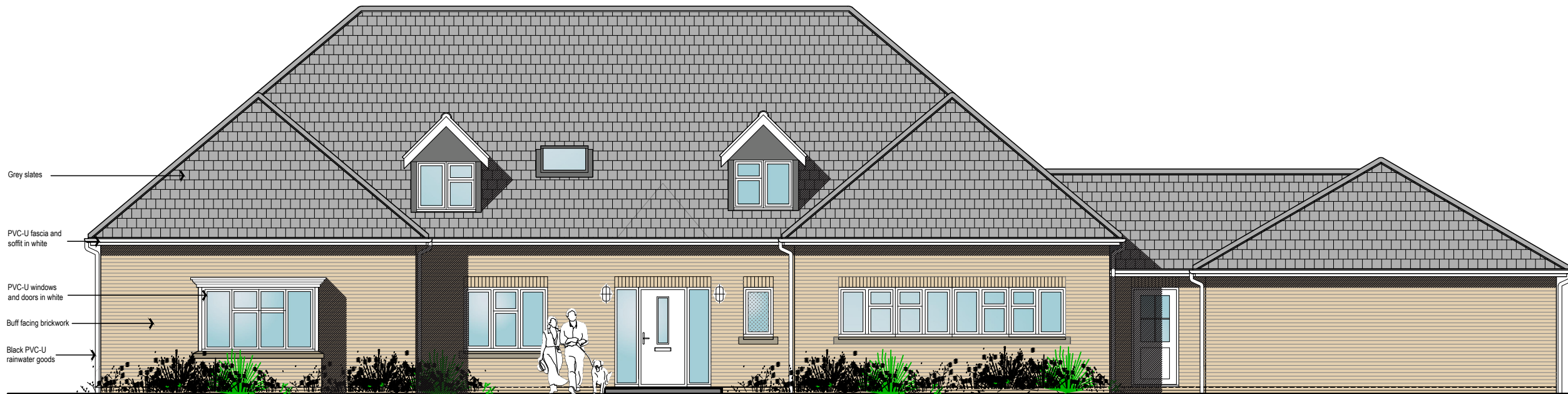
Land north east of 34 Eldernell Lane,  
Coates, Cambridgeshire

DRAWING TITLE

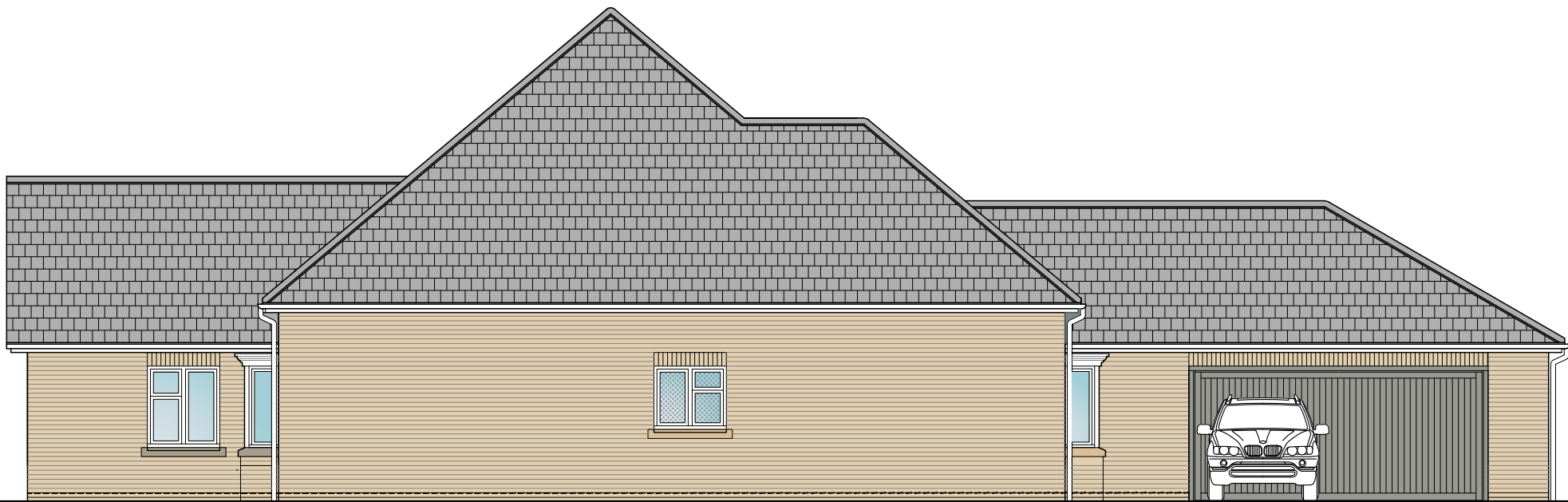
**Proposed Elevations**

SCALE 1:100 @ A1 DATE May 2020 DRAWN LB CHECKED

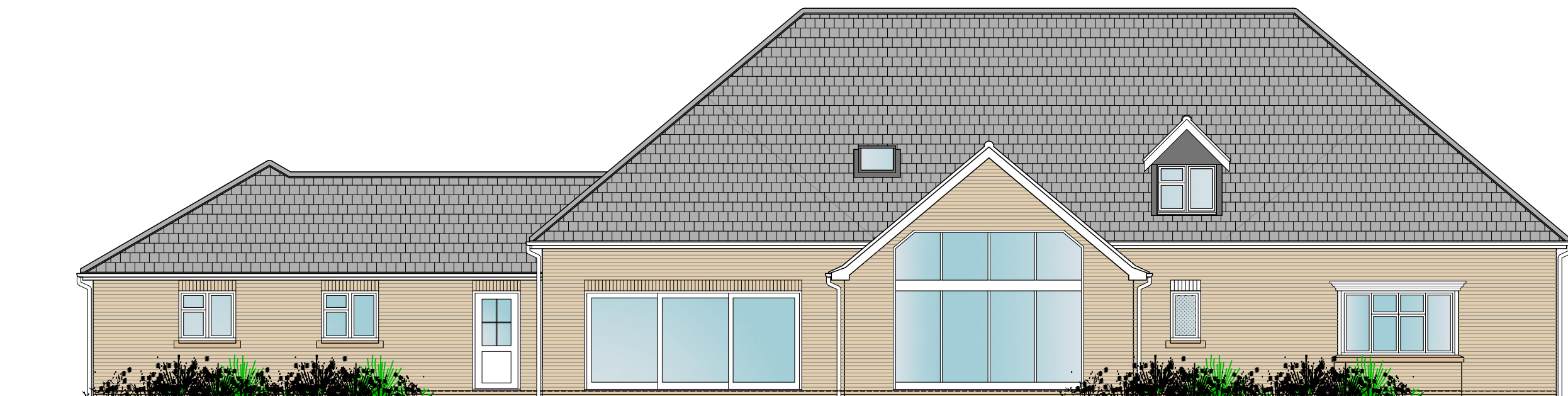
DRAWING NUMBER CH20/LBA/539/FP-1-102 REVISION E



Proposed Front Elevation



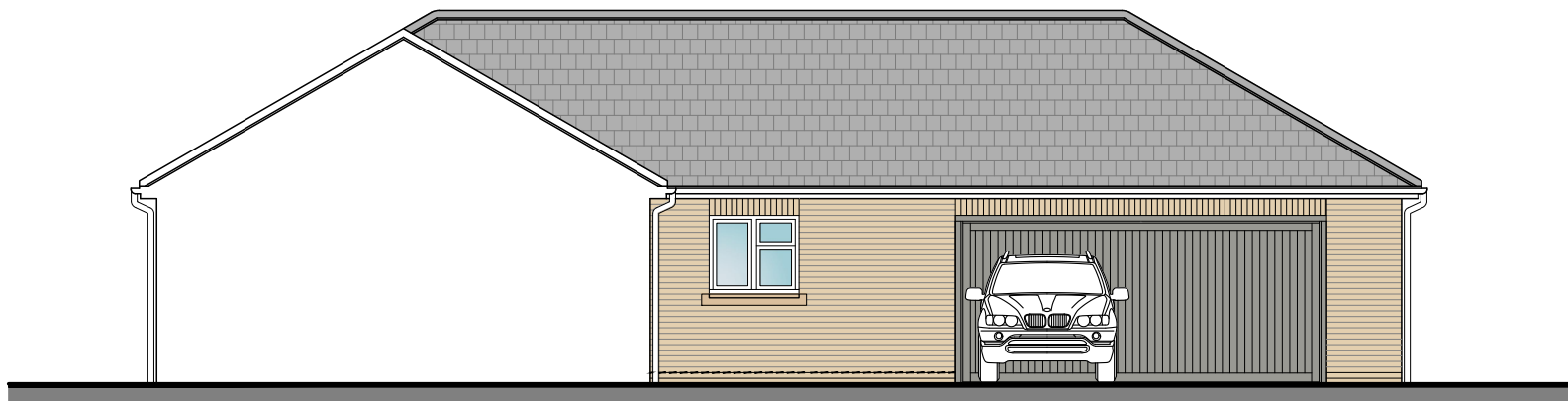
Proposed Side Elevation



Proposed Rear Elevation



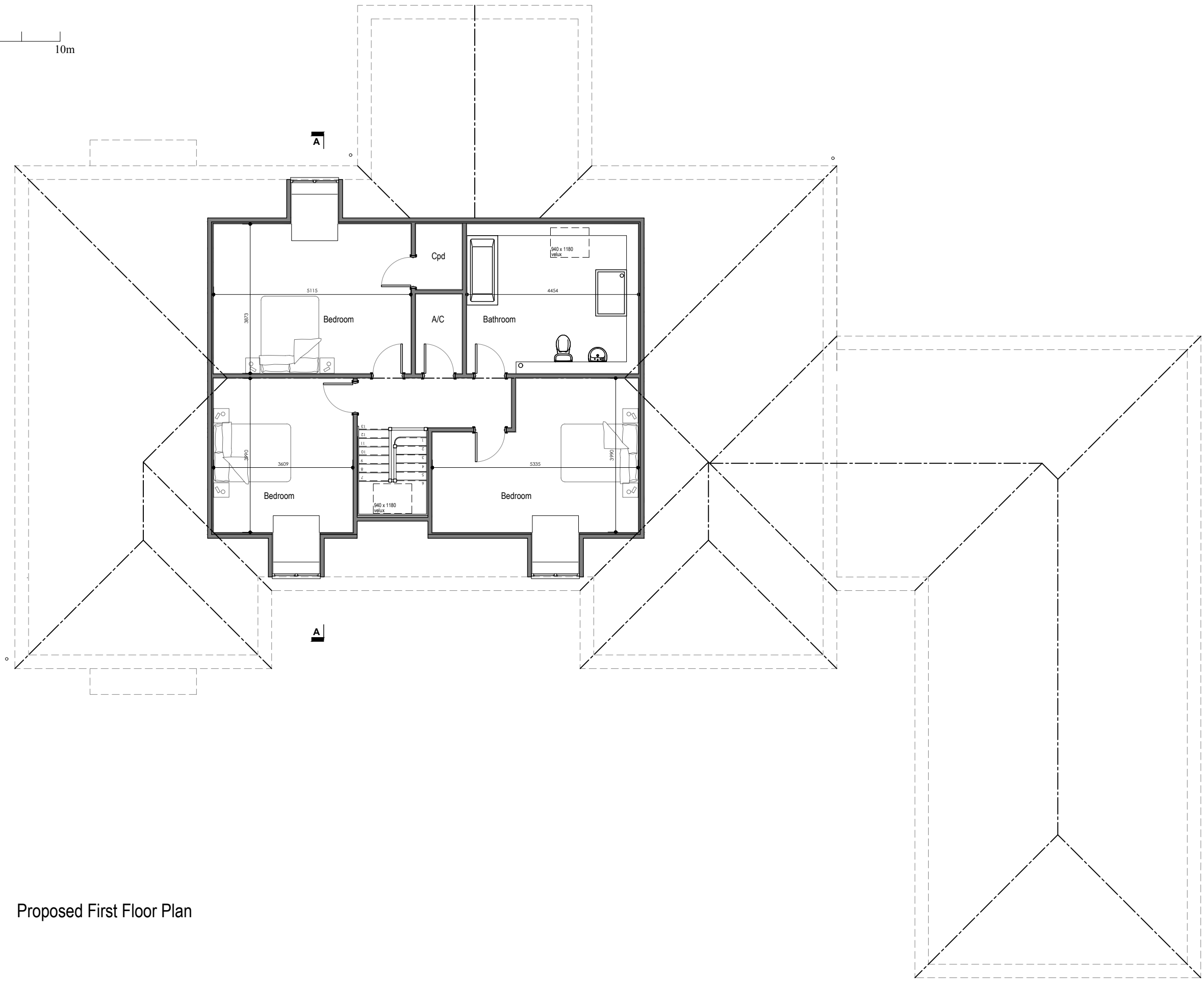
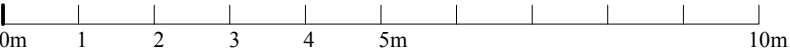
Proposed Side Elevation



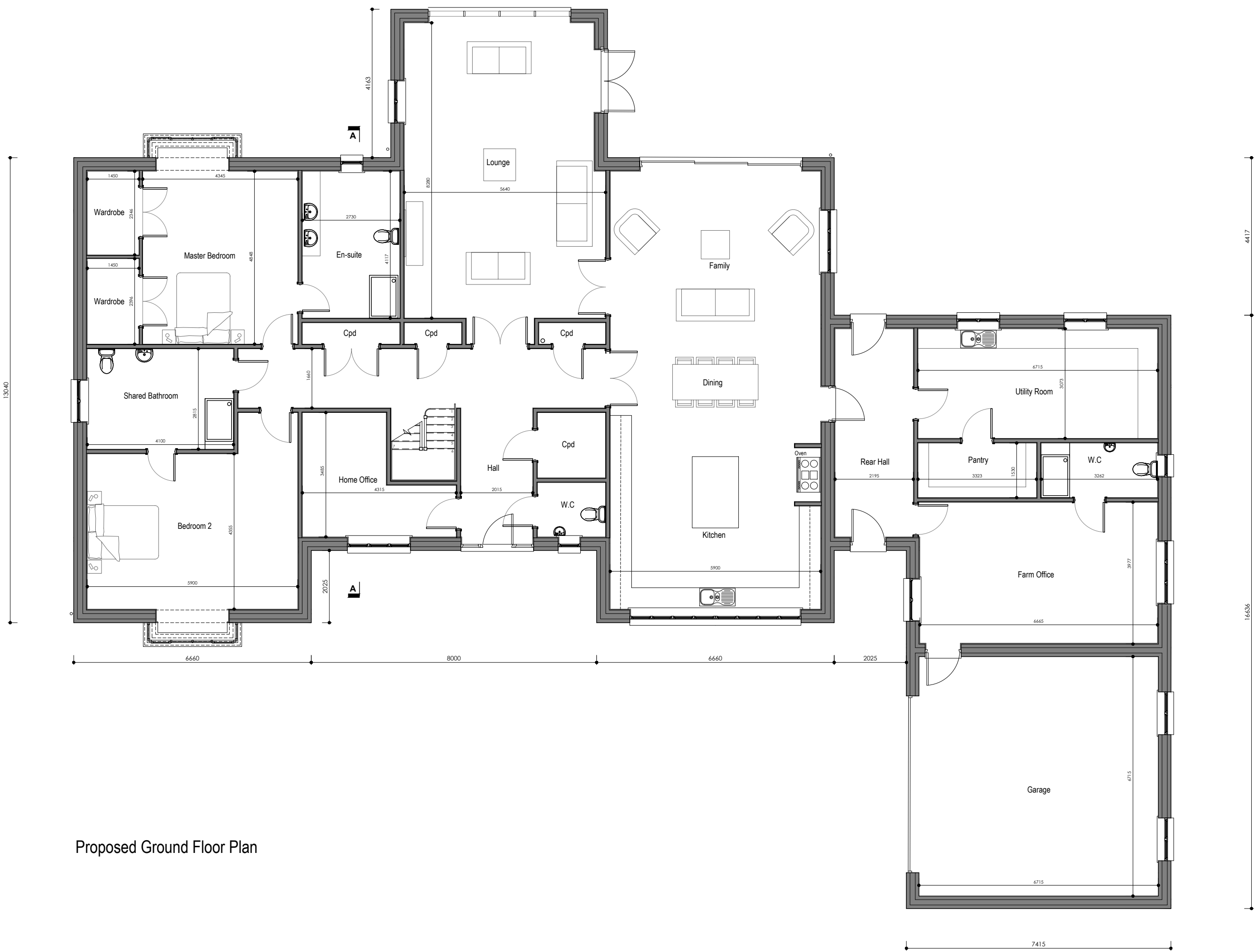
Proposed Part Side Elevation



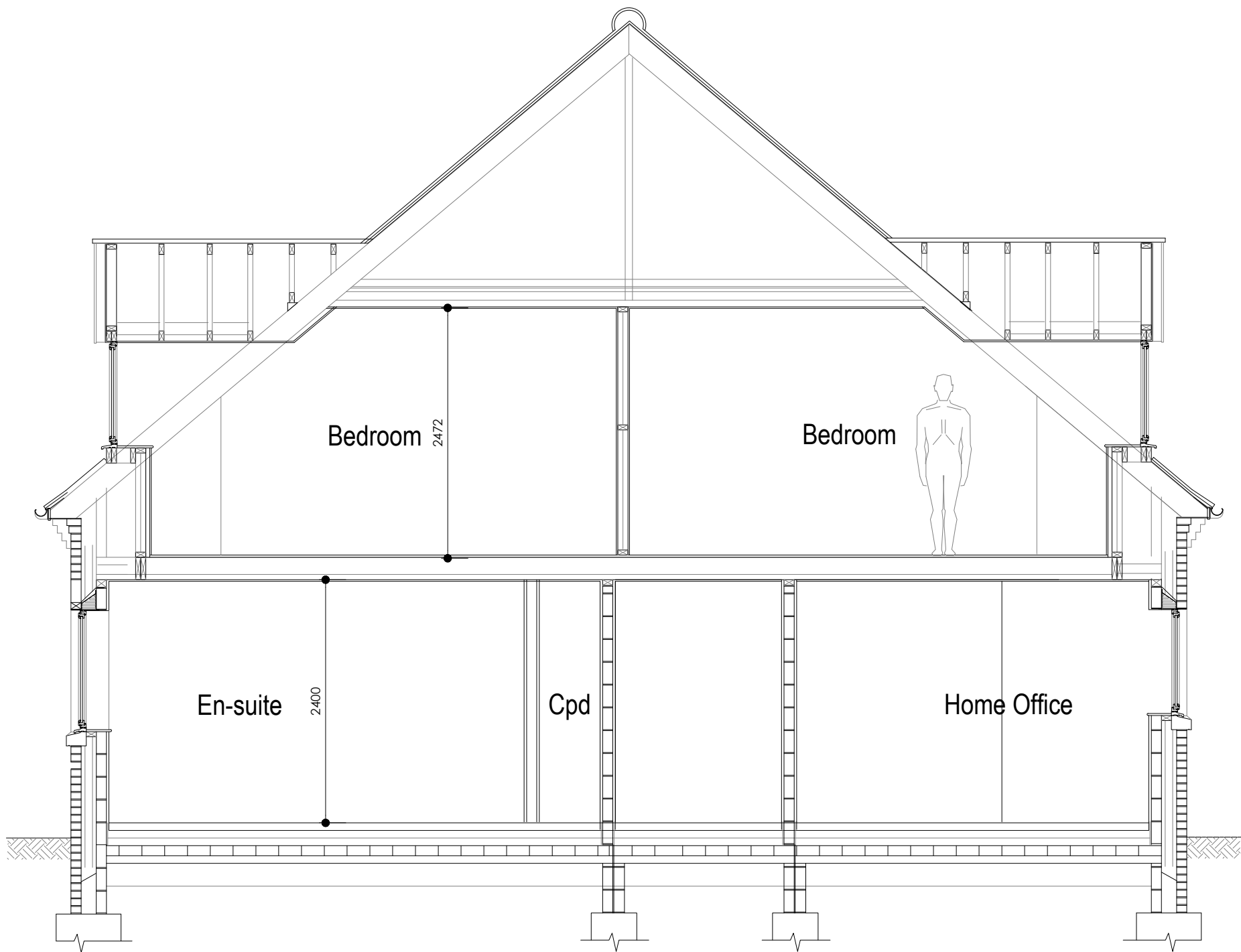
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Proposed First Floor Plan



Proposed Ground Floor Plan



Typical Section

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Rev E	June 2020	Porch entrance detail removed to suit client comments.
Rev D	June 2020	Utility Area amended.
Rev C	June 2020	Ground Floor plan amended to suit new stair position and first floor plan amended.
Rev B	June 2020	Porch entrance feature added.
Rev A	June 2020	Kitchen window amended.



L Bevens Associates Ltd  
Architects  
10 Cricketers Way  
Chatteris  
Cambridgeshire  
PE18 6LR  
Tel: 01354 693969  
Fax: 01354 692426  
Email: enquiries@lbevens-associatesltd.co.uk  
Web: www.lbevens-associatesltd.co.uk

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CLIENT

Mr and Mrs M Dale

PROJECT

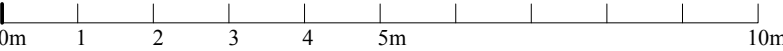
Land north east of 34 Eldernell Lane,  
Coates, Cambridgeshire

DRAWING TITLE

Proposed Ground and First Floor Plan  
Typical Section

SCALE	DATE	DRAWN	CHECKED
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DRAWING NUMBER	REVISION		
CH20/LBA/539/FP-1-101	E		

Scale: 1:100



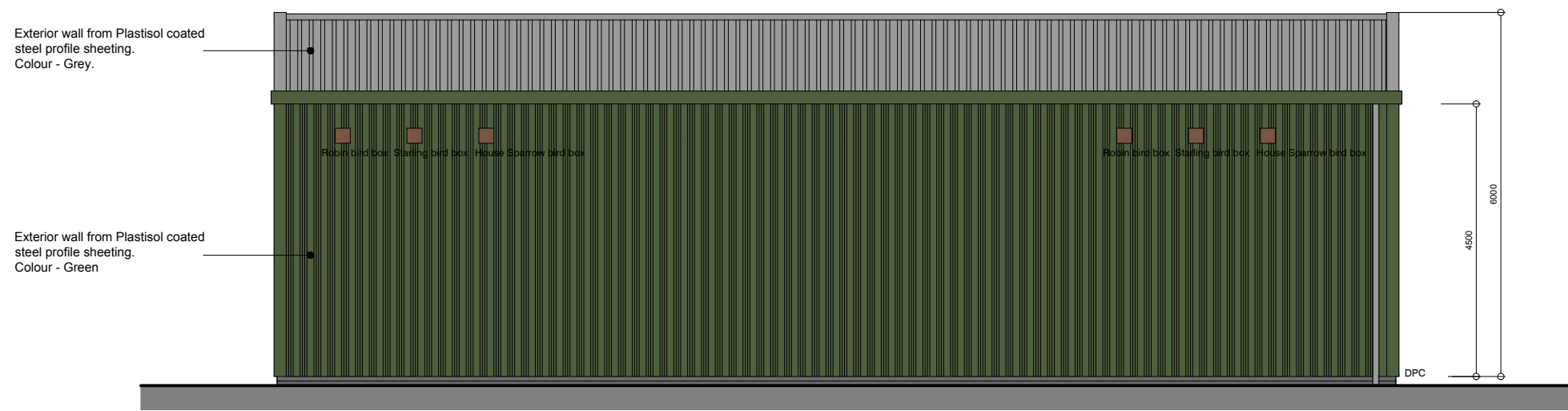
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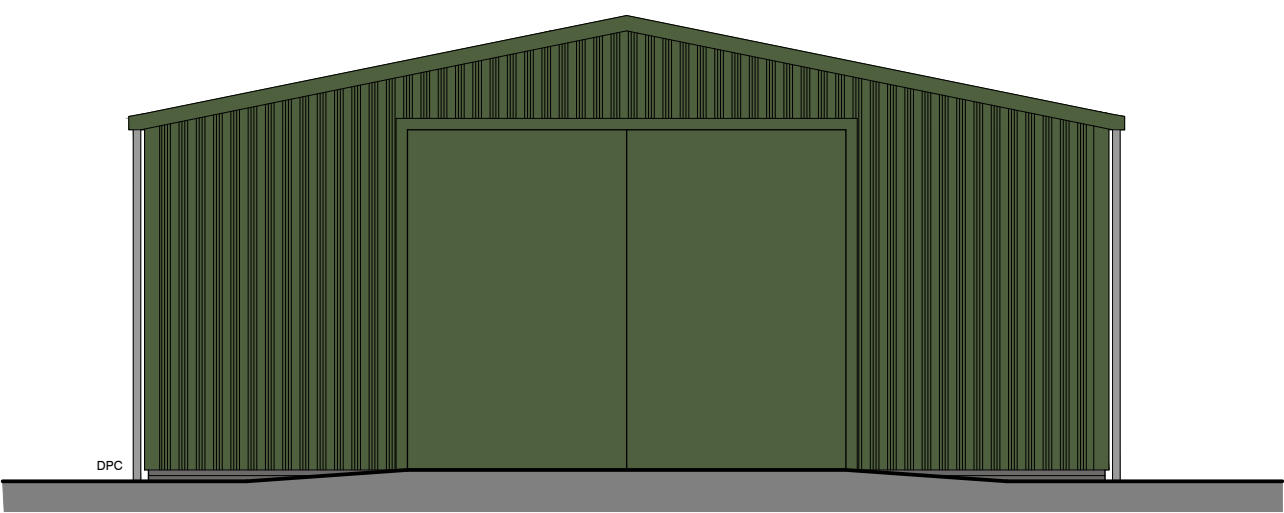
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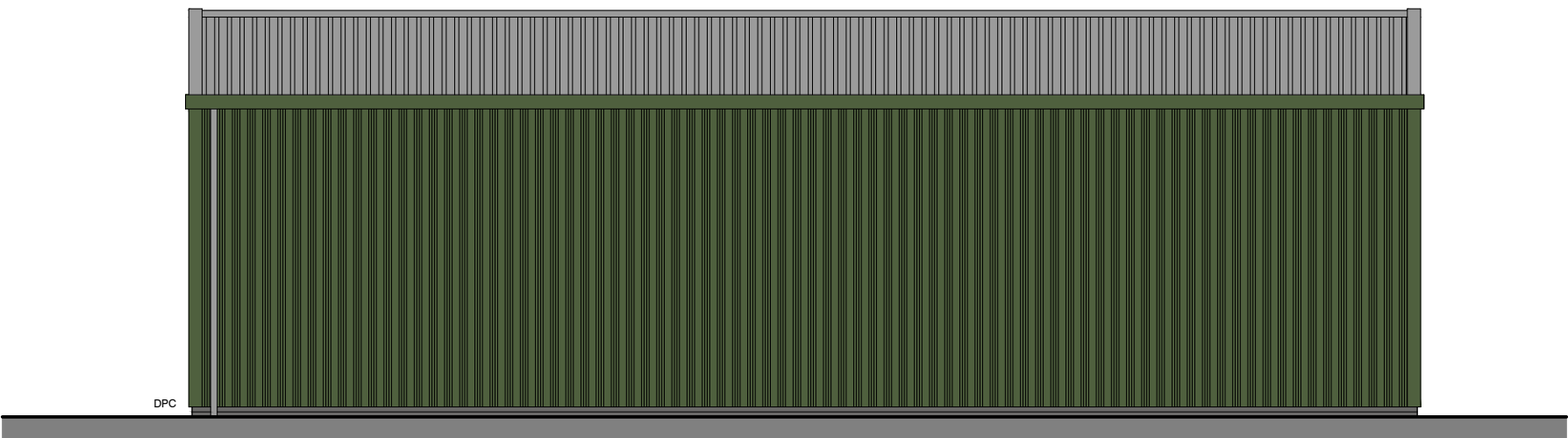
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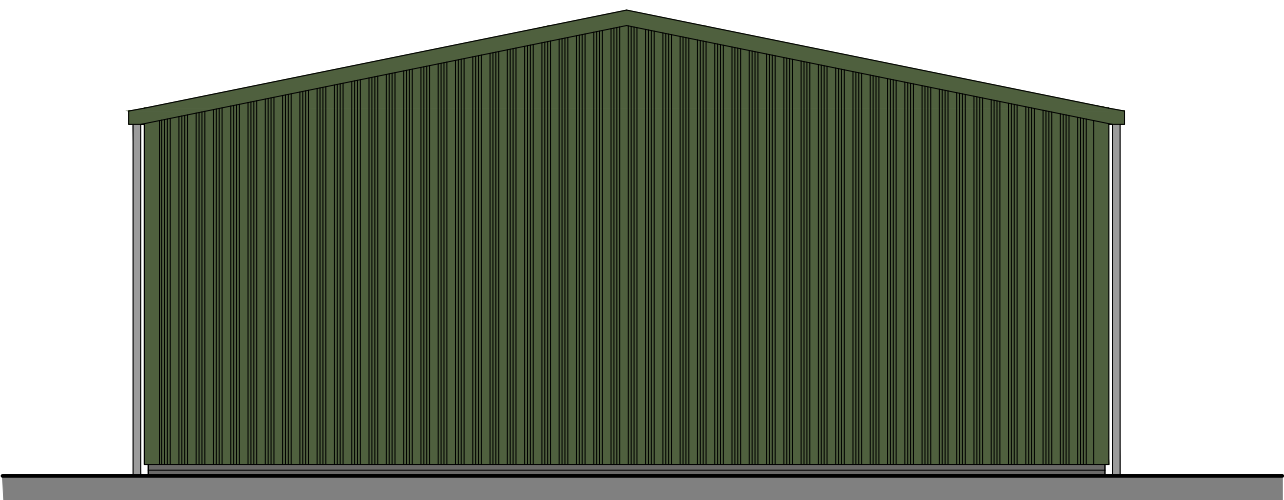
PROPOSED SIDE ELEVATION



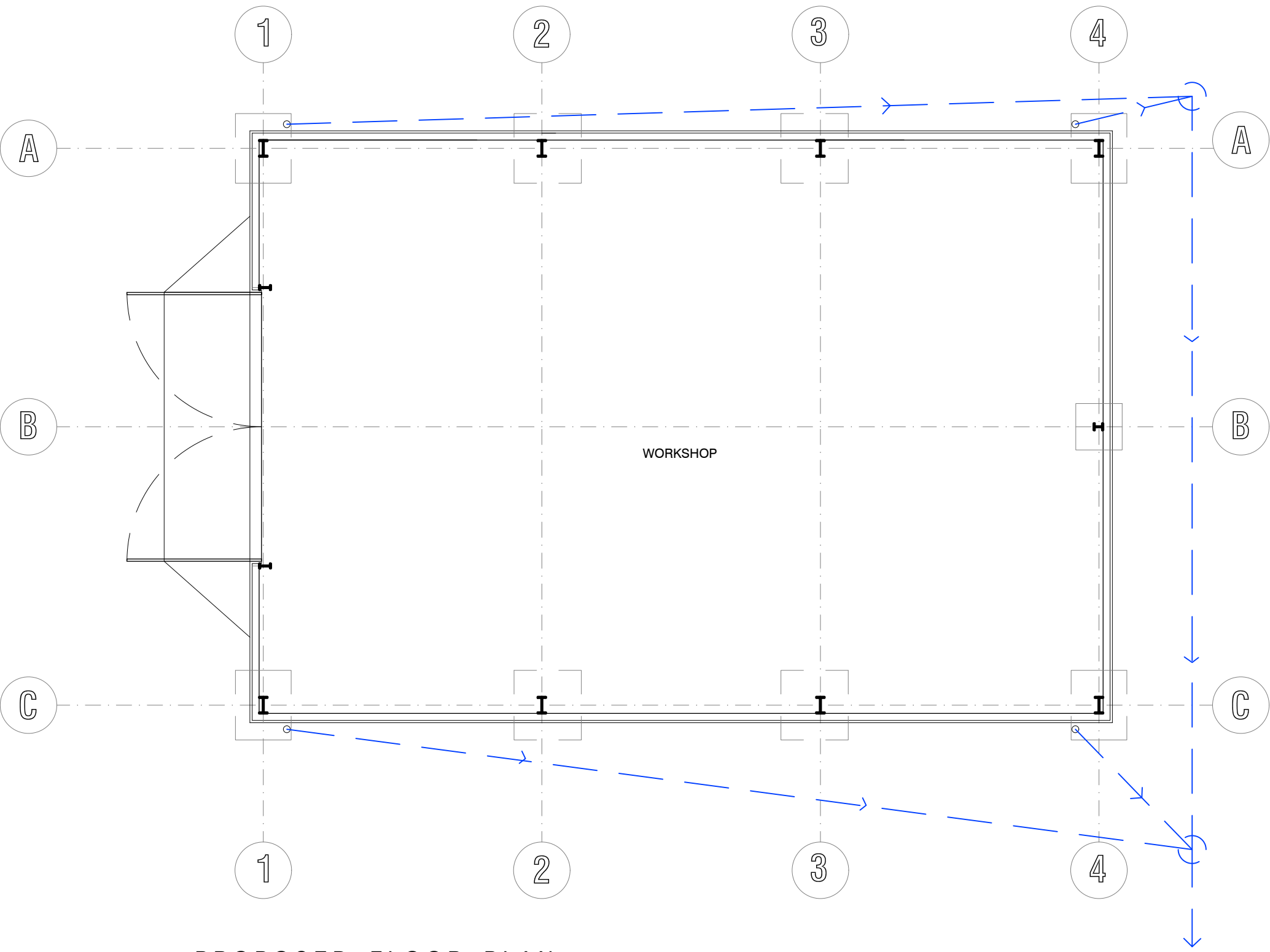
PROPOSED FRONT ELEVATION



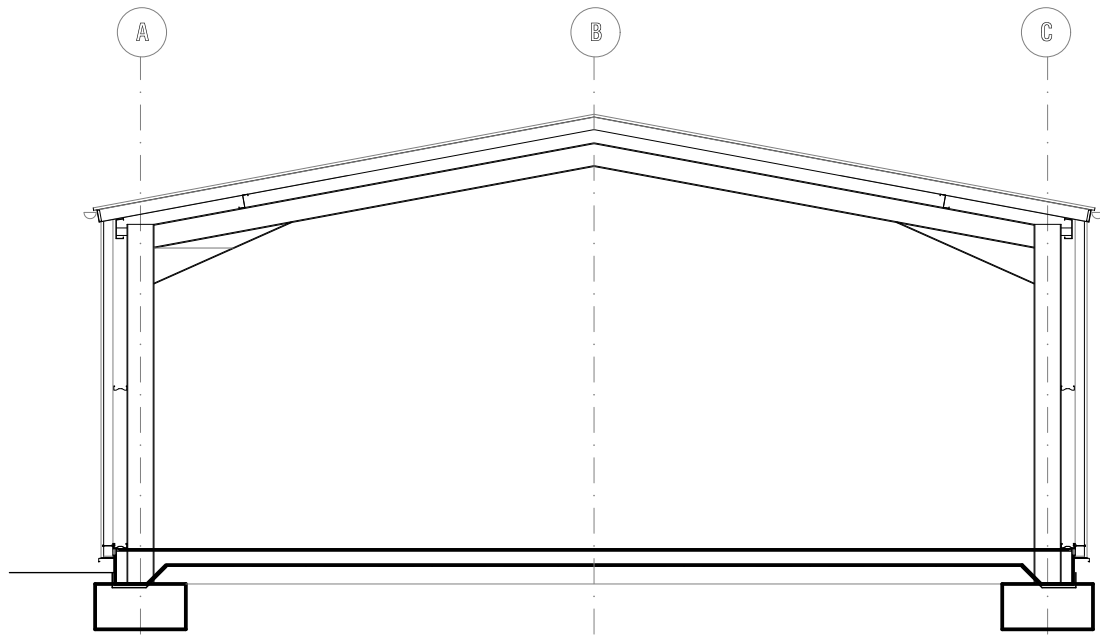
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED FLOOR PLAN



TYPICAL SECTION



L Bevens Associates Ltd  
Architects  
10 Cricketers Way  
Chatteris  
Cambridgeshire  
PE16 6UR  
Tel: 01354 693969  
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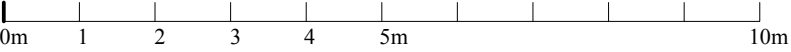
PROJECT: Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.

DRAWING TITLE: Proposed Workshop  
Typical Section  
Plan and Elevations

SCALE: 1:100 @ A1 DATE: May 2020 DRAWN: LB CHECKED:

DRAWING NUMBER: CH20/LBA/539/FP-1-103 REVISION:

Scale: 1:100



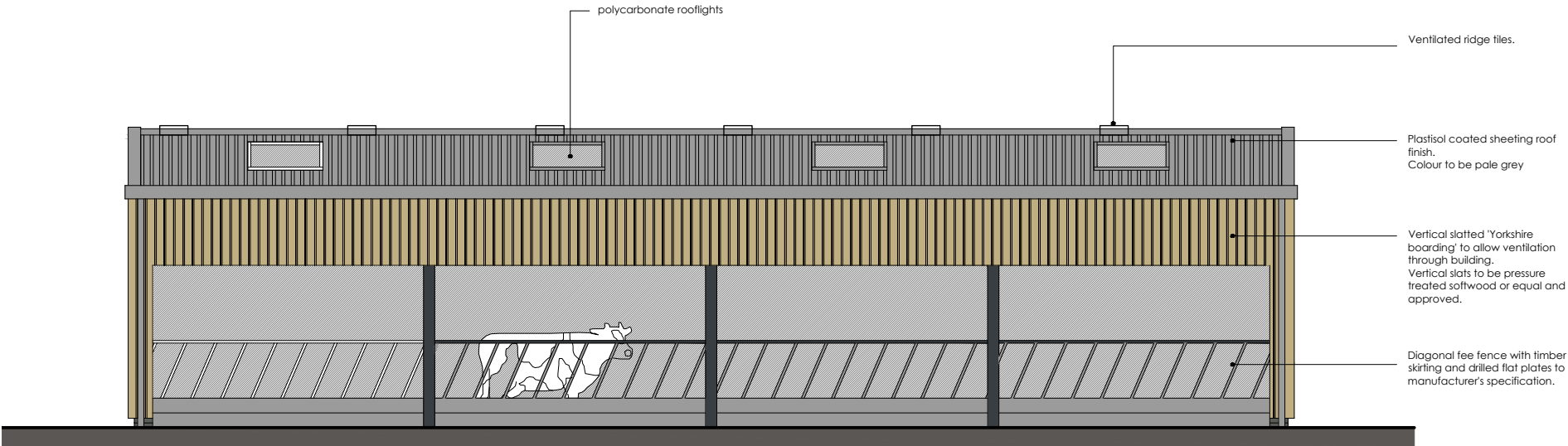
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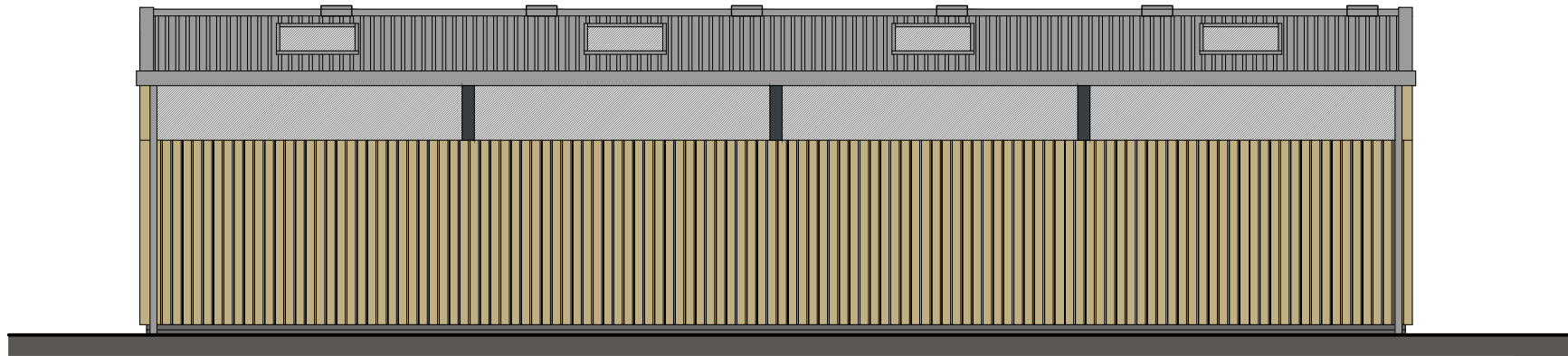
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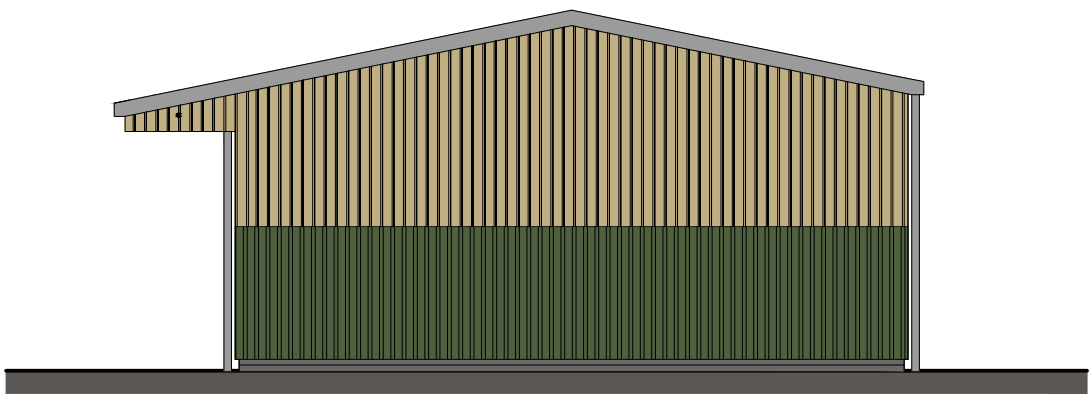
PROPOSED FRONT ELEVATION



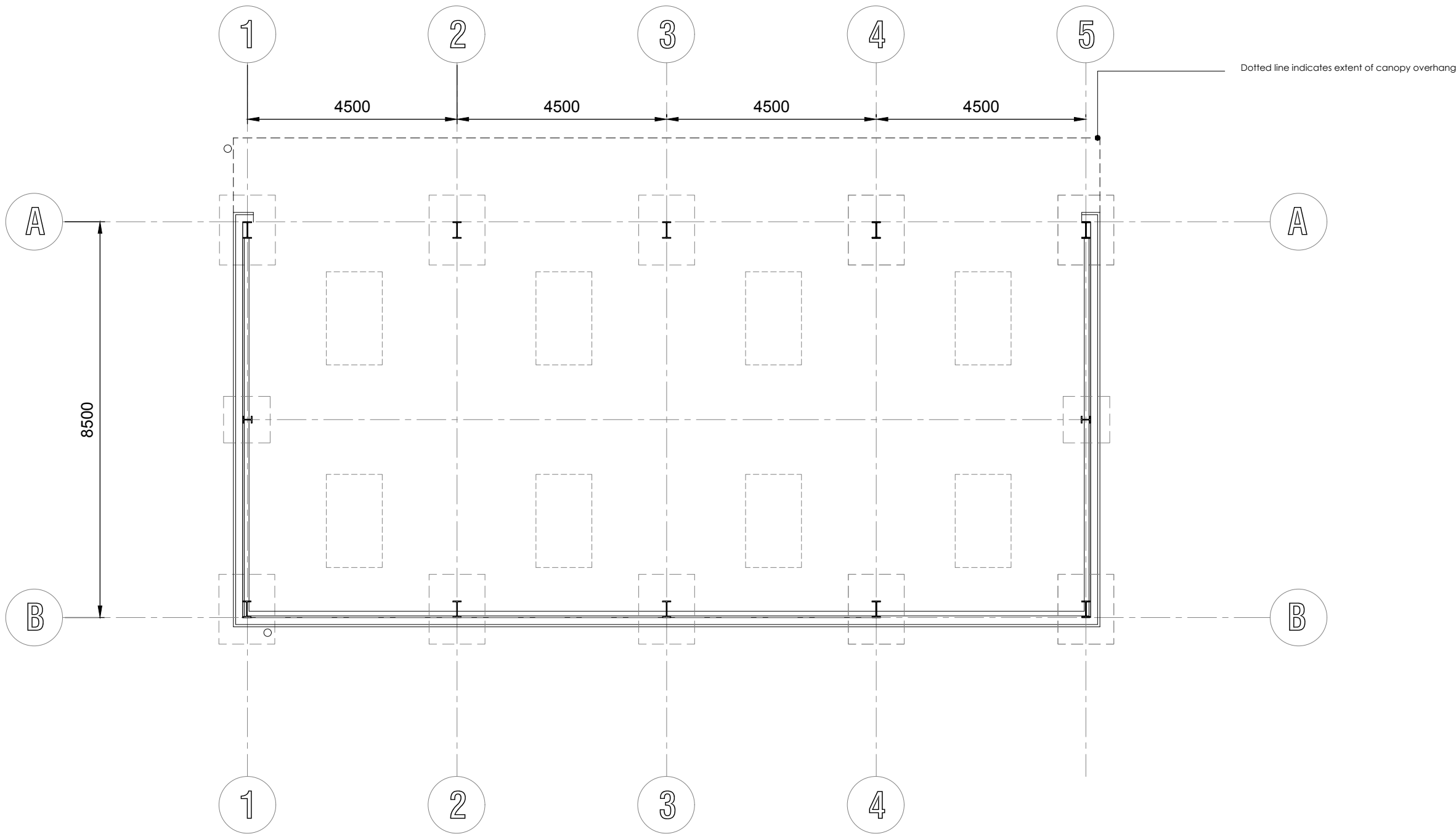
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



Rev A      Sept. 20      Revised in accordance with client comments.



L BEVENS  
Associates Ltd  
Architects

L Bevens Associates Architects Ltd  
The Doghouse  
10 Cricketers Way  
Chatteris  
Cambridgeshire  
PE16 6UR  
Tel: 01354 693969  
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PLANNING	FILE COPY	

CLIENT  
Mr and Mrs M Dale

PROJECT  
Land north east of 34 Eldernell Lane,  
Coates, Cambridgeshire.

DRAWING TITLE  
Proposed Cattle Shed  
Plan and Elevations

SCALE 1:100 @ A2	DATE Sept. 2020	DRAWN LB	CHECKED
DRAWING NUMBER CH20/LBA/539/FP-1-105	REVISION A		