

TITLE: 24/01108/FUL

Committee: Planning Committee

Date: 7 May 2025

Author: Planning Team Leader

Report No: Z171

Contact Officer: Selina Raj Divakar, Planning Team Leader
selina.rajdivakar@eastcambs.gov.uk
01353616359
Room No 011 The Grange Ely

Site Address: Land North East Of Maple Farm West Fen Road Ely Cambridgeshire

Proposal: Agricultural dwelling

Applicant: AJ & NJ Lee

Parish: Ely

Ward: Ely West

Ward Councillor/s: Christine Colbert
Ross Trent
Christine Whelan

Date Received: 7 November 2024

Expiry Date: 2 May 2025

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE the application for the following reason:

The proposed development would be outside of the development envelope and therefore contrary to Policy GROWTH 2 of the Local. The proposal would result in a third dwelling for a rural worker on site however the need has not been adequately justified in line with the requirements of Policy HOU 5 of the East Cambridgeshire Local Plan. Whilst it is acknowledged that one of the owners seeks to retire it has not been demonstrated that the additional provision would be essential for the continued viability of the farming business through the farm succession process. It has not been demonstrated that there would be a continued need for three dwellings on site once the existing dwelling occupied by the retired agricultural occupant is no longer needed by them which would result in an excess provision. The proposal is contrary to Policies HOU 5 and GROWTH 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023), Chapter 5 of the National

- 1.2 The application is being heard by committee because it was called in by Councillor Ross Trent for the following reason:
"Policy HOU 5: Dwellings for rural workers

They have demonstrated that the dwelling is essential for the business to thrive. A survey has suggested they need 2.7 workers for the farm to work, they currently only have 2 workers (1 which will be retiring). They need a worker on site for emergencies with the cattle / calving time. They have reduced the size of the plot from the last submission.

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks planning permission for an agricultural dwelling on a parcel of land north of Maple Farm. The proposed development would comprise a two storey, 3-bedroom detached dwelling, associated parking and landscaping comprising a mix of grassed lawn, new trees and boundary planting.
- 2.2 An application for new agricultural workers dwelling in connection with Hurst Farm was refused on 20/00641/FUL on 30 June 2020 for the following reason:
1. *A need for an additional permanent dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU 5 of the East Cambridgeshire Local Plan, 2015. The proposal does not meet the functional test as the additional dwelling is not essential to meet the needs of the business, contrary to Policy HOU 5 and Policy GROWTH 2. Furthermore, the site is in close proximity to Ely and it is considered that an agricultural worker could live close to the site as to be able to attend in an emergency situation.*
- 2.3 An appeal (reference: APP/V0510/W/20/3262596) was subsequently lodged and dismissed on 13 May 2022 where the Inspector determined that in that case:
"...there is not an essential functional business need for an additional agricultural worker to live on-site, and not a demonstrable need for the proposed dwelling. As such, the proposal would conflict with Policies GROWTH 2 and HOU 5 of the LP, which together seek to focus new permanent residential development within defined development envelopes of market towns including Ely, unless special circumstances apply. This would result in significant harm through undermining the district's locational strategy for sustainable development, and control of housing development in the countryside."
- 2.4 During the course of this application, further information was submitted in support of the application on 24 April 2025, however the applicant was informed that the LPA would no longer be accepting any further amendments or information in respect of the application and therefore the LPA has not accepted this.
- 2.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link Simple Search.

3.0 PLANNING HISTORY

3.1 20/00641/FUL

Construction of 1no. 2 bedroom, single storey detached agricultural worker's dwelling

Refused | Appeal Dismissed

20/00252/FUL

New agricultural worker's dwelling (re-submission 19/01616/FUL)

Refused

12 May 2020

19/01616/FUL

New agricultural worker's dwelling

Refused

6 February 2020

19/00646/AGN

Steel framed agricultural building and lean to addition

22 May 2019

12/00561/FUL

Extension to existing cattle sheds

Approved

2 August 2012

05/00530/FUL

Revised proposal of Planning Permission E/04/01275/Ful - Erection of a four bedroom agricultural dwelling.

Approved

15 June 2005

04/01275/FUL

Erection of an agricultural dwelling.

Approved

08 February 2005

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is a triangular parcel of land located to the north of Maple Farm and located across the A10 from Ely, outside of the development envelope and therefore considered to be in the countryside. The proposed dwelling would be accessed via a Public Right of Way. The larger site comprises both Maple Farm and Hurst Farm consisting of two existing dwellings, farm buildings and fields. It should be noted that the existing two dwellings are restricted to agricultural occupancy. The farm business is a well-established suckler cow beef farm.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Ecology – 21 November 2024

No objection – subject to conditions

Waste Strategy (ECDC) - 15 January 2025

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Where a developer requires East Cambs District Council to collect waste and recycling from outside a new property and the road(s) are private and unadopted East Cambs District Council requires the developer to sign the developer's indemnity agreement to mitigate against possible compensation claims. Vehicles will not enter onto private roads without agreement. Until the indemnity agreement is signed then the waste and recycling collections will be made from the point of where the road meets the adopted highway. In this case that would be West Fen Road. The developer also has the responsibility to ensure that the new property owners sign a home_owners indemnity agreement at completion of sale (if the road is to remain private). Once the road is adopted by the Highways Authority the indemnity agreement becomes null and void.
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision (delivery and administration) of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires a set of receptacles; the contribution is currently £60.50 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council, and additionally, in 2026, the Council will be introducing a wheeled bin for refuse (replacing the current sacks), and a small kerbside caddy for food waste. These should be taken into consideration when planning any bin store and presentation point, and, if the development is post roll out of the service, implications for the charge for providing the additional bins.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Local Highways Authority - 26 November 2024

On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments

None of the proposals included as part of this application look to materially impact the public highway.

ECDC Trees Team - 29 January 2025

Based on the case officers site photos and those contained in the ecology report there are trees in proximity to the development and in accordance with policy SPD.NE8: Trees and Woodland Natural Environment Supplementary Planning Document 2020 an Arboricultural Impact Assessment (AIA) is required prior to determination of the application. The (AIA) shall provide information to show how trees/hedging worthy of retention would be sustainable and justification and mitigation measures for any tree removal proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels in accordance with BS 5837:2012 Trees in relation to demolition, design and construction - Recommendations.

It should be noted that contrary to the trees and hedges section on the application form there are several trees on and within falling distance of the proposed development which should have been identified and assessed in the information provided with the application in accordance with policy SPD.NE8: Trees and Woodland Natural Environment Supplementary Planning Document 2020 and section 197 of the Town and Country Planning Act 1990. Falsely declaring that information is a criminal act and can come with a £5,000 fine under the Fraud Act 2006.

As the impact on the existing trees on and adjacent the site cannot be assessed the application is not currently suitable for approval.

CCC Growth & Development - No Comments Received

East Cambs Ecologist - No Comments Received

Parish - 26 November 2024

The City of Ely Council has no concerns with regards to this application.

Ward Councillors - 5 December 2024

I have no objections to this application.

The application is for a farm workers dwelling in the close proximity of the working cattle farm, which is essential to anyone working in this industry. the well being of the animals are the farm are of paramount importance. East Cambridgeshire is an important area for farming and the application will allow the business to continue.

There have been no objections from other consultees, the biodiversity is not affected and the footpath to the side of the site is well maintained.

The Ely Group Of Internal Drainage Board - 19 November 2024

This application for development is within the Littleport and Downham Internal Drainage District.

The application states that the surface water for the site is dealt with by using a sustainable drainage system. If this system discharges to a watercourse, then the Board's consent is required. If the proposed package treatment plant discharges into a watercourse, the consent of the Board is also required.

Asset Information Definitive Map Team - 22 November 2024

Public Byway No. 76, Ely is used to access the site. To view the location of the ROW please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the Byway must remain open and unobstructed at all times.

Informatives

Should you be minded to grant planning permission we would be grateful that the following informatives are included:

- Public Byway No. 76, Ely must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
- The Public Byway must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Byway without lawful authority)
- No alteration to the Byway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
- Members of the public on foot, horseback and pedal cycle have the dominant right of passage along the public byway; private vehicular users must 'give way' to them.
- It is the responsibility of the Applicant to ensure that any works which may result in a material loss of established vegetation and/or damage to existing ecosystems (including potentially both habitats and protected species) within the existing public right of way or adjoining land, comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking their public rights of way works.

- If temporary closures are required during construction work, this requires a Temporary Traffic Regulation Order (TTRO). Please apply to the Street Works Team, further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>.

Cambridge Ramblers Association - No Comments Received

- 5.2 A site notice was displayed near the site on 29 November 2024 and a press advert was published in the Cambridge Evening News on 21 November 2024.
- 5.3 Neighbours – 2 neighbouring properties were notified and no responses have been received.

6.0 THE PLANNING POLICY CONTEXT

- 6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)
- | | |
|----------|--|
| GROWTH 2 | Locational strategy |
| GROWTH 5 | Presumption in favour of sustainable development |
| HOU 5 | Dwellings for rural workers |
| ENV 1 | Landscape and settlement character |
| ENV 2 | Design |
| ENV 7 | Biodiversity and geology |
| ENV 8 | Flood risk |
| ENV 9 | Pollution |
| COM 7 | Transport impact |
| COM 8 | Parking provision |

- 6.2 Supplementary Planning Documents
- Design Guide
- Flood and Water
- Natural Environment

- 6.3 National Planning Policy Framework (December 2024)
- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 6 Building a strong, competitive economy
- 11 Making effective use of land
- 12 Achieving well-designed places
- 15 Conserving and enhancing the natural environment

7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS

- 7.1 A full Environmental Impact Assessment Screening Opinion has been undertaken which concluded that an Environmental Statement is not required.
- 7.2 The main planning considerations relevant to the determination of this application relate to:
- Background

- Principle of development
- Visual Amenity
- Residential Amenity
- Highway Safety & Parking
- Biodiversity, Ecology & Trees
- Flood Risk & Drainage
- Climate Change and Sustainability

7.3 Background

7.4 By way of background, the current application follows on from three refused applications:

1. 19/01616/FUL – Refused under delegated powers due to lack of essential need and encroachment into the countryside caused by large curtilage;
2. 20/00252/FUL – Refused at Planning Committee for the same reasons. The planning statement had not provided any substantive changes which would change the previous view that there is no essential need for a further agricultural dwelling on site.
3. 20/00641/FUL – Refused under delegated powers and dismissed at Appeal (Ref: APP/V0510/W/20/3262596). Whilst there were notable changes to the curtilage which enable the proposal to overcome the visual amenity reason for refusal, it was not considered an essential need for a further agricultural dwelling on site was demonstrated.

7.5 There are some notable changes in the current application in comparison to the previous applications (shown below), including:

- The site is located to the rear of the farm, north of Maple Farm whereas all previous applications sites were located at the front of the site at Hurst Farm.
- The current application seeks permission for a two-storey dwelling whereas all previous applications sought permission for bungalows (single storey).
- The Planning Statement suggests that the main reason for the third occupational dwelling on the farm is that Mr. John Lee (part-owner of the farm) is intending to retire from business.

7.6 Principle of Development

7.7 The site is located in the countryside, outside of the development envelope of Ely, where development is strictly controlled. The development of the site would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan insofar as it seeks to focus new housing development within defined settlement boundaries. The National Planning Policy Framework (2024) states that ‘planning policies and decisions should avoid the development of isolated homes in the countryside other than in a limited number of defined circumstances one of which is where: *‘there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.’*’

7.8 Policy HOU 5 is consistent with that advice and sets out a number of criteria relevant to proposals for rural workers. Of additional relevance in this case is the NPPG (Paragraph: 010 Reference ID: 67-010-20190722) titled 'How can the need for isolated homes in the countryside for essential rural workers be assessed?' which considers it necessary to take into account *'whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process.'*

7.9 In light of the above the main issues to consider are whether there is a continued need for two workers to live on site and a potential for a third dwelling, whether the farm succession process has commenced and whether the additional dwelling is essential for the continued viability of the farming business. Critically, it must be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more of the workers to be readily available at most times). There must also be no other accommodation within the site/holding or nearby which is currently suitable and available or could be made available. If these tests can be met then it must be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable and that the size of the dwelling proposed is no larger than required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income the enterprise can sustain.

Essential need to live on site most of the time

7.10 As noted above, this application follows on from three previous refusals at the site. The key change in this application relevant to the principle of development is that one of the owners of the farm is retiring from the business which would mean it would have a shortfall of one full-time, on-site employee. The existing dwelling which the employee currently resides will remain occupied by them and therefore a proposal for a third dwelling is proposed.

7.11 The National Planning Policy Guidance (NPPG), (paragraph: 010 Reference ID: 67-010-20190722, 22 July 2019, updated in May 2021 sets out further relevant considerations in addition to the aforementioned policy context, of note is the retirement clause relevant to this application (bold):

- Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
- The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
- **Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;**
- Whether the need could be met through improvements to existing

accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and

- In the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.

- 7.12 The Planning Statement submitted states that approximately 104 acres of the land is owned by the applicants and a further 364 acres are rented for grazing and use for Haylage making. There are currently 160 cows and 6 bulls with approximately 150 calves on site as well reared to stores. The Statement goes on to state that the applicants are full-time, on-site staff with two part-time workers with a flexible arrangement. As one of the full time, on-site staff is retiring and continuing to reside in the existing dwelling a new dwelling is proposed to house new on-site, full time staff. Limited information has been provided with respect to working hours of all staff so it is unclear whether the existing workers are currently at capacity and / or their level of flexibility.
- 7.13 In demonstrating the essential need of the additional dwelling, the Planning Statement in section 8.1 discusses the welfare code of conduct within the Agriculture (Miscellaneous Provisions) Act 1968 under which stockkeepers are obliged to ensure that the upmost care and responsibility must be given to the welfare of the livestock. It is their responsibility that problems with livestock are anticipated or recognised at the earliest stages and immediate action is required where deemed necessary. The Statement goes onto to state that the business operates seven days a week, all year round with the peak labour period between October and May which require additional activities to be undertaken as a result.
- 7.14 With regard to the suckler and beef enterprise the peak calving period extends over the winter, with daily calving and 24-hour supervision crucial. With the experience of both owners and having two people on site it has ensured that the requirement of the veterinarian is kept to a minimum for Calving. With the veterinarian only required to carry out routine checks and tend to injured stock. By having two people on site 24 hours a day it ensures that the loss of calves is kept to a minimum. Furthermore, the statement construes that on site presence of two reliable employees ensures that the operations run smoothly, and the levels of animal husbandry remain high and the loss of calves remains at a minimum.
- 7.15 Regarding the growth of the enterprise it noted in the submission that should planning permission be received for an additional dwelling, that they could go into 'fattening element' which would involve the beef being reared to 18-months where they are reared to approximately 550kg. By having this element it will mean the overall head of cattle could exceed 400 at any one time. Thus, emphasising the requirement for two on site employees.
- 7.16 Having regard to paragraph 84 of the NPPF (2024) the size and nature of the business, the applicant argues that considerable investment has been made into the farming enterprise in recent years through new buildings and machinery all of which and other associated materials are stored at the site. The proposed dwelling would be at the centre of the farm unit allowing for the functioning of the business and would provide security for the storage of all the products.
- 7.17 In terms of other suitable, available accommodation the statement insinuates none

exist in the immediate vicinity or nearest settlement. The Applicant's go onto state that house prices are unaffordable to either rent or buy for potential employees on their salaries and the viable option would be to house them onsite.

7.18 Analysis

7.19 The analysis below has been derived from advice provided by the Council's Agricultural Consultant. As evidenced above, the main reason for the proposal is to facilitate the phased retirement of the one of the owners of the farm. The NPPG's retirement clause as noted above, sets out that consideration to take into account when determining such proposals include whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process.

7.20 The age of the applicant alone does not provide evidence to demonstrate that the farm succession process has begun to facilitate the phased retirement of the applicant. This would mean that the remaining partner would be a substantial partner. However, no evidence has been put forward in respect of tenancy agreements, whether the land will be transferred over to the other owner, if there are mortgages involved or their repayment arrangements. With regard to the rented land, no information pertaining to who the tenants are has been provided and given there are a number of tenancies whether these arrangements are the same. It is noted that the agricultural consultant considers a Section 106 essential, if the succession / retirement process of one of the owners was occurring as it would be expected that the ownership and occupation of all the land and all three dwellings would be secured. The LPA concurs with this view. However, due to the recommendation for refusal none has been requested at this time and none has been sought or suggested by the applicant.

7.21 Whilst it is understood that the farm would require 2.7 workers (theoretically 2 to 3 full-time workers) to carry out the tasks required to successfully run the farm enterprise, with the lack of information of whether the current arrangement is at capacity and lack of demonstration of the imminent retirement of one of the owners (farming succession process) the submission has not demonstrated that this would constitute an essential need for a third workers dwelling at the site.

7.22 The retirement clause of the NPPF also requires the '...continued viability of a farming business...' to be taken into account. However, on the basis of the Agricultural Supporting Statement from May 2020 this summarised turnover and profit appeared to be relatively low. Furthermore, in Appendix 2 of the Acorus Statement submitted as part of the application the profit appears to have fallen substantially for the years ended December 2020, 2021 and 2022. Without more information, including the calculation methodology and cashflow statement, it is not possible to confirm whether the business will be viable. Based on the above, it is not considered that the need for a third isolated home in the countryside for an essential rural worker has been demonstrated contrary to the NPPF (2024) and NPPG (Paragraph: 010 Reference ID: 67-010-20190722).

- 7.23 The proposal therefore fails the essential needs test of the policy with respect to Policy HOU 5. Part one of Policy HOU 5 requires demonstration that the dwelling is essential to the needs of the business. In failing the NPPG tests noted above, which considered to be a prerequisite for adherence to part one of the policy it is not considered this has been met. There are currently two workers' dwellings on the farm that are occupied by the farm workers, in accordance with planning conditions. While one of the workers is said to be retiring, no evidence of this retirement and transfer of the business to the next generation has been given.
- 7.24 Part two of Policy HOU 5 requires that it can be demonstrated that the enterprise has been established for at least three years and is and should remain financially viable. The planning statement sets out that the farm has been in operation in excess of 30 years, however with regards to the expansion of the business whilst the applicant has discussed the introduction of fattening element it is likely this would require further buildings on site, further accommodation provision for the growing and fattening of animals and no further explanation has been provided in this respect. The financing of these buildings and the extra working capital required for the further rearing of these animals is not evident. On the basis that no accounts have been shown and no budgets have been produced to demonstrate financial viability, the LPA is unable to establish the soundness of the business.
- 7.25 Part three of Policy HOU 5 requires that there is no other accommodation within the site/holding or nearby which is currently suitable and available. The site is on the edge of Ely, a main settlement within the district, with housing on the opposite side of the A10, within one minutes' drive. The planning statement sets out that the cost of properties in Ely might prove prohibitive for an agricultural worker on normal farm wages however whether a property in Ely would be prohibitive would be based on the enterprise income and not the individual workers salary. Consideration of available, suitable sites within the vicinity has not been provided. This requirement has not been met.
- 7.26 Part four of Policy HOU 5 requires that a dwelling or building suitable for conversion within the site/holding has not been sold on the open housing market without an agricultural or other occupancy condition in the last five years. It is understood that no dwelling or building that could be converted into a dwelling has been sold within the last five years. It is considered that this part of the policy has been met.
- 7.27 Part five of Policy HOU 5 requires that the proposed dwelling be no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain. The dwelling proposed is a two bedroom, two storey property, however it is noted that all previous applications comprised single storey bungalows which at the time were considered appropriate in scale. The need for an additional bedroom and two storey scale within this proposal has not been communicated, however a 3-bedroom two storey dwelling is not considered unreasonable in scale.
- 7.28 On the other hand, with regard to construction costs, it is stated in the supporting statement that the proposed dwelling will cost in the region of £250,000 to build. No source of these funds has been declared. However, if this sum is to be borrowed and placed on an overdraft, or on a farm loan, it is likely to be at a rate of around

3% over bank base rate. This is currently at 4.5%, so the total interest cost could be 7.5%. Applying a rate of 7.5% to the house building costs of £250,000 produces an annual interest cost of £18,750. As the business profits declared have averaged £36,497 per annum, this expense is likely to be unaffordable, especially after the notional costs such as labour contribution of the partners and imputed rent on owned land, and imputed allowance for the cost of working capital are considered, and business drawings have been deducted. Without clear evidence to demonstrate that these funds exist this part has therefore not been met.

- 7.29 Whilst not necessarily relevant to establish the acceptability of the principle of development, for clarity the remaining policy requirements of Policy HOU 5 and compliance with these is considered below.
- 7.30 Part six of Policy HOU 5 requires that the proposed dwelling is sensitively designed and in keeping with its surroundings and would adversely affect the setting of a heritage asset. The dwelling is considered to be of an appropriate design and of an appropriate scale, form and mass. There are no heritage assets in close proximity to the proposed dwelling. Therefore, the proposal is considered to comply with this part of the policy.
- 7.31 Part seven of Policy HOU 5 requires the dwelling to have satisfactory access. The Local Highway Authority have been consulted as part of the application and have raised no objections to the proposal and the Cambridgeshire County Council Public Right of Way Team also do not object. The access point has been altered under this application, however, the proposed dwelling would still be accessed from Byway 45 and 47 as before. Therefore, it is considered that this part of the policy has been met.
- 7.32 Part eight of Policy HOU 5 requires that the proposed dwelling is well landscaped, sited to minimise visual intrusion and in close proximity to existing buildings to meet the functional needs of the business. The proposed dwelling would not be highly visible given its location to the rear of the site and it is sited adjacent to the existing farm dwellings. It is therefore considered that visual intrusion is minimised and therefore it is considered that this part of the policy is met.
- 7.33 In summarising the above case, the requirements of Policy HOU 5 should be fully met for the proposed rural workers' dwelling to be acceptable. The following parts of the policy have not been met:

Part One: It can be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times). There are currently two workers' dwellings on site that are occupied by the farm workers, in accordance with their respective planning conditions. Whilst one of the workers is said to be retiring, no evidence of this retirement and transfer of the business to the next generation has been given. Compliance with the relevant retirement clause of the NPPG is considered a prerequisite to demonstrate that a third dwelling on site would be essential to the needs of the business.

Part Two: *It can be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable. Without essential accounting and budgeting information it has not been possible to determine.*

Part Three: *There is no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available. No information pertaining to this requirement has been provided within this submission.*

Part Five: *The proposed dwelling is no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain. The cost of construction and / or the financing of these costs has not been provided.*

- 7.34 On the basis of the above, it is concluded in respect of the essential need for a third dwelling on this holding that it is not essential for a third worker to live on site to meet the needs of the business. Without essential evidence to demonstrate the imminent retirement of the owner it has not been justified that a third dwelling thereby accommodating a third worker would be required to reside on site. The proposal is therefore considered contrary to HOU 5 of the East Cambridgeshire Local Plan, 2015 and National Guidance.
- 7.35 Notwithstanding the above, the introduction of a third permanent dwelling to the site, in what is an open countryside location outside of the development framework would need to have regard to the future situation in which the dwelling which will be used for the retired agricultural occupant is no longer needed by them. In that situation, the need would be for two dwellings but there would be three on site. We consider that a temporary dwelling could potentially be accepted, however as this has not been proposed on the basis of the current application the need for a permanent dwelling is not justified.
- 7.36 Visual Amenity
- 7.37 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. Furthermore, in respect to Policy HOU 5 (with reference to points relevant to visual amenity) it is stated that the for proposals for permanent dwellings in the countryside for full-time workers in rural activities, these will be permitted as an exception to the normal policies of control where:
- The proposed dwelling is sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset.
 - The proposed dwelling will have satisfactory access.
 - The proposed dwelling is well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings to meet the functional need of the business; and

- Where the proposal involves a new business that cannot yet demonstrate financial soundness, a temporary dwelling (in the form of a caravan, mobile home or wooden structure that can easily be dismantled and removed from the site) may be acceptable provided all the other criteria are met.

- 7.38 The proposed dwelling is situated in a field towards the rear of the site. The dwelling proposed is a two storey property measuring approximately 7.7m in width, 10m in height and 8m in depth. It is considered that the proposed dwelling is of an appropriate scale, form and mass given that the two existing dwellings at the site are both two storey. The materials proposed are brick walls and tile roof, however further material details could be secured by condition. Whilst it is noted that a two storey building would be larger than the single storey structures proposed previously, the siting towards the rear of the site and in close proximity to other farm structures mean that it is not overly prominent within the countryside setting. Furthermore, the appropriately sized curtilage would ensure it would not result in excessive encroachment within the countryside.
- 7.39 The proposed dwelling would be accessed via an existing public right of way which is considered to be acceptable and as noted above is sited to minimise visual intrusion, given its close proximity to existing structures as well as provides sufficient soft and hard landscaping around the site appropriate to its function.
- 7.40 It is considered that the proposal would not result in significant harm to the character and appearance of the area and is therefore considered to comply with Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.
- 7.41 Residential Amenity
- 7.42 Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.43 The closest adjacent residential property is Maple House, however this property is located approximately 25m south-east of the site which would ensure there is a sufficient distance between them so as not to impede on residential amenity.
- 7.44 The Design Guide SPD states that building plots should be 300sqm and built form should take up no more than one third of the plot. Private amenity space of 50sqm should be provided. The plot exceeds 300sqm and the built form takes up less than a third of the plot. The garden size shown in in excess of 50sqm.
- 7.45 In summary, it is considered that there would be no detrimental impact to residential amenity of the future occupiers or the neighbouring occupiers. The proposals are therefore in accordance with Policy ENV 2 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023) and the Design Guide SPD.
- 7.46 Highways Safety & Parking
- 7.47 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development

proposals shall provide a safe and convenient access to the highway network. The Local Highway Authority have been consulted as part of the application and the highways authority have considered the application to be acceptable. The proposed access would be directly off Hurst Lane. The Definitive Map Team has been consulted and whilst they raise no objection have indicated that, the Byway must remain open and unobstructed at all times and an informative to this effect would have been added.

- 7.48 The applicant will also require consent from the County Council to provide access from the public byway. A condition would have been recommended for a Public Rights of Way scheme which is considered essential in securing the necessary safeguarding of the public highway.
- 7.49 Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The plan does show space for parking and whilst not demonstrated would provide amply space for two cars to park and turn.
- 7.50 The proposal is therefore considered to comply with Policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.
- 7.51 Biodiversity, Ecology and Trees
- 7.52 Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) sets out that all development proposals will be required to protect the biodiversity value of land and buildings and minimise harm to or loss of environmental features, such as trees.
- 7.53 Paragraph 180(d) of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Opportunities to incorporate biodiversity improvements should be encouraged, stating that development should be supported where the primary objective is to conserve or enhance biodiversity. Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals, seeking to deliver a net gain in biodiversity proportionate to the scale of development. The Council adopted its Natural Environment SPD on the 24th September 2020 to help make sure new development in East Cambridgeshire both protects the current natural environment, but also creates new areas for wildlife to thrive.
- 7.54 The proposal would be subject to statutory requirement to achieve 10% biodiversity net gain. As noted above Policy ENV 7 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023) and Policy NE.6 of the Natural Environment SPD, to provide a gain to Biodiversity. An Ecological Appraisal Report and Bat Roost Assessment Report was submitted in support of the application prepared by Acorus and dated November 2024. A Biodiversity Metric calculation has been conducted and submitted to the Council to demonstrate net gain.
- 7.55 The Ecological Report states that there are no habitats within the survey area

considered to have high ecological importance on an international, national, regional, county or local scale. Recommendations have been provided to reduce the potential impact on protected species, particularly Great Crested Newts (GCN) as the site is located in an Amber zone for GCNs. The Council's ecologist has reviewed the information and concurs with the findings of the report but states that *"As some of the GCN potential water bodies were unable to be surveyed through no fault of the applicant, a District level licence could be sought instead as this is an Amber zone for GCNs."* Had this application been otherwise accepted, conditions in respect of obtaining a DLL for GCN and submission of a Construction Environmental Protection Plan would have been recommended.

Biodiversity Net Gain

- 7.56 The proposed habitat plan identifies new native hedgerows and 22 x new trees around the site but does not seek the removal of any existing trees around the site. In assessing whether the 10% net gain as demonstrated on the plan is sufficient the Council's ecologist has confirmed that the baseline habitats is correct, however there are likely to be revisions to the post intervention metric which is dependant on the ownership and maintenance aspect of the proposed enhancements. This is because if the trees and hedgerow proposed would remain in the ownership of the farm and be managed for the next 30 years then the current metric is acceptable. However, if the trees and the hedgerow are to be part of the residential curtilage then they cannot be counted for BNG as they cannot be conditioned. They will form the ecological enhancements as described in the PEA but not meet BNG. In this case it is likely offsite units would be required.
- 7.57 Notwithstanding the above, the Council's ecologist has confirmed that given the baseline aspect of the matrix is accepted, the technical issues can be resolved as part of the BNG plan and revised metric with issues resolved to support the BNG plan at condition stage. Conditions to this effect as well as long term management and monitoring of onsite habitats would have been recommended.
- 7.58 *Trees*
- 7.59 The Council's tree officer has noted that there are several trees on and within falling distance of the proposed development which should have been identified and assessed as part of the submission through an Arboricultural Impact Assessment prior to determination. Whilst the applicant does not consider the boundary hedging to form part of the assessment site. The biodiversity habitat plan indicates that these are partly outside of the red line whereas the site location indicates that these would largely fall within the site. Notwithstanding this, given the lack of clarity and demonstration that the proposed development would not impact the existing boundary trees either by way of identifying acceptable routes for all main services in relation to tree root zones or protective fencing and construction method statements to ensure no harm would occur during construction. Despite this, given the distance of the built structure from these trees and the opportunities within the surrounding curtilage of the site warranted to its size to provide servicing, it is considered that on balance, these aspects could have been conditioned in this circumstance.

7.60 Flood Risk & Drainage

- 7.61 Policy ENV8 of the Local Plan 2015 sets out that all developments should contribute to an overall flood risk reduction and that the sequential and exception test will be strictly applied across the district. It sets out that development should normally be located in Flood Zone 1.

The development site is not located within an area at high risk of flooding. However, the Ely Group of internal Drainage Board has commented on the application and states that consent is required if the proposed sustainable drainage system, discharges to a watercourse or if the proposed package treatment plant discharges into a watercourse, the consent of the Board is also required.

7.62 Climate Change and Sustainability

- 7.63 Local Plan Policy ENV4 states: 'All proposals for new development should aim for reduced or zero carbon development in accordance with the zero-carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable' and 'Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.'

- 7.64 The adopted Climate Change SPD and Chapter 14 of the NPPF encourages all development to include sustainability measures within their proposal. No specific measures have been put forward as part of the application. While this does weigh against the application, it would not form a reason for refusal on its own merit due to the minor scale and nature of the proposed development.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Equalities and Diversities

In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is

considered that the recommendation set out below would not undermine the objectives of the duty.

7.65 Planning Balance

7.66 The proposed additional dwelling to serve the farm enterprise is not justified as it is not essential to meet the needs of the business to have another full time worker living on site when the imminent retirement of the existing owner has been evidence. The financial viability, account information and forecasting figures have not been put forward within this submission which demonstrates that the business would be financially sound. Therefore it has not been demonstrated that an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process. The proposal is considered contrary to Policy HOU 5, not only because of need but because the site is close to Ely and therefore workers could be housed nearby within a settlement. The proposal is also contrary to GROWTH 2 as it proposes a dwelling outside of the development envelope which is contrary to the criteria of Policy HOU 5. The proposal has previously been refused under application references 19/01616/FUL, 20/00252/FUL, 20/00641/FUL and dismissed at appeal which is material consideration when assessing this application. The proposal is therefore recommended for refusal.

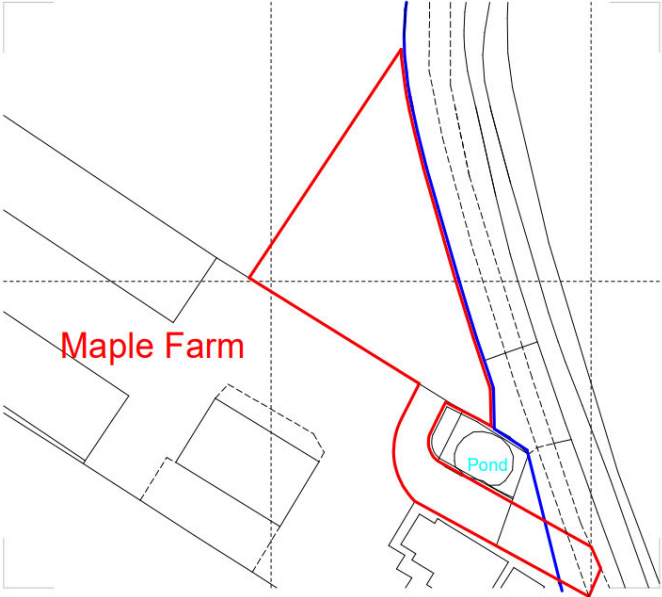
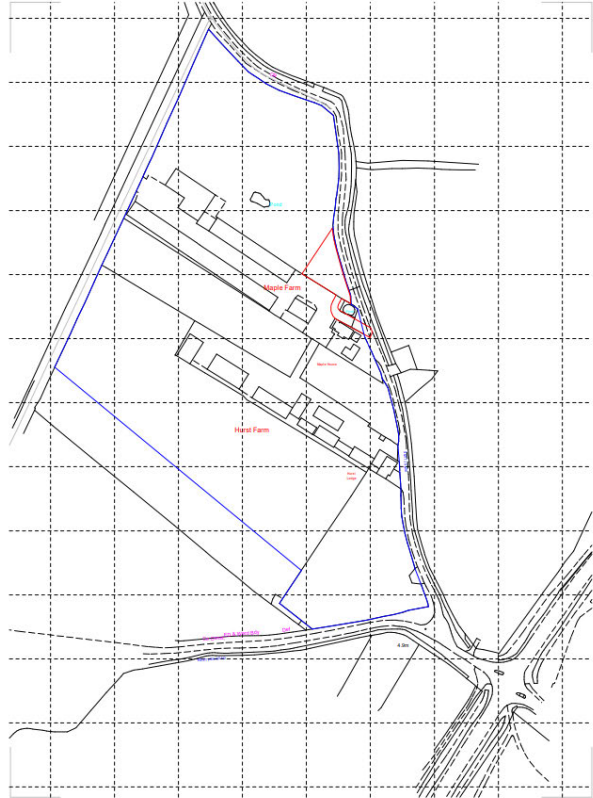
8.0 APPENDICES

- 8.1 Appeal Decision in relation to refused application Ref: 20/00641/FUL
8.2 24/01108/FUL Decision Notice

PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

Site Location

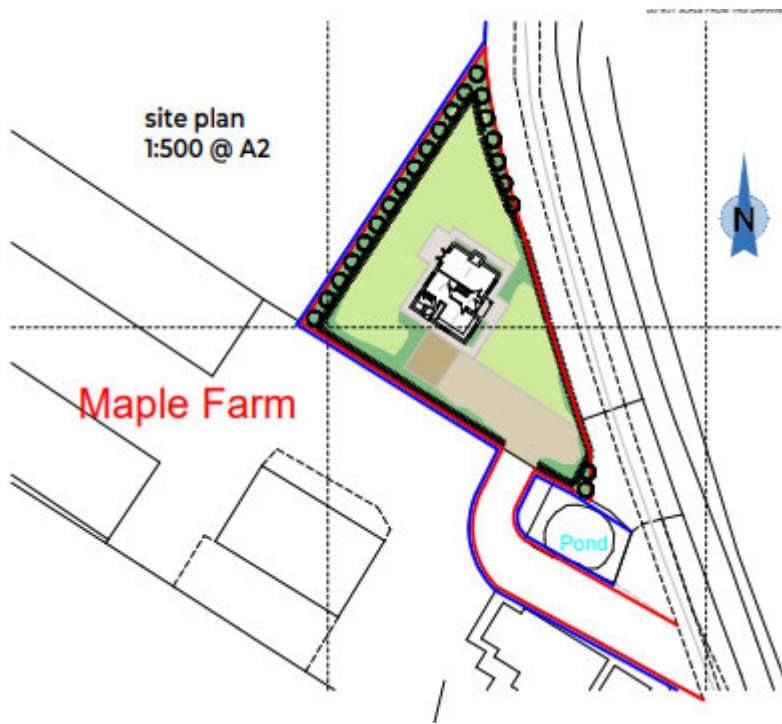


EXISTING SITE PLAN
SCALE 1:500 @ A3
Ordnance Survey (c) Crown Copyright 2024.
All rights reserved. Licence number 100022432

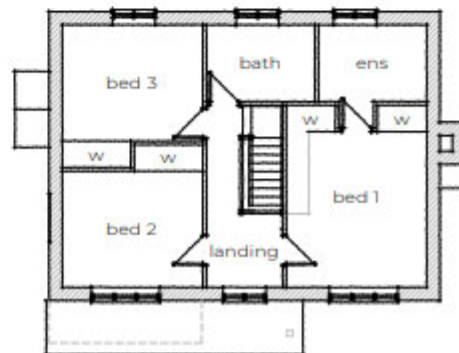
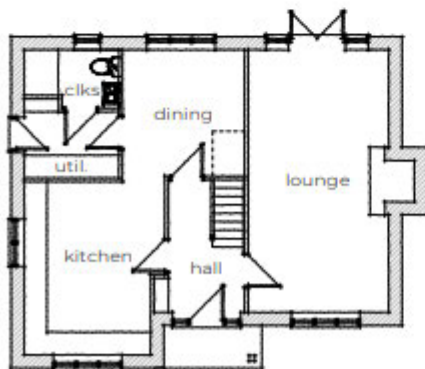
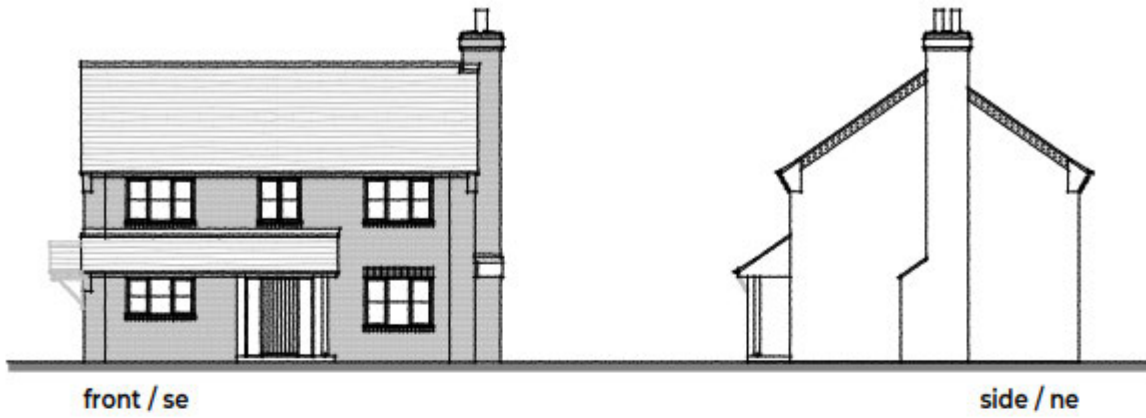
LOCATION PLAN
SCALE 1:2500 @ A3



Proposed Site Plan



Elevations



Appeal Decision (Appeal Ref: APP/V0510/W/20/3262596)



Appeal Decision

Hearing held on 14 December 2021

Site visit made on 14 December 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2021

Appeal Ref: APP/V0510/W/20/3262596

Hurst Farm, West Fen Road, Ely CB6 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by AJ Lee and Sons against the decision of East Cambridgeshire District Council.
 - The application Ref: 20/00641/FUL, dated 20 May 2020, was refused by notice dated 30 June 2020.
 - The development proposed is a new agricultural worker's dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the Council's decision, a new version of the National Planning Policy Framework (the Framework) was published in July 2021. The parties have had opportunity to comment on the engagement of this new policy document in relation to the appeal, and so will not be disadvantaged by my consideration of it.

Main Issue

3. The main issue in this case is whether there is a demonstrable need for the proposed dwelling, with particular regard to whether there is an essential functional business need for an additional agricultural worker to live on-site, considering: a) staffing requirements and capacity for care of livestock and the running of the farm's facilities, including 'out of hours' night time cover; and b) availability of alternative residential accommodation.

Reasons

4. The appeal site comprises part of a field located to the south-west of Hurst Farm, and part of its access lane. It is situated in the countryside, a short distance beyond the development envelope of the city of Ely. The farm business operated by the appellants is a well established suckler cow beef farm. The proposed two-bedroom bungalow would be in addition to two existing dwellings at the farmstead.

<https://www.gov.uk/planning-inspectorate>

5. Policy GROWTH 2 of the East Cambridgeshire Local Plan (LP) requires the majority of development in the district to be focused on its market towns, including Ely. The policy requires development outside defined development envelopes to be strictly controlled, and proposals to satisfy other policies including Policy HOU 5 of the LP. Policy HOU 5 restricts new permanent dwellings in the countryside for full-time workers in agriculture to special circumstances. One of HOU 5's criteria is demonstration 'that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times)'.
6. The appellants wish to develop a beef fattening unit (BFU) at the farm, utilising recently acquired land in the vicinity of the appeal site. However, no substantive delivery strategy, with a business plan and planning permission for such new facilities, for example is presented to substantively indicate the BFU's pending realisation. Furthermore, it is not shown that the continuation of the farm business would be dependent on such an expansion. As such, potential staffing requirements for an aspirational BFU are not part of the existing business need.
7. The parties' Standard Man Day Calculations indicates that there is sufficient work for an approximately additional 0.7 full time equivalent agricultural worker role on the farm (the 0.7 FTE role), to meet the existing farm business need. The role's duties are likely to include stock-keeping for the suckler cow herd and bulls, and assisting with other farm work such as hay, silage and straw collection and carting, grassland management and facilities upkeep. The role would include being available to assist with more intensive intervention in up to around 25 difficult calvings that apparently typically take place, mainly during a core period of about half the year with some 'straggler' births beyond that. Also assisting with care of livestock's health conditions such as pneumonia is likely to feature.
8. I therefore anticipate that much of the 0.7 FTE role's work would take place during daytime working hours, with some availability needed to assist with a relatively modest number of night-time emergencies.
9. The presence of an additional worker living on-site in the proposed dwelling, would assist with speedy response times for urgent situations involving difficult calvings and sick cattle, more quickly than if they lived a short drive away in Ely. Also, recruiting to this role would lessen the strain on the business partner who functions as the primary farm manager and worker, as the other business partner's farm labour input reduces as they get older. The 0.7 FTE role is necessary and would substantially assist the appellants, who are the farm's business partners and existing workers, with the functioning of the business.
10. However, there is not substantive detailed evidence presented, in the form of timesheets and a record of cattle health emergencies for the existing farm operation, for example, to decisively show that adequate care for the suckler cow herd, including for out of hours emergencies,

could not be provided from the existing residential accommodation on the farmstead. Furthermore, the identified 0.7 FTE need is for less than a full time worker.

11. The proposed two-bedroom bungalow and its occupants would increase surveillance of the farm and its environs, including the Hurst Lane public right of way. That said, there is already a residential presence in the form of the two existing dwellings at the farmstead, and it is not clear that the proposed third dwelling would significantly increase security at the farm, compared to other measures such as security cameras and guard dogs, for example. As such, I am not persuaded that there is a security justification for the proposed additional dwelling.
12. Consequently, it is not demonstrated that there is a need for an additional full-time agricultural worker to be readily available at most times.
13. Another criterion of Policy HOU 5 of the LP is that there is no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available. A variety of housing is located a short drive away from the appeal site in the city of Ely. This includes some dwellings as close as around a minute's drive, on the opposite side of the A10. As such, there is a range of other accommodation located nearby.
14. Living within sight and sound of the farm would make it quicker and easier for an additional worker to respond to livestock in distress compared to living off-site in Ely. However, it is not clear that provision for livestock monitoring and staff changing/showering would be unachievable other than through the proposed dwelling. Given this, and the previous growth of the farm without a live-in worker at a third dwelling, I am not persuaded that the comparative convenience of the proposal is so great as to render nearby alternative accommodation in Ely unsuitable.
15. Housing market evidence indicates prices typically in the region of £250,00 for two-bedroom dwellings in Ely. At around £125,000, the cost of constructing the proposed two bedroom bungalow, would, judging by the estimates provided, be approximately half that. Thus, the new build proposal would be substantially cheaper than purchasing an existing dwelling in Ely. However, based on the limited farm business accounts information presented, I have no certainty whether either of these costs would or would not be affordable to the farm business. Given this uncertainty, the possibility that other suitable accommodation nearby could be made available is not ruled out.
16. Furthermore, even if the proposed new build, but not the purchase of an existing dwelling in Ely, were affordable to the business, it is not demonstrated that there is a need for an additional full-time agricultural worker to be readily available at most times.

17. It is undisputed that 'it frequently is the case that agricultural workers require decent accommodation these days as a part of the job'¹. The appellants indicate that having 'put out feelers' in the area, they consider the local pool of potential, reliable candidates to be limited in quantity. However, be that as it may, no advertising for an additional worker further afield, or consideration of a farm apprenticeship, for example, are presented. Thus, I have no certainty that options other than the appeal proposal have been reasonably explored as potential solutions to meet the identified labour need. Consequently, it is far from certain that absence of the proposed third dwelling at the farmstead is decisively an obstacle to recruiting the labour necessary to meet the functional business need.
18. Therefore, it is not demonstrated that there is a need for an additional full-time agricultural worker to be readily available at most times. Even if there were, it is not demonstrated that the proposed dwelling would be essential to achieve this. As such, the special circumstances to justify the dwelling in the countryside do not exist.
19. I therefore conclude that there is not an essential functional business need for an additional agricultural worker to live on-site, and not a demonstrable need for the proposed dwelling. As such, the proposal would conflict with Policies GROWTH 2 and HOU 5 of the LP, which together seek to focus new permanent residential development within defined development envelopes of market towns including Ely, unless special circumstances apply. This would result in significant harm through undermining the district's locational strategy for sustainable development, and control of housing development in the countryside.

Other Matters

20. The proposal would contribute to local housing supply in the form of one two-bedroom dwelling, within the context of around seven years supply of deliverable housing sites in the district. It would also
- a) assist with speedy response to urgent animal welfare situations on the farm, contributing to animal welfare and protection of the farm's stock,
 - b) reduce the strain of the primary farm manager and
 - c) provide an additional security presence. It would also give impetus to the appellants' ambition to develop a BFU at the farm, albeit the identified absence of a substantive delivery strategy limits the certainty of this being realised. These benefits would be limited in scale and not outweigh the significant harm identified.

Conclusion

21. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR

¹ As per paragraph 6.6 of the Council's farm consultant's Appeal Statement.

APPEARANCES

FOR THE APPELLANTS:

Sam Franklin	Landscape Land and Property Ltd
Philip Kratz	GSC Solicitors LLP
Nick Lee	AJ Lee and Sons

FOR THE LOCAL PLANNING AUTHORITY:

Rachael Forbes	East Cambridgeshire District Council
Barbara Greengrass	East Cambridgeshire District Council

DOCUMENTS SUBMITTED AT THE HEARING

1. Standard Man Day Calculations (Appellants).
2. Right Move website extracts (Appellants).
3. Construction Quotations (Appellants).
4. Housing Options within Ely, with Right Move website extracts (Council).



East Cambridgeshire
District Council

www.eastcambs.gov.uk
ContactUs@eastcambs.gov.uk
01353 665555

AJ & NJ Lee
C/O Acorus Rural Property Services
FAO Mr Angus Bridges
Old Market Office
Risbygate Street
Bury St Edmunds
IP33 3AA

This matter is being dealt with by:

Selina Raj Divakar

Telephone: 01353616359
E-mail: selina.rajdivakar@eastcambs.gov.uk
My Ref: 24/01108/FUL
Your ref

25th April 2025

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

The Council hereby **refuses** the following development:

Proposal: Agricultural dwelling
Location: Land North East Of Maple Farm West Fen Road Ely Cambridgeshire
Applicant: AJ & NJ Lee

The Council hereby refuses full planning permission for the application reference **24/01108/FUL** registered 7th November 2024.

REASONS FOR REFUSAL

- 1 A need for an additional permanent dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU 5 of the East Cambridgeshire Local Plan, 2015. The proposal does not meet the functional test as the additional dwelling is not essential to meet the needs of the business, contrary to Policy HOU 5 and Policy GROWTH 2 in the Local Plan. Furthermore, it has not been demonstrated that the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process contrary to the National Planning Policy Framework (2024) and its associated guidance.

INFORMATIVES RELATING TO THIS APPLICATION

25th April 2025

