

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	25 JULY 2018
TITLE OF REPORT:	<p>174625 - PROPOSED RETENTION OF AN EXISTING CARAVAN TO BE USED AS ACCOMMODATION FOR A FARM WORKER. (RETROSPECTIVE) AT TUMP FARM, FOWNHOPE, HEREFORD, HR1 4PJ</p> <p>For: Mr Williams per Mr Ben Griffiths, Coneybury, Detton, Cleobury Mortimer, DY148LW</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174625&search=174625
Reason Application submitted to Committee – Re-direction	

Date Received: 11 December 2017 Ward: Backbury Grid Ref: 357930,233309

Expiry Date: 1 August 2018

Local Member: Councillor J Hardwick (Councillor WLS Bowen is fulfilling the role of local ward member for this application.)

1. Site Description and Proposal

- 1.1 The site lies in open countryside within the Wye Valley Area of Outstanding Natural Beauty (WVAONB) to the south of the village of Fownhope. It lies to the east of Caplor Lane (C1273) and near to Public Rights of Way (PROW) FWD7 situated to the east of the site. In addition the site lies within 750 metres of the River Wye. The site forms part of the Tump Farm farming unit. The landscape is undulating, with loose knit, sporadic development and the landscape type is recognised as principal settled farmlands
- 1.2 The site is approximately 700 metres to the east from Caplor Lane and can be seen from properties situated on Caplor Lane. The caravan has been sited on land in close proximity to large farm buildings which can also be seen from properties on Caplor Lane. The caravan is not visible from PROW FWD7 which lies to the west of the site. The caravan also benefits from screening on its southern boundary by large established trees
- 1.3 The application is retrospective and seeks to retain the caravan on land at Tump Farm for an agricultural worker to occupy in order to meet the identified functional need of the farming business.

2. Policies

- 2.1 Herefordshire Local Plan Core Strategy:

LD1 – Landscape and Townscape
LD2 – Biodiversity and Geodiversity

Further information on the subject of this report is available from Mr Clive Lloyd on 01432 383403

SD3 – Sustainable Water Management and Water Resources
SD4 – Waste Water Treatment and River Water Quality
MT1 – Traffic Management, Highway Safety and Promoting Active Travel
RA3 – Herefordshire, s Countryside
RA4 – Agricultural, Forestry and Rural Enterprise Dwellings

The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.2 National Planning Policy Framework

2.3 Fownhope Neighbourhood Plan (FNDP)

The site is located within the Fownhope Neighbourhood area. The FNDP was adopted on 22nd July 2016 and now forms part of the Development Plan for Herefordshire. The following policies are of particular relevance:

FW1 – Sustainable Development
FW2 – Safeguarding the Wye Valley Area of Outstanding Natural Beauty
FW3 - Flooding
FW4 – Sewage
FW11 – Housing in the Countryside

The Fownhope Neighbourhood Plan can be veiwed by using the following link:

https://www.herefordshire.gov.uk/downloads/file/8847/neighbourhood_development_plan

3. Planning History

3.1 None relevant

4. Consultation Summary

4.1 Statutory Consultations

4.2 Wye Valley Area of Natural Beauty (WVAONB)

The application is unlikely to have a significant detrimental impact on the natural beauty of the WVAONB. However currently the caravan is conspicuous from certain perspectives and should be better screened to fit into the landscape and to comply with the FNDP. The WVAONB Management Plan Strategic Objective WV-D2 states “Encourage and support high standards of design, materials, energy efficiency, drainage and landscaping in all developments, including Permitted Development, to ensure greater sustainability and that they complement and enhance the local landscape character and distinctiveness including scale and setting and minimise the impact on the natural environment”. The need for this agricultural accommodation should also be strictly monitored in the event that the farming enterprise might change negating the necessity for the accommodation.

4.3 Welsh Water

SEWERAGE

As the applicant intends utilising a septic tank facility we would advise that the applicant contacts The Environment Agency / Herefordshire Council Land Drainage Department who may have an input in the regulation of this method of drainage disposal. However, should

circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

4.4 Natural England

No objection – subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of River Wye Special Area of Conservation
- damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.
- Surface water should be disposed of in line with Policy SD3 of the adopted Herefordshire Core Strategy and the CIRIA SuDS Manual (2015) C753.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Subject to the above appropriate mitigation being secured, we advise that the proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 63 of the Habitats Regulations 2017.

Internal Council Consultations

4.5 Transportation

Proposal acceptable, with no conditions or informatives required

4.6 Ecology

The site lies within 750m of the River Wye and lies within the Discharges “any discharge of water or liquid waste....” River Wye SAC and SSSI Impact Risk Zone and so sufficient and detailed information is required to be submitted to allow the authority and Natural England to assess the proposals.... Subject to this information being received then I can see no other ecology related constraints or comments on this application and with the supplied updated foul water plans subject to implementation as part of the approved plans I could conclude that there would be no unmitigated likely significant effects on the River Wye SSSI and SAC.

4.7 County Land Agent

The application is supported in that a need from an agricultural position has been identified for a dwelling close to the cattle yard to enable stock to be adequately supervised to comply with the requirements of the ‘5 freedoms’ of animal management.

Basically it is to enable the stock man to go round the stock during the night and spend as much time with calving cows is necessary. In this case they also lamb approx. 470 ewes over 2

months, and whereas they would not be given permission for a permanent dwelling, it would be necessary to have some form of temporary accommodation for the shepherd during that period

5. Representations

5.1 Fownhope Parish Council

Support the application but note that the application does not comply with Policy FW2 of the FNDP and therefore we would like to see some screening or a change in colour which would help to camouflage the caravan within the view from this exposed side.

5.2 Four responses of qualified support were received, with the issues raised being ones of screening and sympathetic colour finish.

5.3 Three responses of objection were received with issues of concern being unsightly, visible to properties situated on Caplor Lane (C1273) and lack of 106 Agreement, limiting occupation to a key worker employed by Tump Farm.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=174625&search=174625

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 The site is neither within or adjacent to a main built up area of any listed settlement in the Herefordshire Local Plan – Core Strategy (CS). As such the site is considered to be in open countryside and CS policy RA3 applies. This policy limits residential development to seven listed exceptions and of this criterion 1 is applicable. This states that development "meets an agricultural need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with policy RA4(2) which states that a dwelling should "be sited so as to meet the identified functional need within the unit".

6.3 Paragraph 55 of the NPPF includes reference to such proposals.

6.4 The proposal seeks to retain the caravan on land at Tump Farm for an agricultural worker to occupy in order to meet the identified functional need of the farming business.

6.5 The key considerations are policies RA3 and RA4 of the CS and the location is within the WVAONB.

6.6 In regard to RA3 and RA4 the County Land Agent report has identified an agricultural need for accommodation in the proposed location and it is therefore in accord with policies. RA3, and RA4 of the CS and FW1 and FW11 of the FNDP.

- 6.7 The WVAONB officer confirms that the application would not have a significant detrimental impact on the area however; screening measures should be employed to allow the caravan to fit into the landscape and achieve compliance in respect of the FNDP. It is also noted that Fownhope Parish Council also support the application with a recommendation that screening measures are employed in respect of the caravan.
- 6.8 Subject to appropriate conditions it is considered that the proposal also complies with policies LD1 and LD2 of the CS and policy FW2 of the FNDP
- 6.9 The applicant has agreed to a neutral paint finish and/or suitable screening together with a suitable planting scheme which would contribute to screening the caravan from properties on Caplor Lane, the applicant has also agreed to a condition being placed on the caravan restricting use to an agricultural worker.
- 6.10 The site is located in Flood Zone 1 and therefore is not at risk of flooding, with storm water to be managed by way of a field based soakaway system. Foul water is managed by way of a septic tank with field based soakaway being consistent with policies SD3, SD4 of the CS and policies FW3 and FW4 of the FNDP.
- 6.11 Conclusion

I therefore, conclude that this application accords with policies LD1, LD2, SD3, SD4, and MT1, RA3 and RA4 of the CS and policies' FW1, FW2, FW3, FW4, and FW11 of the FNDP

RECOMMENDATION

That planning permission be granted subject to the following condition below and any other conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. **F27 Agricultural occupancy**
- 2. **F22 Temporary permission & reinstatement of land (mobile home/caravan)**
- 3. **C96 Landscape scheme**
- 4. **C97 Landscape implementation scheme**
- 5. **C86 Colour of caravan**

INFORMATIVE:

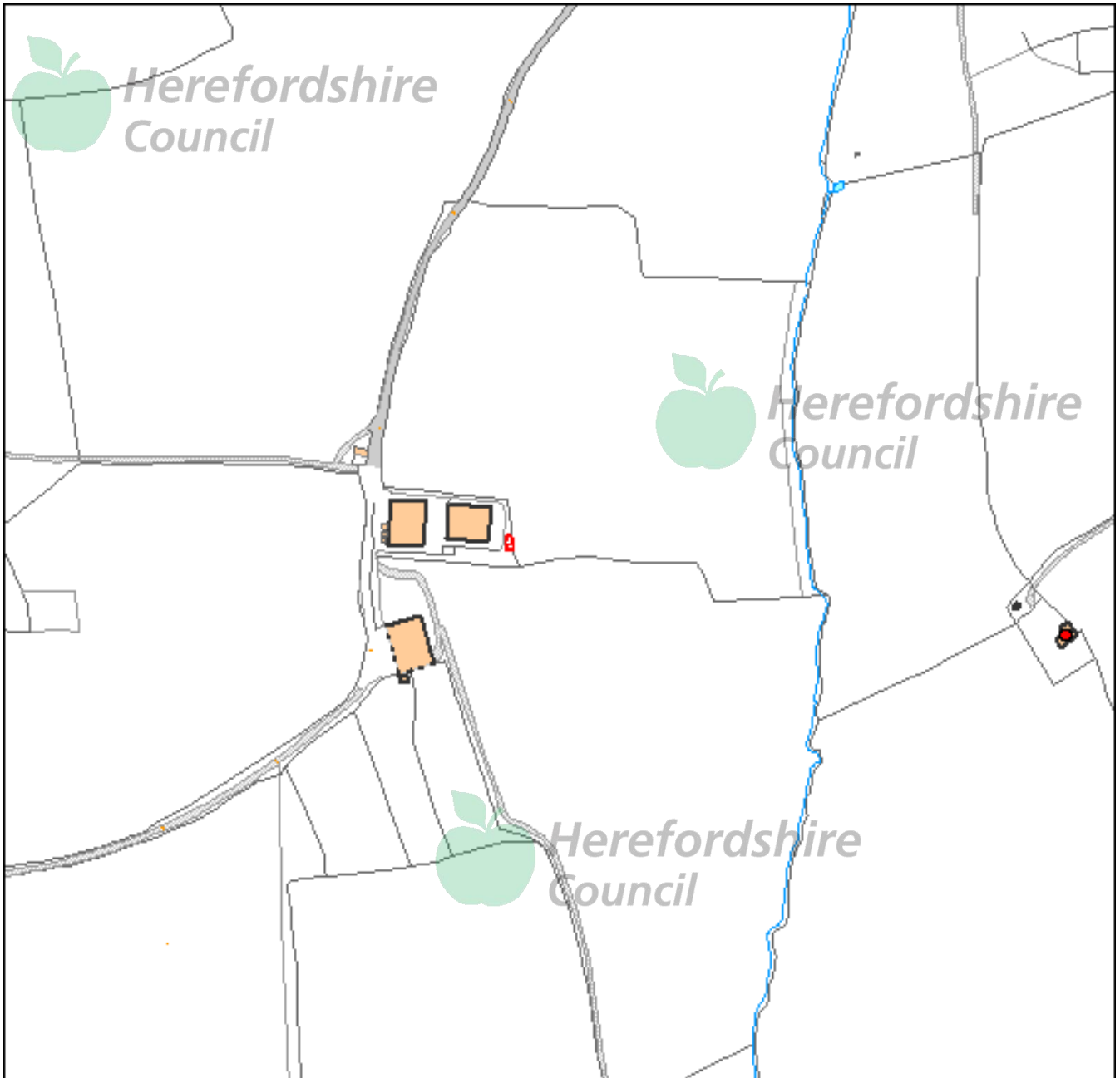
- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

Decision:

Notes:

Background Papers

None



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APPLICATION NO: 174625

SITE ADDRESS : TUMP FARM, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4PJ

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Further information on the subject of this report is available from Mr Clive Lloyd on 01432 383403