

7 DCCW2007/2806/F - CONTINUED USE OF LAND AS A CARAVAN SITE AND RETENTION OF ACCOMMODATION BLOCK FOR SEASONAL AGRICULTURAL WORKERS AT BROOK FARM, MARDEN, HEREFORD, HEREFORDSHIRE, HR1 3ET

For: S&A Davies per White Young Green, Ropemaker Court, 12 Lower Park Row, Bristol, BS1 5BN

Date Received: 31st August, 2007 Ward: Sutton Walls Grid Ref: 52177, 47989
Expiry Date: 30th November, 2007
Local Member: Councillor KS Guthrie

1. Site Description and Proposal

1.1 Brook Farm is located on the east side of the C1120 some 200 metres to the north of the village of Marden.

1.2 The proposal is to continue the use of land for the siting of caravans, pods and accommodation blocks. The accommodation is located on land to the south of the main farm complex and presently comprises 153 caravans, 98 pods together with two accommodation blocks. Associated with the accommodation are various recreational facilities comprising above ground swimming pool, volley ball court, mini soccer pitch and hot tub.

1.3 The surfaces between the units has been hardcored for ease of movement particularly during wet weather.

1.4 The site is the subject of three temporary planning permissions which expired on 17th October, 2007. These are as follows:-

CW2000/2826/F – Use of land for the siting of caravans. Approved 17th October, 2002.

CW2003/0130/F – Extension to caravan site. Approved 16th April, 2003.

CW2003/0290/F – Accommodation blocks. Approved 16th April, 2003.

1.5 The site is also the subject of a S106 Agreement which requires the following:-

(1) The occupation of all caravans on the site is restricted to persons employed in agriculture at Brook Farm.

(2) No permanent occupation of the accommodation.

(3) A requirement to comply with standards set out in "Model Standards 1989: holiday Caravan Sites."

- (4) To enable Council Officers to inspect relevant documents upon reasonable request.

2. Policies

2.1 National Guidance:

PPS1	-	Delivering Sustainable Development
PPG4	-	Industrial and Commercial Development and Small Firms
PPG7	-	Sustainable Development In Rural Areas
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy DR2	-	Land Use and Activity
Policy H8	-	Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
Policy E10	-	Employment Proposals Within or Adjacent to Main Villages
Policy HBA4	-	Setting of Listed Buildings
Policy CF2	-	Foul Drainage

3. Planning History

- 3.1 SH870589PF Erection of an agricultural storage building. Approved 6/7/87.
- 3.2 SH891354PF Erection of an agricultural storage building. Approved 31/8/89.
- 3.3 SH911156PF Permanent farm office accommodation. Approved 25/9/91.
- 3.4 SH920621PF Erection of extension to existing potato store. Approved 9/7/92.
- 3.5 SH940684PF Erection of extension to general purpose potato storage and grading buildings. Refused 18/1/95.
- 3.6 SH940736PF Dismantling part of general purpose agricultural building and conversion of remainder into a farm office and construction of a weighbridge. Refused 18/1/95.
- 3.7 SH950404PF Change of use from agricultural to new potato grading and packaging station with associated storage and services. Refused 26/7/95.
- 3.8 SH971145PF Covered rear yard and dispatch area, demolition existing buildings and erect new farm office and associated utilities. Approved 3/12/97.
- 3.9 EN950014ZZ Unauthorised change of use from agriculture to potato storage, processing and distribution plant. Enforcement Notice served 12/6/96. Appeal allowed 26/7/97.

- 3.10 This decision determined that the change of use did not constitute a breach of planning control but that as the uses had been in operation for more than ten years before the Notice was issued and was therefore immune from enforcement action.
- 3.11 CW1999/2613/F Use of land for siting of caravans. Refused 21/06.00.
- 3.12 CW2000/2826/F Use of land for the siting of caravans. Approved 17/10/02.
- 3.13 CW2003/0130/F Extension to caravan site. Approved 16/4/03.
- 3.14 CW2003/0290/F Accommodation blocks. Approved 16/4/03.
- 3.15 CW2003/3749/F Permanent toilet facilities to replace existing portacabin. Approved 30/1/04.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited.

Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Environmental Health & Trading Standards Manager: No objection. This development has not given rise to any environmental health related problems.
- 4.4 Conservation Manager (Landscape): Comments awaited.

5. Representations

- 5.1 Marden Parish Council: At a recent meeting, Marden Parish Council resolved to make the following comments on the above application:
1. The Parish Council does not object to the retention of the site in principle, but has the following observations to make.
 2. Permanent permission is opposed. The Parish Council would prefer a time limited permission on a similar basis to the existing permission, allowing a periodic review of the running of the site.
 3. The existing Section 106 Agreement should therefore remain in place.
 4. Some confusion exists over the number of workers housed at the site, and the Parish Council would therefore like to see a stipulated maximum number of workers per caravan or pod, and in the accommodation block. This would be to avoid overcrowding and consequential problems.
- 5.2 Thirty letters of objection have been received, the main points raised:
1. The number of people on site raises concerns relating to increased traffic by busing workers to various sites.

2. Noise from sporting events in the summer months.
3. The bunding has not prevented the spread of noise into the village.
4. Less workers, less noise, less traffic.
5. Excessive use of the road network from 5 a.m. onwards.
6. Anti-social behaviour in the village.
7. The site is unsuitable for this complex as the route into the village and on a road with no pavements.
8. The proposal has a detrimental impact upon the quiet peaceful village.
9. The village is being completely swamped with migrant workers.
10. The seasonal workers accommodation should be away from the village and closer to Hereford where there are more facilities and health care.
11. The nature and scale of the proposal represents inappropriate development in the open countryside causing damage to the character and appearance of the locality and adversely affects the residential amenity of nearby residents.
12. Some workers live on site all year round. How can they be seasonal?
13. The proposal is contrary to the UDP Policy E13 in that it will adversely impact on residential amenity.
14. The population of Marden is approximately 1300 giving a ratio of 1:1 against the workers.
15. The Section 106 has not been adhered to.
16. No landscaping has been undertaken.
17. Concerns that caravans from Brierley will be brought to Marden.

5.3 The applicant's agent has submitted the following information:

1. There is an essential need for the S&A Group to provide workers accommodation close to the agricultural operation and there are no alternative options in the locality.
2. The temporary period of consent has enabled demonstration of the continuing viability of the business and the bona-fide requirement to provide workers facilities.
3. Accommodating workers at the group's principal growing site and centre for processing/packaging (and within walking distance of other growing sites) reduces the need for workers to travel to and from work, consistent with sustainable transport objectives.

4. There is a range of local facilities within walking distance of the site at Marden, including public transport links, that supplement the facilities provided on-site. In this regard, the site is a sustainable option for providing workers accommodation.
5. The facilities are located next to existing farm buildings and the site is visually well contained given local topography and the presence of landscape bunds. Overall, the development has a satisfactory visual impact on the countryside.
6. During the period of temporary consent, the provision of workers accommodation has not given rise to any environmental problems.
7. Careful management of the site and the activities of those accommodated ensures that the development is acceptable having regard to the amenity of local residents.
8. The benefits of creating a self-contained complex of workers accommodation and supporting facilities was appreciated by the Secretary of State in his recent determination of planning appeals for similar workers facilities at Brierley. The Secretary of State also acknowledged that the agricultural operations of the group rely on a large temporary workforce and that this workforce needs to be accommodated within a reasonable distance of the farmed areas. Furthermore, the Inspector for the appeals, commenting on the potential availability of alternative sites to Brierley, acknowledged that workers accommodation at Marden was located on the outskirts of a village offering some local facilities and with access to a bus service. Overall, it is clear that the Secretary of State and his Inspector were acknowledging the suitability and benefits of Marden as a location for accommodating workers.

The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 This composite planning application seeks the retention of caravans, pods and accommodation blocks (2) that were previously granted temporary planning permission to house seasonal workers at Brook Farm, Marden.
- 6.2 The complex is contained within a defined area south of the main buildings at Brook Farm and is enclosed by mature hedging and a combination of earth bunding and fencing. The accommodation is split into three distinct types, the caravans, pods and accommodation blocks. All have gravelled surfaces to provide access through the site and the utilities infrastructure is well established providing appropriate water, electricity and gas supply.
- 6.3 The proposal has been considered under the following:
 1. Principle of Development
 2. Landscape Impact
 3. Impact on Marden (Amenity)
 4. Section 106

Principle of Development

- 6.4 The site has been used as a seasonal workers campsite for a number of years and the accommodation has grown with the need of the business. The present accommodation provides at its highest, facilities for 1400 workers between March/September with a residual number outside of that period. The workers are an integral part of the soft fruit enterprise and the need for accommodation on this scale has been demonstrated in respect of the temporary permissions already granted.
- 6.5 The site lies adjacent to a main village which contains a post office, general store and access to public transport and as such represents a sustainable location having regard to balancing the need for workers to be housed closer to the farm and the services available in Marden. The site is well screened from the surrounding area by mature hedges, trees and earth bunding.
- 6.6 The site is secure with security fence on the boundary. Leisure activities are period within the site.
- 6.7 The temporary planning permissions have confirmed the need for the accommodation which has grown since its original approval. The principle and need for the development is therefore considered sound.

Landscape Impact

- 6.8 The site was previously considered acceptable subject to some additional planting and bunding. The bunding works were undertaken together with planting on the bunds. This planting has failed. However since then existing trees and hedges have been allowed to mature which provides appropriate screening for the site. Notwithstanding this the Council's Landscape Officer is reviewing the site and his views will be verbally reported to Committee. The recommendation of this report reflects these outstanding comments.

Impact on Marden (Amenity)

- 6.9 It is considered reasonable to conclude that the establishment of such a large temporary workforce needs to be located close to the farmed area and furthermore its location within reasonable distance of the facilities provided by a village such as Marden represents a sustainable alternative to a very isolated rural location.
- 6.10 This proposal meets both of these criteria. Marden is identified in the Herefordshire Unitary Development Plan 2007 as a main village. Whilst at its peak the number of workers housed in the accommodation is comparable to the population of Marden, this fluctuates throughout the year. In addition the applicants have sought to reduce the impact on the village by providing a range of on-site facilities including games areas, swimming pool, tv rooms, internet café and a bar. The proposal is considered to provide an acceptable balance between on-site facilities and those services provided within the village and it is therefore considered acceptable.

Section 106

- 6.11 The previous planning application included a Section 106 Agreement which effectively removed the permitted development rights for the applicant to place seasonal agriculture workers' caravans on land without the need for planning permission. The

Parish Council have requested the continuation of this Planning Obligation. However a more appropriate means would be the use of a condition that removes the permitted development rights on the land owned and controlled by the S&A Group at Brook Farm, Marden.

Conclusion

- 6.11 The applicants have through the previous temporary planning permission established a need for this temporary workforce. The site is well located in relation to the existing complex of farm buildings and lies on the edge of the settlement of Marden. The site is well screened from the village and the surrounding landscape. The proposal is therefore considered to be acceptable subject to a further temporary planning permission of five years to enable the local planning authority to retain effective control over the site to meet any future changes in farming practices. It is acknowledged that the scale of the operation at Brook Farm, Marden and the associated accommodation requirements is a cause of serious concern amongst residents of the village. However it is considered that the principle of this use of land remains an acceptable one subject to appropriate planning controls. It is recommended that conditions can effectively restrict the threat of further expansion of the accommodation at Brook Farm and furthermore that a temporary permission remains appropriate in order to periodically review the accommodation needs of the enterprise.

RECOMMENDATION

That temporary planning permission be granted subject to the following conditions:

- 1. E22 (Temporary permission (mobile home/caravan)).**

Reason: To enable the local planning authority to retain effective control over the development.

- 2. The occupation of the caravans, pods and accommodation blocks shall be limited to persons employed in agriculture at Brook Farm, Marden.**

Reason: Planning permission has only been granted for the farming requirements of Brook Farm.

- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted development) Order 1995 or any order revoking and re-enacting that order with or without modification no caravans or pods shall at any time be placed on the land which is under the control or ownership of the applicant as defined by Drawing no.**

Reason: In order to clarify the terms of this planning permission and to maintain control over the scale of accommodation provided in the interests of visual and residential amenity.

Informatives:

- 1. N19 - Avoidance of doubt.**
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

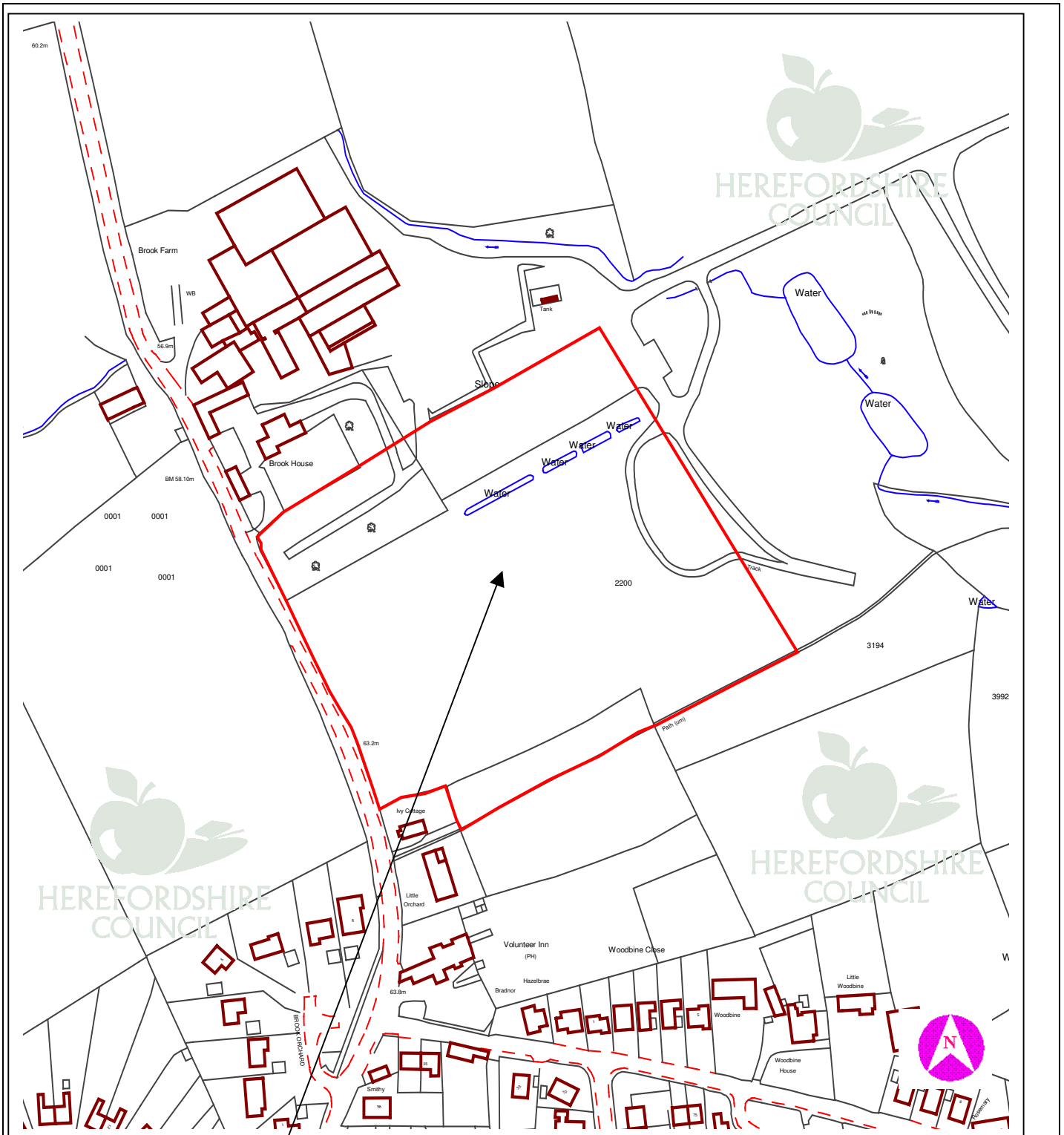
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2007/2806/F

SCALE : 1 : 2500

SITE ADDRESS : Brook Farm, Marden, Hereford, Herefordshire, HR1 3ET

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