

8 DCSW2007/2194/O - VEHICULAR ACCESS AMENDMENTS AND SITE FOR AGRICULTURAL DWELLING, THE LAURELS FARM, BRAMPTON, KINGSTONE, HEREFORD, HEREFORDSHIRE, HR2 9NF.

For: Mr N Lively per Mr R Pritchard, The Mill, Kenchester, Hereford, Herefordshire, HR4 7QJ.

Date Received: 10 July 2007 Ward: Stoney Street Grid Ref: 41228, 36364

Expiry Date: 4 September 2007

Local Member: Councillor DC Taylor

1. Site Description and Proposal

- 1.1 The proposal site is on the eastern side of the unclassified road (u/c 1193) that links the B4348 to the south, on the south-western approach to Kingstone and to the north, Stoney Street and Brampton road. Stoney Street runs along the northern boundary of the applicant's farm holding. The southern boundary is delineated by an unadopted track that leads eastwards. The ATL premises, formerly Coldwell Radio Station, is immediately to the south of this unadopted track.
- 1.2 The proposal site is to the north of the existing entrance serving the mobile home which the applicant resides in. The site is some 110 metres east of the new entrance.
- 1.3 This outline application seeks permission for the erection of an agricultural dwelling together with improvements to the site access. With the exception of the access, all matters are reserved although the indicative site layout shows the dwelling set back from the unclassified road behind the line of existing approved agricultural buildings.
- 1.4 The application has been supported by a report setting out the accounts of the business from 2004. The enterprise comprises 80 acres, including 20 acres rented at Eaton Bishop. A heifer rearing system is carried out providing 52 calved heifers at 24-26 months of age. It is stated that calves are produced all year round and heifers need more assistance calving than mature cows.
- 1.5 The labour requirement is 323 standard man days compared to 300 full time days for an agricultural worker.

2. Policies

2.1 Planning Policy Statements

PPS1 - Delivering Sustainable Development
PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan

Policy S2 - Development Requirements
Policy H7 - Housing in the Countryside Outside Settlements
Policy H8 - Agricultural and Forestry Dwellings and Dwellings

Associated with Rural Businesses

3. Planning History

- | | | | | |
|-----|-----------------|--|---|--------------------------------------|
| 3.1 | DCSW2002/2386/S | Agricultural building for calving of heifers and general stock workshop | - | Prior Approval Granted 13.09.02 |
| | DCSW2003/1458/F | Temporary permission for mobile home | - | Approved 17.11.03 (expired 30.09.06) |
| | DCSW2006/0587/S | Storing of straw and fodder, but during summer fattening bull for beef and heifers | - | Prior Approval Granted 10.03.06 |
| | DCSW2006/1421/O | Site for agricultural dwelling | - | Withdrawn 06.02.07 |
| | DCSW2007/0569/F | Farm barn for calf rearing and fodder storage | - | Approved 30.03.07 |
| | DCSW2007/1396/O | Vehicular amendment and site for agricultural dwelling | - | Withdrawn 09.07.07 |

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager states that the access position has been the subject of preliminary discussions and that if approved should be conditioned as previously recommended, for an access with 2.4m x 90m visibility splays and set back gates.
- 4.3 The County Land Agent supports the application and considers it is a genuine and sound agricultural business with good prospects of remaining a profitable and sustainable enterprise.

5. Representations

- 5.1 In a letter that accompanied the application, the applicant's agent makes the following main points:
- application for farmhouse and revised position for access for an agricultural building
 - site for farmhouse close to existing farmhouse and recently approved agricultural building
 - welcome guidance on appearance for new dwelling, intended to build traditional Herefordshire farm dwelling
 - access previously approved with adjacent barn.

5.2 The Parish Council make the following observations:

“We oppose this application. This application is similar to previous applications and we object for the same reasons we objected previously for. It is believed there is no need for a house to be built on this site and would set a precedent if planning permission is granted.”

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

6. Officer’s Appraisal

- 6.1 The principle of the erection of dwellings in open countryside is only considered acceptable in exceptional circumstances. One of these is when there is a proven case of agricultural need to support an established agricultural enterprise. This is an application for such an exception and in this case for a permanent agricultural workers dwelling.
- 6.2 The applicant has established a need for a temporary dwelling in order to support a new calf rearing enterprise (SW2003/1458/F refers). This followed the erection of the first agricultural building for this new enterprise in September 2002. It is proposed to site the new dwelling further north of the existing site for the temporary accommodation in order to assist the proper functioning of the enterprise at such times as restriction orders are placed on the movement of cattle during periods of bovine TB. The applicant also intends to carry on with the calf-rearing unit. Therefore, it is considered that the siting is acceptable particularly as it utilises the approved new access point for the agricultural building approved in 2006.
- 6.3 The County Land Agent has informed the applicant that the erection of a second agricultural building close to the already erected building on the southern side of the farm would greatly assist him in providing further evidence of long term viability for the holding, allowing the enterprise to grow. This building was subsequently erected just before Christmas last year (it was approved in March 2006). It is considered that this additional investment provides further weight to the view that this is a genuine business with good prospects of success.
- 6.4 The County Land Agent confirms that the functional need for the dwelling has been established and that the buildings necessary to support the enterprise have been erected. There is a functional requirement for one key worker, on what is stated by the County Land Agent to be a sound agricultural business. The second requirement is for the proposal to satisfy the financial viability test in terms of providing sufficient income for an agricultural worker whilst demonstrating the ability to cover the cost of capital expenditure for the new dwelling. Based on the financial accounts available, the County Land Agent is satisfied that the business is sustainable and given that the applicant has erected the two buildings he has planning permission for and is developing and diversifying his enterprise.
- 6.5 In conclusion, I am of the opinion that having established a functional need for a full-time worker to be present at the site, the applicant has satisfactorily demonstrated through the financial information that has been provided and the investment made in buildings to support the enterprise, that the business is capable of remaining profitable and as such the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

4. **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. **F27 (Agricultural occupancy)**

Reason: It would be contrary to Policies H7 and H8 of Herefordshire Unitary Development Plan to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.

6. **H01 (Single access - no footway)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

7. **H03 (Visibility splays)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

8. **H05 (Access gates)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

9. **H06 (Vehicular access construction)**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

10. The existing chalet shall be removed from the site no later than 6 months from first occupation of the new dwelling or as unless otherwise agreed in writing prior to completion of the new dwelling.

Reason: In order to define the terms to which the application relates in accordance with Policy H8 in the Herefordshire Unitary Development Plan.

Informative(s):

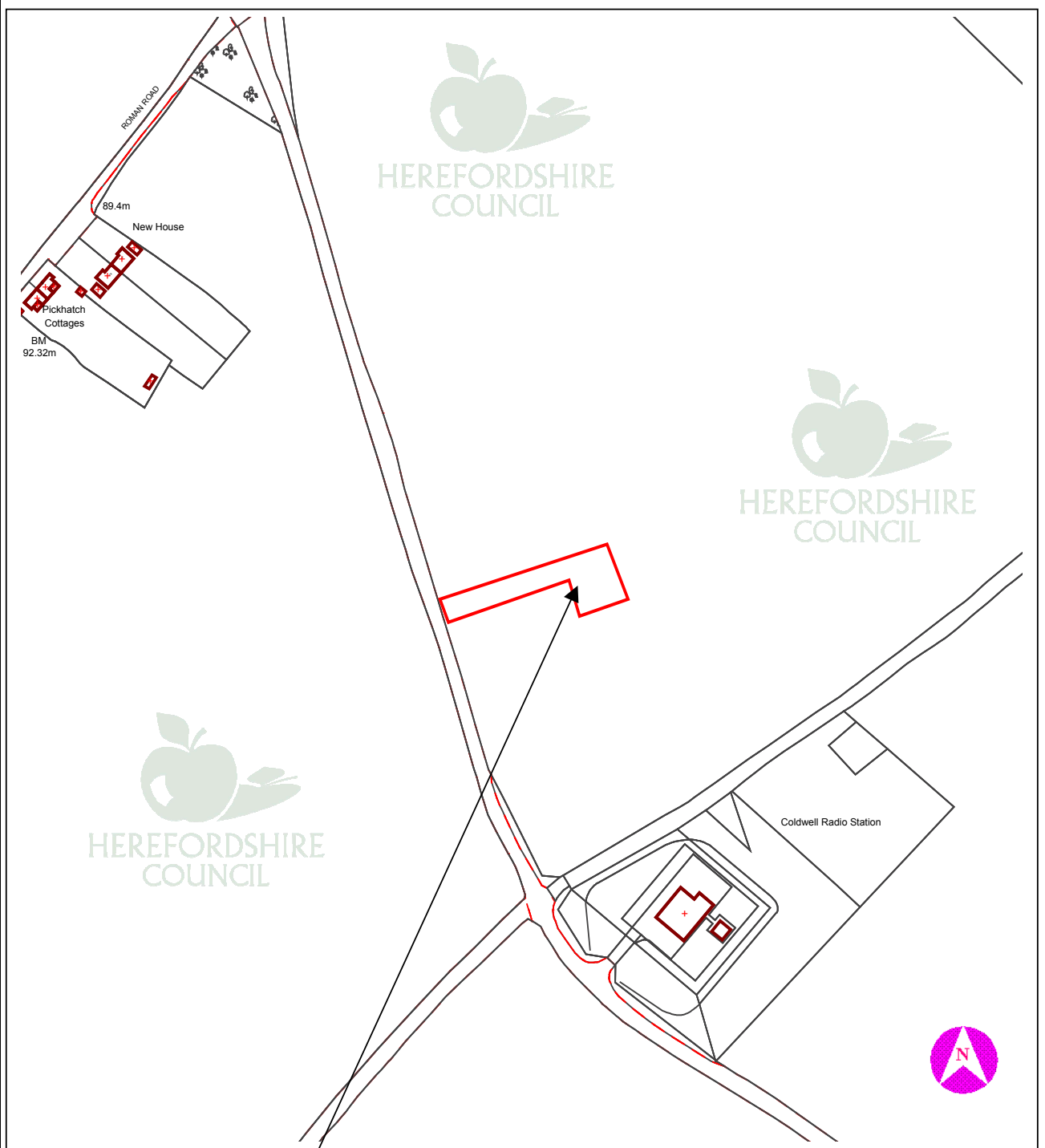
1. HN01 - Mud on highway
2. HN05 - Works within the highway
3. HN10 - No drainage to discharge to highway
4. HN22 - Works adjoining highway
5. N19 - Avoidance of doubt - Approved Plans
6. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/2194/O

SCALE : 1 : 2500

SITE ADDRESS : The Laurels Farm, Brampton, Kingstone, Hereford, Herefordshire, HR2 9NF

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