

MEETING:	PLANNING COMMITTEE
DATE:	1 SEPTEMBER 2010
TITLE OF REPORT:	<p>DMCE/100586/F- RETENTION OF TWO EXISTING AND SITING OF ONE FURTHER MOBILE HOME TO BE OCCUPIED BY SEASONAL AGRICULTURAL WORKERS AT LAND AT WHITETHORN FARM, CAREY, HOARWITHTY, HEREFORDSHIRE, HR2 6NG</p> <p>For: Mr Soble per Mr Paul Smith, 12 Castle Street, Hereford, Herefordshire, HR1 2NL</p>

Date Received: 17 March 2010

Ward: Hollington

Grid Ref: 355948,231113

Expiry Date: 13 May 2010

Local Member: Councillor GFM Dawe

1. Site Description and Proposal

- 1.1 The site is located immediately south of unclassified road 72003, west of the hamlet of Carey. Ground levels fall steeply from unclassified road 72001 northwards into the site and also from west to east surrounding the site. To the south is small deciduous woodland known as Whitethorn Wood and just north of the site are three detached dwellings. An existing tarmac driveway provides access into the site leading to an agricultural storage building, open fronted pole barn and glasshouse. The driveway then continues as a gravel track westwards to polytunnels and fruit and vegetable plantations. North of the pole barn is a log cabin style mobile home which is occupied by the applicants. A three year temporary planning permission for this mobile home expired August 2009 and this matter is currently being pursued by the Councils enforcement officer. The site lies within the Wye Valley Area of Outstanding Natural Beauty and Public Right of Way LD20A runs through the farm to the east.
- 1.2 Planning permission is sought for the retention of two existing mobile homes which are sited along the northern boundary hedge adjacent to unclassified road 72003 along with the siting of a further mobile home. Both the existing and proposed mobile homes are in the form of static caravans. The existing and proposed mobile homes are occupied between the months of April to October inclusive by seasonal workers employed by the applicants working on the holding and would be in addition to the applicants temporary living accommodation. This year, eight students are working on the farm from Spring through to Autumn, four of which are students at Plumpton agricultural college in Sussex. The applicants anticipate that this number will increase to ten next year.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

S2	-	Development Requirements
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
LA1	-	Areas of Outstanding Natural Beauty
LA2	-	Landscape Character and Areas Least Resilient to Change
H8	-	Agricultural and Forestry Dwellings Associated with Rural Buildings
E13	-	Agricultural and Forestry Development

2.2 Planning Policy Statement 7 – Sustainable Development in Rural Areas

2.3 Supplementary Planning Document – Landscape Character Assessment (2009)

3. Planning History

3.1	CE2005/0350/F	Construction of farm track. Approved 4 May 2005.
3.2	CE2005/1124/S	Erection of agricultural building. Prior Approval Not Required 27 April 2005.
3.3	CE2006/0403/S	Agricultural glasshouse for raising of plants. Prior Approval Not Required 28 February 2006.
3.4	CE2006/0400/S	Agricultural building to store hay, straw, animal feeds and general storage. Prior Approval Not Required 28 February 2006.
3.5	CE2006/1772/F	Siting of temporary living accommodation for agricultural workers. Approved 29 August 2006.
3.6	CE2006/3291/F	Siting of two mobile homes to be occupied by seasonal agricultural workers. Approved 23 November 2006.
3.7	CE2007/0571/F	Extension to barn. Approved 25 April 2007.
3.8	CE2007/1971/F	Removal of condition 3 of planning permission CE2007/0571/F. Refused 17 August 2007.
3.9	CE2007/2720/F	Erection of glasshouse. Approved 8 May 2008.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No highway implications and beneficial in sustainability terms as workers are based on site.

5. Representations

5.1 Little Dewchurch Parish Council: The Parish Council support the application.

5.2 Four letters/e-mails of objection and one letter of comment have been received.

The main points raised are:

- It is unclear what the applicant is applying for.
- The development is not compatible with the AONB.
- The workers accommodation could be provided at Ballingham Court who is in partnership with the applicant.
- This is yet another retrospective application on the site.
- Planning permission for the applicant's own accommodation expired in August 2009.

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

6. Officer's Appraisal

6.1 The application proposes the retention of the existing two static caravan mobile homes along with the siting of a further mobile home all to be occupied on a seasonal basis by workers on this horticultural farm. Class A, Part 5, Schedule 2 of the Town and Country Planning General Permitted Development Order 1995 linked in with the Schedule 1 of the 1960 Caravan Sites and Control of Development Act permits the siting of a mobile home for the accommodation of persons engaged in farming through a particular season. However, this is subject to the requirement that the mobile home is removed from site when its use in connection with a seasonal agricultural activity ceases. In essence, the mobile home must be removed from site at the end of the season and brought back on site at the start of the next season.

6.2 This creates a significant problem for many of Herefordshire's farmers who are heavily reliant on a seasonal labour force in terms of the work in removing and re-siting the mobile homes but also finding a suitable and lawful place for their storage during the winter period. It is accepted that horticultural enterprises are labour intensive and require some form of seasonal worker accommodation to operate and function efficiently. This accommodation is usually provided on the site where the main activities exist.

6.3 The existing holding extends to 18 hectares (44 acres), approximately two thirds of which is set out to apple, pear and cherry tree plantations. The remainder is used more intensively for the growing of strawberries, cane and brush fruit and vegetables. The farm is certified as organic. Although the farm generates work throughout the year, the main activities run from Spring to Autumn centred around planting, weeding and harvesting. The applicants have also recently acquired additional land south of the existing farm which will be cultivated for further fruit and vegetable production over the next five years or so. Although a detailed breakdown of daily activities associated man hours has not been provided, given the existing farm and associated crops are now established and the future farm expansion plans, on the basis of four persons occupying each mobile home, the functional need for three seasonal workers mobile homes is therefore accepted in horticultural terms.

6.4 The proposed site is somewhat detached from the remainder of the recent development that has taken place within the holding but is still relatively well screened by virtue of its location up against existing mature hedge. Furthermore, the applicants have planted a line of trees

immediately east and south of the mobile homes which visually integrates with the strong hedgerow patterns enclosing the farm as a whole and further screens the mobile homes from public vantage points. The development does nevertheless impact on the character and appearance of the landscape which is designated as an Area of Outstanding Beauty by virtue of their design, materials and finish. On balance, however, it is not considered that the impact is sufficiently harmful to warrant refusal of the application having regard to the wider context of the site, the visual impact and landscaping already undertaken and the functional need for the facilities to be provided.

- 6.5 The presence of the existing mobile homes over the last three years have not resulted in complaints to the Council arising from unacceptable disturbance for the amenity of nearby properties. The Traffic Manager also considers it more appropriate in sustainability terms for the workers to reside on site rather than commuting by car from elsewhere. With regard to the applicants existing accommodation which is now unauthorised, whilst this is a separate matter, the applicant has now been given a final opportunity to either remove the log cabin or try and regularise the situation through a further application. An update on this matter will be provided at Committee.
- 6.6 It is now accepted through other similar permitted developments within the County that horticultural production requires a seasonal labour force and it is most appropriate for this workforce to be sited either on or close to the polytunnels where the produce is grown. The task is therefore to ensure that the site of such accommodation minimises its impact on landscape, residential amenity and highway safety in particular. It is considered that this proposal satisfactorily addresses all these three key issues subject to appropriate conditions.
- 6.7 To ensure the accommodation remains for seasonal use and does not become permanent residential accommodation, a condition is recommended preventing the caravans from being occupied between the months of November and March. A temporary permission is also recommended to allow the need for the caravans to be reviewed after expiry of the temporary period. Subject to the above restrictions, the proposal is considered acceptable.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. F21 Temporary permission – ten years (mobile home/caravan).**
- 2. The occupation of the caravans shall be limited to persons employed in agriculture at Whitethorn Farm, Carey, HR2 6NG.**

Reason: The accommodation and associated development proposed under this application is only considered acceptable on the basis of the functional need associated with the growing of fruit and vegetables on the land surrounding the application site and to comply with Policy H8 of the Herefordshire Unitary Development Plan.

- 3. Within two months of the date of this permission, the colour including the BS number for all exterior surfaces of the mobile homes hereby permitted shall be submitted for approval in writing of the local planning authority. The existing mobile homes shall be coloured in accordance with the approved details within four months of the date of this permission and the additional mobile home coloured in accordance with the approved details prior to being occupied.**

Reason: To protect the visual amenities of the area and to ensure the development conforms with Policies LA1 and DR1 of the Herefordshire Unitary Development Plan.

4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order with or without modification, no other caravans shall at any time be placed on the land identified in blue outlined on the plan titled 'Farm Regime' and dated May 2010.**

Reason: To prevent the further proliferation of mobile homes in order to safeguard the visual amenity of the area and to ensure the development conforms with Policies LA1 and DR1 of the Herefordshire Unitary Development Plan.

5. **F31 Static holiday caravan occupancy (November to March inclusive).**

Informatives:

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

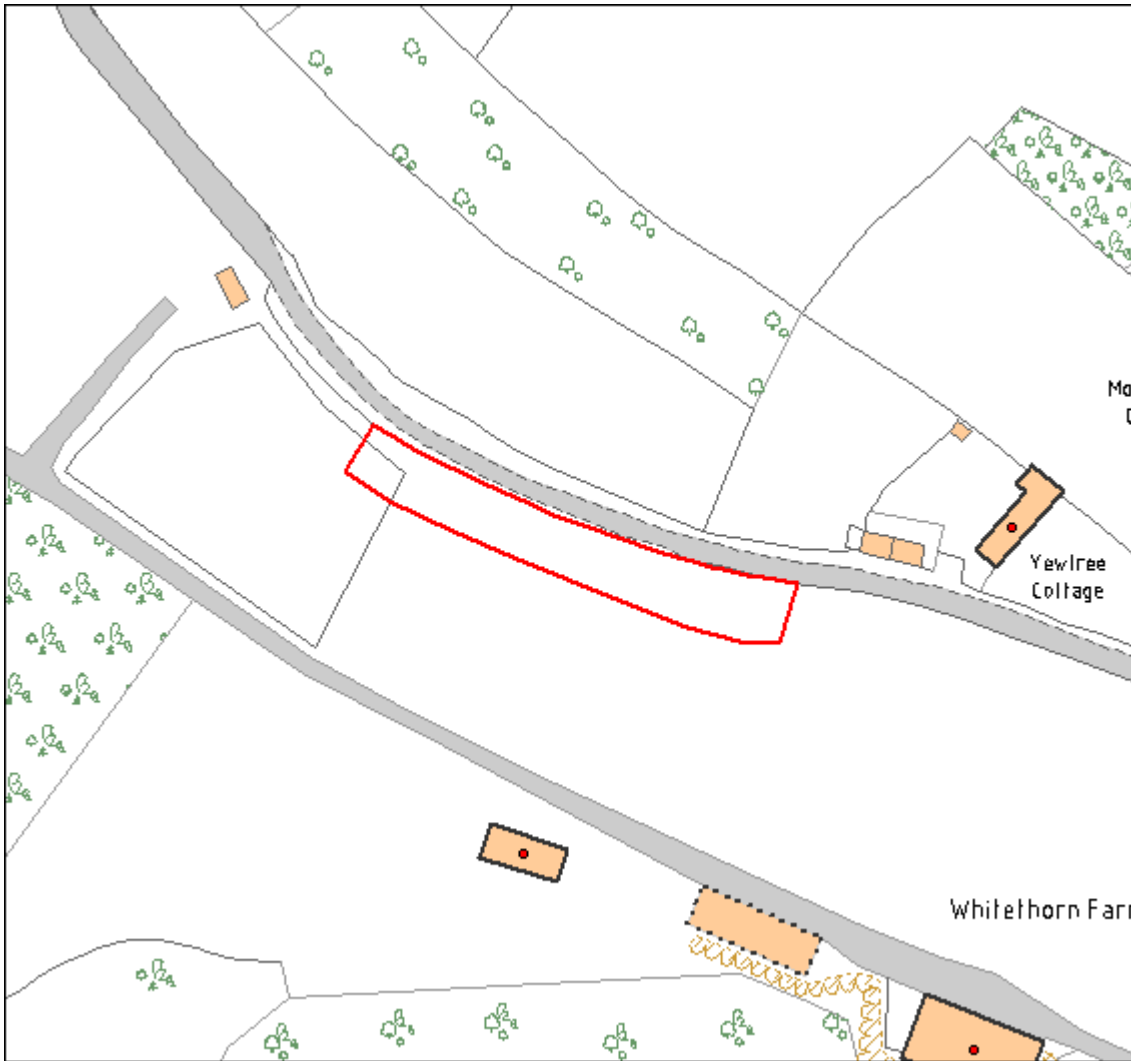
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DMCE/100586/F

SITE ADDRESS : LAND AT WHITETHORN FARM, CAREY, HOARWITHY, HEREFORDSHIRE, HR2 6NG

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005