

MEETING:	PLANNING COMMITTEE
DATE:	2 FEBRUARY 2011
TITLE OF REPORT:	<p>DMN/102226/F - PROPOSED DWELLING FOR FARM WORKER AT GREAT PENLAN, BRILLEY, HEREFORDSHIRE, HR3 6JW.</p> <p>For: Mr & Mrs James per Mr Ian Howie, Ryefield, Wormbridge, Herefordshire, HR2 9DB.</p>

Date Received: 31 August 2010

Ward: Castle

Grid Ref: 327299,252003

Expiry Date: 26 October 2010

Local Members: Councillor JW Hope

1. Site Description and Proposal

- 1.1 Great Penlan is a long established farm holding in an isolated rural location. It is in an undulating landscape characterised by relatively small field parcels that are defined by mature hedgerows and trees. The area is sparsely populated, the closest properties lying approximately 350 metres and 500 metres to the south west.
- 1.2 The holding presently comprises a dwelling, two traditional stone built farm buildings, one of which is listed, and two larger steel framed buildings, all of which are actively used in connection with the agricultural business. The farm is accessed via a private drive and in turn onto an unclassified road, and lies approximately 4.5 miles to the south west of Kington.
- 1.3 This is a full application for the erection of a second agricultural workers dwelling. It includes detailed elevations of the proposed dwelling, these having been amended since they were originally received to produce a design more reflective of the rural nature of the area, as has the design and access statement. A detailed appraisal to demonstrate the financial and functional need for an additional dwelling is also included as part of the application. The applicant has also provided audited accounts of the business. The applicant's agent has also submitted a written response to comments received from the County Land Agent. This includes an assessment of accommodation currently available in the local area. It concludes that, due in part to the fact that the area is sparsely populated, there is no accommodation currently available. Five letters in support of the proposal from a combination of local residents and businesses are also submitted as part of the application.
- 1.4 The site lies approximately 50 metres to the south west of the farm buildings on a parcel of land adjacent to the farm access and unclassified road. It is bounded to the east and south by a combination of mature trees and hedgerows. A gap exists at the south eastern corner of the plot and the plans show vehicular access to be gained at this point.
- 1.5 The amended plans show a T shaped dwelling faced in a mix of stone and render with a clay tiled roof. The dwelling has a total floor area of 133 square metres and a ridge height of 6.8 metres and provides three bed accommodation.

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- 1.6 The appraisal is based on a 250 acre farm holding which, in 2000 achieved organic status and became a registered producer of organic vegetables, cattle and sheep. The financial information submitted shows that the difference between income derived from livestock and vegetable crops has become less over the last three years. The following figures are a summary of those provided and show these changes and the final net profit of the enterprise for each year: The publication of these figures has been agreed with the applicant and their agent.

	2007	2008	2009
Cattle	7,053	12,250	23,097
Sheep	18,976	19,227	20,631
Wool	291	58	254
Sub-Total	26,320	31,535	43,892
Vegetable crops sub-total	88,307	55,887	58,038
Net Profit	70,170	22,267	23,684

- 1.7 In terms of standard man days associated with livestock and vegetable crops, the appraisal states the following:

Total SMDs – Livestock	294
Total SMDs – Vegetable crops	211
Total SMDs – Other	97
Sub- total SMDs	602
+ 20% maintenance/management	120
Total SMDs	723

- 1.8 The appraisal concludes that the business is financially viable and, based on the premise that a single labour unit amounts to 275 SMDs, the enterprise has a labour requirement for 2.63 persons.

2. Policies

Herefordshire Unitary Development Plan

- 2.1 S1 - Sustainable development
 DR1 - Design
 DR5 - Planning obligations
 H7 - Housing in the countryside outside settlements
 H8 - Agricultural and forestry dwellings and dwellings associated with rural businesses
 LA2 - Landscape character and areas least resilient to change
 HBA4 - Setting of listed buildings

National Guidance

- 2.2 PPS7 – Sustainable Development in Rural Areas

3. Planning History

3.1 There is no planning history.

4. Consultation Summary

Statutory Consultations

4.1 None required

Internal Council Consultations

4.2 Transportation Manager – No objection

4.3 Conservation Manager – The setting of the listed outbuilding will not be affected by this proposal.

4.4 Head of Environmental Health & Trading Standards – No objection

4.5 County Land Agent – Considers that the enterprise is labour intensive and that labour needs to be quickly available for calving and lambing, as well as overall stock management. This part of the enterprise is more labour intensive than other livestock enterprises due to its organic status. Produce is delivered by the applicant from 0500 hrs onwards and the growing and harvesting season (April to October) is also labour intensive. He concludes that the business requires tight control of stock, produce and labour and that the provision of accommodation for a second agricultural worker would be beneficial. He also notes that the economic downturn appears to have impacted on the profitability of the business over the last two years. He suggests that the ability of the business to absorb the cost of two agricultural salaries, currently £14,630.40, and the annual repayments on borrowing to build a new dwelling, is marginal. However, if an average is taken of the three years 2007-09 then sufficient profit is made to sustain these costs.

5. Representations

5.1 Huntington Parish Council – Have no objection to the proposal and support the recommendations and conclusions of the agricultural appraisal.

5.2 The Council has not received any responses from the public in response to statutory consultation procedures.

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 key consideration to be made in determining this application is whether there is a need for a second agricultural workers dwelling based on the financial and functional viability tests as referred to by PPS7 and Policy H8.

6.2 The holding is currently served by a dwelling that is positioned immediately adjacent to its farm buildings and is occupied by the applicant and his family. It is from here that the change from what might be considered as 'typical' farming practice to that of organic status has been undertaken since 1998.

6.3 The enterprise appears to be based on a sound financial footing and the audited accounts confirm that it has been profitable for the past three years, well in excess of the average salary

of an agricultural worker. There is some doubt as to whether it has cleared a sufficient profit over the past two years to provide minimum salaries for two workers and cover the costs of the construction of a new dwelling, but an average figure over the last three years shows that sufficient profit has been made. The downturn can be attributed to the current economic situation and it is reasonable to assume that the business would return to greater profitability once the economy picks up. It is therefore concluded that the financial viability test is met.

- 6.4 It is also evident that the enterprise is labour intensive and this is confirmed by the comments of the Council's County Land Agent. However, the fact that it is labour intensive is not in itself justification for a second dwelling and what is less clear is the actual **functional need** for a second worker to be permanently resident on site. The appraisal shows that the livestock element of the business is growing in terms of the financial contribution it makes to the business as a whole and that it accounts for 294 standard man days per annum, just in excess of the 275 days expected of a single worker. The figures are further broken down to show that 93 days are spent with a beef suckler herd of 30 cows which calve between March and July. Animals are sold as finished cattle or as stores between 18-30 months old. The remaining 201 days are attributed to a 300 strong flock of breeding ewes.
- 6.5 The functional need in connection with livestock seems to be largely attributed to a requirement to be on site during the lambing and calving seasons. The appraisal suggests that the need for additional accommodation relates in part to the farm's relatively isolated location and the need to comply with Animal Welfare Codes of Good Practice and guidelines set out in Defra's Animal Health and Welfare Strategy.
- 6.6 It has been well documented with regard to lambing that temporary on-site accommodation needs can be met through the provision of caravans. The keeping of sheep is not considered to justify the provision of permanent residential dwellings and this application is no different in this respect.
- 6.7 In isolation, the keeping of a beef suckler herd of 30 cows is not especially labour intensive, and this is reflected in the standard man days attributed to the keeping of them. It is accepted that the calving season is longer than that of the lambing season but this is a small herd that is expected to give birth to 28 calves over a five month period. This need is considered to be more than adequately met by the existing dwelling.
- 6.8 The growing of organic vegetables is shown by the appraisal to be quite labour intensive, accounting for a total of 211 SMDs. The farm concentrates primarily on root vegetables with 22 acres given over to a combination of potatoes, carrots, beetroot and swedes. A further 8 acres is used to grow brassicas. None of these are crops that are sensitive to weather variations and there is nothing in the appraisal to suggest that there is a need for a second person to be on site to attend to any sort of emergency in connection with this aspect of the enterprise. It is acknowledged that the approach roads to the farm are narrow and single track, but this is no different to large parts of the county. It is approximately 4.5 miles from Kington where appropriate housing is more likely to be available. This is considered to be sufficiently close for a second agricultural worker.
- 6.9 In conclusion, the functional requirement for a second dwelling seems more to be based on the fact that the enterprise is labour intensive, rather than there being an overriding need for more than one person to be on site to respond to emergency situations and to ensure appropriate levels of animal welfare. The requirements of the holding are considered to be adequately met by the existing dwelling and therefore the application fails the functional test. For this reason the application is considered to be contrary to Policy H8 and Annex A of PPS7.
- 6.10 The initial concerns regarding the design of the dwelling raised by the case officer have been addressed through the submission of amended plans. The design and scale of the building is more reflective of the rural character of the area and the use of stone as a facing material on

large parts references the farm's traditional buildings. The site is sufficiently distant from the Grade II listed building not to have any demonstrable detrimental impact upon its setting. The site is discreetly sited behind existing vegetation that will act as a screen at close proximity. From middle and longer distances it will be seen in the context of the existing farm buildings and therefore will not be demonstrably visually prominent in its own right. In terms of siting, design and appearance the proposal is considered to comply with policies DR1, HBA4 and LA2 of the Unitary Development Plan.

- 6.11 At 133 square metres the dwelling is considered to be commensurate with the size of the holding. At approximately 50 metres away, it is close enough to be within sight and sound of the farm in order to respond to emergencies as suggested by PPS7 and Policy H8 of the Unitary Development Plan.
- 6.12 The Design & Access Statement accompanying the application states that all of the existing buildings on the site are in operational use, and this was evident from the case officer's site visit. Consequently there are no opportunities to make use of existing buildings in preference of new development as Policy H8 suggests.
- 6.13 However, due to the lack of a functional need for a second worker to be permanently resident on site, the proposal is contrary to Policy H8 and effectively constitutes a dwelling in the open countryside without any justification, contrary to Policy H7. The application is therefore recommended for refusal.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. **The applicant has failed to demonstrate that there is an overriding functional need for a second dwelling to serve the farm holding. The proposal is therefore considered to represent a new dwelling in the open countryside and without sufficient justification is contrary to Policies H7 and H8 of the Herefordshire Unitary Development Plan.**

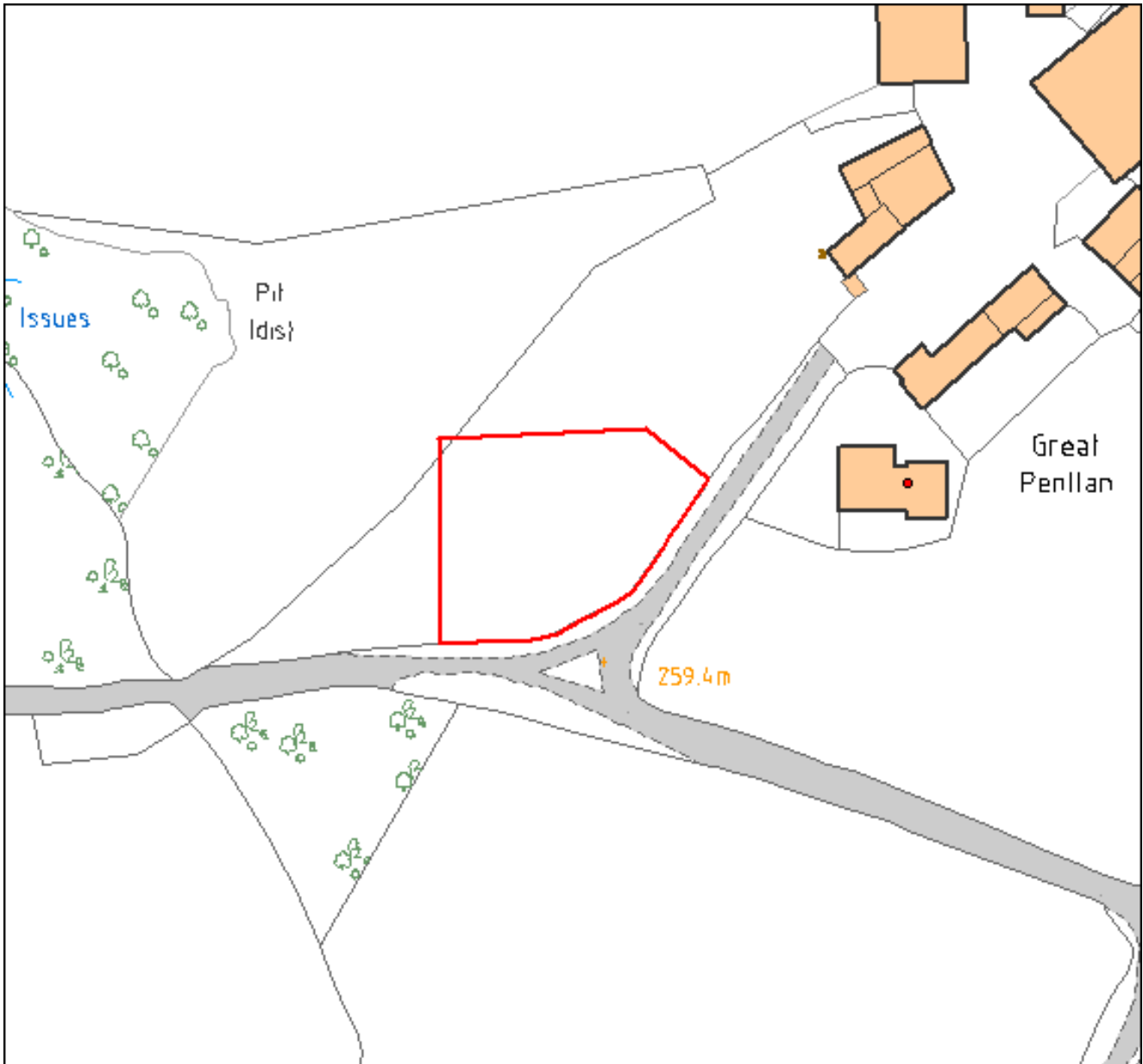
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : GREAT PENLLAN, BRILLEY, HEREFORDSHIRE, HR3 6JW

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