

MEETING:	PLANNING COMMITTEE
DATE:	14 DECEMBER 2011
TITLE OF REPORT:	<p>DMS/112954/F- CONSTRUCTION OF POULTRY MANAGER'S DWELLING ON LAND AT UPPER HOUSE FARM, MORETON ON LUGG, HEREFORD, HR4 8AH.</p> <p>For: Mr FSH Perkins, Upper House Farm Ltd, Moreton on Lugg, Hereford, HR4 8AH.</p>

Date Received: 20 October 2011 **Ward: Sutton Walls** **Grid Ref: 349611,245803**
Expiry Date: 15 December 2011
Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 Upper House Farm is located in open countryside off the west side of the A49(T), approximately 5 km north of Hereford, near Moreton-on-Lugg.
- 1.2 The proposal site is approximately 0.2 ha of existing agricultural land within Upper House Farm Ltd's landholding of around 43 hectares of mixed farming land comprising arable, orchard and poultry units. The proposal site is located to the west of existing poultry units and would be accessed through the main farm yard and a track alongside the poultry site.
- 1.3 The proposal is for a two-storey 3-bedroom agricultural dwelling with a single-storey integral farm office, to service the poultry enterprise. The gross residential footprint of the dwelling would be approximately 108 square metres. The single-storey office would add about 42 square metres.

2. Policies

2.1 National Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S4	-	Employment
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR5	-	Planning Obligations
H7	-	Housing in the Countryside outside Settlements
H8	-	Agricultural and Forestry Dwellings and Dwellings Associated with Rural Businesses
T8	-	Road Hierarchy
LA2	-	Landscape Character

3. Planning History

3.1	CW2004/3699/O	Outline permission for agricultural worker's dwelling.	-	Granted 06.04.2005
	CW2007/2438/RM	Reserved Matters on above.	-	Approved 29.08.2007
	DMS/102345/F	Replacements and extensions to poultry units.	-	Approved 24.11.2010.

4. Consultation Summary

Statutory Consultees

- 4.1 Highways Agency: We do not consider [the proposals] will lead to a detrimental impact upon the trunk road. Therefore we do not wish to offer any objection to the application.
- 4.2 Welsh Water: The applicant intends utilising a private treatment works and should contact the Environment Agency for information about regulation of this method of drainage disposal. If circumstances change and a connection to the public sewerage system is preferred we must be re-consulted.

Internal Council Advice

- 4.3 Traffic Manager: No objection
- 4.4 County Land Agent: The business has a sound financial base; it will be a modern efficient enterprise; the need for an additional specialist worker is definite; one person would not be able to run it on their own. The submitted confidential figures show the business to have been amply in profit and having sound future budgets. The financial test is passed.
- 4.5 Senior Landscape Officer: No comments received
- 4.6 Planning Obligations Manager: Agrees that the project is exempt from S106 obligations provided it would be commenced within one year.

5. Representations

- 5.1 Moreton-on-Lugg Parish Council: Supports this application.
- 5.2 Burghill Parish Council: No objection provided the agricultural dwelling condition is imposed.

5.3 The full text of these letters can be inspected at Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB and prior to the Committee meeting.

6. Officer's Appraisal

6.1 The case in support of an additional agricultural dwelling for a poultry manager at Upper House Farm was presented under outline planning application reference DCCW2004/3699/O, approved on 6 April 2005. Details of siting, design, external appearance, access and landscaping were reserved for future consideration. Reserved Matters were approved on 29 August 2007 under reference DCCW2007/2438/RM.

6.2 At the time, and until very recently, the poultry site comprised three units, established for more than 25 years, producing over 620,000 birds per year. The functional and financial tests to support an essential worker living on site were met and agreed under those circumstances in 2007. This new application explains that, soon after permission was granted, it became clear that construction of the additional dwelling in the approved location would compromise future expansion of the poultry enterprise in terms of available land and layout options. The applicant accepted the advice of the Council that a proposal to relocate the approved dwelling would require re-justification; this would best be achieved after finalising any expansion plans and, if approved, then making a fresh planning application.

6.3 Opportunities and feasibility studies for expansion were pursued by the applicant whilst the new dwelling was put on hold, although the site had been cleared and prepared. This resulted in planning permission being granted on 24 November 2010 under reference DMS/102345/F, to replace the three ageing units and add three more, as a major modernisation of the facility. The poultry development is now nearing completion and the new units stocked. The facility will increase production to between 1,875,000 and 2,000,000 birds per year under a standard 7/8-cycle per annum 'all-in-all-out' regime. The calculations and tests considered below are based on the poultry enterprise element of the farm, in terms of past and projected profitability.

6.4 The applicant has confirmed that the poultry enterprise is licensed/permitted by the Environment Agency; it is also regulated by the Assured Chicken Production (scheme) and contracted to Cargill Meats Europe. Cargill is committed to expanding the UK poultry market whilst reducing the percentage of imported meat. Under its contracts very strict standards are set for working practices, hygiene, bio-security and animal welfare.

Functional and financial tests

6.5 Annex A to PPS7 outlines the justification requirements for new houses in the countryside; in particular that proposals for permanent agricultural dwellings should demonstrate an existing need for a full-time worker on an in-profit unit already established for over three years, and where no alternatives are available.

6.6 A functional test must be met, such as the need to care for animals at short notice or deal with emergencies.

6.7 A financial test must also be met; to demonstrate profitability in at least one of the last three preceding years, and viability evidence to support the type of dwelling proposed.

6.8 The applicant has provided full details. These comprise:

- An explanation as to why the dwelling permitted in 2007 was not progressed at the time;
- Details of the justification presented at the time, which was accepted and the application approved;
- Background to the mixed farming enterprise and other current projects including orchard planting, arable cropping and poultry units

- Confidential financial accounts to demonstrate business viability year on year;
- An account of the daily and periodic duties and activities which are essential to the good management of the poultry enterprise, and are compulsory in terms of the contract to supply Cargill.

- 6.9 The County Land Agent has examined the application, including the confidential financial element of the submission. He has concluded that, in terms of the poultry enterprise element of the farm, the functional and financial tests outlined in PPS7 are fully met. He supports the proposal and states that an additional dwelling is essential to the proper management of the poultry units.
- 6.10 The submitted details demonstrate the need for an additional dwelling to service the poultry enterprise on its previously existing scale as well as for the new units now permitted and under construction. The financial details show the enterprise to be profitable and having viable future plans including investment in the new poultry units. The calculations to justify the need relate to the poultry enterprise separately from the rest of the farm activities. Officers accept the explanation as to why the new dwelling as approved was not progressed earlier and take the view that the requirements of PPS7 have been adequately met.

Criteria for 'need' relating to Policies H7 and H8

- 6.11 Policy H7 of the Herefordshire Unitary Development Plan does not permit housing in open countryside except under certain circumstances including agricultural need. Policy H8 sets four criteria for agricultural dwellings in addition to the PPS7 requirements to demonstrate a long-term genuine need within a financially viable existing business. In this case, there are no alternative existing buildings on the farm that could be utilised, and little scope for sourcing a house nearby that might be available or close enough to adequately service the responsibilities applicable to the expanded poultry site (criteria 1). The dwelling as proposed would be carefully sited so as to relate to the existing and new buildings (criteria 2). It would be of an appropriate scale and design for its setting (criteria 3) and would be broadly comparable to that previously approved as suitable accommodation for a poultry manager having the duties as described (criteria 4). Further points relating to house size and design are considered below. Officers accept the applicant's submission that the development would be necessary, and that existing site accommodation does not meet business requirements.
- 6.12 Officers are satisfied that the requirements for financial justification and the criteria for need as described above have been met, in compliance with policies H7 and H8. Conditions are proposed to ensure the dwelling is tied to agriculture and to finalise materials and details.

Design, size and visual impact

- 6.13 The proposal is for a 3-bedroom house with a reasonably-sized garden area suitable for a young family, with an attached single-storey farm office. The design would ensure a high quality aspect to the farm for future generations, and is compatible with the existing modern farmhouse. The new dwelling would be situated in the heart of the farm and the poultry unit area and would not be visible from close quarters in any direction. The applicant is in the process of undertaking extensive orchard planting on land surrounding the site, which would assist in further screening if deemed necessary. Approved landscaping related to the new poultry units would ensure the new dwelling would be accommodated in this setting. There would be no conflict with policy LA2
- 6.14 The agricultural dwelling approved but not built, under reference DCCW2004/3699/O and DCCW2007/2438/RM, was to have been a 2-bedroom house with a small attached farm office and a detached double garage. The overall total built footprint would have been approximately 130 square metres. This fresh proposal is for a three-bedroom house, and farm office with a wash-room accessible from outside, for hygiene and bio-security purposes. The total overall

proposed built footprint would be just over 150 square metres; a gross increase of around 20%. However, in terms of actual floor areas, there would be approximately a 40% increase in residential space compared to the previously permitted dwelling. The removal of the private double garage is noted however. The enlargement of the single-storey office by the addition of a washroom is considered acceptable. In the applicant's view a three bed-roomed house would not be disproportionate for a poultry manager employed for an enterprise of this scale, having regard to the responsibilities and expertise required. The County Land Agent has not raised any concerns about the size of the house, and officers accept the rationale in this instance. Policy H8 does not specify any particular size; it relies on PPS7 advice that '*Agricultural dwellings should be of a size commensurate with the established functional requirement*'. It is proposed to remove Permitted Development Rights, by a planning condition, to preclude ad-hoc extensions and ensure continuing compliance with PPS7 and policy H8. It is noted that this mechanism was not applied with regard to the previous Outline or Reserved Matters permissions.

Access

- 6.15 Upper House Farm has direct connection to the A49(T). The recently-constructed modern access road has good visibility which complies with Highways Agency specifications and has been over-engineered to take account of future uses. The Highways Agency has no concerns or objections with regard to the additional dwelling and the Traffic Manager likewise has no comments. There would be no conflict with policy T8.

Sewerage

- 6.16 The application states that the proposal would include installation of a package sewage treatment unit suitable for a 3-bedroom (5-person) capacity. This meets non-mains sewerage requirements set out by the Environment Agency in their Regulatory Position Statement 116, Version 1, August 2011. There are no concerns with regard to foul drainage on this basis.

Section 106

- 6.17 The application includes an explanatory letter which confirms an intention to complete the dwelling within one year of approval. At present this meets the S106 exemption requirements, to be secured by a planning condition.

Conclusion

- 6.18 The need for a poultry manager's dwelling was accepted in 2005. With the upgrading and enlarging of the poultry enterprise the need is considered to be increased, in order to meet modern management requirements. The house would be in keeping with the surroundings and appropriate for its purpose. The farm office is accepted as necessary. The application demonstrates key compliance, in particular with PPS7 and UDP policies H7 and H8, and as such is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission) ONE YEAR**
- 2. B01 Development in accordance with the approved plans**
- 3. F27 Agricultural occupancy**
- 4. F14 Removal of permitted development rights**

5. The development hereby permitted shall not be commenced unless or until a Unilateral Undertaking has been completed to confirm the revocation of planning permissions reference DCCW2004/3699/O and DCCW2207/2438/RM.

Reason: To ensure that only one permission is implemented in the interests of a satisfactory form of development to comply with policies S2, DR2 and H8 of the Herefordshire Unitary Development Plan

6. C01 Samples of external materials
7. G09 Details of Boundary treatments

INFORMATIVE:

1. N15 Reason(s) for the Grant of Planning Permission

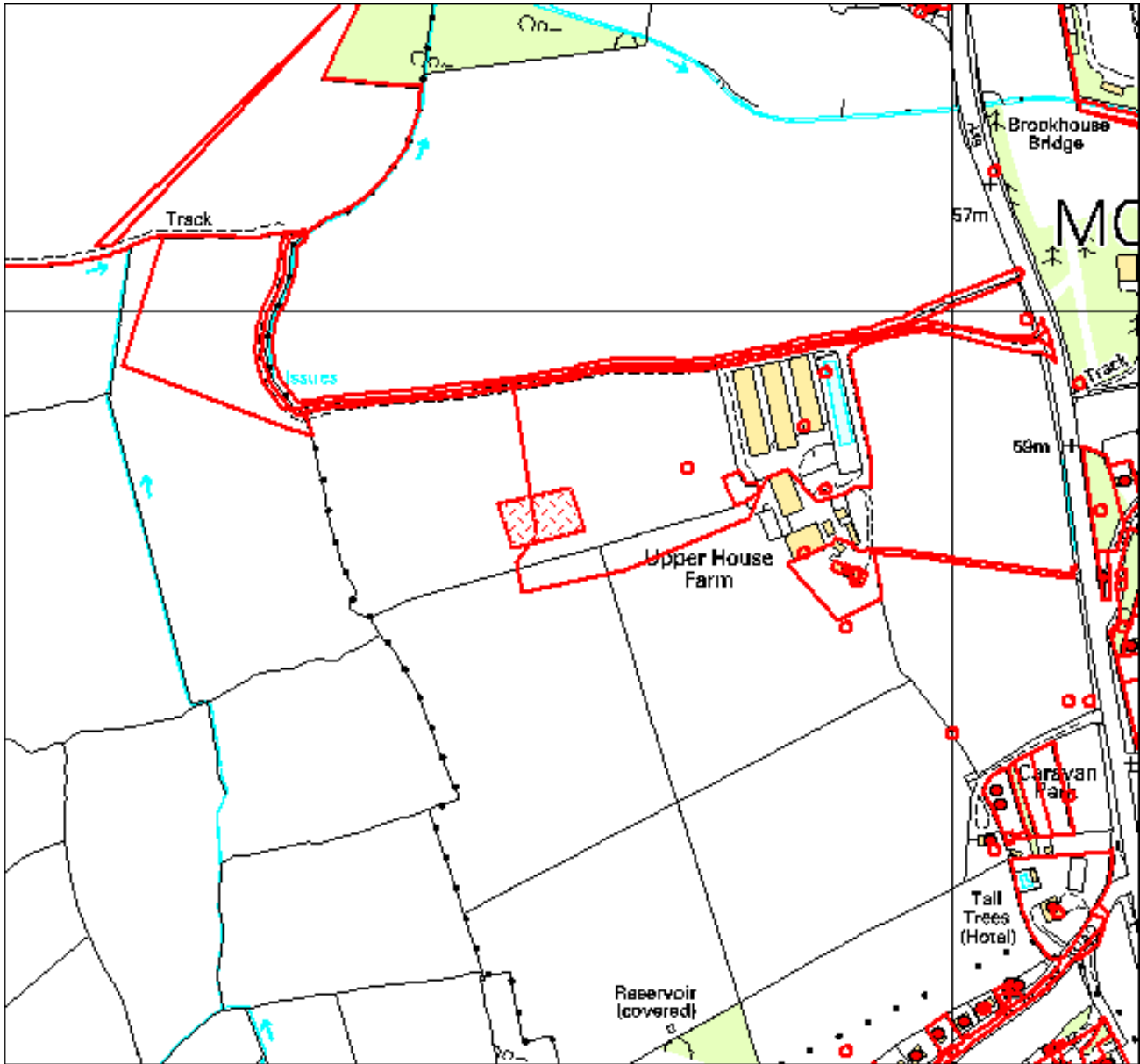
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/112954/F

SITE ADDRESS : UPPER HOUSE FARM LTD, MORETON ON LUGG, HEREFORD, HR4 8AH

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