

MEETING:	PLANNING COMMITTEE
DATE:	9 OCTOBER 2013
TITLE OF REPORT:	S122305/F - FOUR MOBILE HOMES UNITS TO PROVIDE HOUSING ACCOMMODATION FOR SEASONAL WORKERS (RETROSPECTIVE) AT WHITEHALL FARM, HAMPTON BISHOP, HEREFORDSHIRE For: Mr Rogers per Mr Colin Goldsworthy, 85 St Owen Street, Hereford, Herefordshire, HR1 2JW
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122305&NoSearch=True

Date Received: 13 August 2012

Ward: Backbury

Grid Ref: 355604,238128

Expiry Date: 15 October 2012

Local Member: Councillor J Hardwick

1. Site Description and Proposal

- 1.1 The application site lies to the rear of a group of large agricultural style buildings, some of which are now in use for commercial purposes, on the north side of the unclassified 72203 road that loops through Hampton Bishop. The site lies within the Hampton Bishop Conservation Area. It is largely screened from the dwellings to the north by an earth bund.
- 1.2 This is a retrospective application for the retention of 4 mobile homes (static caravans) for agricultural occupation.
- 1.3 The previous report, (ref 122304) relates to an adjacent site and should be read in conjunction with this report.

2. Policies

2.1 National Planning Policy Framework

- Chapter 1. Delivering sustainable development
- Chapter 3. Supporting a prosperous rural economy
- Chapter 6. Delivering a wide choice of high quality homes (particularly para 55).
- Chapter 12. Conserving and enhancing the historic environment

2.2 Herefordshire Unitary Development Plan (HUDP)

- S1 - Sustainable development
- S2 - Development requirements
- DR1 - Design
- DR4 - Environment

Further information on the subject of this report is available from Mr M Tansley on 01432 261815

- H4 - Main villages: settlement boundaries
- H7 - Housing in the countryside outside settlements
- H8 - Agricultural and forestry dwellings and dwellings associated with rural business
- HBA6 - New development in conservation areas
- E12 - Farm diversification

2.3 Herefordshire Local Plan Draft Core Strategy

- S1 - Presumption in favour of sustainable development
- RA2 - Herefordshire's villages
- RA4 - Agricultural, forestry and rural enterprise dwellings
- LD4 - Historic environment and heritage assets

2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 S121411 certificate of existing lawful use - withdrawn 13/7/12

4. Consultation Summary

4.1 Transportation Manager: No objection.

4.2 Natural England: No objection.

5. Representations

5.1 Hampton Bishop Parish Council: No comment received.

5.2 Letters of support have been received from two local residents

5.3 In support of this proposal the agent advises:

For very many years two of the mobile homes have existed on site serving the needs of the farm for over 18 years. The reason that these homes are on site is because it allows unskilled labour to be employed. Much of the short term rental accommodation is too expensive and this would mean that employment of the available work force becomes very difficult. It is very important to be able to offer this accommodation.

Public transport to the site is available but does not run on a very frequent basis. Creating yet another difficulty for the employed labour.

During the time that these homes have existed they have not been a nuisance to the local community. Refer to enclosed letter of support. (this is one of the two referred to in 5.1). This is evidenced by the fact that there has been no complaint or reference to them until very recently and this maybe because of the additional units that have appeared, these are being applied for retrospectively and under a separate application.

The four units serve a 350 acre holding which is used for intensive horticulture crops and has many enterprises that involve employees on the minimum wage (unskilled labour) throughout the year.

The siting of the units is set well back from the road and there is an earth bund and some fencing that effectively screens them from the nearest dwellings located to the north.

The collection of the asparagus involves a period of very intensive work.

In PPS7 appendix B paragraph B4 (v) caravans could be located on the farm under permitted development rights but there is an implication that when not in use they should be removed from site. For reasons stated elsewhere in this letter the applicant is leaving them on site and for this reason permitted development rights do not appear to apply.

The requirement for these homes is best judged under paragraph 15 of PPS7 annex A.

The units are to house seasonal workers and therefore the functional test is not directly relevant as written.

Paragraph 3 relates to permanent dwellings and these are not, they are OTHER OCCUPATIONAL DWELLINGS. The comments below are listed more or less chronologically in line with paragraph 3.

The farm has existed for well over the three year period mentioned, it is profitable, it is financially sound and has a very clear prospect of remaining so.

The functional need cannot be met in any other way. For reasons mentioned above there is little opportunity for suitable existing accommodation.

The vehicular access is very good and uses the existing entrance into the farm. The impact into the landscape is minimal. There is, as mentioned above, screening and also a backcloth of very large steel framed buildings.

Reference to the abuse is not applicable because the homes are all portable and should there be no further use for them they can be easily removed.

The statement regarding food processing relates to permanence and not temporary mobile units.

The scale and the nature of the need to house workers can be justified historically and figures can be provided as required.

The mobile homes are of a scale to suit the enterprise and the need that has to be satisfied. Because the homes are portable they do not require to be enlarged. The homes are set alongside the farm buildings.

Finally the reason for not removing the homes when not being used by seasonal workers is because it would be uneconomical to remove them to another site where they would be less intrusive than on the farm where the siting, screening and impact has been dealt with.

- 5.3 Drainage information has also been submitted to deal with the Habitat Regulations.
- 5.4 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 The agent's comments above refer in part to annex A of PPS7 which has been cancelled. The consideration of agricultural need is now set out in policy H7 of the UDP and RA4 of the draft Core Strategy. The comment about permitted development rights however remains valid.
- 6.2 It is not questioned that seasonal workers are required, but whether the caravans are required all year round. The case submitted by the agent does not claim this but sets out why it would be impractical to remove the caravans when not being occupied under permitted development rights.
- 6.3 It is accepted that even moving as few as 4 static caravans to another site, off season, of potentially greater impact, can cause problems. In accepting this it then requires consideration of the conservation area test, i.e. does the proposal preserve or enhance the Hampton Bishop Conservation Area. As with the previous report they do not, however, in this instance the caravans may remain under permitted development rights whilst required for seasonal workers. The nature of agricultural work is such that there can be over lapping 'seasons', depending upon the crop involved. It is therefore not unreasonable to expect there to be a seasonal need for in excess of half of the year.
- 6.4 On this basis the additional harm to Hampton Bishop Conservation Area, over and above the permitted use, is not considered to outweigh the benefit of not having to remove the caravans annually. There are sites on farms throughout the county where permission to allow seasonal caravans to stay on the farm, beyond the permitted seasonal period, has been granted. It is considered that such a pragmatic approach is also acceptable here, and the application is recommended for approval accordingly.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The occupation of the mobile homes hereby approved shall be limited to a person or persons, including resident dependants, working in agriculture at Whitehall farm, Hampton Bishop.**

Reason: It would be contrary to policy H7 and H8 of the Herefordshire Unitary Development Plan to grant permission for mobile homes in this location, but for the agricultural need of this particular farm.

- 2. The applicant shall, on written request of the Local Planning Authority, provide details of residents of the mobile homes and the work they are engaged in on the farm, within 10 days of any such request.**

Reason: To ensure compliance with policy H8 of the Herefordshire Unitary Development Plan.

- 3. Within 3 months of the date of this permission foul drainage shall have been provided in accordance with details to be provided to and agreed in writing by the Local Planning Authority.**

Reason: In order to comply with the Habitat Regulations and policy DR4 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

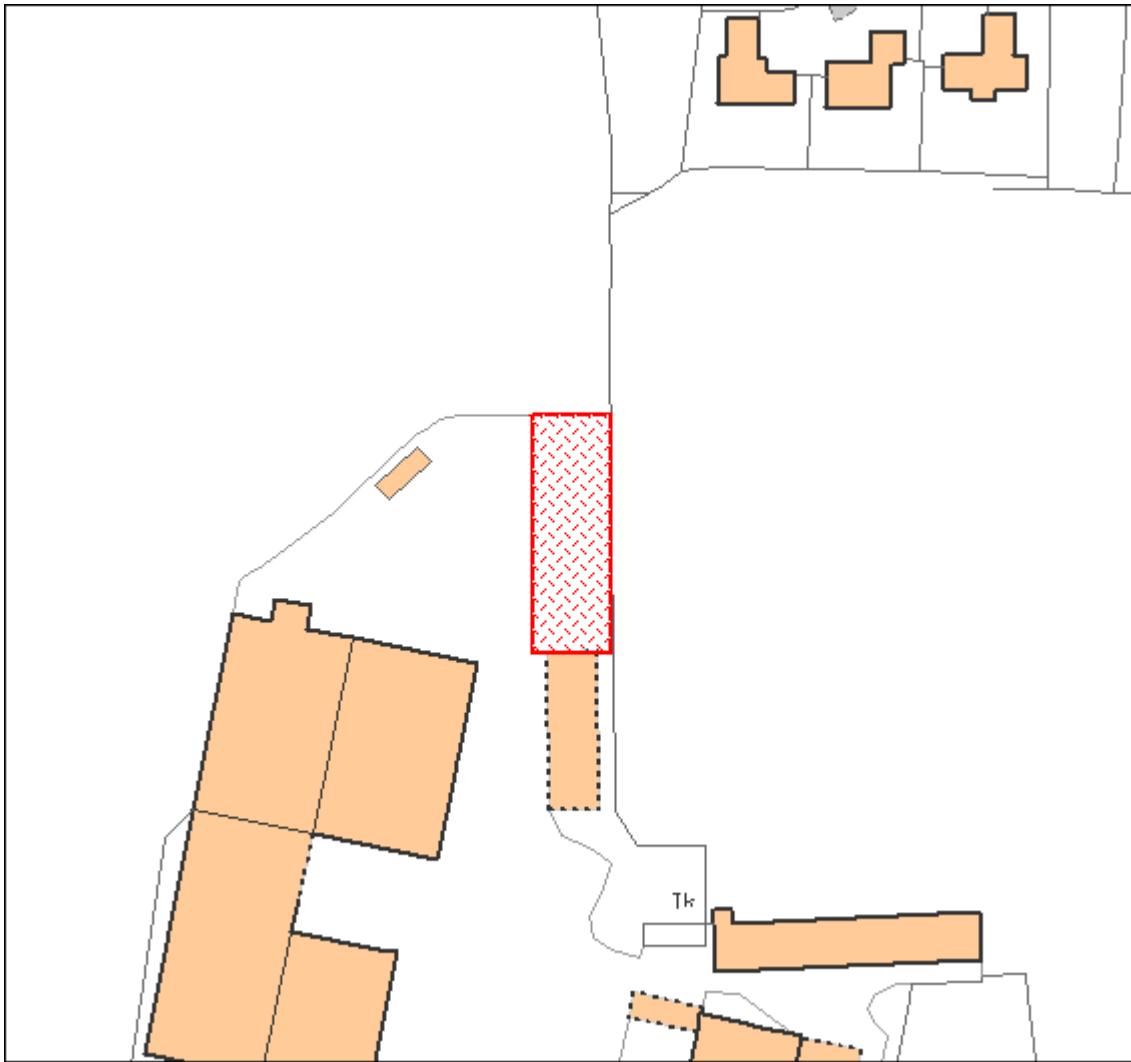
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 122305/F

SITE ADDRESS : WHITEHALL FARM, HAMPTON BISHOP, HEREFORDSHIRE

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