

**6 DCNW2004/3221/F - SITE FOR MOBILE HOME FOR AGRICULTURAL MANAGEMENT OF LIVESTOCK (TEMPORARY) AT LAND AT WOONTON, HEREFORDSHIRE**

**For: Mr J Mills per McCartneys The Ox Pasture  
Overton Road Ludlow Shropshire SY8 4AA**

**Date Received:**  
**28th September 2004**

**Ward:**  
**Castle**

**Grid Ref:**  
**35862, 51886**

**Expiry Date:**  
**23rd November 2004**

Local Member: Councillor J Hope

## **1. Site Description and Proposal**

- 1.1 The application site comprises a 0.02 hectare plot of land to the south of the two farm buildings found in this location. Mr Mills currently resides at Lower Wootton Farm where 37 hectares are farmed. Six years ago Mr Mills purchased a further 34 hectares and it is in relation to this land and the associated farm buildings that permission is now sought for the mobile home. The land associated with this application has previously been laid to arable crops. It is now intended to develop the livestock enterprise on this site.
- 1.2 The proposal is for a mobile home to be located to the rear of the agricultural buildings currently found on site. The application as originally submitted called for a location adjacent to the existing farm buildings but this was amended due to concerns over the impact on the landscape and visual amenities of the locality.

## **2. Policies**

### **2.1 National Policies**

PPG1 - General Policy and Principles  
PPS7 – Sustainable Development in Rural Areas

### **2.2 Hereford and Worcester County Structure Plan**

H16A - Development Criteria  
H20 - Residential Development in Open Countryside  
CTC9 - Development Criteria  
A4 - Development Considerations

### **2.3 Leominster District Local Plan**

A1 - Managing the District's Assets and Resources  
A2(D) - Settlement Hierarchy  
A9 - Safeguarding the Rural Landscape  
A12 - New Development and Landscape Schemes

A24 - Scale and Character of Development  
A41 - Protection of Agricultural Land  
A43 - Agricultural Dwellings  
A70 - Accommodating Traffic from Development

#### 2.4 Herefordshire Unitary Development Plan (Deposit Draft)

S1 - Sustainable Development  
S2 - Development Requirements  
DR1 - Design  
H7 - Housing in the Countryside Outside Settlements  
H8 - Agricultural and forestry dwellings and dwellings associated with rural businesses  
T11 - Parking Provision

### 3. **Planning History**

NW01/3362/F: Agricultural building – Approved, 13<sup>th</sup> March 2001

NW01/0067/F: Extension to agricultural building – Refused, 3<sup>rd</sup> May 2001

NW98/0357/N: Agricultural building – Approved, 25<sup>th</sup> September 1998

### 4. **Consultation Summary**

#### Statutory Consultations

4.1 Environment Agency – Raised no objection

4.2 Welsh Water raised no objection

#### Internal Council Advice

4.3 Traffic Manager - Raised no objection to the proposed development

4.2 Conservation Manager - No objections to the revised siting, subject to a condition requiring landscaping

### 5. **Representations**

5.1 Almeley Parish Council raised no objection to the original siting. No response has been forthcoming to the revised location.

5.2 Neighbours - Three letters were received in relation to the original siting of this dwelling:

- Hibbert, J. Hall Mote, Woonton
- Shayler, D & E. Crispin, Woonton
- Bloss, P. Sunnybank, Woonton

The comments raised can be summarised as follows:-

1. Harm to landscape caused by siting;
2. Current lack of use of farm buildings on site;
3. Availability of alternative properties;
4. Lack of demonstrated need for the dwelling at this location;
5. Long term plan for a permanent dwelling;

6. Suggestion of two dwellings being needed.

A further letter, again from Crispin, Woonton was received in response to the revised siting raising the following points:

1. Siting is not as desired by Mr Mills but rather that of the Landscaping Officer;
2. Loss of view;
3. Loss of privacy.

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

## **6. Officers Appraisal**

### Principle of Development

- 6.1 It is suggested that the most appropriate way to consider an application such as this is first to establish the acceptability of the proposal in relation to the five areas of consideration specified under Planning Policy Statement 7: Sustainable Development in Rural Areas. These are:

- Existing functional need
- Requirement for full time worker
- Establishment and profitability of the unit
- Availability of alternative accommodation
- Satisfaction in relation to other planning requirements

The above issues are reflected in the adopted Leominster District Local Plan, Policy A34 and the emerging Herefordshire Unitary Development Plan, Policy H8.

- 6.2 In relation to points 1, 2 and 4, supporting information has been submitted. The need for this mobile home is justified by the new operations to be undertaken in the farm buildings adjacent to the application site. In this instance a new farm enterprise is intended for this site and the operation in question, namely livestock, requires someone resident on site to ensure the welfare of said livestock. Clearly an arable operation requires no on site resident but such livestock welfare cannot be guaranteed by off site provision in this instance. The need for a resident on site is accepted in this case with no dwellings within the financial reach of a farm worker identified as available in a location that could serve this new operation. The confusion over the two dwellings suggestion is confirmed as a grammatical error; only a single dwelling is requested in this location. Although the financial stability of the wider farm operation can be demonstrated, the financial viability of this new operation cannot. PPS7 specifies that in such circumstances temporary dwellings will be entertained. Clear evidence of a sound financial footing has been provided and the investment in the farm buildings on site demonstrates the intention to develop this enterprise.

- 6.3 Point 5 will be considered in the section of this report subsequent to this.

### Other Issues

- 6.4 The other issues considered to be associated with this application revolve around the siting and access. The design and scale are clearly not matters for consideration due to the application type.

- 6.5 Considering first the access arrangements, these are considered acceptable with the dwelling accessed via the existing field access point serving the existing farm buildings.
- 6.6 Turning to the matter of siting, the original proposal was influenced by the applicants desire to accommodate his neighbours wishes, together with the restrictions of the site which is limited by covenant and under grounding piping. Unfortunately the proposed siting was prominent and considered harmful to the landscape of the wider locality. The revised siting addresses this problem and it is considered that this siting is such that the impact of the proposed layout upon the landscape will be little greater than that of the existing farm buildings. The result of this re-siting is that the dwelling is now in closer proximity to a dwelling, 'Crispin'. The proposed siting will impact upon the view from the grounds of 'Crispin' and a whilst degree of privacy will be lost this will not be to an unreasonable degree. It is not considered that the residential amenities of this property are harmed to an extent that could justify refusal.
- 6.7 On balance it is therefore considered that this proposal is acceptable and, subject to appropriate conditioning, should be supported.

### **RECOMMENDATION**

**That planning permission be permitted subject to the following conditions:**

- 1 - A01 (Time limit for commencement (full permission))(one year)**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

- 2 - A09 (Amended plans)**

**Reason: To ensure the development is carried out in accordance with the amended plans.**

- 3 - E23 (Temporary permission and reinstatement of land (mobile home)(5<sup>th</sup> January 2008)**

**Reason: The local planning authority is not prepared to permit a residential mobile home in this location other than on a temporary basis having regard to the special circumstances of the case.**

- 4 - E28 (Agricultural occupancy)**

**Reason: It would be contrary to Development Plan policies to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.**

- 5 - G01 (Details of boundary treatments)**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**Informatives:**

- 1 - NO3 (Adjoining Property Rights)
- 2 - N15 (Reasons(s) of Grant of PP)

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.