

25 DCNC2005/0055/F - PROPOSED FARMHOUSE AT LOWER POOL FARM, LEYSTERS, HEREFORDSHIRE, HR6 0HN**For: Mr & Mrs N Greener per Mr D Dickson, 101 Etnam Street, Leominster, Herefordshire, HR6 8AF****Date Received:**
10th January 2005**Ward:**
Upton**Grid Ref:**
55310, 63364**Expiry Date:**
7th March 2005

Local Member: Councillor J Stone

Introduction

This application was deferred at the last meeting of the Sub-Committee for the submission of amended plans that deleted reference to the fisherman's mess/restroom.

1. Site Description and Proposal

- 1.1 Pool Farm is a 22.23 hectare (approximately 55 acres) agricultural unit located on the south-east side of the A4112. There is a range of livestock and storage buildings adjacent to the farm drive and alongside this is temporary living accommodation. The site is located in open countryside.
- 1.2 Amended plans have been received which proposes a 2-storey, 4-bedroomed farmhouse with sitting room, dining room, kitchen/breakfast room. Utility, farm office with shower room and toilet and cloakroom on the ground floor, and detached 3-bay garage/car port to be located on the north side of the farm buildings.

2. Policies**2.1 Leominster District Local Plan (Herefordshire)**

- A.2 – Settlement hierarchy
- A.24 – Scale and character of development
- A.43 – Agricultural dwellings

2.2 Hereford and Worcester County Structure Plan

- A4 – Agricultural dwellings
- CTC9 – Development criteria

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- H8 – Agricultural and forestry dwellings and dwellings associated with rural businesses

- 2.4 PPS1 – Delivering Sustainable Development
PPS7 – Sustainable Development in Rural Areas

3. Planning History

NC2002/2371/F - Temporary siting of 2 portacabin type structures to provide living accommodation. Approved 7.11.02.

NC2002/2372/F - Extend existing pool for fishing. Approved 30.10.02.

NC2003/0670/F - Retrospective application for siting of a residential caravan. Approved 28.4.03.

NC2003/1304/F - Amend siting of fishing pool. Approved 25.6.03.

DCNC2004/2689/F - Proposed farmhouse. Refused 30.9.04 for the following reason:

'The proposed dwelling, in view of its overall size, is not considered to be commensurate with the functional need of the farming enterprise and, as such, the future occupation of the property, in accordance with the occupancy condition, would be compromised due to the relatively high value of such a property. Consequently, the proposal is contrary to the advice set out in Annex A of Planning Policy Statement 7 - Sustainable Development in Rural Areas and Policy A43 of the Leominster District Local Plan (Herefordshire).'

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency: No in principle objection.

Internal Council Advice

4.2 Traffic Manager: No objection.

5. Representations

5.1 Leysters Parish Council: 'The smaller size of the revised application meets with our approval and is more appropriate. However our previous comments made on the application dated 18.8.04 particularly in reference to screening and the agricultural tie still apply.'

5.2 The applicant has said:

a) An application for a farmhouse has been previously refused under delegated powers, DCNC2004/2689/F, refers. An appeal has been lodged. The refusal was because of the size of the proposed dwelling not being commensurate with the functional needs of the holding.

b) Since the refusal, the farmhouse has been redesigned and clear divisions drawn between what is essential to the management needs of the farm and the accommodation required for family habitation. The reduction in size is by 25%.

c) The accommodation will also provide facilities for visiting fishers.

d) Planning permissions exists for a fishing pool, NC2003/1304/F. The landscaping for the pool has been agreed and commenced with the removal of an overhead electricity line.

e) It is appreciated that, strictly speaking, the pool and fishing activities cannot be considered farming but they do come under the heading of tourism and recreational activities. Once constructed and stocked, this side of the farm enterprise will generate employment and further income, not only from fishing but also from bed and breakfast accommodation.

f) It is appreciated that the formula for which the size of any farm dwelling is calculated is imprecise and that the calculation is loosely based on the profit generated from the farming activities being sufficient to pay a mortgage for the size of the dwelling proposed.

g) It is, in our opinion, inequitable to make a judgement on this kind of application by assessing what is commensurate with the needs of the holding. What about long-term management plan for the farm, the family requirements, the finances of the farm and those of its owners?

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

6.1 This application has been submitted following the refusal of DCNC2004/2689/F where it was considered the proposed farm dwelling was of a size not commensurate with the agricultural needs of the holding. An appeal has been lodged against that decision and awaits determination.

6.2 Planning permission has been granted for temporary living accommodation on this agricultural unit, NC2002/2371/F refers, and subsequent approval under NC2003/0670/F. The permissions were granted for the applicant to establish an agricultural functional need in accordance with the requirements of PPG7, now PPS7. Notwithstanding the applicant's opinion at (g) above, the PPS requires any dwelling for agricultural purposes to be commensurate in size with the established functional requirements of the holding. The PPS does not provide a definition of commensurate. However, the PPS continues, "dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted". As a rule of thumb, officers consider that farm dwellings should not exceed 120 sq m, a floor area that has been upheld on appeal elsewhere. It is the requirements of the farming enterprise, rather than those of the owner or occupier, that are relevant in determining the size of the dwelling that is appropriate to a particular holding. The dwelling proposed in this application has a total floor area of 149 sq m having been reduced from 245m². However, in the opinion of your officers the dwelling remains too large. The garage/carport is some 64m². The applicant has not given any justification as to why a dwelling of the size proposed is essential to the agricultural needs of the enterprise. The fishing lake does not form part of the agricultural needs.

- 6.3 Given the limited size of the holding, a little over 22 hectares, it is not considered the dwelling is commensurate in size to the agricultural needs of the enterprise. The matter of commensurate size is important not only as a means to prevent inappropriately large dwellings in the countryside, but to ensure the affordability of the dwelling, an important factor in ensuring the long term retention of housing for the agricultural community.

- 6.4 In terms of siting only the proposal is considered acceptable in that it will be located adjacent to farm buildings.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The proposed dwelling, in view of its overall size, is not considered to be commensurate with the functional need of the farming enterprise and, as such, the future occupation of the property, in accordance with the occupancy condition, would be compromised due to the relatively high value of such a property. Consequently, the proposal is contrary to the advice set out in Annex A of Planning Policy Statement 7 - Sustainable Development in Rural Areas, and Policy A43 of the Leominster District Local Plan (Herefordshire).**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.