

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	15 th December 2010		
Application Number	10.03028.OUT		
Site Address	Clouds Farm, Box Hill, Box		
Proposal	Erection of Agricultural Workers Dwelling (Outline)		
Applicant	Messrs C & F Freeman		
Town/Parish Council	Box		
Electoral Division	Corsham Without and Box Hill	Unitary Member	Dick Tonge
Grid Ref	383777 169350		
Type of application	Outline		
Case Officer	Emma Pickard	01249 706637	Emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been called in to committee by the local councillor Dick Tonge to consider the business case for the dwelling.

1. Purpose of Report

To consider the principle of an agricultural workers dwelling and to recommend that the application be GRANTED subject to condition.

2. Main Issues

The key points to consider are;

- Whether the erection of an agricultural workers dwelling is justified under the tests as identified within PPS7 (Sustainable Development in Rural Areas);
- Impact of development in relation to policies;
 - NE1 (Western Wiltshire Green Belt)
 - NE4 (Areas of Outstanding Natural Beauty)
 - NE5 (Nature Conservation Sites of International Importance)
 - NE6 (Nature Conservation Sites of National Importance)
 - H4 (Residential Development in the Countryside)
 - C3 (Development Control Core Policy)

3. Site Description

The site is proposed off an existing access track to Clouds Farm, which takes access from Boxfields Road. The working farm site is located a few metres further along this track. The site is located in the north eastern corner of an existing pony paddock and measures approximately 50m x 40m (the southern boundary is 30m).

There are existing stables adjacent to the east boundary with gardens beyond which are associated with the cottages to the south. The land is open to the south and west but has mature vegetation to the north and east boundaries.

The site is within the open countryside, within the green belt, an area of outstanding natural beauty and a nature conservation site of national and international importance.

Clouds Farm is an existing farming enterprise comprising a suckler herd and an agricultural contracting business. The applicants own the freehold of 24ha (60acres), 19ha (47 acres) are occupied under farm business tenancy, with four years unexpired, and 42ha (104 acres) held on grazing agreement. Approximately 207ha (500acres) are farmed under contract farming arrangements and in addition the applicants undertake contract services across approximately 1,200 – 1,600 ha (3,000 – 4,000acres).

4. Relevant Planning History		
Application number	Proposal	Decision
10.01408.OUT	Erection of Agricultural Workers Dwelling	Withdrawn

5. Proposal

The application is in outline and proposes the erection of an agricultural workers dwelling in connection with the existing farming business.

6. Consultations

Box Parish Council: Strong objections. There is a considerable amount of land that is rented and not under the control of the applicant. It is not considered that this would be sustainable as the number of cattle could vary as quickly in the future as it has in the past. This has been running as a farm for a considerable length of time without the need for a house. It is felt that an agricultural condition could not be enforceable.

Highways: As the dwelling is located remote from local services and public transport and would be reliant on private vehicles, object on the grounds of sustainability. However, if you are minded to approve, I am satisfied that the site provides adequate parking and turning and the access is suitable for minimal increase in vehicular movement.

Ecologist: Site is located within the Bradford and Bath Bats Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) due to its proximity to Box Mine which is an internally important roost site for horseshoe and Bechstein's bats. The landscape between and surrounding these sites is also integral to the overall designation through the function of foraging areas and commuting routes. Whilst it is not known if the trees on the boundary of the site are used by commuting foraging bats, it is assumed to be significant to the integrity of the designated site. As the proposal is in outline only it is recommended that a condition be added to protect the tree line. The site is considered to be of sufficient size to accommodate the development without the need to remove any significant trees. Access should be located to avoid removal of mature trees and minimise shrub removal where possible.

Adoptions and Inspections Officer: I believe this application is outside the distance thresholds for Box recreation ground and therefore I do not wish to request an off-site contribution for open space.

Agricultural Consultant: The functional and financial tests are met and the proposed dwelling does not appear to be unusually large in relation to the identified functional need at the holding. (Report dated 13/09/2010)

Environmental Health: No objection subject to condition.

7. Publicity

The application was advertised by site notice and press advert.

8. Planning Considerations

Agricultural Need

Policy H4 of the North Wiltshire Local Plan 2011, states that new dwellings in the countryside outside the framework boundaries will be permitted provided that, i) it is in connection with the essential needs of agriculture or forestry or other rural based enterprise.

Annex A of PPS7 provides guidance on proposals to erect agricultural dwellings. It states that isolated new houses in the countryside may be justified when required for agriculture, provided that:

- i) there is a clearly established existing functional need;
- ii) the need related to a full-time worker, or one who is primarily employed in agriculture and does not related to a part-time requirement;
- iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

An independent agricultural consultant engaged by the Council has assessed the proposal in relation to the above criteria. He comments that the applicants have established a very substantial and well equipped farming and agricultural contracting business at the application site, where there is an existing need for just over one full time worker.

With regard to the financial test, the applicants provided accounts for the agricultural business for recent trading periods and he considers the agricultural unit appears to be both profitable and viable.

Whilst the applicants concern about security at the holding can be taken into account when assessing functional need, according to Annex A, the existing functional need has been assessed specifically in relation to the requirement for close attendance of the 61 head of breeding cows and in-calf heifers. In the consultants opinion there is a need for close attention during calving and the existing number of livestock is sufficient to require an essential presence on the site at most times.

The application, although in outline, gives the size of the proposed dwelling at 160sq.m. In the consultants opinion this would not constitute 'unusually large' and would be acceptable in terms of the tests within PPS7.

Landscape Designations

The site lies within the Western Wiltshire Green Belt, within which there is a presumption against 'inappropriate development', this includes the erection of new dwellings unless for agriculture or forestry. The criteria within PPS7 have been met and the principle of development is not, therefore, inappropriate.

Consideration should then be given to the siting of the dwelling in relation to the preservation of the openness of the green belt and whether or not the development conflicts with the purpose of including land within that designation. In addition, the site is within the Cotswolds Area of Outstanding Natural Beauty, within which the proposed development should conserve or enhance the natural beauty of the landscape.

The dwelling would be set back from Boxfields Road by approximately 100 metres. The significant amount of mature vegetation along this road will obscure the view of the dwelling from this public vantage point. In addition, from Boxfields Road the dwelling would be seen in context with the stables behind and dwellings to the south.

The site is adjacent to the existing farm access road. There are mature trees and hedging to the northern and eastern boundary of the site which will help to soften and screen the dwelling within its surroundings. A condition will be applied to ensure the retention of these trees.

The land is relatively flat within the immediate locality but within the context of existing features it is considered that a dwelling sited in this location would be relatively unobtrusive. Conditions are likely to be applied at the detailed stage to restrict the erection of outbuildings within the site, which will help minimise any intrusion into the landscape. It is considered with an appropriately designed dwelling at detailed application stage (with a maximum size of 160sqm), that construction of an agricultural workers dwelling in this location would preserve the openness of the green belt and preserve the natural beauty of the area.

Wiltshire council's Principal Ecologist is satisfied that, subject to a tree protection condition, the proposal would ensure the preservation of the SAC and SSSI.

It is considered that the proposal meets the criteria in policy C3 with regard to the natural environment, residential amenity and access arrangements.

In respect of the comments from highways, it should be noted that proposals for agricultural workers dwellings, by their nature, are an exception to the general stance regarding the sustainable location of development.

9. Conclusion

There is sufficient evidence to justify the erection of an agricultural workers dwelling in association with the farming enterprise at Clouds Farm. The dwelling would be sited in a location that would preserve the special features of the landscape designations which the site is located within.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposal for an agricultural workers dwelling has been justified within the guidelines as set out in PPS7 and as such is not considered as inappropriate development within the green belt. The dwelling would be located in an area which is well related to the farming enterprise and where the new building could be designed to sit relatively unobtrusively within the landscape. It is considered that the proposal meets the criteria as set out in policies NE1, NE4, NE5, NE6, H4 and C3.

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;
 - (e) The means of access to the site.

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plan; Location plan scale 1:2500, dated 3rd August 2010.

REASON: To ensure that the development is implemented as approved.

4. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

5. There shall be no works to, or removal of, any trees or shrubs within the site without the prior written approval of the local planning authority.

REASON: To protect the wildlife and the ecological interest of the site.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	

