

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	30 th July 2008
Application Number	07/02862/FUL
Site Address	Greenway Farm, Tockenham, Swindon, SN4 7PP
Proposal	Retention of mobile home for use by employee for equestrian business.
Applicant	Mr Angus Ivory
Town/Parish Council	Tockenham
Grid Ref	404678 178974
Type of application	Full application

Reason for decision by Committee

- This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Bucknell and Still have requested it as there has been a new local plan since the last temporary permission and the livery business is thriving and viable which does rely on live-in labour.

Summary of report

This application proposes the retention of a mobile home for a worker to live in connected to the current livery business at the site. The issues are:

- Financial and Functional Tests contained in PPS7 Annex A.
- Impact on the countryside

Officer Recommendation

Planning Permission be REFUSED.

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Proposal and Site Description

The proposal is retain a mobile home which has been on the site for a number of years (see planning history). The mobile is sited behind an existing building and well within the equestrian complex.

The site contains stabling (internal to a barn), a main dwelling (where the applicant lives) and 2 other houses where the farm manager and existing livery yard manager live. There is also an on site equestrian retail outlet.

Planning History		
Application number	Proposal	Decision
00/00261/COU	Continued use of land and building for agricultural and equestrian uses and retention of mobile home for occupation in connection with equestrian uses on the site.	Allowed at appeal temporary for 3 years
03/03063/S73A	Renewal of 00/00261/S73A	Dismissed at appeal.
05/01445/S73A	Retention of mobile home for equestrian uses	Permission (against officer recommendation and with an informative that a temporary permission would not be renewed again).

Consultations

Tockenham Parish Council's comments are awaited.

Wiltshire County Council Highways recommend refusal on the basis that the site is remote from services, employment opportunities and being unlikely to be well served by public transport and is thus contrary to the aims of PPG13.

Environmental Health has no objections.

The Council's Agricultural Advisor has submitted a full report which can be summarised as follows:

- The last permission granted consent for the mobile for 2 years and the conditions were not appealed against.
- The permission clearly stated that permanent retention of the mobile home is not acceptable and also included an informative which stated "No further consents will be granted for the retention of the existing mobile home".
- The current application conflicts with both of these statements.
- The LPA has previously recognised a functional need at the holding. This application is for the permanent retention of the existing mobile home and the financial test is therefore relevant.
- No financial information has been submitted and the criteria set out in Annex A have therefore not been met and the proposed dwelling is not warranted.

Representations

There are no letters of representation.

Planning Considerations

Principle of development and Functional and Financial Tests

Residential development in the countryside is strictly controlled (Policy H4 and PPS7) and is only permissible where it has been demonstrated that it is essential for the purposes of agriculture, forestry or "rural enterprise".

The Council's Agricultural Consultant has quite clearly stated that based on the information submitted, the retention of the mobile is not warranted. This together with the Planning Committee's decision to only allow the mobile home to stay for a further 2 years, means that to allow this application would be contrary to National and Local Planning policy and would conflict with all previous advice given.

Highways and Access

County Highway's comments are noted. Whilst the employment opportunity (ie work in the stables) can be tied to the residential unit, all other matters raised are concurred with. The site is remote from shops and other amenities and no evidence has been put forward to demonstrate that there is a suitable public transport system to reduce reliance on the private car.

The site is therefore in an unsustainable location and would be contrary to the advice given in PPG13.

Other Issues

The agents have proposed a unilateral undertaking which would effectively tie the mobile home to the business and be occupied solely by someone in the business, but also would be removed from the site should the registered number of liveries at the site drop below 14 for a period in excess of 3 months.

The agents have submitted further financial evidence to support their case and this is currently being assessed by the Council's advisor. His further comments will be reported as late observations.

Conclusion

Notwithstanding one Inspector's decision on this site, the continued use of the mobile home for an additional worker (over and above the dedicated person plus 2 others associated with the site) has been resisted by officers and an Inspector as it is tantamount to an unjustified new dwelling in the countryside which is contrary to policy H3 of NWLP 2011.

This together with the Planning Committee's decision to only allow the mobile home to stay for a further 2 years, means that to allow this application would be contrary to National and Local Planning policy and would conflict with all previous advice given.

Recommendation

Planning permission be REFUSED for the following reason:

1. The mobile home represents residential accommodation in the countryside not justified in connection with the essential needs of agriculture or forestry, contrary to policies DP1 and DP14 of the Wiltshire Structure Plan 2016 and policies C3 and H4 of the North Wiltshire Local Plan 2011.
2. In that the proposal does not satisfy the financial and functional tests of PPS7 and is remotely located from services, employment opportunities and being unlikely to be well-served by public transport, it is contrary to the key aims of PPG13 which seeks to reduce growth in the length and number of motorised journeys.

Appendices:	<ul style="list-style-type: none">• NONE.
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20, 2.04, 2.07, 4.02, 4.04, 4.06, 4.07.