

MRS A ROUTLEY

CHANGE OF USE OF LAND TO SITE MOBILE HOME FOR USE AS AGRICULTURAL WORKERS DWELLING AT ALEBAR FARM, BLACKMOOR, WEST BUCKLAND (RETENTION OF WORKS ALREADY UNDERTAKEN)

Grid Reference: 316395.11842

Retention of Building/Works etc.

RECOMMENDATION AND REASON(S)

A) Recommended Decision: Refusal

- 1 The site lies in a countryside location, where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. Whilst the business being operated from the site comprises a mix of enterprises, the overall business remains of a small scale and of a nature where the vast majority of work can be carried out and most problems/emergencies are likely to occur during part of the normal working day (however long that day may be). As such, it has not been proven that it is essential for the proper functioning of the enterprise for a worker to be readily available at most times. Therefore the functional need for the retention of the mobile home has not been demonstrated and the development fails the functional test set out in Planning Policy Statement 7, Annex A. The proposal therefore represents an unjustified residential development in the open countryside, contrary to Policies S1 (General Requirements) and S7 (Outside Settlements) of the Taunton Deane Local Plan, Policies STR1 & STR6 of the Somerset & Exmoor National Park Joint Structure Plan Review and advice contained within Planning Policy Statement 1 (Delivering Sustainable Development) Planning Policy Statement 3 (Housing) and Planning Policy Statement 7 (Sustainable Development in Rural Areas).

B) That an enforcement notice be served to cease residential occupation of the site and secure the removal of the mobile home and that the Solicitor to the council be authorised to take prosecution proceedings in the event that the notice is not complied with. The time period for compliance with the notice should be 6 months.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

PROPOSAL

The application seeks planning permission for the change of use of land and siting of a mobile home to be occupied as a temporary agricultural workers dwelling at Alebar Farm, West Buckland. The proposed mobile home has been located on site since 1

September 2010 and is connected to mains water, a recently installed septic tank and gas is provided via canisters. On this basis the application is made retrospectively.

The application is supported by a professionally prepared Agricultural Appraisal together with a full Business Plan that sets out the financial viability and future projected development of the organic goat breeding and rearing enterprise for the production of milk together with ancillary agricultural and horticultural activities at Alebar Farm. The agricultural appraisal concludes that there is a reasonable expectation that the functional need will be met during the first three years of trading and that the other tests set out within PPS7 are met.

The business plan sets out a three year business development plan, with specific details being provided for increasing stock levels, additional lines of production together with costs/sales/expenses information. It also provides information on the existing level of expenditure that has been made by the applicant in setting up the business. The business plan also sets out the range of activities undertaken at the farm and the number of hours worked on the holding by the proprietor. Information annexed to this plan shows specific sales and costs associated to the holding and concludes that at the end of year three a forecast profit of £15,139 will be made by the enterprise via a combination of farming activities that cover goats, horticulture and egg production.

The application comes before the councils Planning Committee virtue of its sensitive nature and the decision at a previous meeting of the committee to invite the submission of an agricultural appraisal for consideration prior to undertaking enforcement action over the unauthorised development.

SITE DESCRIPTION AND HISTORY

Alebar Farm is located in an area known as Blackmoor, within the parish of West Buckland. The holding covers an approximate area of 1.3 hectares and comprises a single field located approximately 4.5 kilometres to the south east of Wellington; the property is also located within the Blackdown Hills AONB. The field is located on the steep north facing escarpment of the Blackdown Hills, a designated Area of Outstanding Natural Beauty. The site locality is characterised by a sporadic group of residential and agricultural properties. The holding comprises one mobile home, occupied since 1st September 2010, a small L-shaped stable building currently used for domestic and agricultural storage and 6 no. field shelters. The mobile home, stable building and field shelters are sited to the western boundary of the site, being set into the hillside through cut and fill.

The stable building was granted planning permission under reference 46/08/0023. A subsequent application was also approved for the erection of post and rail fencing around the stable building, planning reference 46/09/0032. Planning permission was refused on 1 March 2011 for the change of use of land to site a mobile home as agricultural workers dwelling on the site. The current application is a resubmission with additional detailed information provided.

Alebar Farm is a mixed use enterprise that consists predominantly of goat rearing, horticulture and free range egg laying at present. The site is worked largely by the applicant alone with no machinery use. The holding is focused upon establishing labour intensive bio-dynamic, organic and permaculture principles for the benefit of

animal welfare and landscape and environmental management.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST BUCKLAND PARISH COUNCIL - oppose the application on both landscape and agricultural grounds:

1

The development is having a detrimental effect on the landscape of the AONB and as such is in contravention of S1 (D), S2 (A) and EN10 of the TDBC Local Plan Policy and PPS7.

Prior to the arrival of the applicant the site comprised a pasture field with a stable block approved under planning application 46/2008/023 with some planting of young trees around the perimeter as agreed by the Local Planning Authority under condition 3 of the conditional approval. Condition 5 of the approval states: Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent Order amending or revoking and re-enacting that Order), no gate, fence, wall or other means of enclosure shall be erected on the site unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority for the reason: the Local Planning Authority wish to exercise control over the matters referred to in the interests of visual amenity in accordance with Taunton Deane Local Plan Policy S2 (A). A site visit will show that large scale earth moving has taken place on site to make way for the numerous sheds now on site, leaving exposed banks to the resultant enlarged cutting and with subsoil now evident on the uneven and unsightly surface. These works took place many months ago. Furthermore there is an extensive area of hardcore for parking and turning of the several vehicles normally on site and numerous post and wire enclosures and sheds.

Further evidence of a lack of regard for the environment is to be seen in the fact that two sizeable structures/sheds have been constructed directly on and close by the RPA (Root Protection Area) of the large mature Oak tree that stands near the entrance to the site. This will have a detrimental effect on the growth and development of the Oak tree and is not in accordance with BS5837:2005 Recommendations, consequently we request that a Tree Survey, in accordance with this British Standard be carried out in respect of all trees and hedges within influencing distance of the site before any decision is made. The Tree Survey should also include a Tree Constraints Plan (TCP), furthermore the mature Oak tree forms a prominent feature within the landscape of an AONB as such statutory protection should be a consideration. West Buckland Parish Council refers to 3.2 and 3.5 of *"Tree Preservation Orders - A Guide to the Law and Good Practice"*

2

There is insufficient acreage to support the proposed enterprise as a successful business venture, the business is not planned on a sound financial basis, it is not capable of being sustained for a reasonable period of time and the proposed livestock and plants will be insufficient to require the claimed hours of husbandry and therefore it fails both the functional need test and the financial test as required under PPS7 and H12 of the TDBC Local Plan

a

The need for a worker's dwelling is not met by the husbandry requirements of 20 goats, 200 or so hens and some plants on a workable acreage of around 2.5 (much of which will be non-productive as it is planned to devote it to wildlife areas and pond). The micro-scale of the activity in the field is that of a hobby farm where the owner would be expected to do the work in their spare time. The estimated hours of attention appear to be grossly exaggerated for the purposes of meeting the SMD requirements. As an example of the inaccuracies in the report, the estimated manure production of 5000 tonne when that head of stock would be hard-pressed to produce 10 tonne !!

b

Although this council has not had sight of the applicant's forecast it is clear that production from an enterprise of this size is not sufficient to be economically sustainable in supporting a worker. We have found no evidence of any agricultural dwellings being permitted on holdings of such small scale except for intensive horticulture or "factory" farm units. To allow this application would be to set a dangerous precedent.

NB. We further note that cheese production is to be carried out on site in order to boost income however planning policy does not permit agricultural dwellings in open countryside for the purpose of food processing which is a non-agricultural activity and the agricultural activity alone should be sufficient to sustain the dwelling.

SCC - TRANSPORT DEVELOPMENT GROUP - The proposed development site is remote from any urban area and, therefore, distanced from adequate services and facilities, such as education, employment, health, retail and leisure and, in addition, there is no public transport services in close proximity of the site. As a consequence, occupiers of the dwelling will be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to the government advice given in PPG13 and RPG10 and to the provisions of policies STR1 and STR6 of the Somerset & Exmoor National Park Joint Structure Plan Review (adopted April 2000).

Notwithstanding the above, it must be a matter for the Local Planning Authority to decide whether there is sufficient need or justification for such a development in this location, which outweighs the transport policies that seek to reduce reliance on the private car. It is typical with applications such as these that a mobile home application is applied for in the first instance and if successful a permanent dwelling is applied for at a later date.

It is of concern to the Highway Authority that individual small plots of land could be sold off and potentially this could lead to an increase or even set a precedent for new residential dwellings (be it mobile homes or a purpose built house) in the open countryside.

BLACKDOWN HILLS AONB SERVICE - No observations to make.

LANDSCAPE - The proposals have limited landscape impact in the immediate vicinity of the mobile home.

Representations

1 letter of support raising the following matters:

- the work carried out so far is not obtrusive and is of an agricultural nature;
- understands the owner wishes to start goat milk and cheese production and there is a demand for this product.

1 letter of objection raising the following points:

- this is a 3 acre field in the AONB and is not a viable business but a hobby farm that may eventually bring permission for a permanent residence;
- selling goats cheese from the farm gate cannot be a business requiring 24 hour attendance;
- there is not a need for the proposed development;
- the land is too small an acreage to sustain a business.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
S7 - TDBCLP - Outside Settlement,
H13 - TDBCLP - Agricultural or Forestry Workers,
EN10 - TDBCLP - Areas of Outstanding Natural Beauty,
EN12 - TDBCLP - Landscape Character Areas,
STR1 - Sustainable Development,
STR6 - Development Outside Towns, Rural Centres and Villages,
PPS1 - Delivering Sustainable Development,
PPS3 - Housing,
PPS7 - Sustainable Development in Rural Areas,

DETERMINING ISSUES AND CONSIDERATIONS

The pertinent issues that require consideration in determination of the proposed development relate to the justification submitted for the siting of a temporary agricultural workers dwelling on the site in order to support the development of Alebar Farm.

Taunton Deane Local Plan policy H12 is not relevant to the application and was not saved under amendments to the Local Plan made by the Secretary of State in 2007. Planning Policy Statement (PPS) 1 sets out the strategic role for providing sustainable patterns of development whilst national policy for housing is set out within PPS3; this requires new developments to provide new residential developments in appropriate locations where there is good access to community facilities, jobs, key services and infrastructure. PPS7 requires proposals for new agricultural workers dwellings to be meet both functional and financial tests in order to justify the special circumstances upon which they are permitted as an exception to normal planning policy for new housing.

PPS7, Annex A, paragraph 12 sets out the criteria for assessing temporary agricultural workers dwellings. It states that proposals should provide:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need;
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (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 normal planning requirements, e.g. on siting and access, are satisfied.

(i) Firm intention to develop the enterprise

The submission of the three year business development plan sets out the intentions of the proprietor and the methods and investments that will be made in order to develop and secure the prospect of a long term future for Alebar Farm as a functioning and profitable agricultural and horticultural enterprise. The proprietor has recently attended a refresher course in goat care and cheese making and is also undertaking a qualification in horticulture. Having grown up on a farm and with farmers within the family, it is taken that the proprietor has a certain degree of ability to develop the business concerned. Evidence of new born 'kids' on the holding already demonstrates that goat breeding is a feasible option at Alebar Farm and such clearly forms part of the enterprises' development that the proprietor is capable of undertaking. In addition, the proprietor has been granted a production number by Animal Health which allows eggs to be marked with designated Free Range status; subject to the intensification of the egg production enterprise continuing in the same manner as it does at present there is a reasonable expectation to accept that egg production and sales will comprise a substantial element of the future development at Alebar Farm, albeit with a particularly small number of chickens.

Para 12 (i) of PPS7 Annexe A states that "significant investment in new farm buildings is often a good indication of intentions"; in this regard it is noted that 6 timber field shelters have been purchased since the proprietor took ownership of the land, which itself came with a timber stable building already in situ. To this effect, the purchase of the land, stable building, additional field shelters and poultry houses have seen an investment into the enterprise of in excess of £56k, which increases to well in excess of £60k when account is had for additional investments into materials, works, services, tools, machinery, mobile home and other farm related paraphernalia.

It is accepted that based upon the stock levels and activities laid out within the development plan the enterprise is capable of developing in the future; the applicant is enthusiastic with regard to the development of Alebar Farm as a business combined with a lifestyle and it is therefore accepted that there is a firm intention and ability to develop the enterprise concerned.

(ii) Functional Need

Within the supporting Appraisal document the agent contends that when assessing if a functional need to live on site exists it is reasonable to measure the functional test against the projected third year of trading for a business in its infancy; the functional test is set out within para 4 of Annexe A to PPS7. Para 4 sets out that "*a functional test is necessary to establish whether it is essential for the proper functioning of the*

enterprise for one or more workers to be readily available at most time. Such a requirement might arise, for example, if workers are needed to be on hand day and night (i) in case animals or agricultural processes require essential care at short notice; and/or (ii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or failure of automatic systems."

One important factor to consider in determining whether a functional need for on site worker accommodation exists is the labour requirements of the agricultural business. Having regard to labour requirements The Agricultural Budgeting & Costing Book provides information for new farming ventures with regard to labour planning; the submitted Agricultural Appraisal accepts that this is a well respected publication and a useful guide as to labour requirements. Section 7.2 (Labour Planning) states that a labour unit of one person, such as the site in question, will require 2,200 hours of work per year, which equates to 275 'standard man days' (SMD) per year.

There is a range of activities that can be used to justify a functional need for an on site worker at Alebar Farm; these functions by year three will cover the management of up to 25 goats, 200 laying hens and horticultural activities for the growing of outdoor vegetables and salads over a 1 acre site. Annexe Four (Part 1) of the appraisal demonstrates that when using the data supplied by the Agricultural Budgeting and Costing's Book (72nd Edition), the total number of hours required for the functional running of Alebar Farm (including a 20% allowance for management time) is 582 hours per annum. This total equates to 26% of the total number of hours required to fulfill the need for a full time agricultural worker at the holding when having regard to the recognised full time labour unit set out above (2200).

Notwithstanding the above, the application draws attention to the specific nature of Alebar Farm, the working needs of the unit and the additional labour requirements of the enterprise which, virtue of the labour intensive approach to farming by the proprietor and the lack of machinery in use at the holding, are said to place additional working requirements upon the sole worker that extend beyond 'normal hours'. Annexe Four (Part 2) sets out the additional labour requirements of the unit and covers various additional jobs and undertakings during spring, summer, autumn and winter; the additional labour requirements show work beginning as early as 4.15am in the summer and continuing through into the night beyond midnight. It is suggested that throughout the year an additional 844.05 hours of labour is required virtue of its essential need to be undertaken. The essential tasks that add to the worker requirements include:

Summer - 4.75 hrs per day - feeding, watering, health checks to hens; watering plants and pest checks; monitoring and management of goats; securing chickens; slug and snail patrol.

Autumn - 0.5 hrs per day - general tasks associated to the horticultural activities including soil management and plant care.

Winter - 1 hr per day - checking drinking water of goats.

Spring - 3 hrs per day - general tasks associated to the horticultural activities including soil management and plant care; additional time for goat kidding and spring planting.

Annex A Paragraph 4 states that it should be essential for the proper functioning of the enterprise for the worker to be readily available at most times, for example if he/she is needed to be on hand day and night. In assessing this, it is necessary to

take into account whether the required problems/emergencies are likely to occur during normal working hours (even if these hours are long). If this is the case, emergencies/problems can be dealt with as part of the day to day routine and this does not call for a worker to live on site.

Having regard to the need for a worker to be readily available, it is recognised that certain aspects of the holding will require some occasional presence outside normal hours. It is accepted that minimising livestock and plant loss is important in order to sustain a successful business enterprise at Alebar Farm however farming 21 goats (end of year), 200 chickens and a small acreage of land for crops as projected for year three of the business is not considered to result in a sufficient functional need for a worker to be readily available on site 24 hours a day.

One of the key factors to the business is the farming of goats for milk, mohair and breeding for increasing stock numbers and onward sales; it is clear to me that the 21 goats will not attract sufficient need for a worker to be readily available 24 hours a day in case of emergencies and the like. For example goats have a gestation period of 150 days and it is usual for does to kid approximately five days either side of their due date; the appraisal shows that at the end of year three there will be 7 first pregnancy Does and 5 second pregnancy Does at Alebar Farm. This is a particularly small nucleus of breeding Does; activities such as supervising mating Does and Bucks would normally be undertaken as part of the normal working day, allowing adequate supervision of this. Whilst it is acknowledged that problems can occur during kidding, which may require rapid action, the limited number of breeding Does is not considered to be of a size that warrants a worker being readily available at most times. Further, it is important to note that a competent stock person would have a good idea of when a Doe is most likely to kid and, if necessary he/she could return to the site to check on the occasional Doe that might deliver at night; the frequency of such an event, however, is low due to the limited stock numbers at the farm. Furthermore the additional workload set out within the appraisal that is concerned with activities such as feeding, cleaning, monitoring and the like would all be carried out as part of the normal working day (be that extended at times), rather than at night. As such, these tasks do not justify the need for a worker to be readily available at most times.

Little information has been provided about the operation of the poultry enterprises except that the number of laying hens is to increase to 200 by the end of year three and that some rare breeds are to be reared on site. It is normal to assume that the laying birds are shut up at night to protect them from predators. On this basis, they are at little risk at night and as none of the birds are housed within controlled conditions, there is no requirement for someone to be on hand to deal with any power/system failure, in order to prevent suffering. With regard to rearing rare breeds on site, Annexe 4 of the business plan states that regular and frequent checks on temperature will be required as systems will be manual; as such, even if a worker was living on site a change in temperature is not something he/she would be aware of until checking the stock in the morning - it is highly unlikely that checks will be made during the middle of the night. Furthermore, due to the small scale of these enterprises, it follows that the risk of loss would be minimal. It is accepted that eggs are likely to be incubated and young birds likely to be reared under heat, the numbers are unclear within the submission, however it is also important to note that welfare could be significantly improved with the introduction of an alarm system, which triggered calls to a mobile phone if temperatures fell/rose to critical levels, enabling a worker to return to the site to check the eggs and chicks. As such, it is not

considered that an on-site dwelling is essential to provide an adequate level of welfare for a poultry enterprise of a scale as limited as this.

Having regard to the horticultural aspects of the enterprise, the need to protect the small areas of crop cultivation from inclement weather and the like, is not thought to be sufficient to require an on site worker to be readily available at most times. Factors such as frost damage can often be mitigated through protective measures especially over an area as small as that proposed at Alebar Farm and the site does not at present have any automated systems in place that could potentially reduce the risk of loss to plants and animals.

Having regard to the above, Alebar Farm is a small scale farming enterprise, which has forecast a small increase in animal numbers and production over a three year period. It is considered that the projected operation of the enterprise by year three will fail to provide an overall labour requirement for one full time worker having regard to the requirements based upon the Agricultural Budget and Costing's Book (72nd Edition) and coupling this total with other additional working requirements of the holding - para 9.31 of the submitted appraisal states that only 1,394 hours of work will be required for the functioning of the holding; this equates to just 63% of the standard 2,200 hour working year. I am further concerned that the majority of these hours will allow activities that can be carried out during normal working hours (extended during early morning/evening where necessary which is common on many agricultural holdings); there remains insufficient need for a worker to be readily available on site at most times when having regard to the goat, horticultural and egg production functions of the enterprise as set out above.

In summary, there are several different enterprises being operated on the site, being poultry breeding, free range egg laying, goat breeding and horticulture. Each part of the business is reasonably small scale and even when considered together, the vast majority of the work/problems/emergencies can be dealt with during a normal working day, albeit possibly a long working day. Having regard to the above Alebar Farm is considered to fail the functional test set out within PPS7.

(iii) Planned on a sound financial basis

The business plan that is submitted in support of the application sets out the forecast budget for the enterprise and provides clear information over costs, sales and profits over the forthcoming three year period. The projected financial information is clearly laid out and covers all of the aforementioned facets of the enterprise (horticultural development and sales; dairy goats and young stock rearing and free range egg production). The financial appraisal does not include any profits from dairy products such as cheese, rare breed sales, Angora fibre or ducks and geese sales. The profit forecast to be made by the end of year three of £15,139 exceeds the recognised average wage of an agricultural worker.

There appears to me to be a clear intention to develop the business on a sound financial basis; whilst the levels of profitability may vary from those forecast it seems reasonable to expect the enterprise at Alebar Farm to gradually develop over the next three years to one that is financially sustainable. However the degree to which the business can develop will in this instance be highly restrained by the limited scale of land being farmed and therefore the projected profits are thought to be top end estimates. If there is a real intention to develop the business and conserve the landscape then the purchase or lease of additional land adjoining or nearby the site

will be required.

(iv) Other dwellings in the area

The application contends that an alternative home must be within 100 to 150 metres of a livestock holding if it is to be considered acceptable for work accommodation where there is an essential need for a worker to be readily available at most times. Within the area surrounding Alebar Farm both within and beyond 150 metres of the holding it is accepted that there are no other properties available that would be either affordable to the proprietor of Alebar Farm.

Notwithstanding this matter, based on the above assessment it is not considered essential for the proper functioning of the enterprise for a worker to be readily available at most times. It is therefore reasonable to expect the area of search for other suitable and available accommodation to extend to the nearby settlements of Wellington and West Buckland, both of which are within a five minute drive of the holding. Accommodation within such proximity would, based on the needs of the holding be an appropriate alternative to allowing on site accommodation at Alebar Farm as proposed where there is no functional need to live on site.

(v) Other planning matters

The application site constitutes a small parcel of land owned by the applicant; it comprises one field that is 1.3 hectares in area. The concerns of the Parish Council and local residents with regard to landscape impact are noted. The buildings present on site are relatively unobtrusive within the local landscape in their present location being set into the hillside and screened to a large degree by native hedgerow and mature trees that are present over the application site and adjoining land. The mobile home is sited to the rear of a previously approved stable building, which screens it from wider views within the landscape that may be available and as a result the mobile home itself is not considered to materially harm the landscape character or intrinsic value of the surrounding AONB. 6 field shelters are located within the site as are two chicken houses and one small pig arc. At present and in their current location the visual impact is very limited however, were such structures to increase in number, as would likely be required to increase the stock levels at the unit, it is likely that a considerable landscape impact would occur to the detriment of the Blackdown Hills AONB landscape character and scenic beauty (due to the limited size of the holding any new building would require express planning permission). However, field shelters when regularly moved around a site do not require planning permission and therefore any harm attached to their siting can be given little weight.

The Parish Council have raised concern over potential damage to a mature Oak tree by siting two field shelters within close proximity to the root system. Having regard to the temporary nature of these structures and taking a proportionate approach it would be unreasonable to request a tree survey to ascertain the impact upon the health of the tree concerned. The shelters are sited over ground and do not have any footings or subterranean features and therefore the likely impact is negligible upon a tree that whilst of amenity value within the landscape is not covered by the Tree Preservation Order; I also note that no concern has been raised by the Council's Landscape Officer in this regard.

Further, the site is easily accessible via a public highway although it is recognised that the lanes in the area are generally poorly aligned and narrow in width;

notwithstanding these points the proposal is not thought to result in detriment to the safety of highway users despite the likely intensification of vehicle trips to and from the site were planning permission to be granted. The holding is small and based upon the working of the land and management of stock set out within supporting documents the use of machinery and farm vehicles will be limited in this instance. Access/egress onto the adjoining narrow highway is thought to be safe with adequate visibility and sufficient parking and turning is available on site for small vehicles although this is arranged in an informal manner; the Transport Development Officer has not objected and on this basis the proposed development is thought to be acceptable from a highway safety perspective.

As noted by the Highway Authority, the site lies in a remote countryside location, some distance from any urban area and therefore distant from adequate services and facilities, such as education, employment, health, retail and leisure. There are very limited public transport services in close proximity to the site and therefore very limited transport opportunities other than the private car. As such, occupiers of a residential unit in this location would be largely dependent on private vehicles, rendering this an unsustainable form of development. In view of the lack of functional need for the agricultural workers dwelling, it is not believed that there are any planning merits of this proposal that would outweigh the highway sustainability concerns raised.

Conclusions

It has been accepted that the agricultural enterprise at Alebar Farm has been well thought out with a considered approach by the applicant who appears to hold a firm intention to develop the business over the coming years. There is however some concern as to the overall extent to which the business can expand virtue of the holding's small scale acreage and potential detriment that could arise to the character and appearance of the AONB were additional buildings to be required on the site. Notwithstanding these matters, it seems to me that the enterprise is being planned on a sound financial basis despite operating at low cost levels; the fact that there is little to no machinery use on site and that adoption of organic principles will continue to keep running costs low whilst any produce sold will potentially attract higher value. It is accepted that the development will not unduly harm the landscape character or visual amenity of the Blackdown Hills AONB or be prejudicial to highway safety.

Despite the matters set out above, it is considered that Alebar Farm, which has low stock numbers both at present and forecast for the end of year three fails to pass the functional test set out within Annex A of Planning Policy Statement 7. It is accepted that there will at times be long working hours at the holding however this is a direct product of the applicants choice to adopt an environmentally friendly approach to working the land and tending to animal needs, it is not in itself reason to justify the need to be resident on site. The need to be 'readily available at most times' is established through the needs of the holding with regard to a worker having to be on hand day and night for issues such as animals requiring essential care at short notice or to deal with emergencies such as inclement weather or system failures that could result in the serious loss of crops or products. The enterprise does not operate any automatic systems and as considered above, the limited degree of horticulture and crop production is not sufficient so as to warrant the need for the constant presence of a worker on site. In addition, the goat rearing enterprise is limited in terms of breeding Does and therefore with only a small number of kidding's taking

place during the year the functional need for an on site worker to be readily available during day and night is not considered to be sufficient.

Having regard to the above, the unsustainable location of the site for residential development is considered to outweigh the reasons put forward that seek to justify the need for an agricultural worker to be resident on site day and night. The majority of the tasks that are undertaken at the holding on a daily basis can be done so during the normal working day and do not justify the need for on site accommodation.

For these reasons it is recommended that planning permission be refused and the council commence enforcement action seeking the removal of the mobile home and the cessation of the residential use at the site.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr R Williams Tel: 01823 356469