

26/2006/012

MR M PERSEY

**SITING OF TEMPORARY AGRICULTURAL WORKERS DWELLING, GRANGE FARM, NYNEHEAD AS AMENDED BY**

314374/123596

FULL

---

**PROPOSAL**

The proposal relates to the siting of a temporary agricultural workers dwelling.

The dwelling (mobile home) measures 10 m x 3 m x 3 m in height, and will be sited next to a livestock building that is yet to be constructed. Access to the dwelling will be via an existing farm track.

Submitted with the proposal is an agricultural appraisal that states there is sufficient justification for a dwelling to be located on site, based on livestock rearing, with free range broilers, and also rearing pedigree heifers where heifers will be reared, and put in-calf and kept on farm until a couple of days after calving when the heifer returns to the dairy herd. The appraisal also shows evidence that the enterprise will be financially viable.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY objections raised on sustainability grounds however it is a matter for the Local Planning Authority to decide whether there is an overriding agricultural need. Should the application be recommended for approval the following condition would need to be imposed, provision to be made on site for the disposal of surface water. COUNTY ARCHAEOLOGIST no objection. WESSEX WATER disposal of foul and surface water to be agreed with Council; points of connection to be agreed to connect to water main.

LANDSCAPE OFFICER the mobile home is too high up the field and would be better sited further south in parallel with the existing barn. DRAINAGE OFFICER details of surface water to be submitted; percolation tests if septic tank used; Environment Agency consent to discharge.

PARISH COUNCIL objects - concerned about the impact of the continued development of this land on the surrounding area; not convinced by the agricultural case for the dwelling.

ONE LETTER OF OBJECTION has been received raising the following issues:- why was whole scheme not submitted to council?; why does Lloyd Maunder protocol require dwelling to be seen by road?; visual impact, tree stands behind mobile home and has no impact; concern over future size and design of permanent dwelling, can there be assurance that dwelling is appropriate to requirements of business and farm worker, not a more palatial design; have other authorities had experiences of Mr

Persey and what experiences have they had; how will poultry unit affect others in the parish?, in the event of disease will the whole parish be affected?; concern regarding the number of vehicles visiting the site (HGVs); night sky is undervalued, will there be any permanent lighting?; how much waste will be produced?; control of smells/flies; any benefit to people of parish.

ONE LETTER OF REPRESENTATION from Open Spaces Society:- complaints received about smell from walkers on footpath WG 8/12; smell sometimes reaches village; thoroughly unpleasant pollution of the air.

## **POLICY CONTEXT**

Somerset & Exmoor National Park Joint Structure Plan Review – Policy STR1 on sustainable development requires that development minimises the need to travel, Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Taunton Deane Local Plan - the following policies are considered especially relevant:- Policy S1 (general requirements), Policy S2 requires development to be of a good design. Policy S7 states that outside defined settlement limits new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and meets certain criteria. These criteria include that it is for the purpose of agriculture, it is necessary to meet a requirement of environmental or other legislation and that it supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. Policy H12 states that dwellings for agriculture or forestry workers will be permitted outside the limits of settlements provided there is a proven functional need for the dwelling there and the farm or forestry unit for which it is sought is proven to be financially viable. Policy EN12 requires that the distinct character and appearance of Landscape Character Areas should be maintained.

## **ASSESSMENT**

An agricultural appraisal has been submitted with the application that shows that the proposal meets the financial and functional requirements of PPS7. This concludes that there is clear evidence of a firm intention and ability to develop the enterprise, the free-range broilers are on site at the moment and a livestock building has been granted planning permission this year and there is an essential functional need for a dwelling to be located on the site.

The Parish Council have objected to the impact on the surrounding area, and not being convinced of the need of the dwelling. The dwelling is located near to existing and proposed new farm buildings, forming a group of buildings. Furthermore, the dwelling is sited next to an existing hedgerow and amended plans are being sought to locate the dwelling further south, on lower land. Open Countryside Policy S7 promotes agricultural development and where development accords with a specific planning policy. Specifically, Policy H12 supports proposals for new agricultural

dwellings in rural areas and therefore the principle of a new enterprise in this location would appear acceptable.

The objection letter refers to concerns that are not issues for the proposed dwelling. The agricultural activity (free range broilers) is already taking place and can do so without the benefit of planning permission, the proposed application is to determine whether there is a proven need for the dwelling on the site. The issue of smell from the poultry is not a consideration for this application.

The Highway Authority has raised concerns regarding the sustainability of the proposal. However Policy S7 that promotes agricultural developments in rural locations overcomes this objection. No objection has been raised regarding vehicle numbers, as agricultural vehicles would enter the site regardless of whether the dwelling was there.

### **RECOMMENDATION**

Subject to the receipt of satisfactory amended plans the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of 3 year temporary permission, materials, landscaping, agricultural tie, consolidation of access, parking details, details of foul and surface water disposal, percolation tests. Notes re compliance, point of connection with Wessex water, contact County Highway Authority, contact Environment Agency to discharge.

**REASON(S) FOR RECOMMENDATION:-** The proposed mobile home for an agricultural worker has a proven functional need in connection with a viable business and as such provides suitable justification for its location outside the limits of a settlement. The proposal is considered not to have a detrimental impact upon visual amenity, residential amenity and the landscape character of the area. The scheme therefore accords with Taunton Deane Local Plan Policies S1, S2, S7, H12, EN12 and M4.

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

**CONTACT OFFICER: 356463 MR D ADDICOTT**

NOTES: