

29/12/0015

MR G COATE

CHANGE OF USE OF LAND TO SITE TEMPORARY AGRICULTURAL WORKERS MOBILE HOME WITH HARDSTANDING AND ASSOCIATED WORKS AND RENOVATION/FORMATION OF TRADITIONAL STONE BARN AT FELTHAM PARK FARM, CORFE (PART RETENTION OF WORKS ALREADY UNDERTAKEN, RESUBMISSION OF 29/12/0004) (AS AMENDED)

Location: FELTHAM FARM, ADCOMBE LANE, CORFE, TAUNTON, TA3 7DD

Grid Reference: 323046.116886

Retention of Building/Works etc.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 211/L1F Location Plan received 31 January 2013

(A3) DrNo 211/L2P Site Layout

(A3) DrNo 211/G4 Details Refurbished Existing Barn

Reason: For the avoidance of doubt and in the interests of proper planning.

2.
 - (i) Within one month of the date of the decision, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the

character and appearance of the Area of Outstanding Natural Beauty in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

3. The occupation of the mobile home 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 lies in area where new development is generally restricted to that for which there is a proven need in accordance with paragraph 55 of the National Planning Policy Framework.

4. The mobile home hereby permitted shall be removed and the land restored to its former condition on or before 31 December 2015.

Reason: The mobile home is sited in a location where the local planning authority would not normally grant consent for a residential unit, as set out in Policy DM2 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. Note at request of Drainage Officer:
 - Soakaways should be constructed in accordance with British Research Digest 365 (September 1991).
3. Note at request of Wessex Water:
 - The arrangements for foul water disposal allow for discharge from a private treatment plant. This will require a discharge consent granted through the Environment Agency.
4. As the proposal includes the use of a non-mains foul drainage system, the builder/developer should consult the literature prepared by the Construction Industry Research and Information Association (CIRIA) regarding on-site sewage disposal and septic tank systems. The relevant leaflets can be found on the CIRIA website. Alternatively advice can be obtained from the Environment Agency on foul drainage systems.
5. Note at request of Council's Landscape Officer:
 - Please note that the proposed gating of the PROW to the south of the site is not within the red or blue line area and permission to alter the furniture on it would require permission from the landowner and SCC.
6. Notes at request of Environment Agency:
 - The site must be drained on a separate system with all clean roof and

surface water being kept separate from foul drainage. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

- Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with the *"Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers"*
- It is recommended that any animal/equine waste is taken to a sealed system. There must be no release of liquid waste to controlled waters. Storage should be no closer than 10m of any surface water or 50m from any water supply sources. The proposal needs to comply with *"Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers."*

7. The applicant should be aware that the permission for a mobile homes relates to a structure that falls within the definition of a caravan under the Caravan Sites and Control of Development Act 1960. As such, the applicant can site a mobile home of his choice in terms of size and design, provided it falls within the above definition.

PROPOSAL

The site lies in open countryside, between Corfe and Otterford, within the Blackdown Hills Area of Outstanding Natural Beauty. It is situated adjacent to the B3170 road, with a country lane passing to the east and a track, also a public footpath, passing to the south. A hamlet of residential properties lie to the north, with well established woodland to the south (separated by the track) and to the west. The Prior's Park and Adcombe Wood SSSI lies within the site.

The site, now known as Feltham Park Farm comprises 34 acres, of which 26.5 acres are grassland and 7.5 acres are woodland. It is also stated that 9 acres of grazing is taken at Buttles Farm, Churchinford. The farm is operated as a mixed enterprise of 9 Aberdeen Angus Suckler Cows and 18 head of youngstock; 9 pedigree female Boer goats and one billy goat; 40 hives, 20 of which are situated at Feltham with the remainder off site; 55 breeding female alpaca (27 pedigree and 28 fibre registered), 17 youngstock, 14 stud males and 1 gelded mare. The applicant's website – Adcombe Park Alpacas provides details of the alpaca available for sale and for stud.

Planning permission was granted in December 2011 under application (29/11/0013) for the erection of an agricultural building and associated new access from the lane, to the east of the SSSI. Whilst the agricultural building was initially proposed to be located to the south-east of the SSSI, during the processing of the application the positioning was revised to site the building directly to the south of the SSSI.

This application now seeks planning permission for the change of use of the site for the temporary retention of an agricultural worker's mobile home, which includes a treatment plant and a soakaway. This was initially located to the south of the SSSI,

on the site of the approved agricultural building, as per drawing 211/L1E and this is where the mobile home was originally located on site. However, amended plans have been received proposing to reposition the mobile home slightly to the west as shown on drawing 211/L1F. At the end of October, it is understood that the mobile home was destroyed by fire and a subsequent mobile home has now been placed on the site, in the proposed revised position, as shown in drawing 211/L1F. This application also seeks retrospective planning permission in association with the works undertaken in the renovation and formation of the traditional stone barn.

The application initially also included the repositioning of the approved agricultural building to the south-east of the SSSI, however during the processing of the application, this was deleted from the scheme and has since been erected in the position approved under permission 29/11/0013. The building and access was not however constructed in accordance with the approved plans and a separate retrospective application for the revised design of the agricultural building (29/13/0008) was granted by planning committee on 27 November 2013.

Following the receipt of the amended plans revising the proposal as set out above, reconsultation of consultees, neighbours and interested parties was undertaken.

The application was accompanied by a Landscape and Visual Impact Assessment; a wildlife survey; agricultural appraisal; planning, design and access statement; registration certificates for the goats and alpaca; and cattle passports.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

OTTERFORD PARISH COUNCIL - View unchanged. Strongly object.

Previous comments – Objects on the following grounds:

- Inadequately demonstrated business need – neither barn to house livestock nor other agricultural infrastructure is yet completed, there is a reliance on other ground which is not permanently available to the applicant but only by an annual arrangement. Seven acres of the ground is unusable for grazing, being woodland (around 20% of whole), SSSI designation will require a significantly reduced grazing density which again questions the viability of the proposal.
- Should application be granted, Otterford PC would wish to see an agricultural restriction on the property.

Subsequent comments following the receipt of amended plans:

The Council continues to object as set out in previous letters.

SCC - TRANSPORT DEVELOPMENT GROUP - I refer to the above planning application, received on the 10th December 2012. Having visited the site on the 13th December and considered the Highway Authority's previous observations on the highway and transportation I am content that these observations and the request for a condition on disposal of surface water still stand. I have reproduced the content of the previous letter below for convenience:

I refer to the above-mentioned planning application received on 07 August 2012 and after carrying out a site visit on 16 August 2012 have the following observations on the highway and transportation aspects of this proposal:-

The site lies outside of any development limit and is remote from any urban area, and therefore distanced from adequate services and facilities. As a consequence, the new development is likely to be dependant on private vehicles for its daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in the NPPF and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National park Joint Structure Plan review (Adopted April 2000), and policy S7 of the Taunton Deane Local Plan.

Notwithstanding the aforementioned comments, it is noted that the proposal is required in relation to the agricultural use and is unlikely to generate additional traffic, therefore it must be a matter for the Local Planning Authority to decide whether the benefits of this application or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car. Access to the site would be gained via a private access off an unclassified highway, in close proximity to the B3170. This access was previously approved in relation to the agricultural use (application number 29/11/0013). Visibility from this access onto the highway is considered to be acceptable. There are no concerns with the continued use of the access for the proposed dwelling.

In terms of traffic generation, the siting of the agricultural workers dwelling would not result in a material increase in traffic generation. This is because the potential reduction in trips from having the worker based on the site would be offset by an increase in other types of trips, such as visiting the shops, school run etc. Internally, there is considered to be sufficient space for the parking and turning of vehicles. Therefore, given that the access is considered to be acceptable and the proposals would not result in a material increase in traffic generation, the proposals are considered to be acceptable, subject to condition relating to the disposal of surface water.

Subsequent comments:

I have looked at the entrance on Feltham Lane today – the concrete apron appears quite adequate for most vehicle movements in and out of the farm. The gates are well set back, suitable visibility splays have been formed. The pipe forming the culvert under the access is of appropriate dimension to carry the water flowing along the ditch on the access side of the lane.

Though it was not raining at the time of my inspection there was nevertheless quite a lot of water draining in the vicinity of the access. I noticed that there is some water running along the lane itself on the opposite side of the lane from just above and across your new access. There are wheel marks on the verge forming a low point and this appears to be the source of this small flow of water on the haunch of the lane. The part of the verge that has been damaged should be repaired and this should result in water flowing into the ditch and not along the highway.

I also noticed that there was a flow of water across the drive of the property Montgomery House. A small proportion of this stemmed from the aforementioned

water running along the highway haunch from just above the new access; however it appeared in large to be emerging from the verge immediately adjacent to the metalled surface of the drive to Montgomery House which I understand is the property of another land-owner.

Further comments:

I can confirm that there was no inappropriate drainage onto the highway from the new concrete apron at the time I made my site visit. Runoff appears to make its way satisfactorily into the private ditches either side, not onto the highway.

BLACKDOWN HILLS AONB SERVICE - As you will be aware from comments submitted in response to previous related applications, the AONB Partnership has grave concerns regarding development at this site in respect of conserving and enhancing the natural beauty of the AONB. All comments made on applications 29/11/0013 and 29/12/0004 remain applicable.

Together and individually the elements of this application are considered to have a detrimental effect on the local landscape character of this part of the AONB, that could not successfully be overcome through mitigation. Issues of particular concern in respect of the AONB landscape include:

- the revised position for the agricultural building is one that has previously been rejected due to visual prominence and impact.
- the extent of earthworks and excavation on previously unimproved and rough pasture in proximity to a SSSI.
- the extent of the hard standing areas introduced.
- the scale and appearance of the entrance gateway.
- the introduction of residential use into a previously undeveloped, undisturbed field of considerable scenic value within the AONB.

I trust that these comments are helpful to your consideration of this application, and once again I apologise for the delayed response.

Subsequent comments following the receipt of amended plans:

Thank you for advising the Blackdown Hills AONB Partnership of further amendments to this application.

The Blackdown Hills AONB Management Plan seeks to ensure that all development in the AONB will be of the highest quality and would conserve or enhance natural beauty particularly by respecting the area's landscape character and reinforce local distinctiveness; the AONB Partnership supports local planning authorities in the application of national and local planning policy in order to help achieve this aim.

I note the revised location for the mobile home, and the removal of the agricultural building from this application (I understand that this is currently being constructed as per the original application). Further to comments submitted previously I remain concerned that taken together the earth works, car parking, hard standing, domestic paraphernalia with the access and other works would have a detrimental impact on the character and appearance of the surrounding area, which is defined by being

mixed woodland and semi-improved or unimproved pasture and sparsely settled. The inherent character of this site is of open, unspoilt, undeveloped marshy fields below the wooded slopes of the northern escarpment.

Turning to the issue of need, it is of course a matter for the local planning authority to be satisfied that there is clear evidence to support the need for an on-site dwelling. However in following the various applications relating to this site and the numerous documents and comments submitted it seems that there is a fundamental conflict between the management and farming practice required to justify a viable business here, and managing the land in a way that conserves and enhances the natural beauty of the AONB, in view of the site constraints, condition, habitats and protected site areas. I query whether this enterprise as presented is appropriate at this site given that it appears that a significant percentage of the alpaca herd is kept off-site, which in turn brings in to question the case for needing to have a dwelling on site.

LANDSCAPE -

Comments following the receipt of amended plans:

Revised mobile home location to the west of approved barn should be screened from any views from the east by the approved barn once constructed and be relatively well screened from the south by the existing copse vegetation. However, there will still be some views, especially during winter months, from the public right of way to the south. It is important to define the domestic curtilage of the mobile home to avoid creep of washing lines, play equipment, etc. I advise simple post and wire fencing with a native species hedgerow to define the boundary. I do not necessarily consider this site suitable for a permanent dwelling. I still have concerns regarding the visual impact of the accessway and access trackway, which are both wider than originally planned. The trackway was approved as twin cart tracks, but is now a single carriageway and the removal of the cattle grid will encourage more visually prominent post and rail fencing.

Comments in relation to objection letter regarding stone barn:

In terms of landscape impact, it is relatively small and of local vernacular style and I did not consider it to have an adverse landscape impact.

NATURAL ENGLAND - No comments received (*despite agreeing to extended deadline for comments*)

WESSEX WATER - Comments made below are on behalf of Wessex Water operating as the water and sewerage undertaker. The arrangements for foul water disposal allow for discharge from a private treatment plant. This will require a discharge consent granted through the Environment Agency. Downstream watercourses are used to abstract water for the public water supply. We request robust procedures are put in place to complete impact assessments to ensure that no contamination occurs to the land drainage system.

ENVIRONMENT AGENCY - Development does not fall within a category/description on our external planning consultation list to which we require consulting on. Suggest notes to applicant.

BIODIVERSITY - See comments (still valid) made in connection with application 29/12/0004 following - The site of the proposed house now consists of ground recently disturbed by excavation and deposition of soil. Existing gaps in the hedge bank have also recently been widened. The surveyor states that previously the area consisted of improved/semi-improved grassland with localised wet flushes dominated by soft rush. I agree that, in its present state, the land now has low ecological value. It is difficult to assess the significance of this habitat loss and hedgerow removal although the surveyor considers it to be of minor significance. I agree that the impact caused by the reduction in the hedge should be mitigated with further planting. Please liaise with the landscape officer on replanting. If permission is granted then the new dwelling should provide roosting and nesting opportunities for bats and birds.

Details of the current application are slightly different and the application now includes a soak away and a well. I have concerns about the proximity of these features to the nearby SSSI, as it is possible that these could impact on the protected site. I welcome NE's and EA's views on this.

Subsequent comments following the receipt of amended plans:

Further to previous comments, I still have concerns about the proximity of this development to a SSSI in the Blackdown Hills AONB. However, I am not convinced that the concerns are sufficient to merit refusal.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comments received

DRAINAGE ENGINEER - Initial comments - I note that a private sewage treatment plant is to be installed. The applicant should provide information that the Environment Agency have given consent to discharge for this treatment plant.

I note that surface water is to be dealt with by means of SUDS techniques. However no details of how this is to be achieved are included, therefore no approval should be given until such time as the treatment system has been approved.

Following the receipt of further information regarding surface water proposals, suggests condition regarding the use/provision of soakaways.

CORFE PARISH COUNCIL - Remain in support of Otterford PC in opposing application. The precedent for the establishment of a new dwelling in this prominent location in the Blackdown Hills AONB is a serious cause for concern.

- *PITMINSTER PARISH COUNCIL* - Access and levels already undertaken, transformed site, resulting in destruction of particular landscape and destroying special amenity.
- Mobile home required due to site being used for a particular animal that requires constant supervision, whereas land could be used without need for mobile home if used for sheep or cattle.
- Concludes preservation of AONB outweighs use of agricultural land for purpose of keeping alpaca, which requires living on site.
- Conflicts with Policy S1 of Taunton Deane Local Plan. (*NB – This Policy is no longer in existence*)

Subsequent observations

- Impact huge agricultural building will have in unscreened position in the AONB, will be visible from the whole valley. It was moved behind trees but is now back in original position. AONB and Natural England asked TDBC to pay heed to Landscape Officers comments on original siting.
- Access way not constructed to plan 211/L3A in application 29/11/0013.
- Development should minimise adverse effects on local and natural environment/landscape. If significant harm cannot be avoided, should be refused. Site must be suitable for new use.
- Significant harm to character and landscape of AONB and SSSI already made.
- Parish Council wish to see no development on this beautiful Blackdown Hills escarpment to arrest destruction already caused to AONB and SSSI.
- Applicant has shown scant regard for visual qualities of AONB and blatantly flouted planning regulations. Application should be judged on qualities of landscape before unauthorised works, rather than now as despoiled.
- Development is contrary to policies STR1, STR6 and S1 (*NB – These Policies are no longer in existence*). Not alone in strong opposition. CPRE submission particularly relevant.

KERNON COUNTRYSIDE CONSULTANTS (COMMISSIONED BY THE COUNCIL TO PROVIDE SPECIALIST ADVICE AND REVIEW THE AGRICULTURAL NEED) –

The Holding and Enterprises

Holding - The applicant, Mr G Coate, purchased 13.7 hectares (34 acres) of land at Feltham in July 2011. The land is now known as Feltham Park Farm and comprises of 10.7 hectares (26.5 acres) of grassland and 3 hectares (7.5 acres) of woodland.

The site benefits from planning consent for a general purpose agricultural building which provides 350 sq m of accommodation. The building, once erected, is to be used for housing livestock and storing hay and straw.

In addition to the owned land the applicant also rents an additional 3.6 hectares (9 acres) of land on a grazing licence.

Enterprises - The holding supports a mixed livestock enterprise comprising of alpacas, Boer goats, beef cattle and bees.

At the time of agricultural appraisal the livestock numbers comprised of:

- 9 Suckler Cows and a Bull;
- 18 youngstock (9 bulls and 9 heifers);
- 9 Boer does and a billy goat;
- 87 alpacas comprising of 55 breeding females, 17 young stock, 14 stud males and 1 gelded male; and
- 40 bee hives.

I have been through the passport / registration documents and can confirm that the number and type of beef animals accords with the livestock stated in the supporting report accords with these documents. However the registration documents show a greater number of goats (16 females and 8 males) than stated in the report. I am satisfied that the number of alpacas stated generally accords with the documents. I actually think that there are more alpacas than stated (56 breeding females, 18 young stock, 5 gelded males and 15 stud males). However as I am sure you will appreciate there are a considerable number of documents to go through and it may be that I have miscounted. However as the numbers are in-line with those set out in the supporting report I have not spent considerable time re-checking the evidence. In any event my assessment will be made against the proposed enterprise rather than the existing stock numbers.

The applicant proposes to develop the enterprises so that by 2015 there will be:

- 36 Pedigree Female Alpacas;
- 42 Fibre Registered Female Alpacas; and
- 16 breeding does.

No expansion plans are set out with regards the bee and cattle enterprises so for the purpose of this assessment it has been assumed that they will remain at their current sizes.

All labour for the enterprise is to be provided for by the applicant.

Planning Policy for Rural Workers Dwellings

On 27th March 2012 the National Planning Policy Framework (NPPF) was published. This replaced the majority of PPSs and PPGs which previously provided national planning guidance. Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (2004) (PPS7), which provided planning policy regarding temporary agricultural workers dwellings, has been deleted.

Paragraph 55 of the NPPF currently provides guidance regarding rural dwellings. The paragraph advises that, “to promote sustainable development in rural areas”, housing should be carefully located. New isolated housing should only be allowed in special circumstances such as “the essential need for a rural worker to live permanently at or near their place of work”.

New rural workers’ dwellings should, therefore, be “essential” and “sustainable”.

The NPPF advises that Councils may continue to give full weight to Local Plan policies adopted since 2004 even if there is “a limited degree of conflict” with the NPPF (paragraph 214) and “due weight” should be afforded to Local Plan policies adopted prior to 2004 “according to their consistency” with the NPPF (paragraph 215).

The Borough’s Core Strategy, adopted in September 2012, does not provide any specific planning policy in relation to agricultural workers dwelling.

Assessment

- Before considering the essential need for the proposed dwelling it is important to consider whether the holding can accommodate the proposed enterprise.
- Appendix 1 of the Agricultural Appraisal sets out the stocking of the holding with the enterprises at full production. The calculations indicate that the SSSI can be grazed at a stocking rate which is half that of the main grazing land. It also indicates that an additional 11 acres of rented ground will be taken on giving a total of 20 acres of rented land.
- The applicant’s livestock calculations indicate a stocking rate of 1.43 Livestock Units per hectare / 0.58 per acre (including the rented land). Typically a stocking rate of 1 LU per acre is acceptable. Given that the application site in particular appears to comprise of some fairly undulating land then the site would probably not be capable of accommodating such a high stocking rate, but I would anticipate that the proposed stocking rate could be more than adequately supported.
- However the stocking rates calculated in the report include 20 acres of rented land. I do not have any particular concerns about the principle of relying on some rented land. Indeed as mentioned in the report this is common practice particularly on dairy farms where young stock and dry cows (the least vulnerable) cattle are grazed away from the main farm and more importantly the farm worker, returning to the home farm prior to calving where they can be given the necessary levels of observation.
- In this case in my opinion the key issue is whether the owned land can support all of the livestock in the lead up to, during and immediately after the birthing period which as per paragraph 7.13 of the agricultural report will occur between April and December, i.e. predominately when the animals are out at grass.
- Typically alpacas (including unweaned youngsters) can be stocked at 12-20 animals per acre (see attached extract from The Farm Management Pocketbook). *NB – Kernon have confirmed that 12-20 animals per acre is a typo and should read 12-20 animals per hectare, although the conclusion is not affected.* On this basis the breeding females if at Feltham all spring / summer would require of the order of 3.9 - 6.5 hectares. Given that the land at Feltham appears to be fairly unproductive grassland then a stocking rate towards the lower end would be more likely and accordingly an additional hectare would be required for the stud males. In reality not all of the breeding females would need to be at Feltham all year. Those that birth early in the season could be moved to the rented land a couple of months after giving birth and those that aren’t due to birth until the end of the season could spend the start of the year on rented grazing. The suckler cows will require of the order of 4-5 hectares (including silage ground) however like the alpacas they only need to be at Feltham during the calving period.

- In summary from a desk-based appraisal it would appear that the land at Feltham in conjunction with rented land can support the proposed enterprises and more importantly there is, with careful management likely to be sufficient land at Feltham to enable the breeding females to all be grazed there around birthing.
- However I note that one of the objectors refers to a recent comment by Natural England which states that “it seems to me that irrespective of the current climatic conditions, the number of livestock on this site, is beyond its carrying capacity and livestock numbers need to be reduced”.
- I have seen some photographs which I believe have been taken by Natural England which show the cattle, in particular, in some very poached ground this winter. However I have not seen any comments on the stocking.
- From my general experience I would comment that the photographs do not necessarily indicate that the land is over-stocked. Firstly this winter has been the wettest on record which won't have helped matters. However the poaching appears to primarily be the result of the outside feeding of the beef cattle. The cattle have poached the area around the feeders (in accordance with cross compliance feeders should be regularly moved to avoid this – you can see that this has been done to some degree with the feeder being moved along the fence line, however I appreciate that this year that has not always been feasible) and rutting has occurred where the tractor has been taking feed to the feeder.
- As planning consent has been granted for an agricultural building I assume that this will be used to over-winter cattle, as indicated in the vets letter dated 15th November and therefore poaching won't occur. The alpaca and the goats are of substantially different build to the cattle and accordingly should be able to winter graze without causing poaching.
- Accordingly from my desk based perspective I believe that with careful management, including the winter housing of the cattle, the land, in conjunction with rented land should be able to accommodate the proposed enterprises.

Rural Workers Dwelling

- Essential Need. Whether or not a worker needs to live on site is a matter of judgement based on factors such as the frequency of out-of-hours problems, the ability of a resident worker to identify and address those problems, the severity of loss if they are not addressed and the potential for notification of problems to a worker living off site (by alarms, for example).
- Once expanded the applicant proposes to have of the order of 70 – 80 alpacas birthing each year along with 9 Suckler Cows calving down and 16 goats kidding. Paragraphs 7.13 -7.30 of the agricultural report sets out why the applicant and his agent believe that there is an Essential Need to live on site. A number of appeal decisions relating to alpaca enterprises where a functional need to live on site has been accepted are also attached.
- Although I do not necessarily believe that all of the tasks / events referred to in the report specifically require a worker to be living on site, in particular routine daily checks on livestock / tasks such as worming etc. do not require a worker to be living on site neither does the alpaca mating process require a worker to be resident on site as this will occur as part of a normal working day. Further I am not convinced that the bee enterprise requires a resident worker, especially as

half of the hives will be located off the main farm.

- However I am satisfied that with the number of alpacas, cattle and goats that are due to birth then during this period, which runs from April to December, there is a need for a worker to live at or near the farm. As stated in paragraph 7.16 the alpaca unlike sheep do not tend to give any signs (bagging up etc.) that they are due to birth. I understand that this is largely due to the fact that in the wild they do not want to give signs that they are due to birth as it makes them more vulnerable to predators.
- Further unlike sheep / cattle who typically birth fairly close to their due dates alpacas can birth well outside their anticipated due date so it makes it much more difficult to condense the birthing period to a compact period like you would say a sheep flock who would typically lamb over a matter of weeks rather than months. Further the length of the gestation period also makes it more difficult to condense the birthing period as late birthing animals will have to remain late on in the season as it does not make economic sense to delay early birthing animals until later in the season. However as sheep have a much shorter gestation period it doesn't matter whether they are early / late to lamb they can still all go to the ram at the same time and hence hopefully all get covered at relatively the same time.
- In my opinion in isolation the small number of cattle and goats would not warrant a worker living on site. It is the alpaca enterprise that warrants an on-site worker.
- I note that an objector has made reference to The Planning Inspectorate Case Law and Practice Guide 7. The guidance note, which I attach, does make reference to the fact that "arguments that alpacas have special care needs should therefore be treated with caution." However in this case the proposed herd will be of the order of 70 -80 breeding females, significantly larger than many of the alpaca enterprises that have obtained consent for a dwelling.
- In summary taking into consideration all of the above I am satisfied that the enterprises in combination will warrant a worker living on site.
- Sustainability considerations? Although there is no longer a specific test in the NPPF regarding sound financial planning in relation to the provision of temporary agricultural workers' dwellings, the Framework only promotes "sustainable development in rural areas" (paragraph 55, in relation to housing). Economic sustainability and the ability to carry out the proposals as described must be part of this. An applicant therefore still needs to demonstrate economic sustainability.
- Financial sustainability. The application has been supported by a confidential business plan which contains actual and budgeted accounts for the enterprise. It is interesting to note that the figures used in the budgets in relation to the sale of alpacas are significantly less than the figures which are shown on the applicant's web-site. In my opinion the figure used in the Business Plan for a pedigree female with male cria at foot are far more representative of the current state of the industry which over the last few years has significantly weakened. However they are still some way off the prices which were paid at auction for a number of the alpacas.
- Unfortunately I do not know the circumstances on the day of the auction but from my experience and from average sales figures taken from AlpacaSeller UK (as attached) it would appear that Mr Coate picked up a number of bargains at the

auction.

- Stud fees are shown in the business plan, which are slightly above average but not unreasonable.
- Having studied, in particular the figures for the alpaca enterprise, in some detail I would comment that they appear reasonable. Variable costs shown for the alpaca enterprise, from my experience of these enterprises, would seem reasonable. Further as set out above the level and value of sales appears reasonable. Once the enterprise is fully expanded the combined enterprises are budgeted to generate a profit, before labour. Further unlike many alpaca enterprises the profit generated by this enterprise is as a result of actual sales rather than increases in stock value.
- The applicant has applied for a temporary consent for three years and therefore at the end of the three year period the local authority will have the opportunity to reassess the financial sustainability of the enterprise and will be able to satisfy themselves that the applicant has achieved the level and value of sales anticipated.
- In summary I am satisfied that the financial documents submitted with the application demonstrate that the enterprise is financially sustainable.

Summary

In summary the application for a mobile home meets the appropriate policy tests set out in paragraph 55 of the Framework in that:

- There is an essential need for a worker to live at or near their place of work;
- From the detailed business plan that has been prepared it is apparent that the business is likely to be financially sustainable.

Representations

9 letters received from 5 households OBJECTING on the following grounds:

- Designated AONB, special considerations apply, constitutes a visual intrusion detrimental to amenities of area and destroy obvious character and beauty of landscape, against purpose for which AONB has been designated. Scenic landscape enjoyed by many walkers, cyclists and horse riders. Agricultural building would not be hidden by hedges as these need to be kept low to allow for electricity cables. Environmental and visual impact of re-sited agricultural building will be enormous and do irreparable damage to AONB. Views shared with Landscape Officer, AONB, Natural England, 3 Parish Councils and others. Building cannot be unobtrusively sited as stated by CPRE. Re-siting massive structure out into the open will destroy unique site forever, both visually and ecologically. Revised location of farm building preferred as would have working relationship with repaired barn and could serve future farming uses. Development on high ground of the plot, clearly and very visibly viewed from Feltham Lane. AONB must be protected from new residencies unless significant economic benefit. Development will spoil land for future generations to enjoy and be visible forever. Hardstanding proposed is totally excessive and shows scant regard for sensitivity. Application does not merit putting AONB at risk,

should be refused and site restored. Aghast to learn that planning permission has already been granted for the erection of an agricultural building. Previously unspoilt hillside on Blackdowns Escarpment has been despoiled by the unauthorised works already carried out, including vast area of former pasture tipped with builders rubble. Blackdown escarpment one of most important landscapes within AONB. Proposal, with exception of works to small stone barn, in serious conflict with AONB policies, will neither preserve nor enhance natural beauty and adversely affect landscape character. Site open to view from various public vantage points along the narrow road, especially from footpath to southern boundary. Views from public routes have been/will be seriously damaged. Applicant has shown scant regard for visual qualities of AONB and blatantly flouted planning regulations. Application should be judged on qualities of the landscape before unauthorised works, rather than now, despoiled. This farming mix would be better located elsewhere not within AONB, with particular sensitive needs to maintain or improve existing flora and fauna on poor soils. Sensitive nature of alpaca that require 24 hour on site care is wrong farming practice on poor, low grade soils, SSSI should not be jeopardised by totally inappropriate husbandry and AONB should not be compromised by an unsuitable farming use. Wrong type of farming on wrong location, not justification for a dwelling. Highly visible track across site should be lined with mixed native hedgerow to soften it's impact across rising ground.

- Approximately 40% of grazing land designated as SSSI and adjacent to another, impact upon flora, fauna and wildlife. No external lighting should be permitted to protect flora and fauna.
- Access driveway not in accordance with planning permission and should be restored to mitigate impact on the visual aspect of this eyesore. Developed without regard to landscape and character of AONB, requirements for visibility, entrance width and surfacing appear over-engineered in this setting, having a detrimental impact on rural character. Entrance wider than previously approved and other variances.
- A need has not been proven for a permanent on site person requiring a temporary agricultural dwelling. Land rented at Buttles Farm, Churchinford and no functional need and security requirement to be on site for livestock there or elsewhere. Urge local planning authority to seek independent expert opinion on alleged agricultural need. Temporary permission, once granted is a 'foot in the door' becomes impossible to not further extend. Only significant farming solutions should ever be allowed permission to create dwelling in very sensitive farming unit. Not been demonstrated that this mix of farming could only be undertaken within special nature of AONB and will at least maintain if not improve the very fragile nature of the AONB land management. Stock control in AONB should be managed by traditional bank and hedging, not onsite presence. Alpaca births can be organised to occur at specific times and can be bred successfully without a person being on site at most times. Mr Coate had 6 pregnancies at purchase and 5 were born within a week. Births organised for June-July would aid cria survival rates as no shelter at Feltham Park Farm, although shelter is recommended. Alpaca need very little attention. Alpacas of Ireland website states *They require relatively little daily attention. The care of even a large herd can be combined with a full-time job.* Another alpaca breeder website states *Alpaca are very easy to look after, an annual shearing, twice yearly vaccinations and little else.* Current practice at Feltham Park Farm reflects this low level requirement for alpaca management. One of largest alpaca breeders in South West recommends 10-20 minutes per day to check their

numbers that they are all standing and no single alpaca is separated from the others. In line with our observations over the past year at Feltham Park Farm. No requirement to be on site for other livestock under application 29/11/0013. Labour requirements of enterprise only equate to part-time labour. British Alpaca Society states *Although preferable to live on site, possible to run a successful alpaca breeding business without doing so. Most problems could be dealt with by non-resident worker, supplemented by staying overnight on an occasional basis.* Not 100 alpaca on site, at time of writing only 35, raising concern that welfare and security of other 60 alpaca elsewhere is compromised by Mr Coate not living in that location. Despite living on site, Mr Coate looks after his animals on a part-time basis only.

- Land rented should not be in financial justification. Investment in agricultural building has not been exercised (*NB - comments received prior to erection*). 92% of livestock are alpaca, relating to huge percentage of income. 1.7 workers not essential for stock management. If were, agricultural labour costs for alpaca alone would be £33,000 per annum. Business has not been planned on a sound financial basis, unlikely to become viable and sustainable. No mention of standard labour rates for alpaca in Farm Classification Working Party document. Figures used for labour requirements for alpaca are unsubstantiated. Query why cannot be compared to labour requirement of sheep. Full-time agricultural worker is unjustified. Mr Coate's website shows alpaca herd for sale at a 637% increase in stock value of what he bought them for, based on auctioneers website. Half of female alpaca fibre-registered so third generation of offspring will be registered pedigree. Half of female herd will not produce cria of any value for 3-4 years. Stud prices also considerably higher than the purchase price of the same animal. Query if prices have been verified. Area is red alert for TB, would a serious alpaca breeder buy or use these for stud services. Alpaca were grazing with cattle which makes fleece practically worthless. Comments from a leading expert alpaca breeder stated Blueberry herd purchases were those at lower end of quality scale that no-one else wanted, unlikely to generate sales with poor quality of stud males purchased at pet prices, alpaca kept on damp, poor pasture with undergrowth in field so fibre being destroyed by mud, vegetation and hay, affecting value of fleece and alpaca not shorn in 2012 so no income from fibre in 2012 – 2013, males running with females and cria so unwanted pregnancies with owner being unsure of sire of the cria or when birth expected therefore stock can only be registered when sire identified by DNA, not in line with vast amount of time spent supervising and controlling matings as set out in appraisal, there are numerous stud males available in south west with services well proven, stud fees he is hoping to charge are same or more than those charged for top males standing at stud, commercially viable alpaca enterprise at Feltham Park is going to be difficult to achieve, standard labour rates grossly inflated, will not require anything like this, husbandry is poor and welfare concerns, concerns that alpaca are not being cared for well but being used as a tool to obtain planning permission, content of website has false content against Advertising Standards Agency laws, including photos of animals not owned.
- Natural England proposed land can be maintained with 30 head of cattle, which requires no permanent on site presence and alpaca societies have maintained it is not necessary. No mention of worker or dwelling being required under earlier application for barn. Our property overlooks Feltham Park Farm, no visual evidence of need for 1.7 persons over the past year. We and other neighbours have observed one person on site for approximately 1 hour per day for stock

management and feeding. Many other occasions when he has been on site all day excavating/developing land, not looking after livestock.

- Highways and infrastructure not built to handle this type of traffic. Already deterioration and destruction of Adcombe Lane as road is braking up due to heavy machinery. Mud on the hill causing skidding and farm vehicles obstructing thoroughfare.
- Small stone barn and concrete apron did not exist on land when purchased in July 2011, not a refurbishment or repair, built without planning permission. Unwelcome impact on area, fully visible from Adcombe Lane, visually appalling and environmentally unfit for overwintering cattle. Area not designed for cattle handling so no provision to collect run-off so is likely to affect SSSI and risk contaminating watercourse. Shed should be demolished and area restored to pasture. Previous owner states building was used as field shelter for livestock, no need for field shelter as cattle have always been overwintered off site as ground is so wet. Shed is within 200 metres of Montgomery House, Article 3 of GPDO states a building used for livestock accommodation must be at least 400m from a dwelling. Works have not been completed as per the currently submitted elevations, there are no wooden doors or gables. Roof is not a re-roof, there was no roof or walls to support it, roof now second hand rusty sheeting, not even of same length.
- Reference to Planning Inspectorate Case Law and Practice Guide 7 - Alpaca Farming.
- The three appeals appended to support the application illustrate that it is common practice to overstate the Standard Labour Requirement because there are no substantiated figures.
- Security concerns following theft of 2 alpaca not enough justification for a full time person on site. None of residents were interviewed about theft, people in nearby houses directly overlook alpaca, only 25 metres away in one case. An appeal states no reported alpaca thefts in the UK in 2008, unusual that two thefts within two months at Feltham Park Farm. Query theft of gelded male, lowest priced of the herd with worthless fleece. Theft was reason for hasty installation of temporary dwelling but security in itself not justification. Incredible amount of money expended on acquisition and installation of mobile home for such small value thefts. Proposed temporary dwelling will not achieve desired sight and sound requirements as vegetation obscures view of much of pasture.
- Abundance of affordable accommodation available in nearby Blagdon, Corfe and Churchinford (for sale or rent), within a few minutes drive, close enough for someone to cater to animals needs with access to facilities. Not many farmers live within site and sound of all their stock, particularly on larger farms. At Feltham need personal transport to access facilities, no public transport.
- Dwelling has been on site sometime with no permission and no plans for removal as owner drops and resubmits new applications. Mockery of process.
- Temporary dwelling should not be discussed unless a permanent dwelling is also discussed – this is a precursor to a permanent dwelling. Local planning authorities should not grant planning permission in locations where they would not permit a permanent dwelling. Natural England objected to previous westward siting of agricultural building behind trees, surely would not allow permanent dwelling in same position or to west beyond hedge line. Permanent house siting will be a problem.
- Site is located upstream of a drinking water reservoir within Wessex Water Supply Catchment. System downstream incapable of treating Cryptosporidium infection. Soils at site have low infiltration capacity evidenced by poaching.

Level of stock proposed likely to result in further soil erosion, poaching, water contamination, downstream degradation and associated additional vehicle movements, along with new sources of surface water contamination and increase severity of existing surface water contamination, resulting in significant risk to quality of surface water discharging off site. Catchments capacity to assimilate proposed increase in contaminants load is limited. Best practice environmental management principles dictate that stocking rates, erosion and other risks adjacent to, upstream and downstream of site need to be assessed for potential cumulative effects. Planning tension between approving a development that requires proportionately large number of animals to make a living and siting it in a sensitive water supply catchment. Constraint was made clear to proponent at time of purchase.

- Land was auctioned as 26 acres grazing land in a quiet hamlet, not a farm development. Legal advice stated that due to restrictive covenants and land being within AONB – no development potential whatsoever. After excavation/destruction and taking out SSSI, only 14 acres of proper grazing available. Too small, will not sustain 100 alpacas planned, let alone 40 goats and 30 head of cattle. Stocking proposal too high when looked at against DEFRA or BAS recommendations, BAS recommends 2/3 alpaca per acre on this poor pasture, max 73 with no allowance for other livestock. Natural England have commented that number of livestock on site is beyond carrying capacity and livestock numbers need to be reduced. Stocking rate calculation incorrect as states 20 acres rather than 9 acres, but none of rented land should be included. Landscape suited to grazing sheep or cattle with no necessity for a full time worker or agricultural dwelling. Fields are wet for most of year so not viable for cattle grazing for more than 5 months of year. Nearby Devil's Pit Farm has had agricultural tie removed as farming is not sustainable. No justification of long term storage of cattle in this location. Previous farmer of land suffered 3 deaths of cattle in one year from red water disease.
- Natural England would not allow agricultural building behind trees, why would they allow a temporary building plus associated engineering works behind trees.
- Venture not financially viable on land available, therefore no need for dwelling or agricultural building. Land of too little economic value with no commitment to a long term presence to justify dwelling. Farming enterprise has marginal economics that do not justify putting AONB at risk.
- Animal welfare not directly a planning matter but is material to the long term sustainability of the enterprise. BAS and Mr Coates vet disagree on welfare in terms of shelter, shearing and communal grazing. Communal grazing may not pose welfare risk but this and not shearing would lead to potential loss of income due to contamination and fibre length. Shearing and livestock segregation recommended by BAS. Shelter recommended by BAS but vet says enclosure boundaries are sufficient so no additional shelter is necessary.
- Mr Coate has been living on site since August 2012 and most of livestock losses and welfare problems have occurred during this period. Seen evidence of dead alpaca and goats this month.
- Concerns that specialist camelid vet has not visited site and is not aware of current conditions, but has issued general guidance on alpaca based welfare based on vast experience.
- Number of animals results in increased traffic, noise, smell and general activity. Smell, pollution and noise of animals so close to residential properties has already required participation of Environmental Health.
- Beehive sites are a health and safety issue – swarms of bees have been in

nearby houses.

- No evidence of acceptance of grants for maintenance of land, would conclude that good management of SSSI not being practiced. An experienced and serious farmer would not have purchased small site of unusable pasture in AONB, adjacent to SSSI and attempt to develop it without preliminary discussions and written permission of interested parties. Why did he not purchase 34 acres of usable land outside the AONB more suitable to planned enterprise. A farmer who cared for welfare of his stock would have made provision for them by first achieving planning permission for his intended agricultural facilities before purchasing stock, not buying them speculating planning would be forthcoming. Animals have been left to suffer on the pasture for two winters, causing damage to land and stress to animals, often being knee-deep in mud and excrement.
- Activity on site demonstrates lack of appreciation and understanding of management to conserve and enhance local environment. AONB supports comments made by Natural England in relation to impact on AONB. Very sad that Mr Coate destroys AONB/SSSI with apparent ease. He has excavated site for four bedroom dwelling and barn only covering with topsoil, excavated and put in hardstanding areas, built a small shed, installed a chalet bungalow with all amenities, removed hedgerows and power cables, overstocked land and repeatedly submitted applications. Applicant is bulldozing way through planning procedures and has no regard to environment or regulations.

Letter received on behalf of Campaign to Protect Rural England objecting on the grounds of:

- Own landscape officer considers proposal detrimental to landscape character of the AONB. Clear conflict with policy which gives highest level of protection to landscape.
- Natural England considers proposal will have damaging effect on SSSI.
- Additional land on an annual grazing licence should be disregarded as no assurance of continuity. Grazing land is unimproved and semi-improved wet grassland, totally unsuitable for anything except extensive grazing at low stocking rates. Management options constrained as part of site is SSSI.
- Only justification for a temporary mobile agricultural dwelling would be to give occupier opportunity to demonstrate holding is viable, because of size and constraints this is never going to be possible, so there can be no justification.
- TDBC should be mindful of its duties to the protection and enhancement of the natural beauty and wildlife of AONB as well as to conserve biodiversity.

5 letters of SUPPORT received on the grounds of:

- George is from farming family spanning at least five generations and showed early interest in farming. Soon became hands on with livestock farming, animal care, welfare, feeding. Regularly attended livestock auctions recognising different types/quality of stock. Became interested in bloodlines and produced high quality pedigree animals, at forefront in production of high quality stock and given the best of animal husbandry. Complete confidence that George is more than capable of all aspects of animal husbandry and welfare and business is being run successfully. Natural ability with livestock has always shone through. Ways into farming are so limited today. All young farmers should be given

opportunity and encouragement to set up their own farming business. With sale of many county council farms and amalgamation of small farms into larger units, paramount that local council give assistance with development of young farmers new entities. He has drive, knowledge and determination to make a livestock farm succeed and should be welcomed into the industry.

- George has developed his business plan for the farm enterprise and shown an entrepreneurial approach towards creating a sustainable farming business on a small farm. To create a profitable farm business from scratch is quite an achievement and taken a great deal of research, planning and hard work to develop a financially sustainable mix of livestock enterprises that complement the natural biodiversity of the farm.
- Permission will assist with improved animal welfare and other emergency and security issues. Sympathise with struggles George has already had to deal with including loss of calving stock, theft, and excessive travel time around the clock by not having 24hr on-site presence. Need to be on site to promptly attend numerous 24 hour related emergencies due to keeping livestock which birth all year round in quantity that Mr Coate does.
- Day to day management and care of this number of livestock, as well as overall management of the business is a lot of hard work and a full-time occupation.
- Being unable to reside as a full time farmer on site could jeopardise an interesting, diverse and forward thinking farm business that has the potential to contribute to the rural economy. From a welfare standpoint essential that there is a capable worker on site 24 hours a day, not only for day-to-day needs but particularly for emergency welfare needs of 87 camelids, as well as cattle and goats. A breeding programme for a large herd takes a considerable amount of time and very regular emergencies (e.g. illness, all year round births, injury and isolation) and essential tasks occur that cannot be worked into a scheduled day, hence a considerable proportion of the work needs to be carried out at unsocial hours. Security is also important, previous thefts from farm have been prevented recently through continual presence on the farm, implying requirement for a dwelling. A dwelling to house a competent stockperson would ensure current high levels of animal health and welfare are maintained, not only for benefit of animals but to guarantee future of a viable business.
- Position of dwelling will not interrupt existing view points, to the west of livestock shed seems appropriate location.
- As former tenant, I am familiar with environment and ground there, Mr Coate has done a fantastic job maintaining and improving grassland through his livestock/business practices. Large number of beehives have wider environmental benefits in pollination of wild flowers and meadows. Mr Coate is a dedicated farmer with a diverse business that suits the environment.

Letter received from a Specialist Camelid Vet in support on the grounds of:

- Level of livestock on farm clearly commercial operation not a hobby farm. Animals farmed are breeding animals, requiring considerable amount of time and commitment, particularly around parturition and during first few months of life.
- Alpacas susceptible to many conditions that may result in disease at any time of year. Important to check animals regularly to observe subtle signs of illness, which indicate that an animal is sick or in pain. All subtle clues that may be picked up by an owner being present on site and able to supervise animals closely and regularly in day and evening hours. Not uncommon to have no

clinical signs yet be found dead within 24 hours, restricting observation increases chances of this. Should be encouraging closer supervision of farm animals to avoid unnecessary suffering. Alpaca can require treatment anytime day or night, especially in winter when cold and cria can require bottle feeding every 2 hours up to 6 months old if mothers have insufficient milk or have died. This is required every two hours during the first month as feeding too much in a single feed can cause life-threatening problems. Exceptionally difficult if not living on site, compromising animal welfare.

- Under good conditions, alpaca can breed all year round and it is not possible to accurately predict a birthing date due to variable gestation dates requiring extended observation. In response to Planning Inspectorate's Case Law and Practice Guide 7, whilst it is true that most birthings will take place between dawn and the afternoon, those that do not are likely to be having problems. If delivery of cria does not take place within 20-30 mins urgent examination is required and delay could cause fatal consequences for both cria and dam.
- Planning application is submitted in retrospect due to theft of 3 alpaca. Given potential value, desire to live on site understandable.
- Not shearing alpaca in normal years could result in heat stress but lack of shearing in 2012 was not an issue as summer was virtually non-existent. Regular checks would spot and address any problems of fly strike.
- Strongly support Mr Coate's desire to live on site and urge you to consider that the welfare of the animals is better served in this manner.

9 letters of OBJECTION received from 7 different households following notification of amended plans, raising the following new issues:

- Letter received from South West Alpaca Group stating that previous supportive letter was desk based, requested several times by Mr Coate but now having viewed the site, raises concern site is subject to extremes of weather with poor quality soil and covenants preventing improvements to drainage and use of fertiliser. Concerns that stocking figure quoted by Kernon should read per hectare, rather than per acre, considers that to still be over ambitious. Mr Coate obviously aware of limitations as less than 30 alpaca on site at time of visit, he had been suffering losses and remainder on rented land. Of opinion that site could support 50 alpaca with no other livestock, but need shelter and substantial barn in winter. Concern over welfare as he purchased an excessive number of inexpensive animals that does not bode well for a substantial alpaca business, where quality of stock and fleece of paramount importance. Alpaca not shorn in 2012, now wet, muddy, overgrown fleeces of little commercial value. Concerned what will happen to animals if planning permission refused, or for their future if granted. If permission successful, should demonstrate in 3 year provisional period that he is willing and able to provide suitable facilities for well-being of animals, rather than using as a pawn to uplift value of site.
- Temporary dwelling will not be located within site and sound of herd as behind trees.
- Specialist camelid vet commented on application but has not visited site so no first hand knowledge of husbandry practices of applicant – she was speaking in general terms of the principle of a person owning nearly 100 alpaca to live on site.
- Fully concur with observations of Blackdown Hills AONB Partnership dated 18/1/13. Application should be rejected as the repositioning of the mobile home

is a further blight on the landscape.

- Regrettable that planning permission granted for building elsewhere on site. Strongly object to revised application or any other permutation applicant chooses to dream up.
- Agricultural need inconclusive based on comments of South West Alpaca Group. Nothing that says farming alpaca on vulnerable site will help to maintain let alone improve quality of soil, flora and fauna. 43% of land rented elsewhere (20 acres out of 46.5 acres) and three-quarters of alpaca on rented land, therefore proposed temporary dwelling not essential at Feltham as requirements of alpaca welfare and security cannot be met from this site. This will always be case as land at Feltham is incapable of supporting more than 50 alpaca, without other livestock.
- Alpaca were purchased in August 2011, before submission of application for agricultural building in October 2011, which stated enterprise comprised of suckler cows and bee hives. No reference to ownership of Blueberry Herd of alpaca and no requirement for onsite accommodation to manage them. This was not mentioned until July 2012, nearly a year after they were purchased. Goats also purchased prior to living on site.
- Deaths put down to not living on site but several deaths witnessed when he was resident on site and will most likely continue due to poor quality of land, unsuitability of site in winter without appropriate facilities and no shelter for alpaca.
- Numbers of animals cannot be sustained as stated by Welfare Representative of South West Alpaca Group.
- A permanent dwelling will be applied for after a few years, distance of soakaway from temporary home suggests siting has already been chosen. If allowed, this will further damage the SSSI, positioning to east objected to by Ian Clark on landscape grounds.
- Access way not constructed to approved plan as apron has no fall in it and covered up with soil to disguise it. Significant risk of soil washing onto highway as nothing to retain it.
- Concerns that Taunton Deane commissioned desk based appraisal of agricultural worker's dwelling. They may have come to a different conclusion if they had seen first-hand the condition of the alpaca, poor condition of the pasture, development's siting and lack of husbandry. Kernon's appraisal makes no reference to impact development will have on the management of the SSSI or AONB.
- Concerns that due to some females being too young to breed, some not being pedigree status, applicant will not have 70-80 alpaca birthing which can be sold at pedigree price, although will have costs associated with all births. Taking into account labour and variable costs, most unlikely that applicant can make a profit from alpaca sales. Fleece and stud sales are unlikely given condition of alpaca. Account should also be taken of losses resulting from death. Therefore enterprise not sustainable and not planned on a sound financial basis.
- Land sold to applicant with retained rights under covenants by Wessex Water, all of which are being contravened. Wessex Waters consent should be obtained before TDBC makes a decision.
- Temporary accommodation gives 3 years to prove viability of holding and seek permanent residential structures. Unfair that others are expected to show viability in three years but this applicant receiving preferential treatment, allowing him additional year to prove viability. No valid reason for application to drag on without resolution, in interests of fairness, both applications should be brought to

same committee meeting as they are linked.

2 letters of SUPPORT received following notification of amended plans, raising the following new issues:

- Letter received from Farmvets regarding housing needs of alpacas. Alpacas are native to cold mountainous regions, likely to be lot of severe weather. Main requirement is to find some protection from strong winds and strong sun, they do not need enclosed housing. Dense hedges and natural woodland edges can provide what is required and barn being constructed is adequate to meet winter housing requirements for alpaca if necessary.
- Letter received from former tenant of land - I have farmed Mr Coate's land for 10 years prior to his purchase and have extensive real practical experience of the farm and farming in general. Mr Gratton has made comments on the grass/ground quality but he is not a farmer. I can state with my direct knowledge and farming experience of the ground that the grass grows very well and although some isolated areas can be very wet (SSSI), the vast majority of ground (all non-SSSI) is normally productive grassland, which is firm under foot. I can very confidently say that Mr Coate's alpaca and goat enterprise in full flow of 130 animals can be fully accommodated solely on his farm. Any comments to suggest otherwise are complete nonsense. I understand cattle will be relocated to rented premises in spring/summer rather than outwintered on grassland, which will see a vast improvement next winter. With the addition of the large farm building, I see Mr Coate's premises as an entirely sensible and suitable set up for his business, suggestions that it is not are respectively uninformed in commercial agriculture and it must be very frustrating for Mr Coate. Although uncommon, alpaca businesses can operate within a building, fed hard food and Mr Coate's building is large enough to accommodate his entire alpaca business without any outside grazing, therefore the subject of grass growth is not material. I hope Mr Coate can be supported so his business can thrive.

Letter received from applicant providing further details:

- Concerns that objectors comments are incorrect and potentially misleading to an uninformed viewer.
- Currently have 60 alpaca at Feltham Park Farm of higher value animals, whilst remainder on rented land. Cattle, goats and bees presently on Feltham Park Farm. Not ideal for some animals to be on rented land 4 miles away, they will come back permanently when farm building is complete or in summer when land recovers from winter and cattle will be relocated to rented ground once calving complete.
- Grass growth on farm extremely good, as stated by previous tenant. Soil analysis by Mole Valley Farmers showed good all round content and organic matter levels. Some fields have become poached during this winter following one of wettest summers on record, poaching is a common problem of overwintering cattle on any ground and necessary as cattle shed was not up, which now is. Only some of SSSI areas are wet, stocking levels reduced accordingly, rate considered acceptable by agricultural agent. All non-SSSI is firm under foot. No requirement to grow cereals or vegetables more suited to grade 1/2 soils and have chosen appropriate ground quality for my business.

Livestock shed is large enough to accommodate entire alpaca business so if grass died, business would still operate to full extent buying in fodder. Financial assumptions made by objector relating to alpaca sales prices and profits are consistently incorrect and form impossible assumptions without any knowledge of commercial farming or viewing confidential submissions. Arminel Goodall from County Highways confirmed there was no inappropriate drainage onto the highway from the new concrete apron, run-off makes it's way satisfactorily into private ditches either side, not onto highway. An area of topsoiled verge either side of splay is reinforced by a sub layer of concrete which protects drainage ditch pipes from long vehicles prone to cutting the verge. Mobile home considerably further from SSSI than objector states, but immaterial as foul water is treated via Sewage Treatment Plant and onto soakaway in excess of Environment Agency's guidelines of 50m from SSSI, therefore have gained approval of EA consent to discharge and installation covered by Building Regulations. Mobile home will have no effect on SSSI.

PLANNING POLICIES

AONB - Area of Outstanding Natural Beauty,
NPPF - National Planning Policy Framework,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
SP4 - TD CORE STRATEGY REALISING THE VISION FOR THE RURAL AREAS,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP8 - CP 8 ENVIRONMENT,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £1,079

Somerset County Council (Upper Tier Authority) £270

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £6,474

Somerset County Council (Upper Tier Authority) £1,619

DETERMINING ISSUES AND CONSIDERATIONS

It is important to note that a great deal of objections have been raised to the erection of the agricultural building. This was however granted consent under a previous application and has since been erected and deleted from this application. As such, no weight is attributed to comments referring to that element of the scheme.

Paragraph 55 of the National Planning Policy Framework (NPPF) states local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. e.g. the essential need for a rural worker to live permanently at or near their place of work in the countryside. Following the introduction of the NPPF, it has been widely accepted that the most appropriate way of assessing this need is through the use of the former Annex A of PPS7 and Taunton Deane have officially agreed this as technical guidance, following the agreement of the LDF Steering Group in July 2012. As such, the application for the temporary agricultural worker's dwelling will be assessed against the criteria set out in the former Annex A.

Paragraph 12 of the former Annex A sets out the criteria that applications for a temporary agricultural dwelling should be assessed against:

- i) Clear evidence of a firm intention and ability to develop the enterprise concerned;
- ii) there must be a functional need for one or more workers to be readily available on the holding at most times. For example, if workers are needed to be on hand day and night;
- iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- iv) no other dwellings should be capable of meeting the identified need, either on the property or in the area, which is suitable and available;
- i) other planning requirements. For example, access or impact upon the countryside must be satisfied.

i) Intention and Ability

The applicant has been utilising the land for the farming business since it was purchased in 2011. In December 2011, planning permission was granted for the erection of an agricultural building on the site. Although planning permission was obtained, this was not constructed until earlier this year and the applicant has stated this was largely due to the challenging weather conditions in 2012. The building has however now been constructed on the holding. Furthermore, works have also been undertaken to create an animal shelter and livestock handling area through the renovation/formation of a traditional stone barn.

The applicant has therefore invested in agricultural buildings on the site that are appropriate for the nature of the farming enterprise indicating an intention to develop the business on the site. The accounts submitted indicate that a large proportion of the suggested business is already operating, whilst supporting letters have set out the applicant's agricultural background and experience to suggest that he has the ability to develop the enterprise concerned.

It is also important to consider whether the site is capable of accommodating the enterprise concerned. On the basis that it was deemed that this matter needed consideration by an agricultural specialist, Kernon Countryside Consultants were instructed to undertake a desk based appraisal of the application. Kernon have assessed the stocking densities, taking into account the nature of the grassland and are of the opinion that the proposed stocking rate could be more than adequately supported. It is acknowledged that the stocking rate has taken into account rented land, although it is a common occurrence for farmers to rent in additional land to

supplement that owned and as such, Kernon considered it appropriate for this to be included in the calculation. It is also pertinent to note that the amount of rented land is low in comparison to the amount owned. Furthermore, Kernon assessed whether the owned (supervised) land could accommodate all of the livestock that require supervision during and immediately after birthday, which was considered to be the key issue. In view of the long birthing period and the fact that not all of the breeding females would need to be at Feltham all year round, it is considered that with careful management and rotation of stock depending on their birthing time and needs, sufficient land exists at Feltham to accommodate breeding females at the appropriate times, whilst the inclusion of the rented land would enable the proposed business as a whole to be supported.

It is noted that an objector has raised the concern that the site is beyond its carrying capacity, although Kernon are not of the opinion that it is necessarily overstocked but instead poached due to the extreme wet weather in 2012 and the cattle being fed outside. Kernon have however highlighted that the erection of the agricultural building would make provision for the over-wintering of the cattle, preventing this from occurring in the future. In view of alpaca and goats being of a different build to cattle, they are unlikely to have this impact on the ground when winter grazing.

ii) Functional Need and whether the functional need cannot be fulfilled by another existing dwelling (iv)

One of the main issues for consideration is whether there is an essential need for a worker to be accommodated on the holding. A functional test is therefore undertaken in order to ascertain whether it is 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 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.

This section is considered alongside criteria (iv) relating to whether the functional need, if indeed there is one, could be fulfilled by another existing dwelling either on the unit or in the area, which is suitable and available as it is considered that the two criteria are closely related.

Kernon, as agricultural specialists have also made an assessment on this element of the application and the proposal to expand the business to include 70-80 alpaca birthing annually, 9 suckler cows calving and 16 goats kidding. In the supplementary information submitted with the application, the applicant has set out the tasks/events which he considers results in a need to live on site. It is considered that there are many tasks that can be undertaken during a normal working day such as daily routine checks of the livestock, alpaca mating process, worming, feeding and tending to the bee hives (particularly as half are off site). However there are other elements of the business, relating to birthing that require more careful consideration.

The combination of the numbers of alpaca, cattle and goats due to birth amount to a significant number from April to December. Kernon are therefore of the opinion that a worker would need to reside on or near the site, particularly in view of the traits of the alpaca, which do not give off signs that they are shortly due to birth, nor do they

birth close to the anticipated due date, as would be the case in sheep and cows. As such, the birthing period is much more difficult to condense to a shorter period, as would be possible in the case of sheep. Kernon have stated that whilst the cattle and goats alone would not require a worker to reside on site, it is the nature and level of alpaca that warrants an on-site presence. On this basis, Kernon conclude that the enterprises in combination will warrant a worker living on site.

The labour calculation has been challenged by objectors and evidence from the alpaca breeders website has been put forward to indicate that alpaca need little care and supervision. Whilst the advice set out in the Planning Inspectorate Case Law and Practice Guide 7 that “the special care needs of alpaca should be treated with caution” is acknowledged, a camelid vet, as a specialist in that field, clearly sets out how alpaca are much more labour intensive than many types of livestock and consequently require a great deal of supervision. Furthermore, it is important to consider that in this instance, the proposed herd would be in the region of 70-80 breeding females and consequently, this sheer number requires a significant amount of supervision. It is fundamental to note also that a number of appeals have been allowed for agricultural worker’s accommodation on site for a significantly fewer number of alpacas than this and there is evidence of appeals being successful where there were as little as 14 alpaca; 8 female alpaca with a proposed expansion to 25-30; and 11 alpaca with a planned expansion to 18.

It is acknowledged that a large proportion of dwellings in the vicinity would be beyond the affordability of an agricultural worker. Whilst there are more affordable dwellings in nearby villages, it is acknowledged that these are not close at hand. In view of the numbers of birthing alpaca and the nature of the alpaca showing limited signs that they are about to give birth, it is acknowledged that additional checks would be required, that would not be the case for this amount of some other livestock, sheep, for example. As such, in these particular circumstances, it is considered that the functional need could not be met by living in a nearby village.

iii) Proposed enterprise planned on a sound financial basis

Kernon were also asked to consider the financial aspect of the planning application. Concerns have been raised by objectors regarding the figures that the alpaca are advertised at on the applicant’s website and whether these figures are realistic. Notwithstanding this, it is important to note that the figures used in the budgets are in fact significantly less than those shown on the applicant’s website. Kernon have stated that the figures used within the business plan would be representative of the current state of the industry, which has weakened in the last few years, although they acknowledge that this is a marked difference from the prices paid at auction. They have also commented that from experience and studying average sales prices from Alpaca Seller UK, it would appear that the applicant picked up a number of bargains at the auction. Furthermore, Kernon commented that whilst the figures quoted for stud fees were slightly above average, these were not unreasonable. As such, Kernon deemed the level of sales and sales/stud figures used in the business plan, along with the variable costs to be reasonable. It was also pointed out that the profit generated by the enterprise arose from actual sales, rather than increase in stock value. Taking the above into account, along with the projected profit once the business has been expanded, Kernon concluded that they were satisfied that the financial documents submitted demonstrated that the enterprise is financially sustainable.

Concerns have been raised that the agricultural consultant did not visit the site and this is acknowledged. However, this application is for temporary permission to enable the applicant to establish a business. The business does not have to be fully established at the time of the application, the criteria that must be met at this stage relates to whether the business is planned on a sound financial basis and it is not unusual for this type of assessment to be undertaken as a desk-based assessment. As such, it was not considered essential for the agricultural specialist to visit the site in this instance.

ii) Other planning requirements satisfied

A number of concerns have been raised regarding the agricultural building. As this element has now been removed from the scheme and has in fact been constructed in the position approved under the previous application, no weight is attached to any comments relating to this structure.

Concern has been raised as to whether or not the traditional stone building was previously present. From the perspective of the local planning authority, it is clear that there was something there by the evidence of old stonework and the outline shown on GIS maps, although they could not categorically say whether a building was present. As such, the description has been amended to formation/renovation of traditional stone barn, which is considered a more appropriate description based on the above. Notwithstanding whether or not the building was previously present, the matter for consideration is whether or not the resulting building now present is acceptable in planning terms. The building is a small stone barn of traditional style, typical of historic barns in rural areas. Whilst it is regrettable that the roof sheets are not of the same length, the overall appearance of the building is not considered unacceptable. It is also important to note that the building is well screened from the road to the south by mature trees. It is acknowledged that the building is visible from the road to the north, however it is viewed against the backdrop of the established trees and is nominal in size. As such, it does not appear prominent from public viewpoint and is not deemed to cause excessive harm to the landscape.

Concern is raised that this traditional stone barn is within 200 metres of Montgomery House when the GPDO states it should be 400 metres. It appears that there has been some confusion as the GPDO refers to whether or not planning permission is required, rather than whether or not it should be approved. The building is included within the planning application and therefore consent has been sought. It is considered that the building is a sufficient distance from the nearest residential property to avoid an unacceptable impact upon the residential amenities of the occupiers of that property. Concern has also been raised that the building has not been finished as set out on the plans, with no wooden gables or doors. It is important to note that the works carried out so far appear to be in accordance with the plans submitted. There is no time restriction for when the works must be completed by and therefore the applicant could add the cladding at any point in the future.

The siting of the mobile home, as amended, is closely related to the recently built agricultural building. The building will therefore act to screen the mobile home from public viewpoint from the road to the east. The SSSI also serves to screen the mobile home from views further along this road from the north. It is acknowledged that there would be some views of the mobile home from this road, the structure

would however be closely related to the agricultural building and would therefore be viewed alongside it, rather than in isolation. In addition, it is a low structure that would be viewed against the backdrop of the well established mature trees and would not break the skyline. Furthermore, additional planting is proposed as part of the retrospective application for the revised design of the agricultural building, which would help further integrate the proposal into the surrounding countryside and this was conditioned accordingly under application 29/13/0008.

Whilst the mobile home would be screened from the main road to the south by the mature trees, it is acknowledged that there would be some views through the vegetation from the public footpath, increased in winter months when vegetation is sparse. It is acknowledged that the mobile home does have an impact upon the landscape, as do the majority of agricultural buildings/structures within the countryside to a certain extent. A number of objectors have stated that they do not wish to see any development on this site and it should be returned to the previously undeveloped pasture land. It is acknowledged that the land did appear very different in the past. However, it is important to note that a great deal of the impact upon the landscape and Blackdown Hills Area of Outstanding Natural Beauty of this site is attributable to the agricultural building and the access track already present, both of which have already been granted consent. It is acknowledged that these are currently subject to a retrospective application to regularise the design as built, but nonetheless the principle has already been established. The use of excessive fencing has also increased the visual impact of this site, however it is important to note that fencing, subject to meeting the relevant height criteria can generally be undertaken under permitted development rights, without the need for planning permission. It is not therefore considered that the presence of the mobile home, in addition to the buildings and tracks that have already been permitted, would further change the character of the landscape and the Blackdown Hills AONB to such an unacceptable level that would warrant refusal.

It is acknowledged that the scheme will have an impact on the SSSI, which is far from ideal. However, the Nature Conservation Officer, as a specialist in that field, is not of the opinion that the concerns are sufficient to warrant a refusal of planning permission. Furthermore, Natural England, despite being given extended deadlines, have not submitted any comments on the application. It is however understood that there are other regulations that the applicant would need to comply with in respect of the SSSI, that are not planning matters and it would be necessary for the applicant to address these independently of the planning application.

A great deal of concern has been raised regarding overgrazing, stocking densities and animal welfare. These are however not planning matters, but are down to the management of the farmer. Part of that management in this instance, is seeking alternative grazing elsewhere to supplement the owned land. Overstocking and the impact this may have on the quality of surface water may be governed by alternative regulations but this is not a planning matter. It would be the owner's responsibility to ensure that, in determining the level of livestock on the land, he is adhering to other relevant regulations. From a planning point of view, provided the land is used for agricultural purposes, the applicant can keep as many animals on the land as he wishes. Similarly, it is noted that cattle deaths, some associated with Red Water Disease have been experienced on the land and the land is also within a TB area. Nonetheless, it is agricultural land and limited weight can be attributed to these issues.

Concern has also been raised that the agricultural consultant did not comment on the impact of this development on the management of the SSSI or AONB. It is however important to point out that the agricultural consultant, as a specialist in agriculture, was commissioned to undertake an assessment on the agricultural enterprise, there are other bodies/individuals with their own specialisms that have been consulted on these matters.

It is important to note that the access and track was granted as part of the original application for the agricultural building and the principle was therefore established at that stage. The access and track was however not built in accordance with the approved plans and the revised design, as built, has now been approved under the retrospective application for the revised design of the agricultural building.

The County Highways Authority is of the opinion that the access is acceptable and the proposals would not result in a material increase in traffic generation. Following these comments a further visit has been made to the site and it was confirmed by the County Highways Authority that the concrete apron appeared adequate for most vehicle movements in and out of the farm, the gates were well set back, suitable visibility splays have been formed and the pipe forming the culvert under the access is of appropriate dimension to carry the water flowing along the ditch on the access side of the lane and that runoff appears to make its way satisfactorily into the private ditches either side, not onto the highway. As such, the access is considered adequate.

The mobile home is located over 190 metres from the nearest dwelling. Whilst it is acknowledged that the introduction of the buildings and mobile home has changed the outlook from the property, it is considered a sufficient distance to avoid a loss of privacy that would result in an adverse impact upon the amenities of neighbouring properties. Concerns are also raised regarding the noise, traffic, smell and pollution of the site. It is important to note that the land is agricultural land and therefore agricultural activities, including the use of the site for the cows, alpaca, goats and bees and the associated movement of agricultural machinery can take place without the need for any planning permission. In terms of agricultural machinery using the lane, unless there are highways restrictions regarding weight for example, the type of vehicles that use rural lanes are not governed. Agriculture and farming takes place within the countryside and it is therefore the norm for agricultural machinery to use country lanes to access farms and fields. The associated mud on the roads that can occur as a result of this is not a planning matter. As such, objections raised, which are directly associated with the agricultural use of the land and use of agricultural machinery cannot be attributed significant weight.

Concerns have been raised regarding the state of the land during last winter and the excessive mud and poaching. The weather last winter was incredibly challenging for the vast majority of farmers. A great deal of farmers would have found themselves in a similarly difficult position as the ground was so wet and stock struggled with muddy conditions and lack of grass. Concern is also raised as to whether this is an appropriate form of farming within the AONB. As stated above, provided the activity carried out on the land falls within an agricultural use, any nature of farming can be undertaken on this site, without any form of planning permission being required. As such, the land could be utilised in this way, regardless of the application now in front of us.

It is noted that the mobile home now present on site differs from that shown in the plans submitted, following the fire, however it is important to note that such applications for temporary mobile homes can be dealt with on the basis that if granted, the structure on site would need to fall within the definition of a caravan under the Caravan Sites and Control of Development Act 1960. As such, the applicant can site a mobile home of his choice in terms of size and design, provided it falls within the above definition. As such, it is not considered essential for plans to be submitted of the precise mobile home.

The receipt of the New Homes Bonus is noted, however, it is considered that this matter carries very limited weight in this case.

Wessex Water in commenting on the application stated that robust procedures should be put in place and an objector also raised concern regarding contamination of the sensitive water supply catchment. It is however important to note that this is agricultural land and therefore agricultural activities can take place without the need for any planning consent. The matter of the prevention of contamination is considered to be a legal matter, which would be governed by other regulations outside of the planning system. In addition, it is noted that Wessex Water may have several covenants on the land, which are not being complied with. However, covenants are also not a planning matter, but a legal issue. The application in front of members is for planning permission and therefore only planning matters can be taken into account. Where there are other legal issues that need to be addressed, it would be necessary for the applicant to address these independently of the planning application.

Conclusion

Whilst it is noted that the development of a farmstead in this location has had an impact upon the Blackdown Hills Area of Outstanding Natural Beauty, it is important to note that a large proportion of this impact is as a result of the agricultural building, tracks and fences, which have already been granted planning permission and are therefore established structures or can be carried out under permitted development, without the need for planning consent. Kernon Countryside Consultants, as specialists in that field, have assessed the application and consider that there is a functional need for an agricultural worker to live on site and that the planned agricultural business is financially sustainable. On this basis, the principle of a mobile home on the site to provide a rural worker's accommodation is acceptable. Although the mobile home, as sited in the amended position, along with the formation/renovation of the traditional stone barn will have an impact on the landscape, this is not deemed to result in such a significant increased adverse impact upon the Blackdown Hills Area of Outstanding Natural Beauty, the adjacent SSSI or the amenities of neighbouring properties, beyond that of the situation that has already been granted consent and that which could be carried out without any need for planning permission, that would warrant grounds for refusal.

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

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