

45/11/0016

MR R CRIDDLE

ERECTION OF AGRICULTURAL WORKERS DWELLING AND DETACHED GARAGE AT CROSSWAYS FARM, ADJACENT TO LONDON FARM, WEST BAGBOROUGH

Grid Reference: 315912.132989

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

The site lies in a countryside location, where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. Whilst the business being operated from the site comprises a mix of enterprises, the overall business appears to be of a nature where the vast majority of work can be carried out during part of the normal working day (however long that day may be). As such, it has not been proven that there is an essential need for a worker to live permanently on the site and the proposal therefore represents an unjustified dwelling in the countryside, contrary to Policies S1 (General Requirements) and S7 (Outside Settlements) of the Taunton Deane Local Plan, Policies STR1 & STR6 of the Somerset & Exmoor National Park Joint Structure Plan Review and Paragraph 55 of the National Planning Policy Framework 2012.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

PROPOSAL

Crossways Farm is situated on New Road, adjacent to London Cross, to the south-west of West Bagborough. Crossways Farm is a range of agricultural buildings and a mobile home, which is understood to be used for agricultural purposes and not residential use. A catering trailer 'Miss Piggy's' is also operated from the site. There is a block of 40 acres of land adjacent to the farm buildings. A further 110 acres of grassland is farmed at Sandhill; 40 acres at Crowcombe and 30 acres at East Combe. The land farmed therefore totals 220 acres, of which approximately 40 acres is owned.

The farm includes a suckler herd of 18 cows and heifers, 42 grazing cattle, 50 young calves (at any one time), 170 breeding ewes, 850 fattening hogs, 50 laying hens, 40 mares and foals and 9 donkeys. The agent states that there is a need to live on site to assist with calving, lambing and foaling and this need cannot be fulfilled other than

by a dwelling at Crossways Farm.

This application seeks planning permission for a four bedroom agricultural workers dwelling to the south of the farm buildings. No materials have been indicated and this is stated 'to be approved'. Following concerns raised by the Landscape Officer, Parish Council and AONB Service, the size of the plot was reduced, the detached double garage removed and the dwelling repositioned.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

TRANSPORT DEVELOPMENT GROUP, COUNTY HALL - The proposed development site is located approximately 350m outside of the development limit of West Bagborough and is remote from any urban area and, therefore, distanced from adequate services and facilities, such as education, employment, health, retail and leisure and, in addition, the public transport services in the area are limited. As a consequence, occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to the government advice given in PPG13 and RPG10 and to the provisions of policies STR1 and STR6 of the Somerset & Exmoor

National Park Joint Structure Plan Review (adopted April 2000).

Whilst refusal of this application is recommended for the above reason, it must be a matter for the Local Planning Authority to decide whether there is overriding support and/or the agricultural workers dwelling is required to satisfy a genuine local need which outweighs the transport policies that seeks to reduce reliance on the private car. In detail, the development will utilise an existing point of access onto New Road, a classified, unnumbered highway. New Road is one of the main routes into/from the village of West Bagborough, and whilst it is subject to the national speed limit (60mph), it is observed that vehicles appear to be travelling at approximately 40mph.

Visibility of the private access of London Farm, which will be shared by this proposal, onto the highway is currently restricted for vehicles emerging to see and be seen and which is considered detrimental to highway safety.

I would therefore seek that improvements are made to visibility, and visibility splays should be provided based on co-ordinates of 2.4m x 120m (to the nearside carriageway edge either side of the access with no obstruction greater than 900mm). It should be noted that this will not be achievable within the red or blue lines, associated with the current proposal. If the LPA are minded to grant consent, I would welcome the opportunity to recommend suitably worded conditions in respect of parking, turning, access (including consolidating the surface and drainage) and visibility splays.

WEST BAGBOROUGH PARISH COUNCIL - Initial comments – Object. Sensitive site, impact on Quantock Hills AONB immediate and significant. Development should only be allowed proportionate to the need and with minimum visual impact on neighbours and Quantock Hills AONB. Dwelling prominent on approach from south-west along New Road, main access into West Bagborough and AONB. Impact could be reduced if dwelling closer to farm buildings and reduce need for significant landscaping. Provision of separate double garage should be reviewed as suitable buildings within farm could serve same purpose. New buildings should be

kept to the minimum essential area.

Following these comments, a meeting was held between the Parish Council and applicants, after which the Parish Council confirmed that the proposed changes adequately addressed the objections raised to the original application.

Comments following amendments – Support revised plan and application

THE QUANTOCK HILLS AONB SERVICE - The AONB Service recognises that the amended scheme shows a new proposed location for a dwelling and double garage. The new location is an open field, detached from the main body of the farm. Although changes have been made to the design of the building, we believe it would be clearly visible and would not be read in the landscape as a part of the farm unit.

We are concerned that that it would appear unduly prominent - affecting the quality of views and negatively impacting on the setting of the AONB. Although the applicant's agent proposes to "screen all public views of the new dwelling with the retention of existing mature hedgerows", the existing hedgerows do not prevent views into the site. As stated in our response to the previous application, London Farm is conspicuous from New Road and we believe the addition of development to the south of the existing collection of buildings will only act to further increase the visual impact of the buildings against the backdrop of one of the Quantock Hill escarpments.

Query why a change of use of the land does not form part of this application. Whilst account is taken of the economic and social needs of the local communities, the primary purpose of AONB designation is to conserve and enhance natural beauty. We believe the proposed development will be contrary to this primary purpose and for that reason we are unable to support the application. In light of this we wish to highlight Taunton Deane Borough Council's statutory duty to have regard for the purposes of designation when carrying out their function (Section 85, CROW Act 2000).

No further comments received following re-consultation.

LANDSCAPE - Initial comments – This is an extremely large plot for one dwelling in open countryside. It would be clearly visible from a number of vantage points and in my assessment, contrary to EN12.

Comments following amendments – Subject to details of landscaping, this is a much better scheme that would have an acceptable level of landscape impact.

FRIENDS OF QUANTOCK - No comments received

Representations

Four letters received in support on the grounds of:

- Important to be on site for both animal welfare and security.
- Necessity to be on site due to welfare standards, in some cases people mutilating livestock and calving and lambing problems, which often occur during the night.
- Theft from farms is an increasing problem, including farm machinery, implements and livestock.

- Crossways Farm forms the core of the business.
- Mr Criddle is a farmer and integral part of the local community and needs a home at Crossways Farm.
- Mr Criddle used to live nearby in Bagborough in a let cottage, but can no longer have it. Living in Wellington is an unsatisfactory arrangement. Lot of time spent driving around and therefore not spending time with his livestock.
- A good shepherd needs to almost live with his livestock at lambing time, especially if weather is foul. Young stock can soon die in cold.
- He is chairman of Quantock Pony Society and owns 20-30 animals, mainly breeding stock.
- Query whether a house would be an inconvenience or eyesore to anyone if built on own land, entrance shared with present farm entrance.
- As his veterinary surgeon, I would support application for a dwelling so that he could be in attendance for calving and foaling and any emergencies.

CLLR WARMINGTON – Supports - Revised application for smaller dwelling, repositioned to mitigate the impact on the nearest neighbours and satisfy concerns of Parish Council. Now Parish is in support and neighbours have no objections, would like to add my support. Although Mr Criddle does not own a lot of land, he has farmed a lot for many years. Being able to live on site is important for animal welfare and security. Theft is increasing and difficult to police. This application is reasonable and deemed necessary from an established local farmer, who has endeavoured to follow advice given by interested parties.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,
 S1 - TDBCLP - General Requirements,
 S7 - TDBCLP - Outside Settlement,
 STR1 - Sustainable Development,
 STR6 - Development Outside Towns, Rural Centres and Villages,
 S&ENPP5 - S&ENP - Landscape Character,
 PPF655 - NPPF Section 6, Paragraph 55,

DETERMINING ISSUES AND CONSIDERATIONS

During the processing of the application, amended plans were submitted reducing the size of the plot, removing the double garage and revising the positioning of the proposed dwelling, which has reduced the level of landscape impact of the proposed dwelling.

However regardless of this, paragraph 55 of the National Planning Policy Framework 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.

The main issue for consideration is therefore 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 required problems/emergencies are likely to occur

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

The business is mixed, including 18 suckler cows and heifers, 42 grazing cattle, 50 young calves (at any one time), 170 breeding ewes, 850 fattening hogs, 50 laying hens, 40 mares and foals and 9 donkeys.

It is acknowledged that there is a workload associated with the keeping of livestock: grazing cattle and young calves require regular checking/monitoring, feeding and bedding (if housed), along with other husbandry such as worming, dehorning, castrating, tagging, TB testing, drafting out for selling, treating with antibiotics, etc; breeding sheep/fattening hogs also require monitoring, feeding, bedding (if housed), treating against parasites, worming/drenching, tagging, docking, shearing, feet trimming, drafting out for selling, monitoring rams with breeding sheep, etc; and laying hens require feeding, watering and egg collection as well as general husbandry. Whilst little information has been provided about the operation of the poultry, it is normal to assume that the laying birds are shut up at night to protect them from predators. On this basis, they are at little risk at night. It would therefore appear that the bulk of the workload would be carried out as part of the normal working day, rather than at night. As such, this does not add to the justification of a worker being readily available at most times.

Within this mixed enterprise, it is acknowledged that there are some elements of the business where emergencies could arise, such as problems during calving, which require intervention. However, the limited amount of cows/heifers calving, being a maximum of 18 per year, is not considered to be of a size that warrants a worker being readily available at most times. It is important to note that a competent stock man would have a good idea of when a cow is likely to calve, and whilst many would calve during the day, if necessary he/she could return to the site to check the occasional cow that might calve at night. As there are no plans indicated to expand the herd size, this element of the enterprise remains reasonably small, as would be the risk of problems occurring that need essential care at short notice.

The lambing of the 170 breeding ewes is also an element of the business that may require a worker to be available during the night, but again this is a low level and only seasonal. As such, lambing would take place over a relatively short time period.

Members should also be aware that there is a mobile home on the site at Crossways Farm. Whilst no permission has been granted for permanent residential use, under the Caravan Sites and Control of Development Act 1960, the mobile home can be used for seasonal agricultural functions. On this basis, it is considered that the mobile home could be utilised to serve the minimal level of cows calving and seasonal lambing that may require a worker to be on hand over night.

It is therefore considered that the level of calving and lambing taking place is reasonably low and the vast majority of the work/problems/emergencies can be dealt with during a normal working day, albeit possibly a long working day. As such, the above enterprises are not considered to provide justification for a worker being readily available at most times.

There are however 40 cob mares on site. These were not originally included in the

labour calculations as the agent stated that it had not been possible to obtain figures for Standard Man Days, however this has now been included and the labour calculation revised. It is stated that 35 of the 40 mares foal successfully each year and 30 of these foals are sold each year at the Quantock Fair. The agent states that horses can be notoriously difficult at the time of foaling and require constant attention by an experienced stockman, who would know when to call for veterinary assistance.

Whilst the addition of the 35 mares foaling annually may add to the level of calving to provide a justification for a worker to reside on site, the agent has made it quite clear that they are not prepared to submit any further information and that a decision should be made on the basis of the information that has been provided.

However, there are unresolved concerns in that a significant amount of time i.e 80 standard man days is spent of the cob mares, a much greater proportion of time than is spent on the suckler cows (i.e 24.3 standard man days). However, information provided by the agent suggests that this part of the farming activity does not form a significant part of the income of the enterprise and as sales of foals are once yearly and receipts not large, they are not reported separately in the accounts. Concern is therefore raised that an element of the business, which could form such a fundamental part of the functional need, does not warrant being mentioned in the profit and loss account, as receipts are so insignificant, despite 30 being sold annually. The agent has been invited to submit further information to clarify this but at the time of writing, no further information has been received. A further concern is raised in that the veterinary fees in the profit and loss account appear to be very low, bearing in mind the level of livestock on the holding and in particular, the fact that the agent states that foaling can take a significant amount of time and a veterinary assistance can often be required. It would therefore be envisaged that a vet would be required to deal with at least some foalings out of a total of 35, which should then be reflected in the veterinary fees in the profit and loss account.

In summary, there are several different enterprises being operated on the site, being suckler cows, beef, breeding sheep, fattening hogs, laying hens and foaling mares. Whilst it is acknowledged that the combination of the enterprises, including the foaling mares could create a functional need, in the absence of sufficient clarification on the above points, it has not been adequately proven that it is essential to the proper functioning of the enterprise for a worker to live on site. As a result, a clear functional need has not been proven and there is therefore no other option than to recommend the application 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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