

17/2002/004

B G & M M GREENWAY & SON

**ERECTION OF AGRICULTURAL DWELLING ON LAND PART MANOR FARM  
SOUTH OF BREWERS FARM BUILDINGS, FITZHEAD.**

11130/28890

OUTLINE APPLICATION

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**PROPOSAL**

See also previous item. This application is an outline application for a dwelling within the proposed building complex for occupation by a stockman who would work full time on the unit. There are two dwellings on the farm at the moment, these being located at Higher Vexford farm. Labour is provided by three full time and two part time workers. The background to the location of livestock buildings at Manor Farm is set out in the previous item. The agricultural appraisal submitted with the application considers that the proposed enterprises in combination necessitate a stockman to be readily available at most times and that such a provision is essential for this enterprise to be operated properly; it is a full time unit; the unit has been operating for considerably in excess of three years and the accounts show that the farm is profitable and financially sound; there are no other dwellings either suitable or available to meet this need; the siting is close to the buildings and an existing access to be used.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY provided the occupation of the dwelling is tied to local agricultural employment, would not wish to raise objection to the proposal. In the event of planning permission being granted would recommend conditions regarding parking, first 6 m of proposed access to be hard surfaced, entrance gates to be hung to open inwards and set back 4.5 m, disposal of surface water to prevent its discharge onto the highway and 45 m visibility splays. WESSEX WATER the development is located in a foul sewered area and there are water mains in the vicinity of the proposal; points of connection can be agreed at the detailed stage.

DRAINAGE OFFICER standard conditions should be applied with regard to soakaways and septic tank; there has been localised flooding downstream of the property in the past, therefore all surface water runoff should be retained and disposed of on site especially with regard to drives, etc.

PARISH COUNCIL concerned about the proposal to build a new farm dwelling in open countryside near the village; the justification for the dwelling appears to be the need to supervise calf rearing in the proposed new calf shed; the applicant should be

encouraged to erect the new calf shed on land at Vexford close to the dairy unit; the Council was advised that the proposed dwelling is for the occupation of Mr and Mrs Greenway senior and not for an employed farm worker - the proposal will therefore leave a surplus dwelling at Vexford; if notwithstanding these comments permission is granted, this should be subject to conditions of adequate provision being made for the disposal of surface water in such a way that it does not add to the already overloaded road-side drainage from Tommy Brewers to the village and that the building is suitably screened and landscaped.

FIVE LETTERS OF OBJECTION see also previous item:- dwelling will be as large as the farmhouse at Vexford; proposed dwelling backs onto an existing agricultural building, if planning permission is granted it is likely in the future that the dwelling will be sold away and the agricultural tie lifted, new owners could then complain bitterly about noise and smell seriously jeopardising farming activities.

## **POLICY CONTEXT**

Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The proposed development will assist an existing farming business in the open countryside. Policy WD/SP/2 of the West Deane Local Plan states that outside the defined settlement limits, development will not be permitted unless it is for the purposes of agriculture or forestry or accords with a specific development plan policy or proposal. Policy WD/HO/1 of the same plan states that dwellings for agricultural workers will only be permitted outside the limits of settlements where various criteria are met, including that there is a proven need for the dwelling on the holding. Policy WD/HO/2 goes on to say that where agricultural dwellings are permitted, appropriate conditions will be used to retain the dwelling for agricultural occupation. Policy S8 of the Taunton Deane Local Plan states that outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape of the area and meets a number of criteria including that it is for the purposes of agriculture. Policy H14 of the same plan goes on to say that dwellings for agriculture workers will be permitted outside the limits of settlements provided there is a proven functional need for the dwelling there and the farm unit for which it is sought is proven to be financially viable. Policy H15 indicates that where agricultural dwellings are permitted appropriate conditions will be used to retain the dwelling for agricultural occupation. Specific guidance relating to new permanent dwellings on agricultural holdings is set out in PPG7. The relevant points are:- (a) there is a clearly established existing functional need; (b) the need relates to a full time worker, or one who is primarily engaged in agriculture, and does not relate to a part-time requirement; (c) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and (d) the functional need could not be fulfilled by another dwelling on the unit, or any other

existing accommodation in the area which is suitable and available for occupation by the workers concerned.

## **ASSESSMENT**

The applicants indicate that Mr Greenway senior has no intentions of retiring in the foreseeable future. As and when he did retire, consideration would have to be given to putting a stockman in the dwelling, if he no longer wished to attend to the stock. As far as the dwellings at Vexford are concerned, there is a requirement for a minimum of two men to work there so there would be a need to employ another worker if Mr Greenway senior moved out. There are no intentions of selling the dwelling off, but would be happy for the dwelling and buildings to be tied to the land.

I have sought a second opinion on the applicant's agricultural appraisal from the Centre for Rural Research at Exeter University. This considers that if the planning permission sought for the two livestock buildings is granted, they are erected and activities at Manor Farm are organised as indicated by the applicant, there will be a functional need for residence on site of an agricultural worker. It further considers that the need will be for a full time worker and it will be the case that the functional need could not be fulfilled by any other dwelling on the unit. Of the other dwellings in the immediate locality, so far as the applicants are aware, none are suitable and available for occupation by the worker concerned. The farm business of which the farm is a part has been established for at least three years, is currently financially sound and has a clear prospect of remaining so. However the author of the report is of the view that the proposed activities at Manor Farm are not at present operational and the uses to which the farm is at present put do not constitute a full time occupation. Within the terms of PPG7, he concludes that a grant of permission in the first instance for a temporary or mobile home would seem to be indicated.

The author of the applicant's agricultural appraisal has come back on the matter of whether or not the residential need should be met in the first instance by way of a temporary consent. PPG7 provides for such consents in situations to support a new farming activity, whether on a newly created agricultural unit or an established one. The aim behind this policy guidance is to establish that stated intentions to engage in farming are genuine and reasonably likely to materialise. However this is not an entirely new enterprise but an ongoing evolution of an existing farm business. Accordingly rather than the provision of a mobile home initially, the author of the applicant's agricultural appraisal suggests that a condition be imposed to ensure that the buildings associated with the consent are erected and possibly even stocked prior to the first occupation of the dwelling. I consider that the imposition of a condition to ensure that the livestock buildings are up and running prior to occupation of the dwelling would be appropriate in this instance and my recommendation reflects this. However, I consider that the livestock buildings should be completed prior to any work on construction of the proposed dwelling commences. I consider that the visibility splay requirements of the County Highway Authority, which would involve the removal of a length of roadside bank and hedge, are inappropriate in this attractive rural area.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of submission of details, time limits, percolation tests, materials, landscaping, parking, hardsurfacing of first 6 m of access, access gates set back, no discharge of surface water onto highway, agricultural tie, no work to commence until the buildings the subject of permission 17/2002/003 are erected, not to be occupied until the buildings the subject of permission 17/2002/003 are substantially stocked with livestock in line with the applicant's agricultural appraisal and meter boxes. Notes re design of dwelling, disabled access, energy/water conservation, meter boxes, design guide, soakaways, Environment Agency consent required for discharge to underground strata and contact Wessex Water for connection to infrastructure.

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

**CONTACT OFFICER: 356461 MR J HAMER**

NOTES: