

**PLANNING COMMITTEE - 18 DECEMBER 2002**

**Report of the Chief Planning Officer**

**MISCELLANEOUS ITEM**

**05/1997/040UD USE OF PART OF POTATO STORE BUILDING AS FARM SHOP RUMWELL, BISHOPS HULL**

The Committee will recall that the above item was reported for authorisation to take enforcement action over the sale of imported goods in connection with the Farm Shop. It was agreed following a report submitted to the 11th February, 1998 meeting that further negotiations take place with the owner to resolve the matter. Meetings have been held which resulted in an application for planning permission being submitted and approved for the formation of a kitchen within the shop for the production of jams and chutneys. Regular monitoring of the goods sold in the shop has shown that there is still a degree of bought in goods being offered for sale. A complaint has also been received from a member of the public regarding this issue.

In response to that complaint the history of the site was looked at in detail together with the relevant policies governing Farm Shops. In this particular case the agents acting for the owners submitted a letter stating that 8.73% of goods sold from the shop over the twelve months to 30th April, 2002 were brought in goods. 91.27% of goods sold was local produce. This falls within the agreed tolerance of 10% sales of brought in goods.

Furthermore, the Council's policy on farm shops has evolved since the matter was first considered in 1997. The Council's policy as of November 2000 is set out in the Taunton Deane Local Plan Revised Deposit Policy EC13. Paragraph 4.49 states that:- "Proposals for farm shops should only be considered where the scheme involves the sale of predominantly (i.e. more than 50%) locally grown produce direct to the public, as an ancillary operation to the main function of the farm. Locally grown produce is defined as produce originating from within the farm holding and its environs. However, it is difficult to provide local produce throughout the year. This may require bringing in non local produce to overcome problems of seasonality, provide continuity of employment and to ensure that a sufficiently wide selection of produce can be offered."

Whilst this Policy is intended to apply to those farm shops requiring planning permission, it could be argued that the same level of tolerance should be applied to Rumwell Farm Shop, even though it did not initially require planning permission.

Planning Policy Guidance Note 7 Annex C, sets out the Government's policy on farm shops. It says that if a farm shop is used only for the sale of unprocessed goods produced on that farm, with a minimal quantity of other

goods, it is a use, which is ancillary to the use as a farm and therefore does not require specific planning permission. Generally at Taunton Deane we have assumed this minimal quantity to equate to a 10% tolerance for brought in goods.

PPG 7 also states that:- "On-farm food processing adds value to farm produce and increases local employment opportunities. Small operations, especially those processing mostly local produce housed in farm buildings, including re-used ones and small purpose built ones, should be encouraged."

It would appear that the current level of sales of brought in goods is not such as to require a planning application or to justify Enforcement Action. If a planning application were to be submitted it is possible that up to 49% of turnover from brought in goods might be permitted within the terms of the Local Plan Policy EC13, subject to the criteria listed in the Policy.

From the evidence available there does not appear to be a case for Enforcement Action regarding the sale of brought in goods.

### **RECOMMENDATION**

The Committee resolve to take no further action regarding the amount of brought in goods at Rumwell Farm Shop providing they fall within the agreed tolerances as stated above.

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

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