

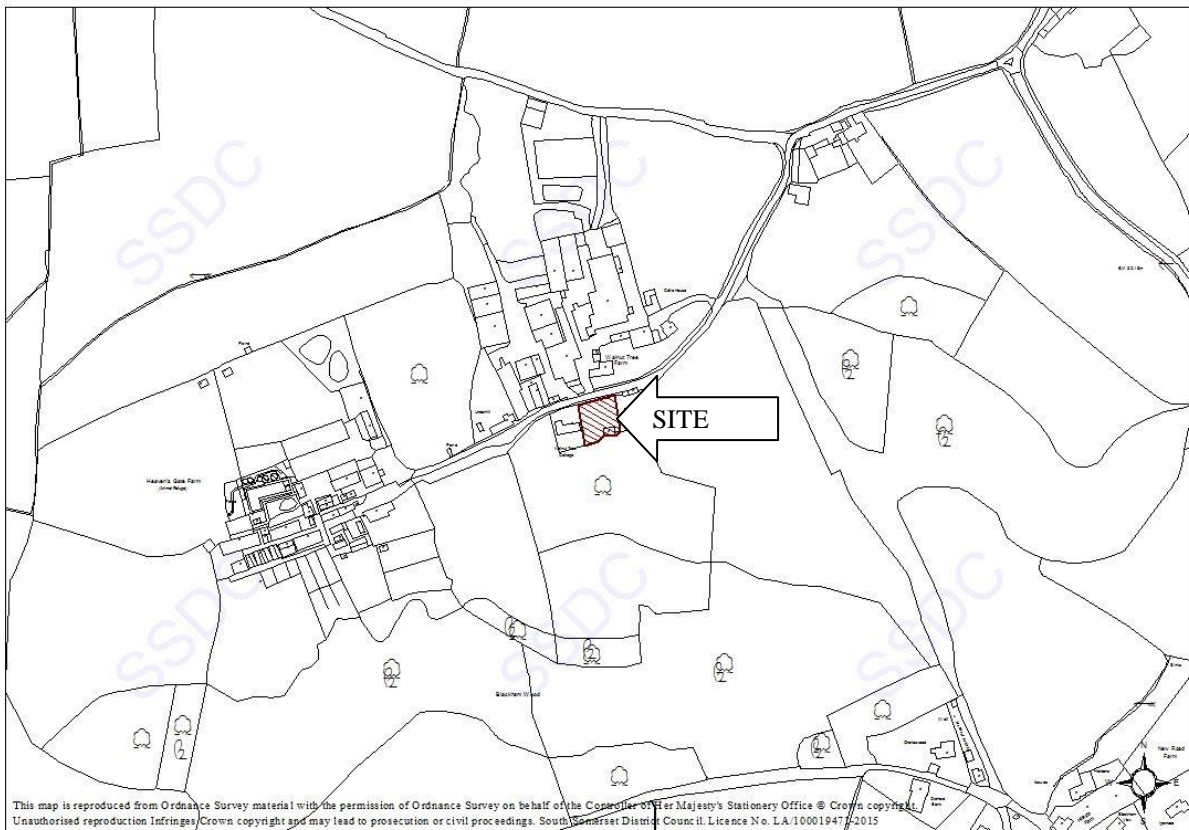
Officer Report On Planning Application: 15/01151/FUL

Proposal :	The erection of an agricultural workers dwelling adjacent to Hillside Farm (GR 342322/131883)
Site Address:	Land Adj Hillside Farm, West Henley Road, High Ham.
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	7th May 2015
Applicant :	Mr R Wilkins
Agent: (no agent if blank)	Plans Drawn Bath 7 Nightingale Way Midsomer Norton Somerset BA3 4NL
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERREAL TO COMMITTEE

This application is being brought back to committee following the committee's decision at the July meeting to defer the application so that the applicant could provide the latest financial information in relation to the holding for consideration.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect a permanent agricultural workers dwellinghouse.

The application site is located away from the main built up core of the village of High Ham in amongst a small cluster of buildings comprising several houses, farms and an animal rescue centre. The site sits between the existing farmhouse to the west and an unrelated two-storey dwelling to the east and is opposite their farmyard, with a neighbouring farmhouse directly opposite. The site is elevated up above the lane at a similar level to the existing farmhouse with the field to the rear continuing to rise beyond.

HISTORY

31348/A: Erection of dwelling and store shed with services and formation of pedestrian access. Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

HG9 - Housing for Agricultural and Other Occupancy Conditions

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

CONSULTATIONS

High Ham Parish Council: No objection to the principle of the dwelling but had concerns, raised by the immediate neighbours, with regard to the orientation of the dwelling which would result in overlooking of the neighbour and issues of drainage and run-off from the site.

County Highways: Referred to their standing advice.

County Archaeology: No objections

Economic Development Officer: No objection. This application is for a modest sized farm workers property in close proximity to the main holding and dwelling. I am surprised that the Wilkins brothers have been able to conduct the business of managing this farm living so far from the holding efficiently, particularly since the loss of their father in 2007. Mrs Wilkins senior resides in the farmhouse and is the only available person at the holding out of normal working hours. The ages of the two sons suggests that Mrs Wilkins senior is of retirement age, yet she remains actively involved in managing the accounts, ordering etc. This would also suggest that Mrs Wilkins senior would struggle to deal effectively with problems with cattle when the two sons are not at the farm, particularly overnight.

The formula of standard man days suggests that there is sufficient justification for an additional dwelling. Based on the information provided and acknowledging the distances the key personnel have to travel to work, which is not conducive to good husbandry practice, I conclude that there is a demonstrated requirement for this additional dwelling.

Natural England: Raised no objection and referred to their standing advice.

Ecologist: No comments received.

Landscape Officer: No objections

REPRESENTATIONS

Written representations have been received from two neighbours expressing support for the development. Written representations have also been received from two neighbours raising the following concerns:

- The site suffers from high levels of surface water flooding on occasions, we are worried that the development may affect this and put our property at risk.
- The dwelling will look directly into our property (Walnut Tree Cottage). We only have windows to the front and we will lose our privacy to all our main living rooms.
- There is a stone built barn on the farm which could be converted.
- The shed currently on the site is partly constructed from asbestos.

CONSIDERATIONS

The site is located in the open countryside, some distance from the services and facilities to be found in nearby High Ham where new residential development would not normally be encouraged. Policy HG9 of the South Somerset Local Plan however makes provision for agricultural workers dwellings and sets out a number of requirements that such proposals must comply with:

- "There is a clearly established existing functional need;
- The enterprise is economically viable;
- Provision on-site (or in the immediate vicinity) is necessary for the operation of the business;
- No suitable accommodation exists (or could be made available) in established buildings on the site or in the immediate vicinity;
- It does not involve replacing a dwelling disposed of recently as general market housing;
- The dwelling is no larger than that required to meet the operational needs of the business;
- The siting and landscaping of the new dwelling minimises the impact upon the local landscape character and visual amenity of the countryside and ensures no adverse impact upon the integrity of nationally and internally designated sites."

The farm at present is already supported by a dwelling and for this application to be successful it must be demonstrated that there is a functional requirement for more than one full-time agricultural worker to be readily available on-site for the running of the holding.

It is understood that the applicant's family has run Hillside Farm, which is a beef enterprise with a herd comprising 200 head of cattle, including calves reared on the farm, and a landholding of 239 acres. It would appear that the applicant intends further expansion of the holding in the near future however the main reason for requiring this additional house is in response to a change in how the farm operates following the loss of Mrs Wilkin's husband and the subsequent involvement of her sons in the business. The Council's Agricultural Officer is of the opinion that the scale and nature of the activities involved in the operational running of the holding are such that it is not unreasonable that there should be more than one worker available on site day and night and the functional need for this second dwelling is not in dispute.

In addition to there being a functional need for the dwelling it must be demonstrated that the enterprise is economically viable in order to meet policy HG9. Prior to the application being

reported to committee in July financial accounts for the financial years ending March 2011, 2012 and 2013 as well as draft accounts for the year ending March 2014 had been provided, each of which showed the farm was performing at a loss for this period. Based on this information there was doubt about the long-term financial viability of the holding and as such the future need for this additional permanent farmworkers dwelling and for this reason the application was recommended for refusal to the July committee.

Following the committee's deferral of this application additional financial accounts have been provided for the years ending March 2014 and 2015. Whilst for the year 2014 there is a very modest level of profit, for 2015 net profit levels are good and appear to indicate the farm turning a financial corner. Although it would be preferable for the applicant to be able to demonstrate a more sustained period of profitability than this it is acknowledged that there are personal circumstances, with the loss of Mr Wilkins (senior), which may well have contributed to the financial problems from 2011 onwards. With the involvement of Mrs Wilkins sons it would appear that these financial issues are getting sorted out and that in view of these circumstances a shorter period than would normally be expected may be considered acceptable. At the time of writing this report the Council's Agricultural Officer's views had yet to be provided. Subject to the Agricultural Officer raising no objection to the proposal, it is considered that these latest accounts indicate the profitability of the holding and a realistic potential that it will remain so in the longer term. On this basis the proposal meets the requirements of policy HG9 of the local plan and is in principle acceptable.

Visual amenity / landscape character

The proposed dwelling is to be sited on a raised bank between two existing dwellings. Given this position and its relatively modest size and chalet bungalow style it should not appear unduly out of keeping with the existing surrounding development and overall the proposal is not considered to raise any substantive visual amenity concerns. Due to the sloping nature of the site the landscape officer has noted that the site levels will need to be dealt with quite carefully but has otherwise raised no objection. In response to this comment further levels details have been provided indicating how the new dwelling will sit within the site in relation to the dwellings either side and which is considered to be acceptable.

Residential amenity

Immediate neighbours to the site at Walnut Tree Farm have objected to the proposal on the basis of loss of privacy. They state that their main outlook for their main living rooms is to the front and that due to the elevated nature of the dwelling in relation to their own, as well as its position and orientation that it will look directly down and into the front of their house resulting in a significant loss of privacy.

It is accepted that the relationship between the new house and the neighbour's house will result in some loss of privacy, however, any views from the new house to the neighbour's dwelling will be approximately 25m away and will be across a public highway and is not therefore considered to represent a demonstrable loss to the neighbour's amenity.

Parking and highway safety

Access for the proposed dwelling will be via the existing access that currently serves Hillside Farmhouse with parking to the side and rear. It is accepted that the level of parking and proposed access arrangement broadly accord with the highway authority's standing advice and that the proposal therefore raises no substantive highway safety concerns.

Other matters

A neighbour has raised concerns in regard to drainage saying that there are existing surface water run-off issues in relation to the site, however, there is no evidence to demonstrate that an appropriate drainage scheme could not be implemented to ensure that run-off is not

exacerbated.

Finally a neighbour has observed that the existing shed on the site is constructed from asbestos. Whilst the asbestos will need to be disposed of appropriately this does not constitute a reason to withhold planning permission.

Conclusion

Subject to no objections being raised by the Agricultural Officer, it is accepted that the activities of the holding justifies the presence of two full-time workers to be present for the operational running of the farm and that following the submission of the latest accounts that the financial sustainability of the holding has been demonstrated and that the principle of the dwelling is acceptable. The proposed development is not considered to cause any demonstrable harm to visual amenity, residential amenity, highway safety or the environment and to therefore be in accordance with the provisions of the local plan and the National Planning Policy Framework and as such is recommended for approval.

RECOMMENDATION

Subject to the Agricultural Officer offering his support, grant consent for the following reasons:

The proposal, by reason of its proven need, satisfies the criteria for agricultural workers dwellings and respects the character of the area without resulting in any demonstrable harm to visual amenity, residential amenity, highway safety or the environment in accordance with the aims and objectives of policies SD1, HG9, TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 006/001 received 11/03/2015 and 006/100A received 16/04/2015.

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

03. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The Local Planning Authority would not have been prepared to grant planning permission but for the dwelling being essential for the proper functioning of the enterprise in accordance with policy HG9 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced unless particulars of the materials (including the provision of samples where appropriate) to be used for external

walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

05. The internal ground floor levels of the dwelling hereby permitted and the ground levels shall accord with the details set out on drawing number 006/100A received 16/04/2015, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interest of environmental health and to ensure the site is adequately drained to accord with policy EQ7 of the South Somerset

07. The areas allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for the purpose of parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TA6 of the South Somerset Local Plan.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this dwelling without the prior express grant of planning permission.

Reason: To restrict the size of the dwelling to that justified and approved to accord with policy EQ2 and HG9 of the South Somerset Local Plan.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings shall be erected within the application site without the prior express grant of planning permission.

Reason: To restrict the size of the dwelling to that justified and approved to accord with policy EQ2 and HG9 of the South Somerset Local Plan.
