

PLANNING APPLICATION REPORT

Case Officer: Jenny Draper

Ward: Okehampton North

Application No: 00987/2015

Agent/Applicant:

Mr Andrew Hunter

AgriPlanning

Applicant:

Mr I Fewkes

The Hayloft

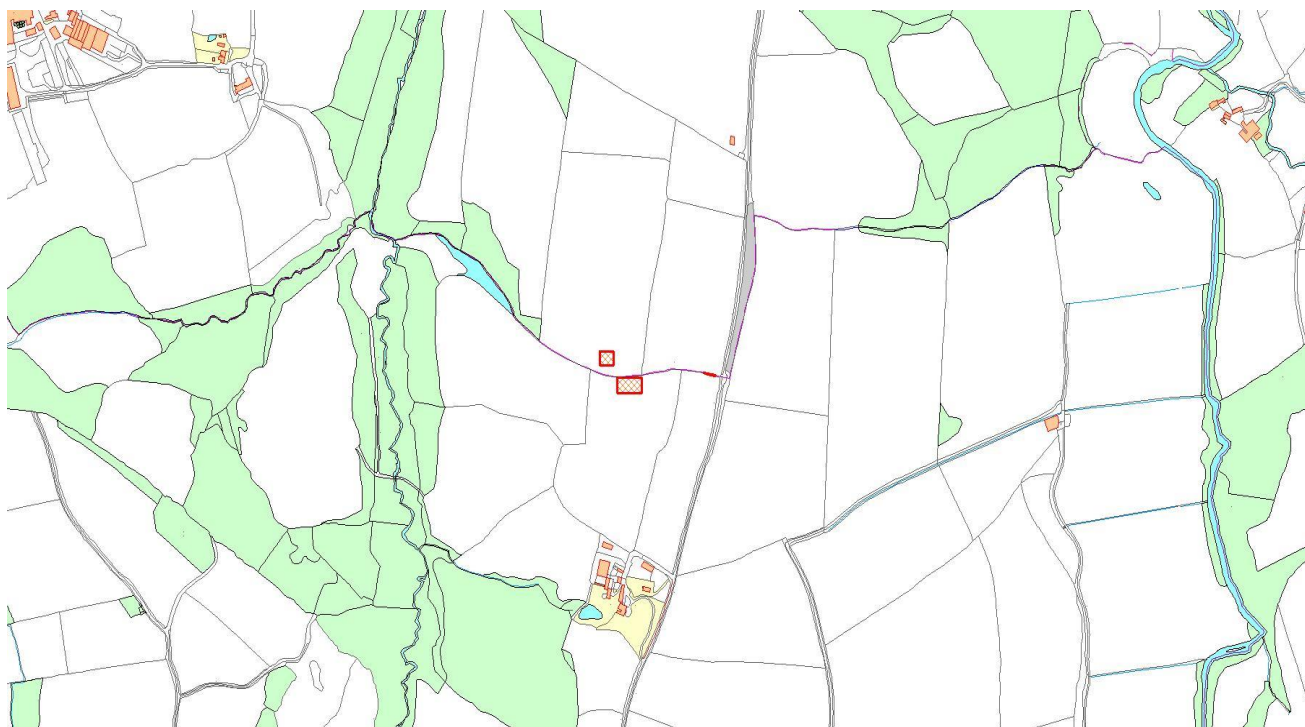
Hockworthy

Wellington

TA21 0NQ

Site Address: Land at NGR SX 590990, Okehampton, EX20 3BD

Development: Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling.



Recommendation:

Conditional Consent

Conditions

Commencement within three years

Accord with plans

Agricultural use only

Agricultural building to be removed if use ceases

Agricultural buildings to be completed before the temporary dwelling is occupied

Agricultural workers dwelling to accord with the definitions and criteria of a caravan and be removed on or before three years from the date of this decision.

Prior to installation of dwelling, details of rain water and sewage disposal to be agreed

Removal of PD rights – curtilage outbuildings

Agricultural Tie

Key issues for consideration:

New buildings in the countryside – agricultural justification

Visual impact

Site Description:

Agricultural holding of 150 acres in open countryside setting located north of Okehampton. The development site is approximately 350m north of the nearest residential property at the group of dwellings known as Goldburn to the south.

The Proposal:

Erection of a new agricultural livestock building and siting of a temporary agricultural workers dwelling, close to previously approved agricultural storage building, approved under application 00374/2015.

Consultations:

- County Highways Authority - No comment
- Parish Council
 - Support if genuine need – Exbourne and Jacobstowe
 - Refuse – Inwardleigh and Follygate Parish
- Agricultural Consultant - Application satisfies the criteria as set out in both the NPPF and local plan policies H31 and H32

Representations

None

Relevant Planning History

00374/2015 – Prior approval for erection of agricultural storage building (not livestock) - Approved

ANALYSIS

The site is located 4.5 kilometres north of Okehampton to the west of the minor country lane from Okehampton to Jacobstowe. The land gently undulates away from Goldburn Cross to Jacobstowe which is located approximately 2.5 km to the north of the site.

Access is via an existing farm gate from the lane on the eastern boundary.

The applicant will operate 150 ewes with the intention to introduce a 90 head calf herd which will be fully reared within the proposed livestock building. It is proposed to increase that level up to approximately 115 head over a three year period.

Principal of the development

Policy H31 states;

Residential development, outside the defined limits of settlements and where Policy H29 does not apply will not be permitted unless all the following criteria are met:

- (i) There is written independent evidence that of a genuine and sustained need for the dwelling, that need being based upon an essential agricultural, forestry or horticultural requirement for a full time worker to be resident on the holding;
- (ii) The local planning authority has no reason to believe that the need for an additional dwelling has arisen primarily due to the recent sub-division of the holding and/or the recent disposal of a dwelling from the holding;
- (iii) There is no building on the holding suitable for conversion to a dwelling;
- (iv) The dwelling is sited close to existing agricultural buildings unless it can be clearly demonstrated that a more isolated location is essential for the operation of the holding; and
- (v) The dwelling is in keeping with the character of the area in terms of scale, design and materials.

Policy H32 states;

Where the creation of a dwelling is primarily dependent on the creation of a new, or the major expansion of an existing, agricultural, horticultural or forestry enterprise, any permission will be phased to ensure that the new enterprise is in operation prior to the erection of a permanent dwelling. Where the viability of a new enterprise needs time to become established, permission will only be granted for temporary accommodation for a maximum period of 3 years.

Policy ED18 states;

New agricultural buildings will be permitted where they are of an appropriate size for their proposed function and are designed and located so as to minimise their impact on the landscape.

The application is recommended for approval for the reasons set out below as it is considered that the proposed agricultural buildings and the temporary agricultural workers dwelling comply with the requirements of the policies above and do not result in other harm or conflict with other relevant development plan or national policies.

Agricultural justification

It is considered that this application satisfies the criteria as set out in both the NPPF and local plan policies H31 and H32.

In August 2015, the applicant purchased 59 hectares (approximately 146 acres) of farmland at the auction of Goldburn Farm, which was sold in various lots. The land is predominantly

temporary pasture, arable and areas of woodland. The holding perimeter is stock fenced throughout with established and well-managed indigenous mixed thorn, hazel and beech hedges dividing all the fields and on all boundaries.

There is currently no agricultural dwelling on the holding and the proposal is to locate a temporary 'caravan' type structure with a condition that it be removed if the agricultural use of the buildings ceases or after a period of three years. This will allow the new farm enterprise to become established and start to expand. The applicant will then be able to make an application and justify the presence of a permanent agricultural dwelling of a more traditional build.

It is no longer a requirement to submit business or financial plans, which was referred to as the 'financial test' to justify the temporary agricultural workers dwelling and no such information has been submitted. It is considered if the applicant, or the agent, were asked to provide business plans or financial plans to justify that the proposed enterprises have either been planned on a sound financial basis or were likely to be viable and sustainable in the medium to long term, then those budgets and plans could be provided to make the proposals satisfy this particular criteria. The temporary agricultural workers dwelling is recommended with a condition requiring the two agricultural buildings are completed before the temporary dwelling is occupied. As the workers dwelling is justified in conjunction with the expanding business and livestock buildings it is considered both reasonable and necessary to ensure the agricultural buildings are provided prior to the temporary agricultural workers dwelling being occupied.

In the opinion of the authority, the objection received from Inwardleigh and Follygate Parish Council is misleading. The first application mentioned in their letter 00691/2015 pertains to a separate site at Goldburn Farm and an existing building that the owners were proposing to convert under Class Q of the GPDO. Bereavement then forced the sale of Goldburn at auction in August during which this plot was sold to the applicant of this application. The applicant bought the land without any buildings.

Highways, drainage and other matters

The County Highways Officer has offered no comments to the proposed agricultural buildings and temporary agricultural workers dwelling. The access is considered suitable and the site has sufficient parking.

A condition is recommended for details of surface water and foul drainage details are approved prior to occupation to ensure these details are suitable.

Due to the isolated nature, the proposed temporary dwellings and agricultural buildings do not result in harm to the living conditions of nearby occupiers. The mobile home by nature of it being a caravan does not enjoy permitted development rights for extensions or external alterations, however it is recommended to restrict curtilage outbuildings in order to protect the sites countryside location.

The proposed materials are acceptable and the siting does not result in the buildings being overly dominant in the wider landscape.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

All standard policies listed

West Devon Borough Council Core Strategy 2011

- SP1 – Sustainable Development
- SP3 – Renewable Energy
- SP5 – Spatial Strategy
- SP8 – Inclusive Communities
- SP10 – Supporting the Growth of the Economy
- SP11 – Rural Regeneration
- SP17 – Landscape Character
- SP19 – Biodiversity
- SP20 – Promoting High Quality Design
- SP21 – Flooding

West Devon Borough Council Local Plan Review 2005(as amended 2011)

- NE10 – Protection of the Countryside and Other Open Spaces
- H31 – Residential Development in the Countryside
- H32 - Residential Development in the Countryside
- H33 - Residential Development in the Countryside
- ED16 – Development for Employment in the Countryside
- ED17 – Farm Diversification
- ED18 – New Farm Buildings in the Countryside
- ED19 – Agricultural Related Activities

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.