

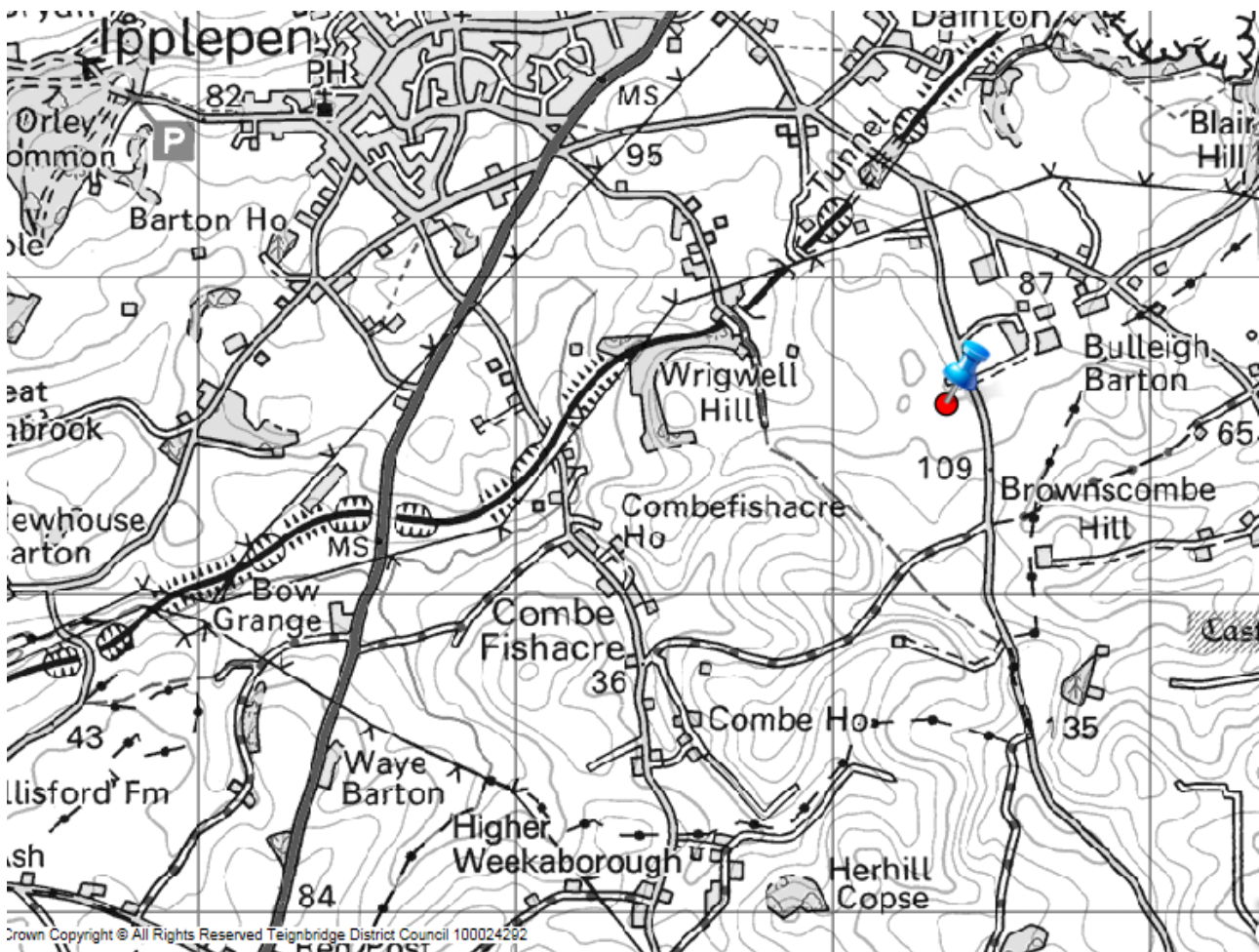
PLANNING COMMITTEE REPORT

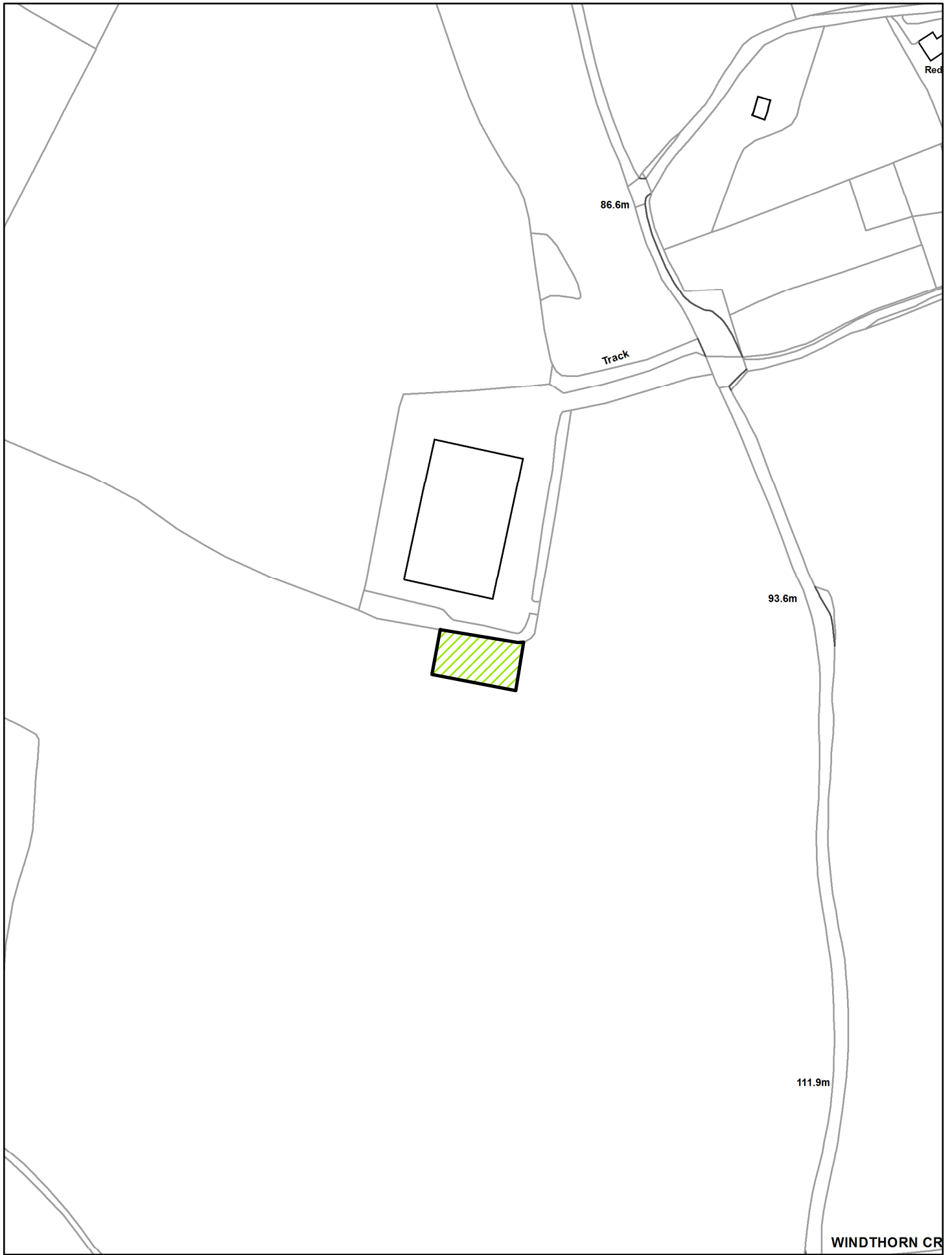
20 March 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	IPPLEPEN - 17/03031/FUL - Bulleigh Oaks Farm - Provision of temporary dwelling for agricultural worker and associated landscaping	
APPLICANT:	Mr Dennis	
CASE OFFICER	Helen Murdoch	
WARD MEMBERS:	Councillor Dewhirst	Ipplepen
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=17/03031/FUL&MN	





1. REASON FOR REPORT

Councillor Dewhirst has requested that the application be presented to Members of the Planning Committee in the event that Officers are recommending approval, as there are concerns about the necessity for a full time worker to live in such proximity to the newly-established farm buildings when the established farmhouse building is less than 300 metres away.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Details of temporary dwelling to be submitted for approval
4. Temporary consent for a period of 3 years only, when mobile home shall be removed from site and land made good.
5. Agricultural occupancy tie
6. Planting of soft landscaping as shown on approved plans in accordance with detailed planting scheme, Implementation Plan and Maintenance schedule

3. DESCRIPTION

Site Description and Proposal

- 3.1 The site is within the designated open countryside and within a field which has recently been subject to construction works to build a beef rearing unit in accordance with planning approvals 13/02501/MAJ, 14/00965/MAJ and 14/02408/MAJ. The site is part of a substantially-sized field which undulates gently. The beef rearing unit is located in the northernmost corner of the field adjacent to an existing access track which serves the surrounding farmland. A field access gate already existed to the east of the proposed site and this joins the road from Bulleigh Elms Cross to Windthorn Cross. The approved access point is roughly opposite the existing access to Bulleigh Barton Farm.
- 3.2 The approved beef rearing unit comprises two buildings which have footprints of 34 metres x 42 metres (including roof overhangs). The central permeable hardstanding has also been enclosed in line with a subsequent planning approval as detailed above. The building is cut into the site.



- 3.3 At the time of approving these new agricultural buildings the case set out was that these were linked to the agricultural enterprises at Bulleigh Barton Farm and that they would assist with improving soil quality by generating appropriate fertilizer to spread on the land. Since the establishment of the units it would appear that these units have been incorporated into a new farmstead known as Bulleigh Oaks Farm. These buildings service a farm business operated by the applicant. The applicant runs a mixed livestock and arable holding. It is proposed that the temporary dwelling will be occupied by the applicant's son, Mr S Dennis, who is working full time on the holding primarily involved in the livestock enterprises. According to information given the applicant, Mr N Dennis is also employed full time on the holding primarily involved in the arable enterprise and lives in a dwelling situated at the opposite farmstead known as Bulleigh Barton Farm (set more than 500 metres away and not within sight of the beef rearing unit). It is reported that there is one further full time worker employed.
- 3.4 This application seeks permission for a temporary dwelling for an agricultural worker and is to be positioned to the south of the recently-built farm buildings detailed above and located on the farmstead known as Bulleigh Oaks. The mobile home proposed would be accessed via the existing farmyard. The mobile home will be set within an associated domestic curtilage and new soft landscaping is proposed to create a linear landscape feature to help to assimilate the proposed mobile home into the wider landscape.
- 3.5 It should be noted that on the farmstead known as Bulleigh Barton and owned by the applicant there are two agricultural worker's dwellings and one other dwelling that is not tied. Currently the applicant's son does not live on either holding.

Planning Considerations

- 3.6 Policy S22 of the Teignbridge Local Plan sets out the types of development that can be considered within the open countryside and beyond the limits of defined settlements. One such permitted type of development is the provision of dwellings for agricultural workers. Therefore the principle of the proposal is supported providing all other policy considerations, in particular the requirements of Policy WE9 (Rural Workers' Dwellings) are duly met. In line with Policy WE9 permission is sought for a temporary dwelling for a period of 3 years, in order to allow assessment of the farming business in accordance with sections (a), (b) and (c) of Policy WE9. In accordance with Policy WE9 the application proposals have been assessed by an independent Agricultural Consultant. The Consultant prior to making his assessment was made aware of the planning history of the site and the existing tied and open dwellings in existence at Bulleigh Barton Farm. The Consultant, being mindful of the number and type of stock involved in the enterprises, carried out in the farm buildings at Bulleigh Oaks (breeding ewe flock and barley, beef cattle with calves being brought in at 3 months and finished between 15-19 months), concluded that there is a need for a full time presence on site at most times of the day and night. He concluded that this was required for the proper functioning of the enterprises.
- 3.7 Despite the applicant having control over three existing residential units these are all located at his other farmstead known as Bulleigh Barton and the applicant claims that the original farm buildings at this farmstead can no longer be used for the carrying out of livestock enterprises. It is noted that there are a lot of employment uses which have gone into individual units at this site and there are no buildings

which would provide the same accommodation as that presently provided by the new purpose built units. The Consultant was of the opinion that the needs of the enterprises at Bulleigh Oaks were such that it required someone to be resident and within sight and sound of the buildings. The dwellings at Bulleigh Barton are neither in sight nor sound due to distance and topography. Having viewed the business plan the Consultant is also satisfied that there is a firm intention and ability to develop the enterprise.

- 3.8 Officers have no reason or information to conclude any differently from the Agricultural Consultant and are satisfied that the principle of the temporary mobile home for an agricultural worker meets the requirements of Policy WE9. Conditions to restrict this to a temporary dwelling and to restrict the occupancy to an agricultural worker should be duly added.
- 3.9 Although not within a an Area of Great Landscape Value, due to the topography of area the site is visible within the wider landscape especially as the approved landscape planting around the existing buildings and yard has yet to establish. During the course of this application and the previous application which was withdrawn, there has been much discussion about the location of the proposed mobile home and its associated domestic curtilage. Suggestions made by Officers including the Landscape Officer were not considered practical by the applicant, especially suggestions about locating the mobile home within the approved yard area. There were concerns that simply taking a chunk out of the corner of the field would create an uncharacteristic landscape feature. A scheme has come forward to create an extended landscape feature by building a new Devon Hedge which will, in part, enclose the mobile home and its associated curtilage. It is considered that this will help to screen the temporary building while delivering biodiversity enhancement. It is considered that the proposed location is acceptable for a temporary mobile home and will accord with Policy EN2A (Landscape Protection and Enhancement).
- 3.10 The site lies within a Mineral Safeguarding Area for a limestone resource. Policy M2 of the Devon Minerals Plan seeks to safeguard mineral resources against sterilisation or constraint. New dwellings can conflict with this. However, as Devon County have noted, this application is for a temporary permission only and it is not considered that approval of this proposal would cause harm to the mineral resources identified. However, an informative will be added to any approval which advises of this constraint which will have implications should a permanent dwelling be sought in this location in due course. It is also considered that the location approved for a simple low key mobile home may not be appropriate from a landscape visual point of view for a permanent dwelling. Both of these are of course matters which would need to be duly considered as part of any subsequent application for a permanent dwelling.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

STRATEGY POLICIES

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

STRATEGY PLACES

S22 (Countryside)

WELLBEING - HOUSING

WE9 (Rural Workers' Dwellings)

QUALITY ENVIRONMENT

EN5 (Heritage Assets)

EN2A (Landscape Protection and Enhancement)

EN8 (Biodiversity Protection and Enhancement)

EN12 (Woodlands, Trees and Hedgerows)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Devon County Council (Archaeology) - Comments awaited

Devon County Council (Minerals) - The site for the above prior notification lies just within the boundary of a Mineral Safeguarding Area for the limestone resource, and within the associated Mineral Consultation Area, as defined through the Devon Minerals Plan that was adopted in February 2017. Devon County Council should be consulted on planning applications that fall within a Minerals Consultation Area.

Policy M2 of the Devon Minerals Plan seeks to safeguard mineral resources against sterilisation or constraint by other forms of development. However, as the dwelling is proposed for a temporary period, it will not sterilise the mineral resource or constrain potential mineral development in the longer term. Devon Council therefore has no objections to the proposed development in its role as mineral planning authority.

It is recommended, however, that any permission that you may grant should include an informative note alerting the applicant of the site's location in a Mineral Safeguarding Area and advising that the advice of Devon County Council be sought in the event of a future application for a permanent dwelling.

Agricultural Consultant - I support this application for the reasons I have stated as it is my opinion the applicant has satisfied the necessary criteria under local and national policy guidance for a temporary agricultural worker's dwelling. I have dealt with the issue of the applicant's other residential dwellings which are situated relatively near to the present application site, although I consider them not to be close enough to meet the functional needs of the livestock enterprise managed within the recently erected farm buildings at Bulleigh Oaks.

6. REPRESENTATIONS

To date there have been no letters of representation.

7. PARISH COUNCIL'S COMMENTS

Ipplepen Parish Council do not consider there to be a need for a temporary dwelling as follows:

- a. The unit is newly-established
- b. The adjacent Bulleigh Barton Farm is in the same ownership as the applicant where there is adequate permanent accommodation
- c. The NPPF does not contain any specific policies for the provision of such dwellings
- d. Whilst a functional test could demonstrate that there is sufficient work for a full-time worker it would not demonstrate that the said worker should be resident on site.

8. COMMUNITY INFRASTRUCTURE LEVY

This is a temporary dwelling and is therefore not liable for CIL

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

Business Manager – Strategic Place