DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-0703-18**	**Applicant:**	**C S Gent & Sons**
Proposal:	Siting of agricultural workers mobile home in connection with poultry farm (retrospective) - previously approved under H19-0386-14		
Location:	40 Acre Farm Guanockgate Sutton St Edmund		
Terminal Date:	18th October 2018		

Planning Policies

Local Plan July 2016:

HS7	New Housing in the Open Countryside including Other Rural Settlements
SG1	General Sustainable Development
SG4	Development in the Countryside
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

Sections 5, 12 & 14 and Paragraph 79 of the National Planning Policy Framework (2018)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

This is an application for siting of agricultural workers mobile home in connection with poultry farm

(retrospective) - previously approved under H19-0386-14 at 40 Acre Farm, Guanockgate, Sutton St Edmund. The proposal is within in the open countryside and the surrounding area is predominately rural, characterised by buildings of varying ages and design.

The proposal seeks to retain the use of agricultural workers mobile home in connection with the existing free range egg unit. Policy SG4 of the South Holland Local Plan, 2006, indicates that planning permission will only be granted for new development in the open countryside if it is essential in that location and cannot reasonably be accommodated within a defined settlement limit. Policy HS7 specifically relates to new residential development in the open countryside. It indicates that it will only be allowed in such locations if there is an essential need, particularly in conjunction with agriculture. This policy is in accordance with advice within Paragraph 79 of the National Planning Policy Framework, 2012.

The Environment Agency has commented "The National Planning Policy Framework Planning Practice Guidance classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls with Flood Zone 3 as defined by the Planning Practice Guidance as having a 'high' probability of flooding.

The development type in the proposed application is classified as 'highly vulnerability' category in line with table 2 for the Planning Practice Guidance (PPG). Tables 1 and 3 of the PPG make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted.

However, we are mindful of the fact that this is an application to extend/continue an existing use that has previously been permitted, and that the site is not at risk of flooding in the defended scenario as shown in the South Holland District Council Strategic Flood Risk Assessment, we therefore have no objection to it."

The Council's Agricultural Consultant has stated "An application for the siting of the agricultural workers mobile home was originally submitted in 2014 (your reference H19-0386-14). I commented on this application in my desktop agricultural appraisal dated 5th August, 2014, and I note the application was subsequently approved for a three year temporary consent."

"As the current application is a retrospective application, I assume the original three year consent has now expired."

"The application site forms part of Ashlea Farm, and is situated approximately 1 mile North of Ashlea Farm. There are two free range egg units at the application site, which house a total of 40,000 laying hens with egg collection and packing facilities on the site."

"The mobile home houses the stock man who manages the two free range egg units."

"Applications for agricultural workers dwellings are currently assessed using The National Planning Policy Framework (the Framework) (Amended July 2018) which states at paragraph 79 "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:- (a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;" In addition, the Framework is only supportive of sustainable development, which in the case of agricultural workers dwellings is taken to mean that the farming enterprise is required to be financially viable, and capable of sustaining the cost of the proposed dwelling after the deduction of all costs in the long-term. Most Local Planning Authorities, and Planning Inspectors, still have regard to the guidance given in Annex A to PPS7, as although superseded by the Framework, it is still considered to be a relevant and useful guide in assessing applications for agricultural workers dwellings, in the absence of any guidance within the Framework - especially for mobile home applications."

"Paragraph 12 of Annex A to PPS7 states "If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria;" - and then sets out five criteria to be satisfied which the previous application did comply with. However, paragraph 12 does state "For the first three years". This temporary dwelling has been on site since 2014 i.e. four years."

"Paragraph 13 of the Annex states "If permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in paragraph 3 above are met. The Planning Authority should make clear the period for which the temporary permission is granted, the fact that the temporary dwelling will have to be removed, and the requirements that will have to be met if a permanent permission is to be granted. Authorities should not normally grant successive extensions to a temporary permission over a period of more than three years, nor should they normally give temporary permissions in locations where they would not permit a permanent dwelling."

"In conclusion, I therefore ADVISE that there is agricultural support for the retention of the mobile home for a further period of two years, to enable the applicants to submit an application for a permanent dwelling in order to comply with paragraph 13 of Annex A to PPS7, and also to comply with both paragraph 79 and the sustainability elements of the Framework. However, it should be made clear to the applicants that the Local Planning Authority would be unlikely to approve any further or future applications for the retention of the mobile home due to the contents of paragraph 13 of Annex A to PPS7."

No objections have been received from any neighbours and there is not considered to be any material harm to neighbouring residential amenity from overlooking, overshadowing or other matters. The design, scale and layout is considered to be appropriate for the site. The continued presence and growth of the business shows that there remains an agricultural need for a dwelling or mobile home on site to aid the operation of the business.

The applicant has requested permission for retention of the mobile home for 20 years. As the building is considered to be temporary in nature, this length of permission cannot be granted, the mobile home would need to be checked on a more regular basis to ensure that remained in good condition for human habitation. It is considered that a period of 5 years is an appropriate level of time in which to reassess the future condition of the mobile home.

In light of the above considerations the proposal is considered to be in accordance with policies HS7, SG1, SG4, SG14 and SG17 of the South Holland Local Plan, 2006, as well as sections 5, 12 and 14, as well as paragraph 79 of the National Planning Policy Framework, 2018.

A delegated approval is considered to be appropriate.