

Proposed Siting of Mobile Home for occupation by Agricultural Worker
'Jen's Rest' Sparks Lane / Millgate
Whaplode PE12 6RT

Applicant
Mr. Brent Usher



Planning Statement

June 2017

The Application

This Planning Application seeks permission for the siting of a mobile home for occupation by the owner of the application site. There is no request for any permanent structure / dwelling to be provided on the site and, as will be demonstrated in this Statement, there is a significant and relevant planning history associated with this site that should satisfy the Local Planning Authority that it is appropriate for the Applicant to be allowed to reside on his land.

The Site

The application site extends to 1.7 hectares and is situated 1.3 miles to the south of Whaplode village centre. Whaplode is classified as a minor service centre and is located along the A151 which provides good road links to Holbeach (2 miles to east) and Spalding (4 miles to the west)

There is existing vehicular access to the site at the junction of Sparks Lane and Millgate.

A particular feature of the site is the mature and continuous native species screening to the perimeter. There are also open watercourses to the perimeter of the site.

There are nearby residential dwellings to the north along Millgate, the nearest being Eagle House which is approx. 75metres from the application site entrance.

Planning History

The Applicant has owned the site for 2 years having acquired what was effectively an abandoned and failed business venture. It was that previous use that generated several planning applications :-

H23-0589-06 Erection of Polytunnel - granted 15 Jun 2006

H23-1108-08 Agricultural Dwelling & Store - refused 6 Feb 2009

H23-0733-09 Agricultural Dwelling & Workshop Store- refused 23 Nov 2009

H23-0267-10 Siting of Caravan for Agricultural Worker (3 yr period)
Installation of private treatment plant, new vehicular access and garden shed. – approved 25 May 2010

H23-0105-13 Agricultural Dwelling - refused 27 Aug 2013

Planning Policy

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 permitted in such locations if there is an essential need, particularly in conjunction with agriculture. This policy accords with advice in Paragraph 55 of the National Planning Policy Framework, 2012. To determine whether there is an essential agricultural need for a temporary dwelling the criteria within Paragraph 12 of Annex A of the former PPS7 are normally applied.

Justification under PPS7 Criteria

Temporary agricultural dwellings

12. 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:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need (see paragraph 4 of this Annex);
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.

As previously stated the Applicant is committed to ensuring that the application site generates sufficient income to provide him a living with no reliance on external employment or subsidy, benefits etc. His way of life is simple, non-materialistic and perfectly suited to a smallholding such as this.

He has valuable livestock on site and intends to increase that stock. He needs to reside on site to tend to and protect that asset and ensure expansion of that income generating asset.

The application site has previously been considered by the Local Planning Authority as capable of sustaining temporary accommodation for an agricultural worker back in 2010. The fact that the previous owner of the land did not manage a successful business rightly meant that any consent to reside on the land ceased.

The current applicant seeks the same opportunity but with considerably more experience, knowledge and realistic expectations of what will achieve him a sustainable living from the agricultural activities he carries out on the site.

The site is self contained and previous use has created the access, internal hardcore track and structures such as the polytunnels. The perimeter of the site is well established and there is no adverse impact whatsoever on the adjacent open countryside. Equally, the activities within the site are entirely in keeping with the activities that should take place in the open countryside with no detrimental effect on the environment or neighbouring land use.

The Proposal

The Applicant has resided in the District all his life and the purchase of this site was driven primarily by his passion for the rural way of life, conservation and living off the land.

His way of life involves no aspirations for a permanent dwelling whether in an urban or rural location. The site, as mentioned, had been effectively abandoned by someone that repeatedly attempted to secure a permanent dwelling in the open countryside. This is not a speculative attempt to secure planning permission for a permanent dwelling.

The applicant is aware of the strict regulations with regards to development in the open countryside and this application is accompanied by an honest and straightforward statement of the need for him to live on his land. There is no 'padded out' elaborate business plan indicating a business that will generate massive profits to sustain a 'niche' business venture, just the facts that the Applicant can live off his land with no subsidies, loans or reliance on any other forms of financial assistance.

Mr Usher wishes to make a living from his land, which is the only property in his possession. He has spent the last two years tidying the site and significantly enhancing the planting on and around the site. He has introduced livestock and as funds permit he plans to extend the stock holding to further sustain his living.

The ecological enhancement to the site and environment has been substantial compared with the gesture of installing bird and bat boxes to new dwelling developments. 'Sustainability' is also often quoted in support of new developments, however this application site is truly sustainable with minimal reliance on mains infrastructure or any need for routine use of any motor vehicles.

The accommodation is by way of a mobile home in the form of a motorhome. This provides all facilities necessary and the associated 'buildings' are temporary and mobile. These units are used for storage of essential items for the smallholding including agricultural machinery, parts and animal feeds.

These units have been consciously sited to the southern edge of the site thereby having no adverse impact on the nearest dwellings, or any visual detrimental impact on the adjacent open countryside. The site is enclosed by a substantial and attractive native species hedge and tree belt.

The Applicant fully acknowledges the sensitivity of any form of development in the open countryside but for specific reasons stated in this statement it is considered that he should be allowed to reside on his land. This is his only property and it provides a means of sustainable living for him without subsidy or alternative full time employment. He has every reason to make sure that the site and his diverse agricultural activities, from deer farming to beekeeping and wildfruit harvesting to name but a few of those activities, provides a sustainable way of life for him.

The Proposal cont/...

This is not a speculative attempt to abuse the system which is rightly in place to safeguard inappropriate development in the open countryside. He simply seeks permission to live in what is classified as temporary accommodation and carry on a simple rural lifestyle as he has done for most of his life.

Consideration should also be given to the fact that this is diverse non-intensive rural activity enhancing the local rural economy with evident conservation benefits, environmental and 'truly sustainable' positivity on a previously abandoned site.

Whilst the NPPF can be quoted to restrict the proposal it can also be quoted in support of this proposal. The Enforcement Notice issued by South Holland District Council alleges a breach of planning control – being an unauthorised material change of use of the land from authorised use of agricultural to a mixed use of agricultural and residential by the siting of 3 touring caravans and a double decker bus used for residential purposes.

This planning statement has clarified that the only occupier of the application site is Mr Usher the landowner and agricultural worker. He only requires one unit for accommodation and rather than the expense of permanent structures he utilises the mobile units for storage of essential materials to carry out his business. As funds permit these units could be removed and appropriate agricultural storage buildings erected.

The Enforcement Notice also considers the site to be 'inherently unsustainable' given its location in the open countryside "...It is not well linked to facilities or services..."

"...future occupiers would be likely to have a high dependence on the use of motor vehicles to access local services which, no matter the distance of travel involved, would be contrary to one of the core principles of paragraph 17 of the NPPF to make the fullest use of public transport. Moreover the reliance on the motor car would increase carbon emissions, contrary to the environmental role of planning..."

The applicant and in fact any subsequent occupier of this site would only be allowed to reside on site if they had a direct link to the agricultural use of the site and so they will not be commuting by 'public transport' which as we are aware is not a strong feature in this part of Lincolnshire. His carbon footprint will be negligible given the self sufficient lifestyle that the site and its use provides so that is a highly questionable argument in this particular instance. The site is just 1.3 miles from the village centre and in the 21st Century it is entirely possible to have all provisions delivered to the home, avoiding 'dependence on the use of motor vehicles'.

He has residential neighbours within 100metres of the site and the site has direct access to a public highway.

Highways

There is an existing vehicular access at the junction of Sparks Lane and Millgate with ample drive for vehicles to temporarily park clear of the public highway whilst the security gates are opened /closed

Refuse Collection

There is no generation of trade waste from the activities, in fact the applicant is able to effectively carry out extensive recycling of waste, including composting for re-use on the site. Any domestic waste can be placed at the site entrance for day of collection service.

Conclusion

The Enforcement Notice also quotes Paragraphs 14, 17 and 49 as indicating that new housing should be in a sustainable location and contribute towards protecting and enhancing the environment. The Local Planning Authority saw fit in 2010 to permit the previous owner of the site to site a caravan for occupation by agricultural worker (3 year period) along with installation of private treatment plant, new vehicular access and garden shed. The Council were satisfied that temporary permission could be granted in view of the applicants circumstances in connection with a developing agricultural holding.

Whilst it is unfortunate that the business venture effected by the previous landowner failed, the application site was abandoned and could certainly not be considered to enhance the open countryside. The physical enclosure of the site limits its efficiency for modern farming production and so it is logical that some diverse agricultural / horticultural use would be appropriate on a holding of this size.

The work carried out by the current owner has transformed the site and has created an extremely sustainable environment which has certainly enhanced the environment. The open countryside is not in any way adversely affected by this proposal and I trust that the Local Planning Authority will consider this application very carefully and not simply apply National Policy to a particularly individual and local matter.