

**Application No:** W 10 / 1166

**Registration Date:** 03/09/10

**Town/Parish Council:** Beausale, Haseley, Honiley & Wroxall  
**Case Officer:** Penny Butler

01926 456544 planning\_west@warwickdc.gov.uk

**Woodside Farm, Haseley Knob, Haseley, Warwick**

Outline application for the erection of a permanent dwelling for an agricultural/rural occupational worker, with biodisc treatment plant and use of existing access. FOR Mr D Craddock

-----

This application has been requested to be presented to Committee by Councillor Gallagher.

**SUMMARY OF REPRESENTATIONS**

**Beausale, Haseley Honiley & Wroxall Parish Council :** Has, by simple majority, NO OBJECTION to the application for outline permission for a permanent dwelling at Woodside Farm, Haseley Knob, but would wish the following comments to be taken into account by, and before the Planning Officers make their views known under delegated powers:-

We would expect an agricultural tie should be placed on any built dwelling  
The size of the dwelling should be limited to 140m<sup>2</sup> (including any garage)  
The siting of the dwelling is in the open, and it could be in a more secluded position.

Within the content of the application we have 4 observations to make:-  
The dwelling will be visible from the road, especially after hedge-cutting and in the winter (it was stated in the application as 'not visible').

On the figures supplied, the business profit is not able to support the 1.6 workers needed and is therefore not sustainable. We observe that the accounts submitted show in the 2012 budget, zero costs for labour and zero costs for asset depreciation, either or both of which would wipe out the declared profit of £17909 in 2010 and a budgeted £19117 in 2012 (memo: labour has been identified as 1.6 workers @ £15,000 per full-time worker). The accounts submitted do not appear to have been audited, which is surprising given the length of time the business has been running.

With only 6.5 acres owned and 275 acres rented there is clearly no 'security of tenure'. On the rented land we note the 'promises' but no long term contracts in place.

In the Phil Cooper report, the point was made that 'without a dwelling on site, the business is unable to expand further. The corollary of this could be taken that the business can therefore continue to operate without a dwelling at its present level, notwithstanding the point 4b above, that at its current level it is not sustainable.

A response would be appreciated on the above points and if that should lead you to put forward a view different to our own then we would of course respect that view.

**Acorus (agricultural consultant):** Based on the standard figures it is considered that the agricultural operations undertaken equates to a labour requirement in excess of one full time worker. There is now a marginal functional need to live on site however this is only as a result of turkeys entering the business in the past 6-8 weeks. The agricultural business is still developing and there is not considered to be an established functional need for a worker to reside permanently at Woodside Farm at this time.

Having studied the financial information prepared by the accountant for the farming element of the applicants overall business, there are concerns that such figures do not show an accurate reflection of the agricultural business. Furthermore, such figures do not take into account the turkey rearing, which is significant with respect to creating a functional need on the holding at most times. As such, it is considered that the business fails to satisfy the financial test for a permanent dwelling.

They accept the applicants concerns over the current availability of land on long term tenancies at present (due to pending CAP reforms in 2012). However, given the reliance on such land to enable the applicant to operate the sheep enterprise, concerns have to be raised over the long term security of the business.

Having assessed the whole business against the justification for agricultural worker's dwellings in Annex A of PPS7, they consider this business has insufficient justification for a permanent agricultural workers dwelling at this time. The business is still developing and as such is more akin to an application for a temporary agricultural dwelling until the business is fully established.

**WCC Ecology:** Recommend a condition for tree and hedge protection, and nesting bird, reptile/amphibian and badger notes.

**WCC Highways:** No objection.

### **RELEVANT POLICIES**

- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance Note 2: Green Belts.

### **PLANNING HISTORY**

W05/1848- Erection of general purpose agricultural building approved.

W07/0371- Erection of a temporary farm workers dwelling was refused by Planning Committee and dismissed at appeal. The Inspector felt there would only be a functional need for a worker to be readily available during the main lambing period (January to April) and that at current stock levels welfare could be met by the provision of alternative accommodation such as a temporary caravan.

W07/1348- Erection of farm buildings to house livestock refused.

W09/0157- Erection of polytunnel approved.

W09/1526- Extension to existing agricultural building approved.

## **KEY ISSUES**

### **The Site and its Location**

The application site lies to the north of Haseley Knob, in the Green Belt, and forms part of a 2.5 acre (1.01ha) triangular piece of land owned by the applicant. The site for the dwelling lies to the south-west of existing farm buildings, and on the southern side of the access road into the site. On the opposite side of the road is a wood, while on the western side is a tall hedged boundary with the busy Birmingham Road.

### **Details of the Development**

This is an outline application for the erection of a farm workers dwelling. The proposed siting is to the south of the existing farm yard and buildings, with access via the existing farm access. Appearance, layout, scale and landscaping are all reserved matters. The design and access statement refers to a two storey dwelling with a ridge height of about 7.5m and eaves height of 3.5m, and a floor space of 150m<sup>2</sup>. There would be a private parking and turning area provided within the residential curtilage. The intention to provide renewable energy where possible has been included in the statement.

### **Assessment**

In accordance with PPS7, a farm workers dwelling should be commensurate with the size of the holding, and assessed against Annex A. Local Plan Policy RAP5 is no longer saved, which specified a maximum floor area of 140m<sup>2</sup>. Under Annex A, permanent workers dwelling are only allowed where:

- i) there is a clearly established existing functional need;
- ii) the need relates to a full-time worker;
- iii) the unit and agricultural activity have been established for at least 3 years, been profitable for at least one of them, and are currently financially sound with a clear prospect of remaining so;
- iv) the functional need could not be met by another existing dwelling on site or in the area; and
- v) other planning requirements are satisfied.

At appeal the Inspector considered the development to be inappropriate in the Green Belt, as workers dwellings only support agricultural use, and are not buildings for the purpose of agriculture. On this point I have to disagree as agricultural workers dwellings are widely accepted as appropriate development in the Green Belt, and Policy DAP1 allowed such dwellings under RAP1. He also considered there would only be a functional need during the lambing period (January to April) and that this could be met by a temporary caravan. He did not consider the financial test at this time, merely stating that 'the functional test must be met, with the financial sustainability being the key element to be satisfied during any temporary permission.' The Inspector did not take issue with

the fact that only a small proportion of the land farmed is owned by the applicant.

Operational changes made since the 2007 application was dismissed include:

- Land farmed increased from 101 acres (3.2 acres owned) to 275 acres (6.5 acres owned).
- 400 breeding ewes and 9 breeding rams increased to 550 ewes, with 880 lambs bred, 215 free range hens and 50 Christmas turkeys.
- One 446m<sup>2</sup> building increased to 836m<sup>2</sup> buildings plus mobile hen units.
- Operating profit made in each of the last 3 years with improvements year on year as stock increased.

The applicant is clearly committed to developing the business as has been demonstrated to some extent by the financial information submitted with the application. Turning to the requirements of Annex A, the Council's agricultural consultant has interviewed the applicant and assessed the detailed submission made by their agricultural consultant. Taking his advice into account, I consider that a functional need has now been demonstrated. Although this may not be established, since it is influenced by the recently introduced turkeys, realistically it is likely that this need will continue in coming years. The need for a full time worker is not questioned and I am satisfied that the functional need could not be met by another dwelling on the site, in the area, or by the applicant's own dwelling about 1.5km away. I consider a case has been proved in accordance with parts i, ii and iv of Annex A.

The remaining part of Annex A to consider is part iii. The unit and activity has been established for more than 3 years, but there are doubts over the financial information provided as there are no trading, profit and loss accounts for the farming enterprise, so the financial information provided was from extracts of the applicant's garden maintenance business accounts. The projected farming income and expenditure accounts for the year ending July 2010 (extracted from the main business trading accounts) are not considered to show a true and accurate reflection of the farming business and such figures do not take into account the turkeys introduced in the last few months to increase functional need. In response to Acorus's comments the applicant has submitted revised figures giving true insurance, fuel and sheep costs. Acorus have assessed these but do not change their recommendation, which is that the business is not currently financially sound. It is accepted that this situation is likely to change over the next few years, and at this time a full set of trading, profit and loss accounts for the farm business, separate to the gardening business, should be produced to support a future application.

The remaining issue relates to the siting of the dwelling, since this is an outline application and other matters are reserved. The proposed siting is to the south of existing farm buildings and utilises the existing access. The position of the (refused) temporary dwelling (between the barn and the road) was discounted by the applicant as this could restrain further development, would be too close to farm buildings and prevent that area from being used for poultry. I have no issue with the proposed siting, since it is close to the farm yard and would provide good surveillance of the farm buildings and site entrance, whilst also being partly screened by roadside trees and hedges. The proposed floor area of 150m<sup>2</sup> is close to the limit specified in old Local Plan Policy RAP5 of 140m<sup>2</sup>, and

this is considered reasonable for the size of farm holding. Design is a reserved matter for later consideration.

### **REFUSAL REASONS**

- 1 Planning Policy Statement 7 : Sustainable Development in Rural Areas makes it clear that permanent residential development for rural workers will not be permitted unless there is a clear functional need for the person to be readily available on the site at most times and the enterprise being carried on is financially sound.

In the opinion of the District Planning Authority, the farming business is not financially sound with a clear prospect of remaining so and to permit the erection of a permanent dwelling would be contrary to the local plan policy and to the guidance on Agricultural dwellings contained in PPS7 'Sustainable Development in Rural Areas'.

-----