

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd February 2005
AUTHOR/S: Director of Development Services

S/2225/04/O - Great Wilbraham
Erection of a Temporary Agricultural Dwelling at Land adjacent 1a Mill Road
for Mr. J. Beaumont

Recommendation: Refusal
Date for Determination: 27th December 2004

Site and Proposal

1. The site is part of a small field measuring 0.76 hectares. The area for the temporary dwelling and its access measures approximately 0.0655 hectares. The field lies outside the village framework and is adjacent to the Great Wilbraham Conservation Area. It is within the Green Belt. The land runs alongside the unclassified Mill Road, off which there are two gated field accesses serving the site. A mature, largely hawthorn hedge, screens the field from the road. The land slopes uphill away from the road and towards the south of the site, where the site adjoins open countryside beyond. The field contains three small pole barns, in which cattle are housed, and a number of temporary storage sheds.
2. This outline application proposes the erection of a temporary agricultural dwelling. This will be accessed via an existing, but lesser used field access. All detailed matters have been reserved. However the application includes indicative details of log cabin type accommodation that the applicant would wish to erect. The applicant is seeking a temporary agricultural dwelling in order to ensure the welfare of the cattle herd that he is building up, the meat from which will be sold locally at his butchers shop in Fulbourn. The agricultural holding comprises sites in the area totalling 23 hectares of grassland on tenancy through mowing/grazing licences and the site itself, which the applicant owns.

Planning History

3. Outline planning applications for a bungalow on this site were twice refused under references **S/1536/75/O** and **S/1336/77/O**. The reasons on both occasions were the location outside of the village framework and that the development constituted ribbon development, which if approved would create a precedent for further development.
4. Outline planning permission was refused for a permanent agricultural dwelling on this site under reference **S/0981/04/O**. The reasons for refusal were:
 1. "The site lies in the countryside, outside of the physical framework of Great Wilbraham, as defined by the South Cambridgeshire Local Plan, adopted 2004, where development is restricted to that which is demonstrated to be essential to the particular location or to the operation of local farming by virtue of Policy P1/2 of the Cambridgeshire Structure Plan, adopted 2003. Policy HG16 of the South Cambridgeshire Local Plan, adopted 2004 states that agricultural dwellings will only be permitted on well established agricultural units where it can be demonstrated that there is a clear, existing functional

need for a full-time worker on site and where no suitable existing buildings in the area are available.

2. The site also falls within the Cambridge Green Belt, where there is a presumption against inappropriate development. It has not been demonstrated that very special circumstances exist to outweigh the harm caused by inappropriateness in the Green Belt. The proposal would therefore be contrary to Policy P9/2a of the Structure Plan 2003 and Policy GB2 of the Local Plan 2004.
3. Insufficient agricultural justification has been demonstrated to justify an agricultural dwelling on the site both in terms of the functional and financial tests identified in Planning Policy Guidance7: Countryside and reiterated in Policy HG16 of the South Cambridgeshire Local Plan, adopted 2004.”

Planning Policy

5. **Policy GB2** (General Principles) of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) sets out what is considered by the Council to be appropriate development in the Green Belt. It includes agricultural dwellings as appropriate development where they serve an ‘essential agricultural need’. **Policy GB3** (The location of development) goes on to state that where development ‘is not inappropriate it will be located within or adjoining existing complexes...in order to protect the rural nature and openness of the Green Belt’.
6. **Policy HG16** (Agricultural dwellings) of the Local Plan permits permanent agricultural dwellings in the countryside only on well established agricultural units where it has been demonstrated that there is ‘a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation’.
7. **Policy HG18** (Temporary permission for mobile homes to support new agricultural units) of the Local Plan allows for the provision of temporary accommodation such as a caravan where it is essential to support a new or recently created farming enterprise. Certain criteria must be met including a) clear evidence of a firm intention and ability to develop the enterprise b) functional need c) clear evidence that the proposed enterprise has been planned on a sound financial basis and d) the functional need could not be fulfilled by another dwelling on the unit or in the area which is suitable and available for occupation.
8. **Policy P1/2** (Environmental Restrictions on Development) of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) restricts development in the countryside to that which ‘can be demonstrated to be essential in a particular rural location’.
9. **Policy P9/2a** (Green Belt) of the County Structure Plan sets out the aims of maintaining a Green Belt around Cambridge and limits all new development within the Green Belt unless required for ‘agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to the Green Belt’.
10. **Planning Policy Statement (PPS) 7: Sustainable Development in Rural Areas** (Annex A) sets out Government guidance upon agricultural dwellings.

Consultations

11. **Great Wilbraham Parish Council** recommends approval. It comments that, although Members would not normally support a building in the Green Belt, local agricultural enterprises should be supported, noting that this application is for a temporary mobile home. It requests that conditions be placed limiting the permission to three years, with an agricultural tie, personal to the applicant, the dwelling is not connected to mains services at 1a Mill Road (water is available on site), the style and design of the building along with access and layout are to be agreed by SCDC and the Parish, the whole field should be well maintained and kept tidy, any additional barns/shelters or storage sheds should be approved by SCDC and the Parish Council.
12. The **Environment Agency** has no objection but recommends informatives to be included on the decision notice if approved.
13. The **Chief Environmental Health Officer** makes no adverse comment but notes that if the dwelling is classed as a caravan it will be exempt from requiring a Caravan Site Licence. However, from a fire safety point of view, had a licence been required, then the unit would have needed to be sited 3 metres from the boundary.
14. The **Trees and Landscape Officer** has no objections.
15. The **County Farms Manager** acknowledges that locally produced meat is becoming increasingly popular; however in appraising the business he advises that the functional test set out in PPG7 for temporary agricultural dwellings is not met and would still not be met if the herd were to increase to fifty head of cattle, as the labour requirements would not equate to a full-time worker. In terms of meeting the financial test set out in PPG7, other than the butchery businesses trading accounts for 2003 - 2004 no financial data has been provided. He was however, concerned that unless there is significant expansion (far beyond that proposed) of the cattle side of the business, whether in three years or longer the financial tests for a permanent dwelling could be met. The full comments are attached at Appendix 1.

Representations

16. Letters of objection have been received from residents of adjacent properties, The Old Granary and Kennels Farmhouse. The concerns raised include the site's use for storing vehicles and metal parts, the small number of cows and calves on the site at various times (approximately three have been counted), impact on the character of the adjacent Conservation Area, Grade II Listed Buildings and the Green Belt, lack of clear details, the proposed access point is an overgrown gate that is not used and is sited on the inside of a dangerous bend upon which vehicles travel at speed.
17. The applicant's agent has written two letters in support of the application. These letters address points made by the Parish Council in recommending conditions, and noting that the applicant is due to expand his butchery business, having secured a lease for six years on the adjoining unit in Fulbourn into which the butchery shop will be expanded. These letters are attached at Appendix 2.

Planning Comments - Key Issues

18. The key issues in considering this application are whether the development is appropriate to the Green Belt location, whether there is an essential agricultural need, and whether the financial and functional tests set out in PPS7 have been

met. All other matters, including those relating to the siting, design and access are reserved and do not form part of this application.

Green Belt

19. Development within the Green Belt is by definition inappropriate. Policy GB2 allows dwellings where there is an essential agricultural need provided they are located and designed so as to not have an adverse impact upon the rural character and openness of the Green Belt and meet other Local Plan policy requirements. The applicant has not demonstrated that there is an essential agricultural need and therefore no very special circumstances exist that would justify the erection of a temporary dwelling. This is explained further in comments in the following section.

Criteria for temporary agricultural workers dwellings

20. The key consideration in determining this application is whether a new dwelling on site is essential to support the agricultural unit. Four criteria are set out in policy HG18. The advice of the County Farms Manager has been sought in order to ascertain whether these criteria have been met.
21. The applicant has demonstrated a firm intention to develop the enterprise having acquired land to rent, stocking with cattle and investing in improved housing facilities for the cattle. There is clear support for the principle of rearing cattle to provide locally produced beef in the form of a petition signed by 143 customers of the applicants shop. The ability of the applicant to develop the business further is also not questioned.
22. The key issue is that the scale to which the business is planned to be developed will not equate to a requirement for a full-time worker on site. The County Farms Manager is very clear on this point in his comments on the application.
23. The details submitted by the agent suggest that attempts have been made to steal cattle and equipment from the site. PPS7 is clear that protecting stock from theft or injury is not in itself a reason to allow an agricultural dwelling. The applicant, to support this statement has submitted no other details of these attempted thefts. Therefore I do not consider this to be enough alone to justify the erection of a temporary dwelling.
24. Similarly, there is concern about the financial basis on which the business is planned. The applicant has not provided financial information for the farming business. The figures submitted are for the butchery business, and do not detail figures for the farming business in its own right. Policy HG18 states that temporary dwellings will be provided only where it can be shown that the business will provide the applicant's main livelihood. The absence of such financial planning of the farming business in its own right would indicate that it has not been planned on a sound financial basis and as such can not meet the financial test set out in PPS7.
25. Lastly, the applicant has not demonstrated that existing accommodation in the area is not suitable or available for occupation.
26. In conclusion, the applicant has not satisfied three of the four criteria for temporary agricultural dwellings, as set out in policy HG18 and a new dwelling is not considered to be essential to support this new farming enterprise. In light of this conclusion, a clear agricultural need does not exist and therefore, the erection of a dwelling is also inappropriate development in the Green Belt.

Recommendation

27. In light of the comments above, it is recommended that the application be refused for the following reasons:

1. The site lies in the countryside, outside of the physical framework of Great Wilbraham, as defined by the South Cambridgeshire Local Plan, adopted 2004, where development is restricted to that which is demonstrated to be essential to the particular location or to the operation of local farming by virtue of Policy P1/2 of the Cambridgeshire Structure Plan, adopted 2003. Policy HG18 of the South Cambridgeshire Local Plan, adopted 2004 states that temporary agricultural dwellings will only be permitted where it can be demonstrated that it is essential to support a new farming enterprise. The applicant has failed to demonstrate that there is a clear, existing functional need for a full-time worker on site, that the business is planned on a sound financial basis and that no suitable existing dwellings in the area are available.

Insufficient agricultural justification has been demonstrated to justify an agricultural dwelling on the site both in terms of the functional and financial tests identified in Planning Policy Statement 7: Sustainable Development in Rural Areas and reiterated in policy HG18 of the South Cambridgeshire Local Plan, adopted 2004.

2. The site also falls within the Cambridge Green Belt, where there is a presumption against inappropriate development. A new dwelling is not considered to be essential to support this new farming enterprise and it has not been demonstrated that very special circumstances exist to outweigh the harm caused by inappropriateness in the Green Belt. The proposal would therefore be contrary to Policy P9/2a of the Structure Plan 2003 and Policy GB2 of the Local Plan 2004.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs S/2225/04/O and S/0981/04/O
- PPS7: Sustainable Development in Rural Areas

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