

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/0923/05/F - Cottenham
Siting of Mobile Home (Retrospective Application)
at Lockspit Hall Farm, Lockspit Hall Drove, Smithy Fen
for R.T. & P.T. Smith**

**Recommendation: Refusal
Date for Determination: 6th July 2005**

Site and Proposal

1. Lockspit Hall Farm (incorrectly shown as Plough Farm on OS maps) forms part of an agricultural small holding totalling 43 hectares, of which 14.97 hectares are owned and 28 hectares are rented on an informal agreement. The area of land on which the mobile home is sited totals 4.068 hectares. There are two farm buildings and 9 stables on this parcel of land.
2. This full planning application seeks permission to permanently site and retain a residential park home on the site. The mobile home has already been sited at Lockspit Hall Farm for several months and replaced a previous mobile home which existed on the site for a number of years.

Planning History

3. In 1990 outline planning permission was sought by the applicant for an agricultural dwelling (ref. **S/1479/90/O**). This was refused on grounds that the site is in the countryside and that insufficient justification had been made on agricultural grounds to justify a departure from policy. A Planning Inspector upheld this decision and dismissed the appeal, finding that a dwelling in this location would be 'conspicuous isolated intrusion in the flat open landscape' and that the agricultural justification for a dwelling was not 'sufficiently compelling'.
4. In 1992 two further outline planning applications for an agricultural dwelling on the site were made. **S/0167/92/O** was refused on grounds of visual intrusion and lack of agricultural justification. **S/1774/92/O** was additionally refused as being premature in advance of the development of farm buildings.
5. Planning permission was granted under reference. **S/0241/93/F** for a mobile home on the site. This temporary planning permission expired on 30th June 1996.

Planning Policy

6. **Policy HG16 (Agricultural dwellings)** of the South Cambridgeshire Local Plan (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 permits 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 EN1 (Landscape Character Areas)** of the Local Plan identifies areas of particular landscape character. Development that would have an adverse impact on the character and local distinctiveness of these areas will not be granted planning permission.
9. **Policy P1/2 (Environmental Restrictions on Development)** of the Cambridgeshire and Peterborough Structure Plan 2003 (Structure Plan) restricts development in the countryside to that which ‘can be demonstrated to be essential in a particular rural location’.
10. **Policy P7/4 (Landscape)** of the Structure Plan requires development to be sensitive to the local environment and contribute to the sense of place, identity and diversity of the district landscape character area.
11. **Planning Policy Statement 7 (Sustainable Development in Rural Areas) (PPS7)** sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions. Annexe A of that document sets out the relevant considerations to be made in assessing planning applications for agricultural dwellings.

Consultations

12. **Cottenham Parish Council** recommends approval of the application, commenting that it supports the continuation of the temporary planning permission.
13. **Old West Internal Drainage Board** has no comment from a drainage point of view.
14. The **Chief Environmental Health Officer** concludes that there are no significant environmental health impacts but suggests an informative drawing the applicant's attention to the need to have a Site Licence under the Caravans and Control of Development Act 1960.
15. The **Environment Agency** does not consider foul water drainage to have been sufficiently addressed within the application. If approved it recommends a condition requiring a scheme for the provision and implementation of foul water drainage be submitted and agreed in writing.
16. **Agricultural consultants** have provided a statement on the application for the Council, in order to make an assessment of it in relation to PPS7. Their report is attached at Appendix A. They conclude that the applicant does not conclusively satisfy the criteria in Annexe A of PPS7 in terms of a full time requirement to be

resident on site and that the scale and nature of this business does not justify a mobile home on site when assessed against national policy.

17. The comments of the **Landscape Design Officer** will be reported verbally at Committee.

Representations

18. Cottenham Village Design Group opposes any new development in the countryside that is likely to disrupt the locally distinctive open character of the landscape. It recognises that where there is a very strong need in relation to agriculture it is reasonable to permit limited development. Such development should be of a good design using locally appropriate materials. It does not consider that a mobile home is likely to achieve this. Should permanent permission be granted in this location it would prefer to see support given to a well designed traditional single storey dwelling.
19. Smithy Fen Residents Association has written in support of the planning application. A petition of its members is included with its letter and has twenty signatures on it. It states:

PPS7, we believe, is the essential document and with regard to same we would ask you to accept that:

- There is no damage visual or physical to the countryside from this application.
- The business conducted from the premises is part of the commercial infrastructure of Smithy Fen and, as indicated to your offices before and as a consequence of events of the past two years, continued investment here is vital to confidence and socio-economic future of the area.
- No purpose can be served by rejecting the planning application and consigning the Smiths to an uncertain future whereas the local community will continue to draw immense benefit from the respect of their presence brings.

We appreciate that planning regulations must be met and, being as the Smiths have enjoyed uninterrupted, peaceful, enjoyment of their home on this Fen these past twelve years, it seems reasonable to assume that such is already the case.

20. One letter of support has also been received from two of the signatories of the above petition reiterating the contents of the Smithy Fen Association's letter.

Planning Comments – Key Issues

21. The key issue in considering this application is whether there is an essential agricultural need, and whether the financial and functional tests set out in PPS7 have been met. Other matters raised include impact upon the local landscape and the personal circumstances of the applicant and his family.

Criteria for agricultural workers dwellings

22. The key consideration in determining this application is whether a new dwelling on site is essential to support the agricultural unit. The advice of the Council's agricultural consultants has been sought in order to ascertain whether these criteria have been met.

23. While the applicant has demonstrated that he is employed full-time in agriculture there is not a firm intention to develop the enterprise further than at present. The agricultural unit, while it has been in operation for a number of years, does not operate at a level, which equates to a requirement for a full-time worker on site.
24. The applicant also has not demonstrated that existing accommodation in the area is not suitable or available for occupation.
25. The applicant has therefore failed to meet the criteria under which a permanent, or indeed temporary agricultural workers dwelling would be permitted and therefore, a dwelling on site is not considered to be essential to support this farming enterprise. In light of this conclusion, a clear agricultural need does not exist.

Landscape

26. The mobile home is prominent within the flat, open landscape of the Fen. It is not screened, other than by the farm buildings, and as such is an inappropriate feature within the landscape. The permanent siting of a mobile home would be detrimental to the character and appearance of the area.

Personal circumstances

27. While there is clearly some sympathy for the applicants and the family's position, the personal circumstances of the applicant are not a material planning consideration.

Recommendation

28. In light of the comments above, and subject to the comments of the Landscape Design Officer, 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 Cottenham, 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 where it can be demonstrated that it is essential to support a well-established farming enterprise. The applicant has failed to demonstrate that there is a clear, existing functional need for a full-time worker on site and that no suitable existing buildings in the area are available. Moreover, 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 HG16 of the South Cambridgeshire Local Plan, adopted 2004.
 2. The site is located in the Fens Landscape Character area. Policy EN1 of the South Cambridgeshire Local Plan describes this landscape as a low-lying, flat and open in character, punctuated with isolated farmsteads and dissected by man-made drainage channels or dykes. There are few hedgerows or woods. The development is highly visible in this landscape and would require inappropriate landscaping to screen it from the surrounding area, with harmful impact upon the landscape character of the area, contrary to policies P7/4 of

the Cambridge and Peterborough Structure Plan, adopted 2003 and EN1 of the South Cambridgeshire Local Plan, adopted 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 files Ref. S/0923/05/F, S/0241/93/F, S/1774/92/O, S/0167/92/O and S/1479/90/O.

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