

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 26 October 2004

PLAN: 02	CASE NUMBER: 04/04021/FUL
APPLICATION NO. 6.100.125.B.FUL	GRID REF: EAST 434634 NORTH 455990
	DATE MADE VALID: 19.08.2004
	TARGET DATE: 14.10.2004
	WARD: Knaresborough King

James

APPLICANT: Mr C Houseman

AGENT: Acorus RPS Ltd

PROPOSAL: Temporary siting of 1 no. mobile home for use as an agricultural workers dwelling and installation of new package treatment plant. (Site area 0.038 ha)

LOCATION: Three Gates Farm Cass Lane Knaresborough North Yorkshire

REPORT

SITE AND PROPOSAL

The proposal is seeking permission for temporary siting of the mobile home for use as an agricultural worker's dwelling between Cast Lane, a public bridleway and the former pig rearing buildings of Three Gates Farm.

Accompanying the application is an objective appraisal for the proposed temporary dwelling prepared by Acorus with further submission by letter in support of the application.

MAIN ISSUES

1. Policy
2. Agricultural Justification
3. Highway Issues

RELEVANT SITE HISTORY

6.100.125.A.FUL - Erection of replacement agricultural building: Approved 10.5.2004.

CONSULTATIONS/NOTIFICATIONS

Parish Council
Knaresborough

Environment Agency

Not an application required to be consulted on

Environmental Health

No objections

Chief Engineer (H and T)

See Assessment of Main Issues

Yorkshire Water

No objections

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 24.09.2004

PRESS NOTICE EXPIRY: 24.09.2004

REPRESENTATIONS

KNARESBOROUGH TOWN COUNCIL - Object to the development because they do not wish to see a proliferation of mobile homes in the green belt.

OTHER REPRESENTATIONS - None.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 General Policy and Principles
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- SPH5 North Yorkshire County Structure Plan Policy H5
- SPE9 North Yorkshire County Structure Plan Policy E9
- LPC02 Harrogate District Local Plan (2001, as altered 2004) Policy C2: Landscape Character
- LPGB02 Harrogate District Local Plan (2001, as altered 2004) Policy GB2: The control of development in Green Belt
- LPGB03 Harrogate District Local Plan (2001, as altered 2004) Policy GB3: Engineering, other operations and change in use of land in the Green Belt
- LPGB04 Harrogate District Local Plan (2001, as altered 2004) Policy GB4: Requirements of Development in Green Belt
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
- LPH19 Harrogate District Local Plan (2001, as altered 2004) Policy H19: Agricultural Occupancy

ASSESSMENT OF MAIN ISSUES

1. POLICY - Planning policies resist new dwellings or temporary mobile homes in the countryside outside of recognised settlements unless there is a special justification for a

dwelling to be sited in this particular location, and not only should there be justification but it should only be for appropriate Green Belt purposes, which does include agricultural justification.

2. AGRICULTURAL JUSTIFICATION - Three Gates Farm was formerly a pig breeding and rearing unit with a range of low (by agricultural standards) buildings designed for breeding and rearing pigs and includes a small area of land, in all extending to approximately 3.96 hectares (9.8 acres). The pig enterprise ceased, I understand some three years ago, and the present applicant purchased the smallholding in December last year.

Since purchasing the farm:- the applicant has gained planning permission for partial demolition of an existing pig rearing building and its replacement with a larger general purpose agricultural building to be a fattening house; a beef enterprise has been initiated and slowly expanded; internal conversion work has taken place to one building to accommodate hens; a Free Range Licence has been obtained from DEFRA; a 200 free range hen flock has been established; market research has been completed and customers sourced for the free range eggs and future rabbit enterprise; equipment has been purchased including gates, electric fence, cattle trailer and other farm equipment; rabbit rearing cages have been purchased; internal conversion works to a building have been completed for beef rearing; internal alterations to two buildings have been completed for rabbit rearing; a rabbit supplier and sow supplier have been sourced.

At the time of my inspection (8 September 2004) there were on the holding 35 young cattle, 200 laying hens and 2 young gilt pigs. The applicant is in the process of taking out the internal fixtures and fittings for the pig enterprise and converting some buildings for free range egg production and rabbit breeding/rearing.

It is the applicant's intention to develop his farming enterprise to approximately 156 finishing beef cattle, 1900 free range laying hens and an initial enterprise of 100 does (female rabbits) which he hopes in the future to extend to 200 does.

The applicant does not feel confident to commit to such a large stock enterprise without being on hand with proper supervision and security and to respond to emergencies. Clearly the present stocking does not justify any form of residence on the holding, but the Council have accepted that where the viability of a new enterprise is in doubt, a temporary form of accommodation may be permitted for a prescribed period to allow time for the viability to become established. In this case, if the number of livestock, melmerby cattle, rabbits and free range hens is to be established on this holding in any significant numbers, it is considered reasonable for a key worker to be on hand. I would suggest initially the grant of temporary permission for a period of 3 years but, making it clear that at the end of the period unless the enterprise justifies retention of the caravan, renewal of the permission will not be granted.

3. HIGHWAYS ISSUES - The Council's Highway Engineer has expressed concern due to the unsuitability of Cass Lane for use by the HGV's or for any increased vehicular activity because of the weak structure, poor metalling, lack of lighting, lack of drainage and lack of passing place at the junction with Forest Moor Road.

At the time the previous pig business developed, there was no requirement for planning

permission for the erection of agricultural buildings. The pig farm could develop and expand because it was an agricultural enterprise on agricultural land and any pig buildings did not require planning permission being permitted development.

The Highway Engineer's concerns are real and justified. Unfortunately it would be impossible to establish that the traffic generated by the current application for a mobile home would generate significantly different traffic from that that was previously generated when the pig farm was in operation. The lane is not owned or controlled by the applicant and gives access to at least 3 other houses as well as adjoining and adjacent land holdings. Therefore no condition could be included to require provision of passing places or other improvements to Cass Lane. The problems in relation to Cass Lane will be extant whether or not temporary permission for a mobile home is granted and the grant of permission cannot be conditional on improvements to the lane. Nevertheless, an informative should be included passing on the concerns of the Highway Engineer and suggesting the applicant considers ways of achieving improvements to Cass Lane.

CONCLUSION - Council Policy accepts provision of temporary accommodation to enable a business to become established and, while the present enterprise does not justify a mobile home on the holding, for any significant expansion of the cattle, rabbits or free range hens enterprise it is reasonable that a key worker should be on hand. It is therefore recommended that temporary planning permission is granted for a period of 2 years with an agricultural occupancy condition and an informative advising that no extension of the period beyond the 2 years will be granted unless the authority are satisfied that the agricultural enterprise fully justifies the retention of a mobile home on the holding.

CASE OFFICER: Mr M A Warden

RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

- 1 CE05 TEMP CONSENT, CARAVAN: EXPIRES ... 2yrs
- 2 The occupation of the caravan shall be limited to a person solely or mainly employed or permanently retired but last employed in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.
- 3 The exterior of the caravan including the roof shall be a dark matt colour, the exact colour to be submitted to and approved by the Local Planning Authority beforehand.
- 4 The package treatment plant shall be located at least 15m away from any property and from the mobile home.

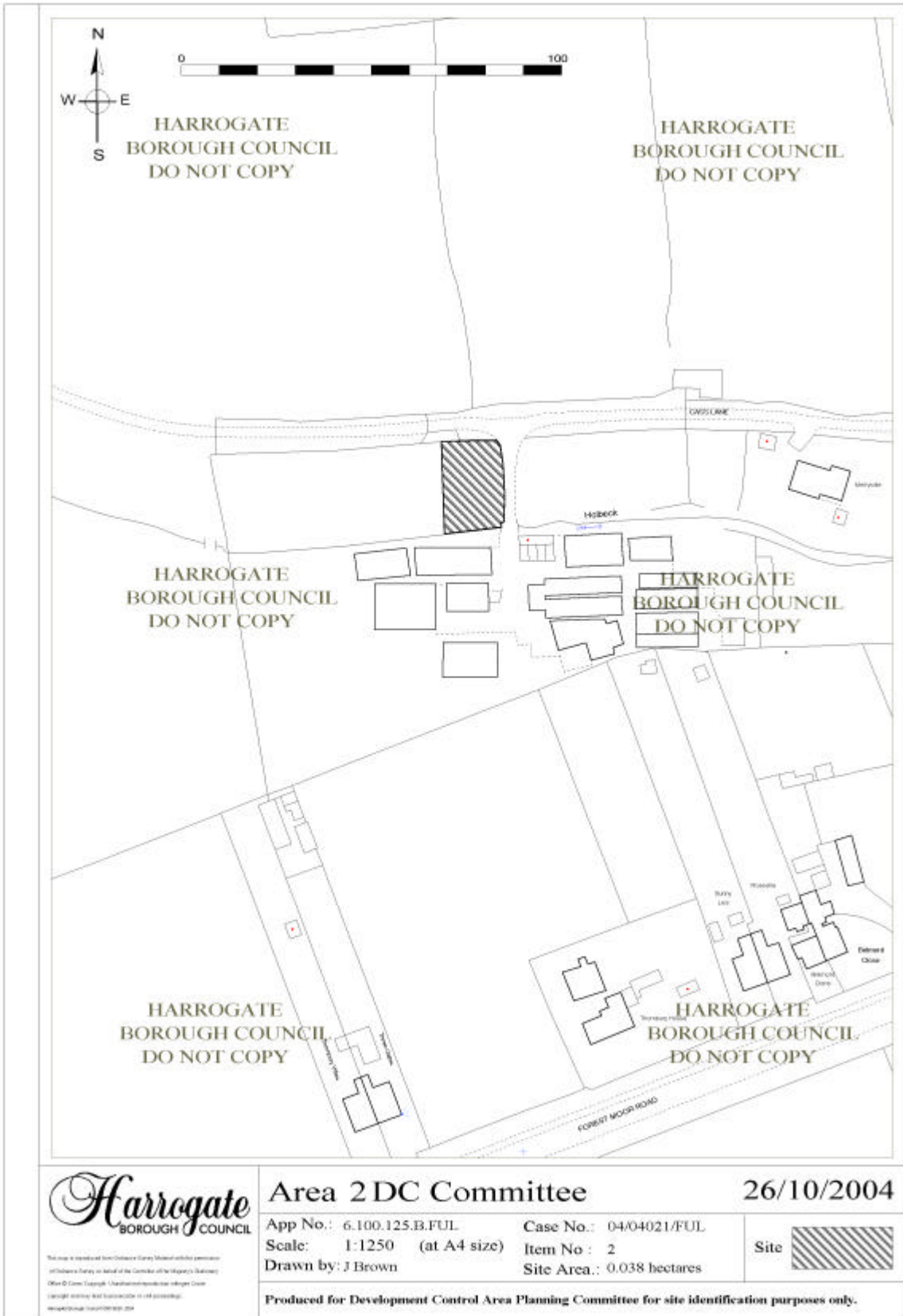
Reasons for Conditions:-

- 1 In the opinion of the Local Planning Authority the site is unsuitable for an unlimited consent and the Local Planning Authority wish to review the situation at the end of the temporary period to assess the viability of the agricultural enterprise and the

- justification for the retention of the mobile home.
- 2 The development hereby approved would be unacceptable unless justified by the local needs of agriculture or forestry.
 - 3 To reduce the visual impact of the caravan in this prominent location in the interests of amenity.
 - 4 In the interest of amenity and prevent any odour nuisance.

INFORMATIVES

1. At the end of the 2 year period, the mobile home should be removed from the site and the site reinstated unless a new planning application is submitted for its retention. Permission will only be granted if the Local Planning Authority are fully satisfied about the viability of the agricultural enterprise and for the continued justification for the retention of the mobile home.
2. The Highway Authority have expressed concerns at the unsuitability of Cass Lane for use by HGV or for any increased vehicular activity because of the weak structure, poor metalling, limited passing places, lack of lighting, lack of drainage and lack of passing provision at the junction with Forest Moor Road and advise the applicant so far as is possible to bring about improvements to Cass Lane to overcome the concerns.



Area 2 DC Committee

26/10/2004

App No.: 6.100.125.B.FUL

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Scale: 1:1250 (at A4 size)

Item No: 2

Drawn by: J Brown

Site Area: 0.038 hectares

Site

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