

Application Ref: NP/16/0652/FUL

Case Officer Kate Attrill
Applicant Mr M Watkins
Agent Mr I Johnston, Harries Design & Management
Proposal Retention of 5 static caravans occupied by agricultural workers for a period of 3 years & retention of laundry building and septic tank.
Site Location Trewern, Felindre Farchog, Crymych, Pembrokeshire, SA41 3XE
Grid Ref SN08763819
Date Valid 15-Dec-2016 **Target Date** 08-Feb-2017

This application is brought to Committee as the Officer Recommendation differs from that of the Community Council.

Consultee Response

Nevern Community Council: No objection
PCC - Transportation & Environment: No objection
Dyfed Archaeological Trust: No objection
PCNPA - Tree and Landscape Officer: Conditional Consent
PCNPA - Ecologist: No adverse comments
PCC - Drainage Engineers: No adverse comments

Public Response

The application was advertised by site notice on the 6th January 2017, with the consultation period expiring on the 8th February 2017. The application was advertised in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

No third party representations had been received at the time of report writing.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 11 - Protection of Biodiversity

LDP Policy 12 - Welsh Language

Pembrokeshire Coast National Park Authority

Development Management Committee – 8th February 2017

Page : 46

LDP Policy 13 - Historic Landscapes Parks and Gardens
LDP Policy 14 - Protection of Buildings of Local Importance
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 29 - Sustainable Design
LDP Policy 30 - Amenity
LDP Policy 32 - Surface Water Drainage
LDP Policy 44 - Housing
LDP Policy 45 – Affordable housing
PPW8 Chapter 03 - Making and Enforcing Planning Decisions
PPW8 Chapter 04 - Planning for Sustainability
PPW8 Chapter 06 - Conserving the Historic Environment
PPW8 Chapter 07 - Economic Development
PPW8 Chapter 08 - Transport
PPW8 Chapter 09 - Housing
SPG05 - Sustainable Design
SPG06 - Landscape
SPG08 - Affordable Housing
SPG13 - Archaeology
SPG20 - Accessibility
TAN 06 - Planning for Sustainable Rural Communities
TAN 12 - Design
TAN 23 - Economic Development

Constraints

LDP Mineral Safeguard
Historic Landscape
Rights of Way Inland - within 50m
Potential for surface water flooding
Recreation Character Areas
Landscape Character Assessment

Officer's Appraisal

Site and Context

The application is submitted on a retrospect, and relates to 5 static caravans being used as housing for agricultural workers on two separate parcels of land, within Trewern Farm. The application has specified that consent is being sought for a further period of three years.

Two of the five caravans were placed on the site in 2010 with the others being added in 2012, 2013 and 2014 respectively. The caravans have not yet become immune from enforcement action as a caravan for residential use constitutes a material change of use of land, to which the 10 year rule is applied for enforcement purposes.

The main part of the site proposed for the temporary retention of the caravans lies to the south west of the main farm complex, directly to the north of the historic listed farm complex, on which 4 static caravans and a laundry building are located.

Another single caravan is located adjacent to the main farm entrance and is surrounded by a very high close boarded fence.

Trewern Farm is operated as a dairy farm with 304 hectares located on two separate parcels of land, one at Trewern (80 acres) with the remainder being at Penpedwast, adjacent to Castell Henllys. The farm has a dairy herd of 1000 cows, with approximately 100 dairy replacements also being on the holding.

Relevant Planning History

The application sites for the static caravans do not benefit from any relevant planning history.

There is however an associated retrospective planning application (NP/15/0417) for a number of agricultural buildings, a slurry lagoon and a silage clamp which is subject to the Environmental Impact Assessment Regulations. A Screening Direction from Welsh Government in January 2016 confirmed the application required an Environmental Assessment which the Authority is still awaiting.

A Certificate of Lawfulness has been submitted in respect of the silage clamp and slurry lagoon since the submission of the application above. The Authority has not yet determined this CLUD application - as legal advice is being sought.

Related Planning applications

NP/91/006 Outline permission for an agricultural dwelling at Trewern – Approved
NP/91/0454 – Agricultural dwelling – Approved
NP/15/0417 – Retrospective agri buildings, slurry lagoon etc (see above)
NP/15/0624 - Retrospective consent for a 2 storey extension and office to the agricultural dwelling – Approved

Description of Proposal

The temporary retention of 5 static caravans is being applied for, 4 on the south western edge of the farming site, and one on the northern edge of the farming complex.

The caravan closest to the road is surrounded on the northern elevation with a close boarded fence to the full height of the caravan screening the development from the road.

The lower caravans are grouped together in a field corner enclosed by standard stock proof fencing.

The application details there being 10 employees in addition to the applicant, but lists them as being 4 permanent employees who live off site, and 4-6 full time workers who work (drawn from a pool of 10) on a three month shift pattern, all of whom are housed in the static caravans subject of this application and whose numbers vary according to the farming need.

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Setting of Listed Buildings
- Special Qualities of the National Park.
- Amenity
- Highway Safety

Policy:

Local and National Planning Policy contains a basic presumption against development in the open countryside unless it is required for essential rural workers who have a special need to permanently be on site.

Policy 7 of the Local Development Plan refers to only allowing residential development under criteria (b) if it is for essential farming or forestry need. This policy requires that any housing provided in the open countryside will prioritise affordable housing.

Paragraph 4.4.7 in the supporting text to Policy 7 refers to buildings needing 'to be of a form, bulk and general design which are in keeping with their surroundings'. In this National Park these are considered to be those that make a positive contribution to the character of the area through their intrinsic architectural merit or their setting in the landscape.

Were the application considered as permanent housing, Policies 44 and 45 of the Local Development Plan would apply, which would seek to locate housing in a town or rural centre, and which would potentially require the provision of affordable housing. Policy 44 also emphasises that: 'housing development in countryside locations as permitted under Policy 7 will need to be compatible with the existing character of the area'.

The caravans proposed do not respect the character of the landscape; or traditional building forms, fail to make adequate provision for permanent housing or to address the needs of affordable housing.

However, the application has been submitted as a temporary consent relating to essential rural workers. In respect of such enterprise dwellings, the most recent and appropriate policy guidance is that issued by the Welsh Government in 2010 as Technical Advice Note 6 ("TAN 6").

Paragraph 4.6.2 of TAN 6 states:

Where the case is not completely proven for a dwelling permission should, not be granted for it, but it may be appropriate for the planning authority to test the evidence by granting permission for temporary accommodation for a limited period. Three years will normally be appropriate to ensure that the circumstances are fully assessed. If such a permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in paragraphs 4.4.1 or 4.6.1 are met. The planning authority should make clear in planning conditions the period for which the temporary permission is granted and that the temporary dwelling will have to be removed when that period expires. It should also include an informative attached to the planning decision notice stating the requirements that will have to be met if a permanent permission is to be granted. It will be unsatisfactory to grant successive extensions to a temporary permission if that will result in a permission having a total duration of more than three years.

4.3.1 One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work.. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.

4.8.1 A functional test is necessary to establish whether it is essential, for the proper functioning of the enterprise, for one or more workers to be readily available at most times. It should relate to unexpected situations that might arise, for which workers are needed to be on hand outside of normal working hours for the particular enterprise. Such requirements might arise, for example, if workers are needed to be on hand night and day to deal with an emergency that would threaten the continued viability and existence of the enterprise without immediate attention. Where there are existing dwelling(s) on the enterprise then the need for additional workers to live on the site for the proper functioning of the enterprise must be demonstrated to be essential.

TAN 6 goes on to elaborate that the functional test must be underpinned by a financial test to show the development is viable and is likely to continue to be viable, that any potential buildings suitable for conversion on the holding should be considered first, and that any dwellings in nearby proximity should also be considered.

Alternative Accommodation Test:

The holding comprises two agricultural dwellings which are both in occupation and a number of Listed curtilage outbuildings which could be converted for accommodation but the agent has detailed that: 'due to the essentially transient nature of the accommodation demand and the listed status of these structures it is not deemed appropriate to their character to create dormitory style accommodation from them'.

This statement does not give sufficient justification for the reasons why the buildings could not be converted, and the alternative accommodation test is considered to not be met as a result of this potential. Listed buildings can often be converted in a flexible manner, and the Local Planning Authority may consider this to a positive alternative method of providing on-site accommodation.

The land holding at Penpedwast (some 3km to the east) also has a large farmhouse which could be used for accommodation, but is detailed as being used to provide holiday accommodation. No further detail in respect of this building has been supplied.

The duties listed as being necessary for the safe and efficient functioning of the enterprise are listed as:

- Milking, twice daily morning and evening
- Milk recording, general herd health & artificial insemination
- Calving (year round)
- Power cuts, machinery and milking apparatus
- Slurry and waste, spreading and management
- General cleaning and feeding duties

Our agricultural consultant has appraised the current proposed scheme and his advice reads as follows:

"Paragraph 4.4 of TAN 6 requires the applications to satisfy tests a-e. Due to the size and scale of the rural enterprise at Trewern I am happy that requirements b and c are met covering the financial and time tests. I am also happy that there should also be a person at hand at most times to deal with any unexpected situations that might arise which is covered in requirement a. The enterprise at Trewern however runs 24 hours per day operating to some extent a shift pattern amongst the workers. With this in mind I do not see any requirement for the workers to live on site as accommodation could be provided away from the holding.

The application does contain a property search for the area however the search is limited to 5 + bed properties for sale. As the workers are not currently housed in the same unit I see no reason why the accommodation needs could not be met by several smaller properties. The rental sector should also be considered as this would offer the flexibility referred to within the application. Upon the date of this email a basic property search for properties of 1+ beds within 5 miles of the holding has shown 52 results for sale.

For the reasons above I feel that this application cannot be supported.”

Based on the comments of our Agricultural Consultant, and the fact that the caravans have already been in place for between seven and 3 years respectively, it is not considered that the proposal complies with the requirements of 4.6.2 of TAN6 and thus is contrary to both national and local planning policy.

No long term provision for the housing of workers associated with the farm has been suggested as part of this application, although the current application proposes a three year temporary consent ‘to allow an opportunity for re-appraisal of the labour requirement of this significant farming operation at a later date’.

Setting of Listed Buildings:

Paragraph 1 of Part 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that: ‘in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

In this instance, the Conservation Officer has assessed the immediate setting of the Listed Buildings and has not objected to the proposal, concluding that the temporary buildings will not have a significant impact on the setting of the Listed Buildings.

The impact on the immediate setting of the Listed Buildings does not therefore constitute a reason for refusal.

Amenity:

Policy 30 of the Local Development Plan refers to amenity and states that development will not be permitted where it has an unacceptable impact on amenity, particularly where:

- a) the development is for a use inappropriate for where people live or visit; and/or
- b) the development is of a scale incompatible with its surroundings; and/or
- c) the development leads to an increase in traffic or noise or odour or light which has a significant adverse impact; and/or
- d) the development is visually intrusive.

The policy above tends to relate to pre-existing standards of amenity, whereas in this case there was no housing on this site prior to the 5 caravans being placed on the site. However, the caravans themselves do not have the standard of private amenity space which would ordinarily be afforded a dwelling, and have a poor relationship between each caravan in terms of privacy. The proposal is therefore not in compliance with Policy 30.

Highways:

The Highways Section have been consulted on the application and have no negative comments to make, commenting that the caravans do not generate significant traffic in respect of the existing traffic generated by the farm.

Landscape:

The Tree and Landscape Officer has made the following comments regarding the site and recommended a condition relating to the submission of a landscape scheme should the application be approved, subject to a scheme for hedgerow planting around the upper caravan in place of the fence, and a new hedgerow planting scheme for the lower area.

However, the application also has to be considered in terms of the wider landscape, which comes under policies relating to the special qualities of the National Park.

Special Qualities of the National Park:

Policies 1, 8 and 15 of the Local Development Plan refer to the duty to conserve the National Park, the protection of the special qualities of the Park, and the development which would adversely affect the conservation of the Park respectively.

Policy 15 is considered to be the most relevant to this application:

Development will not be permitted where this would adversely affect the qualities and special character of the Pembrokeshire Coast National Park by:

- a) causing significant visual intrusion; and/or,
- b) being insensitively and unsympathetically sited within the landscape; and/or
- c) introducing or intensifying a use which is incompatible with its location; and/or
- d) failing to harmonise with, or enhance the landform and landscape character of the National Park; and/or
- e) losing or failing to incorporate important traditional features.

The northernmost caravan which is located adjacent to the road, and concealed behind a high close boarded fence is the most publicly visible element of this proposal in terms of road traffic, although only the aerial and flue of the caravan are visible above the fencing. The site is viewed against the setting of a number of larger agricultural buildings, and as such, the fencing does not appear out of place in the farmyard setting. However, a native hedge would provide a much more natural and appropriate screening in the wider rural context.

The appearance of the caravans on the approach to the historic farm buildings is not considered to be in keeping with the principles of preserving the appearance of the historic landscape. Although public views of the caravans are limited to those from close proximity, they are visible in the wider landscape from higher viewpoints, and as such, do not comply with Policies 1, 8 or 15.

Conclusion

Based on the fact that a second dwelling was approved at Trewern farm in 1991 as an agricultural dwelling, and that this was then further extended in 2012 (approved retrospectively in 2015), and that this proposal fails to meet the requirements of TAN6, with no clear need for the workers to be housed on site, together with the adverse impact on the wider landscape the application is recommended for refusal.

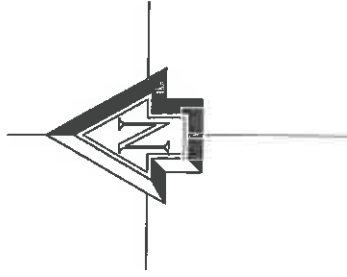
Recommendation

REFUSE - for the following reason(s):

1. The proposal fails to meet the tests required by TAN6 for temporary agricultural dwellings, and therefore represents an inappropriate form of residential accommodation in the National Park. There is insufficient justification for the number of units proposed on the farm holding in addition to the farmhouse and second farm dwelling, and furthermore, there is potential alternative accommodation available in the locality as well as accommodation options (subject to consent) on the holding. As such the proposal is contrary to Welsh Government Technical Guidance Note 6, Chapter 9 of Planning Policy Wales (Edition 9, November 2016) and Policy 7 of the adopted Pembrokeshire Coast Local development Plan.
2. The proposed caravans by virtue of their form, nature, appearance and location will have a detrimental impact upon the visual amenities of the locality and wider area and harm the special qualities of the National Park. The development will cause further visual intrusion, be insensitively and unsympathetically sited within the landscape, will introduce a use not compatible with its location, will fail to harmonise with or enhance the landform and landscape character of the National Park and is therefore contrary to the requirements of Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park) (criteria a, b, c, d and e), 29 (Sustainable Design)(criterion a), 30 (Amenity) (criteria a, b and d) of the adopted Pembrokeshire Coast National Park Local Development Plan.
3. The application fails to provide adequate private amenity space for the occupiers of the caravans, which results in a detrimental impact on the residential amenities of the current and future occupiers of the caravans and is therefore contrary to Policy 30 of the adopted Pembrokeshire Coast National Park Local Development Plan.

ORIGINAL DRAWING A2

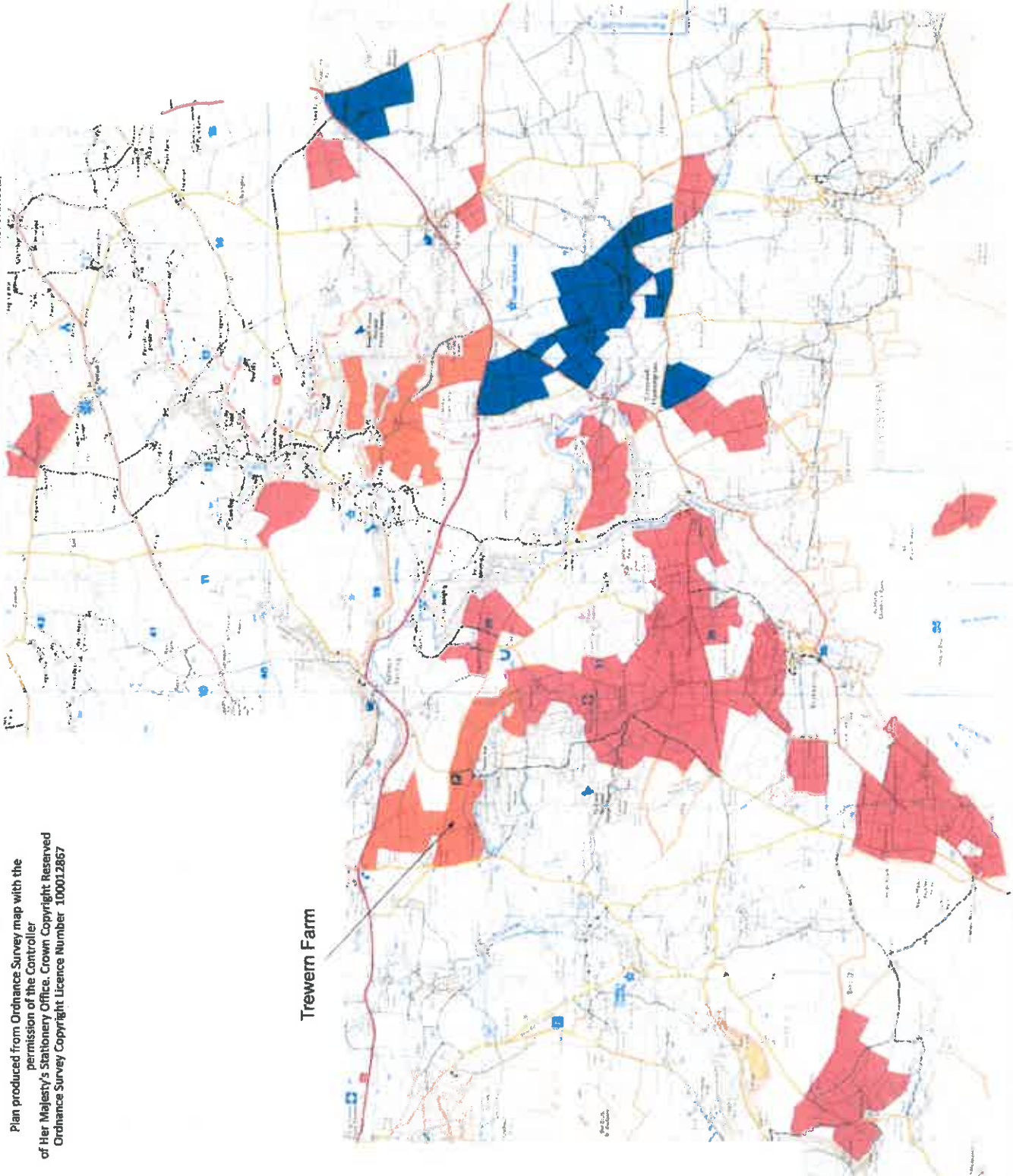
- Owned land
- Rented land
- Slurry spreading agreements



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Trewern Farm



Rev.	Comments	Date

Drawing Recorded

CDM Principal Designer. To Be Advised

Status. PLANNING APPLICATION

Client. Mr & Mrs Watkins



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Project: Proposed Works at
 Trewern Farm,
 Felindre Farchog,
 Cymych,
 Pembroke, SA41 3XE

Drawing Title: LAND HOLDING PLAN

Scale: -	Drawn By: DJN	Checked: WTH	Date: 06.12.2016
Job No: 1506	Drawing No: 09	Rev: -	

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