

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mrs. J. Parkes 'A'	Proposed mobile home placement for a temporary agricultural dwelling - Land at Radford Road, Alvechurch	Green Belt	10/0654-DK 12.10.2010

RECOMMENDATION: that planning permission be **REFUSED**.

Consultations

WH Alvechurch PC	Consulted 21.07.2010. Response received 30.07.2010. No objection. Consulted 21.07.2010. Response received 03.08.2010. No objections subject to a 5 year limitation (subject to review). There should be a limitation on the size of the planned dwelling.
ENG	Consulted 21.07.2010. Response received 02.08.2010 No objection subject to conditions.
LP	Consulted 21.07.2010. Response received 05.08.2010. The site is located in designated Green Belt and therefore policies DS2, S9 and DS13 apply to the proposal. As a proposal for an agricultural workers dwelling, it should be assessed against the criteria set out in Annex A of PPS7. Policies C25, C26 and SPG6 are also relevant.
Kernon Countryside Consultants	Consulted 21.07.2010. Response received 12.08.2010. Having assessed the proposal against the relevant policy tests set out in Annex A of PPS7: (i) Given the size of the site, the applicant will have difficulty developing the enterprise to the size proposed; (ii) The enterprise will not be of sufficient scale to warrant a worker being readily available at most times; (iii) The applicants business plan has a number of omissions and there is no evidence that it has been planned on a sound financial basis; (iv) The applicant's existing dwelling can meet the need; (v) If the functional need was accepted, the siting is acceptable from a functional perspective.
EHO (Contaminated Land)	Consulted 21.07.2010. Response Received 11.08.2010. No objection.
EHO (Noise)	Consulted 20.09.2010. Response received 20.09.2010. I would confirm that in my view the road traffic noise levels at the proposed mobile home may fall into noise exposure category C (PPG24). In such circumstances we would normally recommend refusal for this type of structure, as it would not be possible to achieve adequate levels of sound insulation.
Publicity	An acoustic survey would be required to give a definitive answer on which noise exposure category the location falls within. Site notice posted 29.07.2010 expires 19.08.2010. Press Notice posted 05.08.2010 expires 26.08.2010.

1 comment received 02.08.2010, as follows:

If granted, the permission should be a temporary one. The applicant needs to be able to show that the development is necessary for agriculture.

The site and its surroundings

The application site is to the north of Radford Road, east of Alvechurch, between the junction with Rectory Lane and Alvechurch Bypass. It is located in designated Green Belt. The application site contains a number of buildings and enclosures and operates as a smallholding. The site adjoins open land to the north east and west.

Proposal

The proposal is a full application for agricultural workers dwelling.

Relevant policies

WCSP CTC.1, D.12, D.38, D.39, RST1
BDLP DS1, DS2, DS13, S9, C4, C17, C21, C22, C23, TR1
Others SPG1, SPG6, PPS1, PPG2, PPS3, PPS7, PPG24

Relevant planning history

There is no relevant planning history.

Notes

The main issues in the determination of this application are as follows:

- (i) whether the proposal is inappropriate development in the Green Belt;
- (ii) whether very special circumstances exist in the form of a need for a temporary agricultural workers dwelling having been proven;
- (iii) the impact of the proposal on residential amenity and wider public amenity

(i) Green Belt

Policy DS2 of the Bromsgrove District Local Plan (BDLP) and policy D39 of the Worcestershire County Structure Plan state that inappropriate development in the Green Belt will only be allowed in exceptional circumstances. Policy S9 of the BDLP states that new dwellings will be allowed in the Green Belt if certain criteria are fulfilled. As the proposed dwelling is for an agricultural worker, I consider that the criterion (a) of Policy S9 is relevant and the proposal need not be inappropriate development if a functional and financial need for a new dwelling can be demonstrated.

(ii) Functional Need

The requirement for a functional need for a new dwelling in the countryside is clearly set out in Annex A of PPS7 as follows:

(i) There is a clearly established *existing* functional need.

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. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- in case animals or agricultural processes require essential care at short notice;
- to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example by frost damage or the failure of automatic systems.

Members should note that whilst the applicants are enthusiastic about the enterprise, the scale of the holding (at 1.2ha or 3 acres) is insufficient to enable the business to expand. The enterprise is further curtailed by the fact that the site is in a Nitrate Vulnerable Zone which limits the number of pigs which can be kept. In the event of the business being able to expand, the Agricultural Consultant concludes that the enterprise will not be of sufficient scale to warrant a full time worker and therefore, the functional needs test is not met.

Financial Considerations

Test 3 of Annex A of PPS7 requires that the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so.

Members should note the views of the Agricultural Consultant in respect of the financial assessment of the holding. There are a number of omissions in the business plan in respect of the operating costs. Therefore there is no clear evidence that the enterprise has been planned on a sound financial basis.

Other Dwellings

It is clear that there is no functional need for a dwelling and it is possible for the applicant to operate the enterprise from her existing property in Alvechurch.

(iii) Amenity issues

The proposal would be sited in an isolated location and therefore I do not consider that there would be any loss of residential amenity. The closest residential property is more than 120m away. There are concerns for future occupiers of this site in respect of the noise from Alvechurch Bypass which is 100m to the east. Members should note the comments from Environmental Health. There is insufficient evidence to show that the amenity of a future occupier of the mobile home would not be negatively impacted upon by the noise from the dual carriageway.

Conclusions

There is no evidence of a functional need for a new temporary dwelling on the site and the requirements of Annex A of PPS7 have not been met. As such, the proposal amounts to inappropriate development and very special circumstances in terms of a functional need for agriculture have not been demonstrated. The requirements of policies C23 and C25 have not been met. Permission should be refused.

RECOMMENDATION that planning permission be **REFUSED** for the following reasons:

1. There is no clear and essential functional need for there to be a dwelling to serve the agricultural enterprise. Therefore the proposal represents inappropriate development, which is detrimental to the openness and visual amenity of the Green Belt. No very special circumstances have been put forward which would clearly outweigh the harm caused. Therefore, the proposal is contrary to policies DS2 and S9 of the Bromsgrove District Local Plan (2004), Policy D39 of the Worcestershire County Structure Plan (2001), and contrary to the guidance contained in PPG2 (Green Belts).
2. There is insufficient evidence to show that the future amenity of the residents of the building would not be harmed by the noise arising from the motorway in proximity to the site. Thereby, the proposal is contrary to policy ES14A of the Bromsgrove District Local Plan (2004) and the advice of PPG24 (Planning and Noise).