

Application Ref: NP/11/433

Application Type	Full
Grid Ref:	SN06294138
Applicant	Mr Sollis
Agent	Mr John Rheinallt Evans
Proposal	Timber Log Cabin Permanent Agricultural Dwelling (Retrospective).
Site Location	Ffynnonddofn Farm, Newport, Pembrokeshire, SA42 0NT
Case Officer	Liam Jones

Summary

This application proposes the retention of an unauthorised unit of residential accommodation erected at Ffynnonddofn Farm, Nevern. A timber chalet was erected on land south of the main farm buildings in 2008 and an enforcement notice requiring its removal was served in 2009. The applicant has explained that this dwelling is essential to the working of the farm in providing accommodation for a farm worker.

The scheme put forward is not considered to meet the aims of local and national policy and guidance in that the applicant has not sufficiently demonstrated why the need for an additional dwelling at the site could not be provided through the conversion of existing buildings at the site. Accordingly it fails to meet the aims of Policy 7, Planning Policy Wales (Edition 4, 2011) and Technical Advice Note 6 – Planning for Sustainable Rural Communities. Furthermore the dwelling is located in an isolated location away from the existing farm buildings and as a result is considered to be out of keeping with qualities of the surrounding National Park. The design and appearance of the dwelling is considered to be at odds with the established character of the area and contrary to the National Park's objectives to conserve and enhance the special landscape character of the National Park.

The application has been brought to the Development Management Committee as a result of the application being supported by Nevern Community Council.

Consultee Response

Countryside Council for Wales: Reply - No Comments

Dwr Cymru Welsh Water: Reply - Applicant is utilising a septic tank therefore WW suggest consulting EA.

PCC - Head of Public Protection: No objection

PCC - Transportation & Environment: Conditional Consent

Nevern Community Council: Approve

Public Response

The application was advertised by a site notice displayed at the front of site. No letters of representation have been received.

Policies considered

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 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 29 - Sustainable Design
LDP Policy 30 - Amenity
LDP Policy 31 - Minimising Waste
LDP Policy 32 - Surface Water Drainage
LDP Policy 42 - Employment Sites and Live/Work Units
LDP Policy 53 - Impacts on traffic
PPW4 Chapter 01 - Introduction
PPW4 Chapter 02 - Development Plans
PPW4 Chapter 03 - Making and Enforcing Planning Decisions
PPW4 Chapter 04 - Planning for Sustainability
PPW4 Chapter 05 - Conserving and Improving Natural Heritage and the Coast
PPW4 Chapter 09 - Housing
SPG01 - Affordable Housing
SPG03 - Sustainable Design
SPG04 - Planning Obligations
SPG06 - Landscape Character Assessment Study, June 2009
SPG08 - Validation of Planning Applications
SPG10 - Parking
TAN 06 - Planning for Sustainable Rural Communities
TAN 09 - Enforcement of Planning Control
TAN 12 - Design
TAN 22 - Planning for Sustainable Buildings

Officer's Appraisal

Background

In 2008 the Authority became aware of a breach of planning control at Ffynnonddofn Farm. The breach related to the erection of a timber chalet on land to the south of the main farm buildings. Following investigations and the failure to remove the structure an Enforcement Notice was served on 13th January 2009 (Ref: EN/01/09). This Notice required the removal of a timber chalet, septic tank and all other materials associated with the structure from the land. This notice came into effect on 16th February 2009 and required compliance within 6 months of that date.

A planning application was submitted in November 2010 although took the applicant until October 2011 to submit the required information in order to register the application as valid. Prosecution for non-compliance with the Notice has been held in abeyance pending the outcome of this planning application.

History

- NP/05/218 – Replacement agricultural shed (retrospective) – Approved – 20 June 2005
- NP/266/94 – Caravan (Renewal of consent) – Refused – 29 September 1994
- NP/87/94 – Agricultural building - Approved – 26 May 1994
- NP/139/93 – Caravan (Temporary permission) – Approved – 14 June 1993
- NP/214/89 – Silage & general purpose shed – Approved - 14 June 1989

Current proposal

The application seeks retention of a timber log cabin chalet described on the application form as a permanent agricultural dwelling. This is currently used by a farm worker as part of the everyday milking of cows at the site.

The cabin is located to the south east of the main group of farm buildings alongside an existing hedgebank. Access into the cabin is from the existing single track field access located at the corner of the field. Plans show the cabin measures 12.8m x 5.8m in floor area and it is single storey measuring upto a ridge height of 3.5m. The building contains a hall, utility, kitchen and diner with lounge and two bedrooms.

The application has been supported with the following documentation:

- A Design and Access Statement
- Transport Statement
- Code for Sustainable Homes Pre-Assessment

Key Issues

The main issue to consider in this application relates to the principle of a new dwelling at the site and whether it reflects both national and local planning policy which aims at strictly controlling new house building in the countryside unless justified as being essential for a farm or other rural enterprise.

Additional considerations relate to the impact of the development upon the special qualities of the National Park in terms of its siting and design, impact upon the amenity of others as well as impact upon highway safety.

Principle of development

Policy 7 of the LDP states that outside identified Centres development will only be permitted where, of relevance to this particular instance, (b) housing for essential farming or forestry needs is proposed. The supporting text to the Policy refers to National Policy in the form of Planning Policy Wales (Edition 3, July 2010 (now Edition 4, 2011)) and paragraphs 9.3.6 to 9.3.10. Policy states that isolated new houses in the countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. It states *“all applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access. Local planning authorities should follow the guidance in TAN6 with regard to the requirements for rural enterprise dwelling appraisals”*.

In terms of established rural enterprises such as Fynnondoffn Farm TAN6 states that new dwellings should only be allowed provided;

- a) there is a clearly established *existing* functional need;
- b) the need relates to a *full-time* worker, and does not relate to a part-time requirement;
- c) the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so;
- d) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker

concerned; and

- e) other normal planning requirements, for example siting and access, are satisfied.

With regard to need for the additional dwelling the applicant's statement identifies that there are two existing dwellinghouses at the site, one being the main house which is occupied by the applicants and the other being a cottage for a herdsman. The forms submitted state that the farm comprises 360 acres of land and 400 acres are rented from others. There are approximately 900 dairy cows farmed at the site. There are 3 full time members of staff and 2 to 3 part time workers. The need for the dwelling has been expressed as being essential for a farm worker for milking cows. The milking activity commences at 4:30 to 5:00 am and finishes in the late afternoon with respite periods during the day.

In terms of justification the Authority consulted with agricultural advisors based at Carmarthenshire County Council in May 2009 following service of the Enforcement Notice and in 2011 on receipt of this application. The advice given by the advisors following the initial assessment concluded that there was a need for three full time workers at the farm and the functional test was satisfied. The financial test indicates that sufficient income existed to provide for three workers, and that the holding could sustain the cost of accommodating the third worker. The advice given suggested that the dwelling applied for should be located as close as practicable to the farmstead, so that the worker may be on hand to give immediate assistance. A response received to the current application identified that the cattle numbers have not altered greatly and as such the functional test for a third person is again met.

In view of the above mentioned assessment criteria it can be concluded that the scheme meets the aims of criterion a), b) and c) in that there is an existing functional need, it relates to a full time worker and the business is financially sound. In terms of criterion d) however the applicant has not provided evidence that the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise.

It can be noted from visiting the site that there are existing obsolete buildings at the farm near the two existing dwellings which could potentially be used to meet the identified need for housing in connection with the farm. The range of buildings relate to a traditional long barn which is part Grade II Listed to the north of the main dwelling which is occupied by the applicants. The applicant has responded to explain that these outbuildings would require costly and substantial alterations to provide habitable accommodation and would be difficult to satisfy CADW's remit. These have been described as being long and narrow and currently in use for the storage of farm items and horses and housed in the stables in an additional building. The applicant has not provided a planning application proposing the use of these buildings and there appears

to be an unwillingness to submit such an application to satisfy the tests mentioned in TAN6.

In view of the failure to explore the other dwelling test or submit any evidence other than highlighting the financial cost of converting the buildings the application fails to meet all the tests set out in TAN6. Evidence from the applicant must be provided to support all the test as explained at paragraph 4.7.3 of TAN6. This advises, *“Where planning applications for rural enterprise dwellings are not accompanied by the information identified in paragraph 4.7.1, the planning authority should first seek the necessary information. Should this not be provided they would be entitled to refuse the application on the grounds of lack of proper justification for the proposed dwelling”*. A letter was sent to the applicant on 23 February 2012 suggesting the submission of a planning application to convert the buildings into farm accommodation. Whilst a response was received on 16 April 2012 this does not suggest an application will be submitted and mainly summarises events over the past years outside the scope of this planning application.

Impact upon Amenity

There are no near neighbours adjoining the site of the new dwelling and as a result there will be no impact by means of overlooking or the development forming an unneighbourly form of development.

Special Qualities of the National Park

As explained above the final test to consider in respect of new dwellings on existing enterprises relates to whether the dwelling would satisfy other normal planning requirements including siting and access. The development should be considered in the context of Policy 7 as well as Policy 15 of the Local Development Plan which aim at protecting the special qualities of the National Park.

In this instance the building is sited away from the main group of buildings at Ffynnondofyn and occupies an isolated location within a small part of a field near an existing access. A hedgebank runs alongside the building on its northern boundary although part of the roof of the building is visible along the entry to the site and access point into Ffynnondofyn Farm. The building is also visible from the surrounding highway network to the west of the site and adjoining fields.

TAN 6 advises at Section 4.12.1 that *“the siting of the proposed dwelling should relate closely to the activities for which there is a need. In most cases this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage fragmentation”*. In this instance the dwelling is located some 40m away from the main largest farm buildings and other buildings used for milking purposes and approximately 300m from the existing two dwellings at Ffynnonddofn.

In view of the isolated location of the dwelling fragmented from the main buildings comprising Ffynnonddofn farm the development fails to meet the aims of National Policy and Guidance which explains that a new farm workers dwelling should be sited in 'close proximity' to existing buildings. The dwelling will conflict with the aims of Policy 15 of the Local Development Plan in that b) the building will be insensitively and unsympathetically sited within the landscape c), introduces a use which is incompatible with its location and d) fails to harmonise with, or enhance the landform and landscape character of the National Park.

In addition to the above the design of the cabin is considered to be at variance with the established traditional character of the area. The farm buildings at the site comprise of traditional stone built structures with more modern farm buildings surrounding. This chalet is timber clad in boarding that is not considered to be a high quality design solution reflective of its setting. As explained in the supporting text to Policy 15 at 4.75 of the Local Development Plan *"inappropriate trends in design detailing can have an impact much wider than their immediate environs and cumulatively will subtly and irreparably alter the often fragile landscape character of the National Park"*. As a result it is considered that the design of the building in terms of its material finishes impacts to an unacceptable degree on surrounding visual amenity contrary to the requirements of criteria a), b) and d) of Policy 15 of the Local Development Plan.

Access & Highway Safety

The dwelling makes use of an existing access point and there is considered to be sufficient room within the site for parking and turning to serve the farm worker. The Highway Authority have been consulted and raise no objection subject to suitable conditions to control the parking area and surfacing of the entrance. In view of this the dwelling meets the aims of Policy 53 – Impacts of Traffic.

Other Considerations

Throughout the application officers have been advised by the applicant of a history of events in connection with the application and site in general. The applicant has stated that a pre-application was submitted in 2007 by Mr and Mrs Sollis proposing the erection of a new farm workers dwelling at the site. They did not receive a response and with a need to provide urgent accommodation they purchased and placed the timber cabin on the area of land which has been used historically for the storage of the farm plant and machinery.

Records held by the Authority show that officers have advised that any failure to provide pre-application advice does not justify the erection of a new dwelling in the open countryside. Officers have advised that it has been open to the owners to submit a planning application although this needs to be clearly justified in the context of both local and national policy.

The cabin was erected in 2008 and with no planning application for its retention the Authority duly served an Enforcement Notice on 13th January 2009 requiring its removal. There are no overriding material considerations which would justify the Authority granting this permanent dwelling proposed as a farmworkers dwelling as a departure to both Local and National Policies.

Conclusion

In conclusion it can be noted that whilst there is a functional need for a third worker to serve the farm all the tests of TAN6 have not been adequately met. TAN6 and Practice Guidance (Rural Enterprise Dwellings, December 2011) identifies that the basis of rural housing policy is that every opportunity should be examined to avoid the creation of new residential development in the countryside and that in all cases, it will be necessary to demonstrate that the need to house a rural worker cannot be met by existing dwellings, conversion of suitable buildings or the reasonable re-organisation of the management of the enterprise. There are two existing dwellings at the site as well as a farm outbuilding which could be put to a new use and the applicant has failed to explore the option of conversion.

In addition to the above the timber chalet is located in an isolated location some distance from the existing farmstead and buildings serving Ffynnonddofn. The chalet and its non-traditional design detracts from the surrounding unspoilt countryside within the National Park and conflicts with policies 1, 7, 15 and 30 of the Local Development Plan which aims at protecting the Special Qualities of the National Park from inappropriate forms of development.

Recommendation

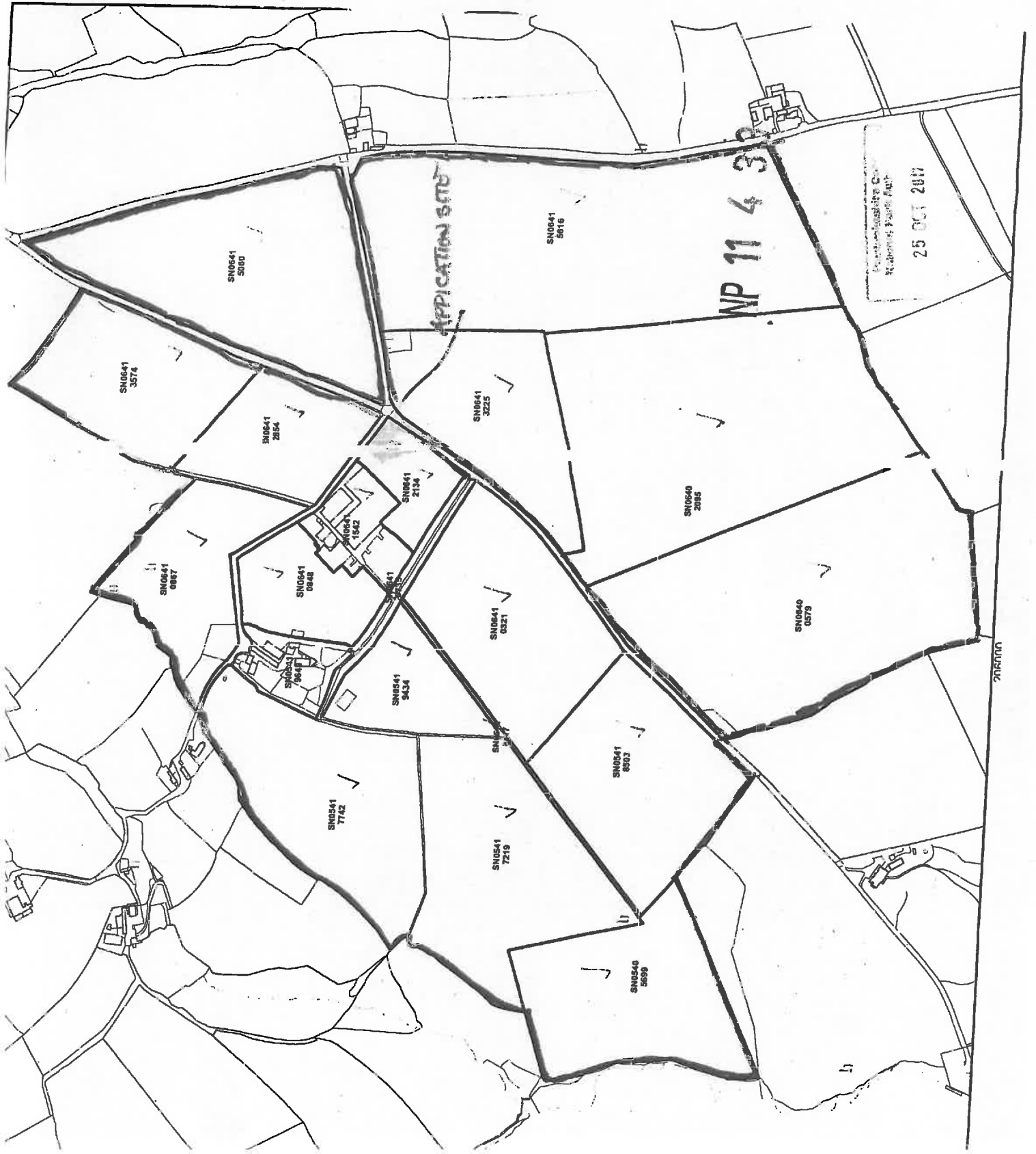
The application be refused for the following reasons:

Reasons

1. The timber chalet has not been adequately justified as housing for essential farming or forestry needs. The applicant has failed to explore the 'Other Dwelling Test' of Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010) which explains that evidence must be provided to demonstrate that there is no other dwelling or building suitable for conversion, which are available to meet the need. The Authority is aware of existing vacant outbuildings at the farm which could potentially be converted to provide the required need for an additional farm worker at the site and the applicant has failed to explore this option. As a result the application fails to meet the aims of both Local and National Planning policy in respect of criterion (b) of Policy 7 of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010), Technical Advice Note 6 and National Policy contained within Planning Policy Wales (Edition 4, September 2011).

2. The timber chalet is located in an isolated location away from the existing farmhouse, additional dwelling and farm buildings which results in a sporadic form of development which will result in the fragmentation of the farm. Due to its positioning the dwelling detracts from the surrounding unspoilt appearance of the National Park and is contrary to the aims of the National Park in protecting the open countryside from new development. As a result the timber chalet conflicts with and fails to meet the aims of Policy 1 (National Park Purposes and Duty), Policy 8 (Special Qualities), Policy 15 (Conservation of the Pembrokeshire Coast National Park) and Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) in addition to Guidance contained within Technical Advice Note 6 and National Policy contained within Planning Policy Wales (Edition 4, September 2011).

3. The design and appearance of the timber chalet is considered to be at odds with the established traditional architectural character of the surrounding area and as a result fails to integrate successfully with its surroundings. The timber chalet detracts from the appearance and visual amenity of the locality and does not represent a satisfactory design solution for this form of development within the National Park. As a result the timber chalet is contrary to the National Park's statutory duty to conserve and enhance the special landscape character of the National Park and fails to meet the aims of Policy 1 (National Park Purposes and Duty), Policy 8 (Special Qualities), Policy 15 (Conservation of the Pembrokeshire Coast National Park) and Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan.



APPLICATION SITE

NP 11 4 32

25 OCT 2017

SN0641 3080

SN0641 3574

SN0641 2854

SN0641 2226

SN0641 5816

SN0640 2095

SN0640 0879

SN0641 0877

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SN0641 8503

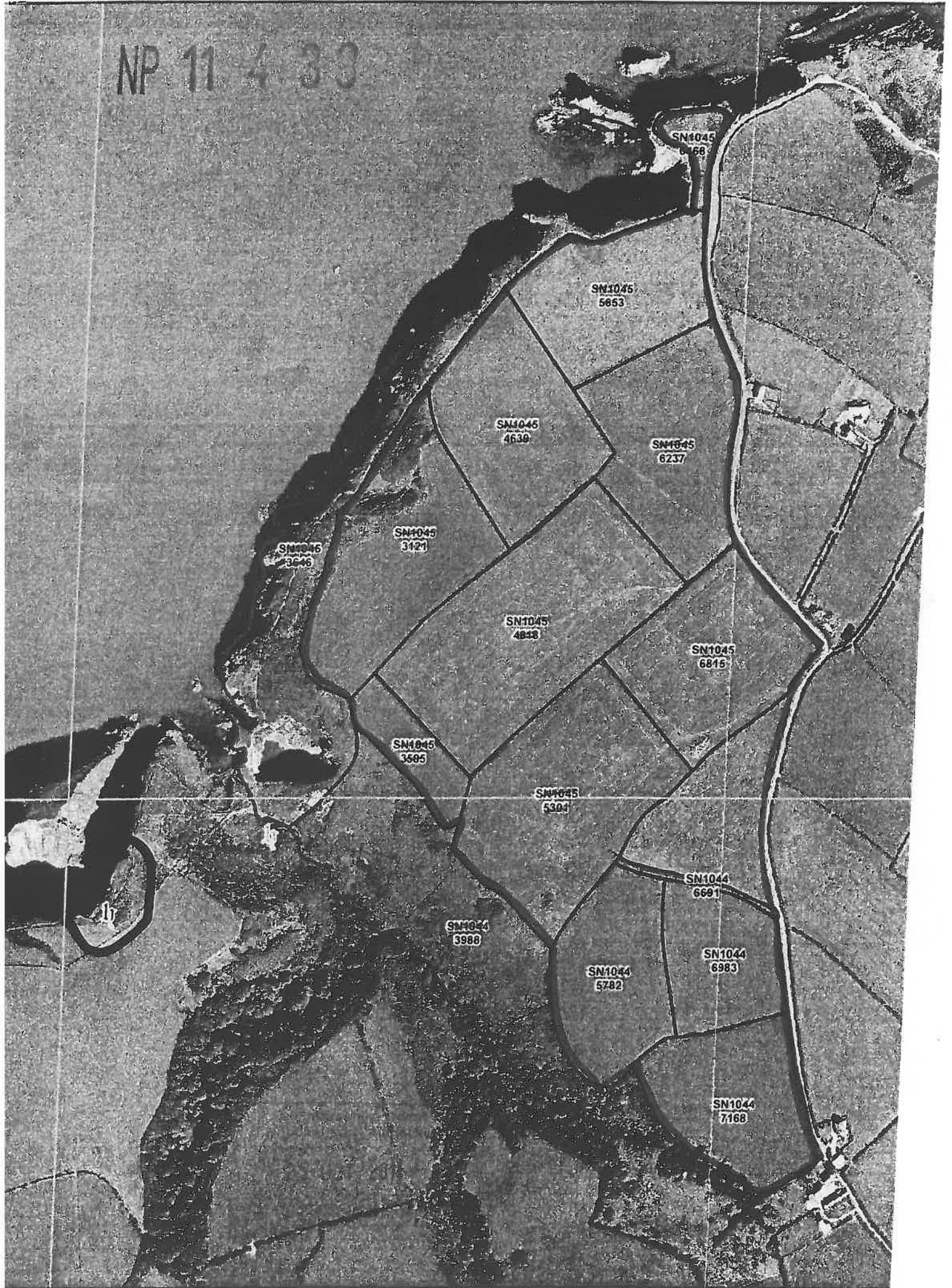
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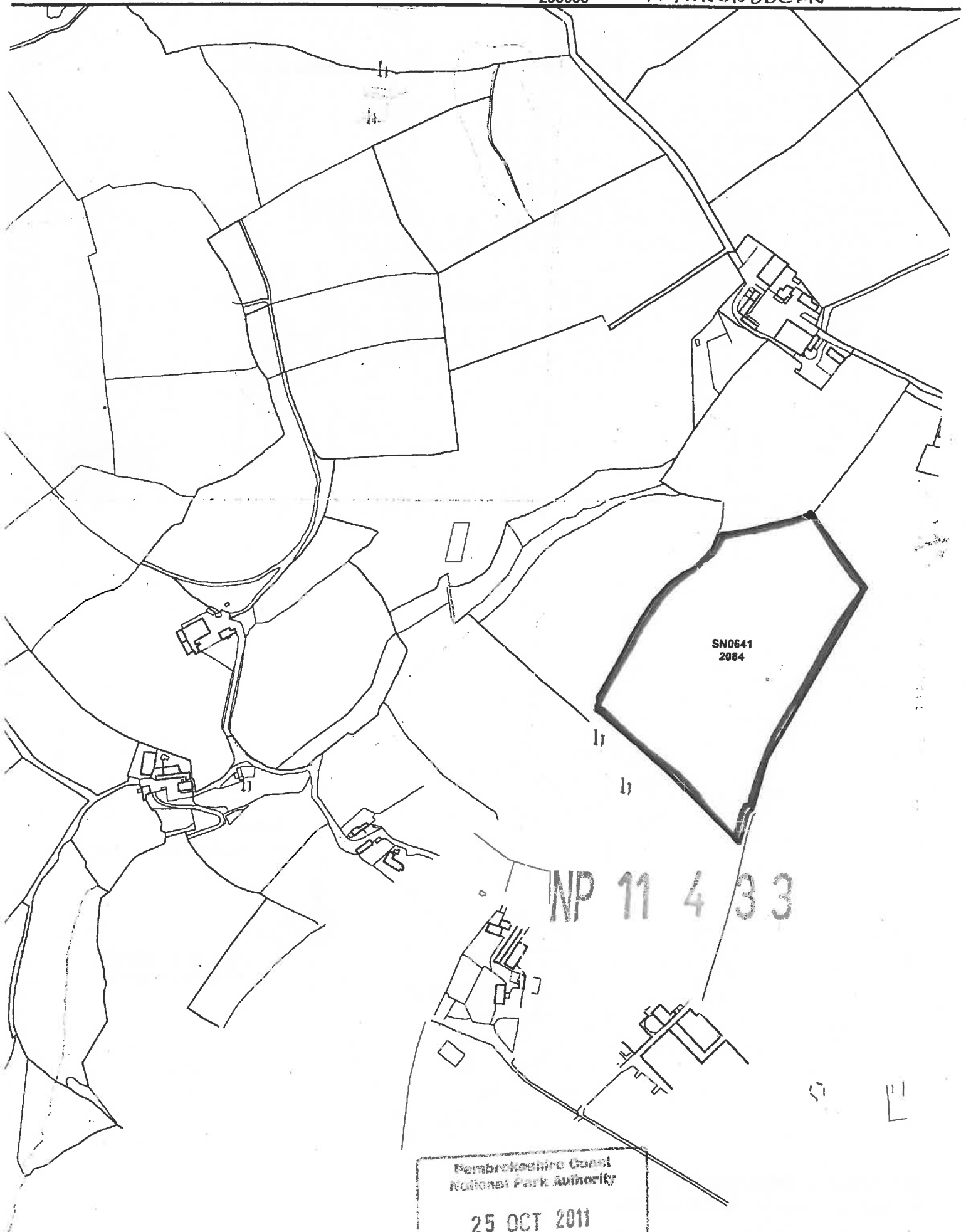
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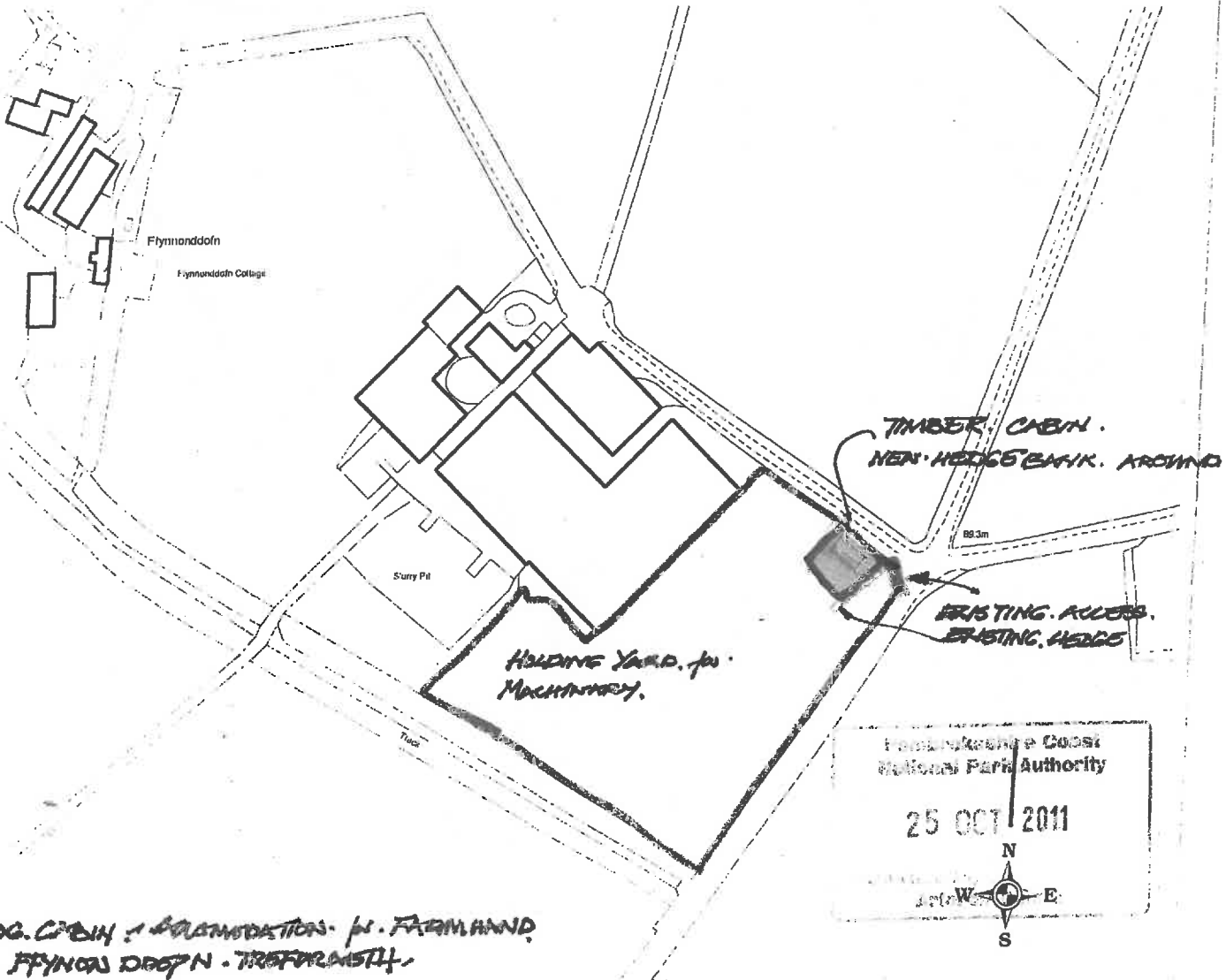
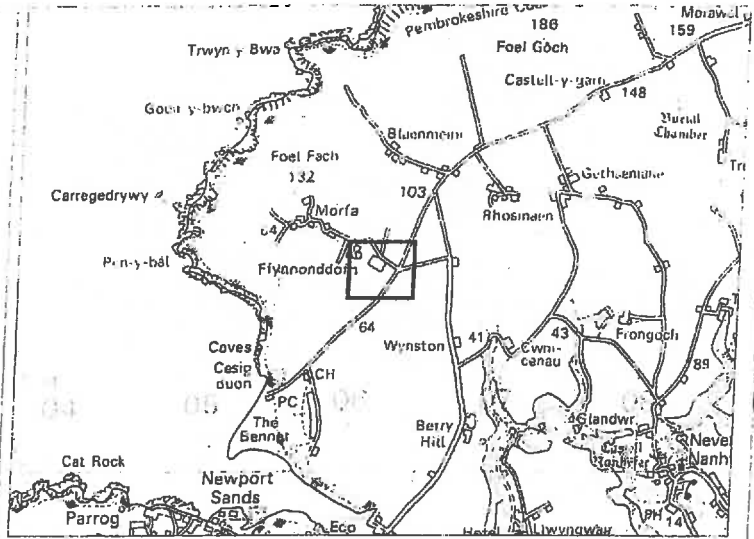
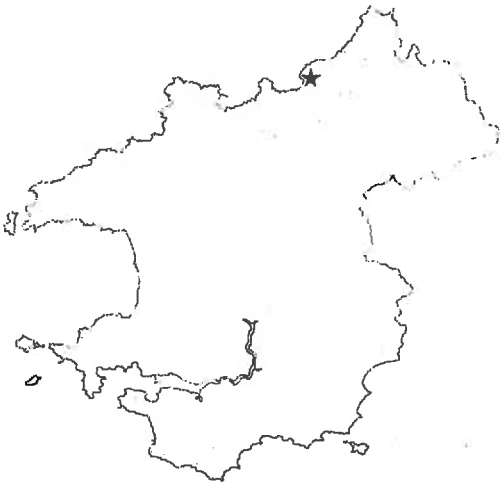
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NP 11 4 33

Pembrokeshire Coast
National Park Authority
25 OCT 2011
Pembrokeshire Coast
National Park Authority

NP 11 4 33

Pembrokeshire Coast
~~5 NOV 2010~~
National Park Authority



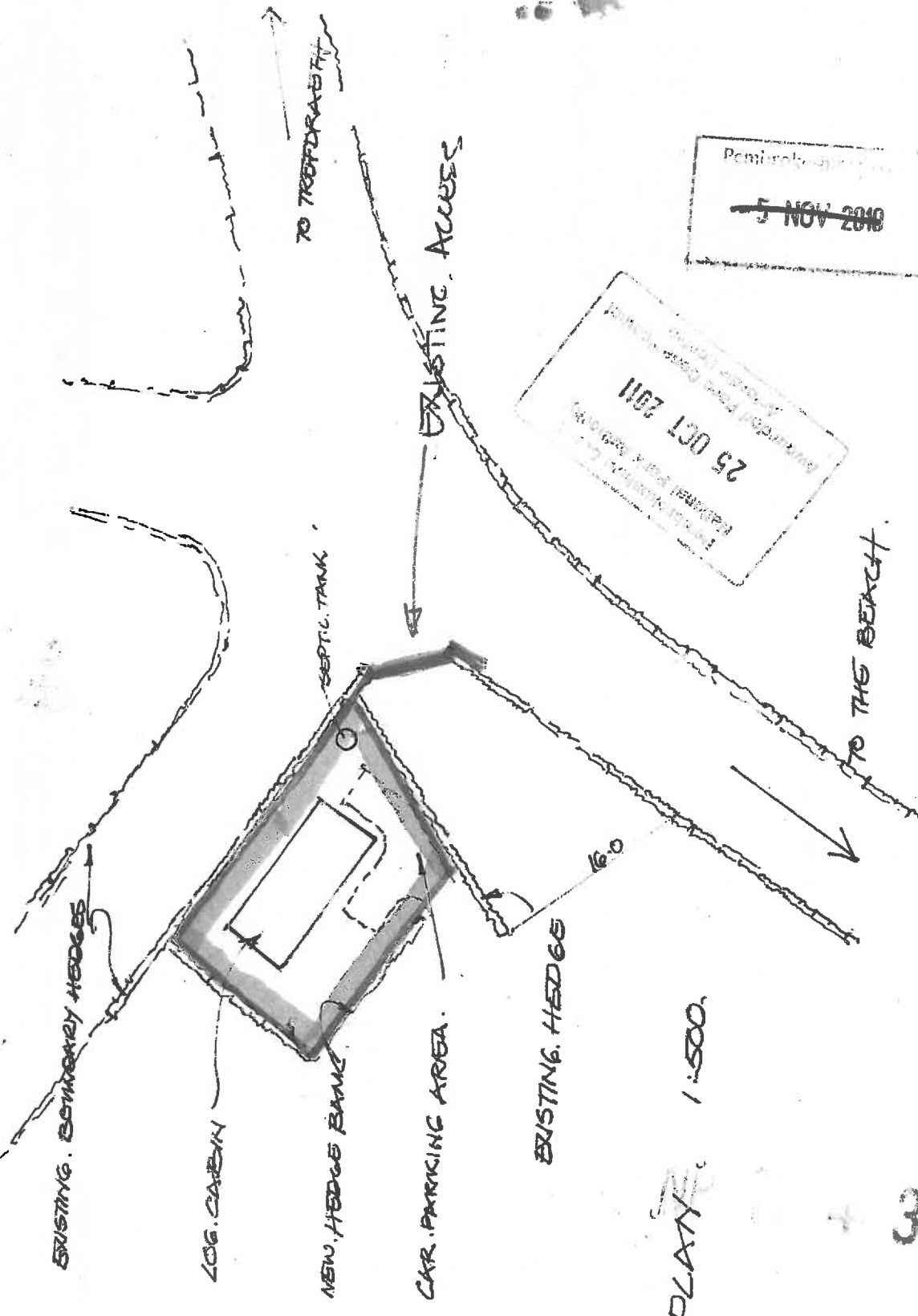
Pembrokeshire Coast
National Park Authority
25 OCT 2011
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W E
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LOG. CABIN + ACCOMMODATION for FARMHAND
@ FFYNONDDOFN - TREFORNIETH,
LOCATION PLAN.

SCALE 1:2500

DRAWN: EYMA JR. ARMA.
APRIL 2010.

TO FARMSTEAD. FFYNONDDOEN.



EXISTING. BOUNDARY HEDGES

LOG CABIN

NEW HEDGE BANK

CAR PARKING AREA

EXISTING. HEDGES

TO TRODRAETH

EXISTING. ACCESS

TO THE BEACH

NORTH

BLOCK PLAN 1:500

33

LOG CABIN - ACCOMMODATION FROM HAND
 @ FFYNONDDOEN FOR MS. JOHN ESTLIS
 DRAWN BY DR. J. ARIBA JUNE 10
 SCALE 1:100
 01595 580 201

NOTE - 1/8 HUNGONS

BEDROOM 2

BATH

KITCHEN + DINING

BEDROOM 1

BATH

LIVING

PLAN VIEW

MAIN ENTRANCE

CONC. FINISHES - APPROX

Printed on-line from
5 NOV 2010
Architectural Record

25 OCT 2011
Architectural Record

BOX METRUS PROFILES

WATERPROOFING

ELEVATION - NORTH WEST

ELEVATION - SOUTH EAST

ELEVATION - SOUTH WEST
NOTE - AUTO TO NORTH EAST
ELEVATION - BUT WITH NO HUNGONS

LOG CABIN - ACCOMMODATION FOR FARM HAND
© FLYING DUCKS FOR MR JOHN SOLUIS
DRAFTER - ERAS JR - ARIZONA JUN 10
SCALE - 1/8" = 1'-0"

01545 580 291