

**UTT/14/0634/FUL (GREAT EASTON AND TILTY)**

(Referred to Committee by Cllr L Smith. Reason: Planning permission exists for temporary accommodation in the form of a caravan. No additional employment is being cited in the application as a reason for the need for additional accommodation.)

**PROPOSAL:** Temporary change of use of part of agricultural building for domestic occupation by agricultural worker's family

**LOCATION:** Wilshers Farm, Andrews Farm Lane, Great Easton,

**APPLICANT:** Mr N Wilsher

**AGENT:** Mr E Gittins, Edward Gittins & Associates

**EXPIRY DATE:** 1 May 2014

**CASE OFFICER:** Luke Mills

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**1. NOTATION**

1.1 Countryside.

**2. DESCRIPTION OF SITE**

2.1 The application site is a free-range egg farm to the east of Great Easton, off Andrews Farm Lane. It accommodates an egg grading building, an open-sided barn, a chicken barn, an unused barn and a mobile home, with outdoor runs to the rear. A few residential properties lie on Andrews Farm Lane, although the surrounding area generally comprises farmland.

**3. PROPOSAL**

3.1 The application is for planning permission to temporarily change the use of part of the egg grading building to increase the amount of living accommodation for the resident agricultural worker and their family.

**4. APPLICANT'S CASE**

4.1 The applicant's case is summarised as follows:

1. The additional living space is required to accommodate the need of the agricultural worker's family.
2. The enterprise is thriving and building a reputation for its high quality product.
3. The rest of the egg grading building would remain in active agricultural use.

**5. RELEVANT SITE HISTORY**

5.1 Planning permission was granted under application number UTT/1086/12/FUL for the demolition of a former agricultural building and the erection of an egg grading, packing and storage building, and the temporary siting of a mobile home for an agricultural worker. The temporary use of the mobile home expires on 13 August 2015.

**6. POLICIES**

## **6.1 Uttlesford District Local Plan 2005**

- Policy S7 The Countryside
- Policy GEN2 Design
- Policy GEN8 Vehicle Parking Standards
- Policy H12 Agricultural Workers' Dwellings

## **6.2 Supplementary Planning Documents**

- The Essex Design Guide

## **6.3 Other Guidance**

- Parking Standards: Design and Good Practice
- Local Residential Parking Standards

## **7. PARISH COUNCIL COMMENTS**

- 7.1 Great Easton and Tilty Parish Council objects to the proposed development because there is no requirement for an agricultural worker to be permanently based on site.

## **8. CONSULTATIONS**

### **Ward Member (Cllr L Smith)**

- 8.1 Called in the application for the reason given at the top of this report.

## **9. REPRESENTATIONS**

- 9.1 Neighbours were notified of the application by letter. One representation has been received, which takes the form of a petition signed by a number of parties and raises an objection to the proposed development. The reasons for the objection are summarised as follows:

1. There is no need for someone to live on site.
2. There is no evidence that the business is viable.
3. The proposed development has already started.
4. The applicant operates a separate business so may not qualify as an agricultural worker.
5. There is plenty of residential accommodation available to rent in the area.
6. The application is for an additional two-bedroom flat, for which there is no need.
7. Existing issues include increased traffic on Andrews Farm Lane, excess material blocking shared drains, air pollution from burning of materials and excessive artificial lighting.
8. Traffic movements generated by the proposed residential use would further deteriorate Andrews Farm Lane.

9. Approval would set a precedent for similar agricultural operations to benefit from residential accommodation.
10. Residential use of the egg grading building would result in overlooking of Little Gerrans.
11. The applicant does not maintain the property in a clean and tidy manner.
12. A glass business is operating from the site.
13. The location is unsustainable as Mill End Green has no shops or bus service.
14. New development would be inappropriate to the small rural hamlet and the surrounding area.

9.2 Members are advised of the following responses to the above points:

1. The assessment of the need for an agricultural workers' dwelling is ongoing. The trial period expires on 13 August 2015, after which residential use will either cease or be made permanent if an acceptable planning application is made.
2. The viability of the business is pertinent to the need for an agricultural workers' dwelling, which, as described above, will not be understood until the end of the trial period.
3. At the time of the officer's site visit, it was apparent that the proposed residential use had not yet commenced. Even if it had, it is unlikely that any enforcement action would be taken until this application has been determined.
4. Should permission be granted, a condition would be used to restrict the occupancy of the building in the same way as planning permission UTT/1086/12/FUL i.e. to an agricultural worker and their family. If this occupancy condition were breached, the Council would be able to take enforcement action.
5. The presence of other residential accommodation in the area is not relevant because, as stated above, there may be a need for a dwelling on the site, which will be established at the end of the trial period.
6. Should planning permission be granted, a condition would be used to ensure that only the agricultural worker and their family could live in the mobile home and the proposed area of the egg grading building. Therefore, it would not be possible for the accommodation to be used by anyone else.
7. The proposed use would not intensify the residential use of the site by virtue of the occupancy condition(s) which would be imposed. Therefore, existing issues would not be made worse.
8. As above (Point 7).
9. No undesirable precedent would be set by the development. Temporary residential use is being suitably controlled and the Council will be able to take enforcement action at the end of the trial period if an application for permanent permission is refused or if no such application is made.

10. The proposed residential use of the egg grading building would not cause any material overlooking of neighbouring residential properties. The only window in the first-floor bedroom would face north, with no residential properties within 25 metres – the minimum distance given in The Essex Design Guide to avoid significant overlooking.
11. The maintenance of the site cannot be controlled by the planning system. It is not a material consideration.
12. It was not apparent during the officer's site visit that a separate business is operating from the site. If such a use were to be carried out, the Council would need to consider enforcement action. In any event, the alleged use is unrelated to this planning application.
13. Temporary residential use has already been approved, which would remain unchanged.
14. There would be no new physical development so no harm would be caused to the appearance of the area.

## **10. APPRAISAL**

The issues to consider in the determination of the application are:

- A Spatial strategy (ULP Policies S7 and H12)
- B Design (ULP Policy GEN2; The Essex Design Guide)
- C Vehicle parking (ULP Policy GEN8; Parking Standards: Design and Good Practice; Local Residential Parking Standards)

### **A Spatial strategy**

- 10.1 Policy S7 is restrictive of new buildings in the countryside, although Policy H12 explains that agricultural workers' dwellings will be permitted where certain criteria are met. A temporary agricultural workers' dwelling has been permitted under planning permission UTT/1086/12/FUL to allow an informed decision to be made on the need for a permanent dwelling. The temporary use expires on 13 August 2015, after which the use will cease unless permission is granted in the meantime for a permanent dwelling.
- 10.2 The proposed development would not affect the number of people permitted to live on the site or the expiration date of the temporary residential use. The only difference would be that, rather than being accommodated solely within the mobile home, the family could also use part of the existing egg grading building. Should planning permission be granted, conditions would be used to ensure that the occupants would be restricted to the agricultural worker and their family, and that the use would expire on 13 August 2015. Any application for a permanent planning permission would be assessed on its merits.

### **B Design**

- 10.3 Policy GEN2 requires development to meet a number of criteria in relation to design, with further guidance provided in The Essex Design Guide. While the proposal would increase the number of bedrooms, it is considered unnecessary to pursue the provision of additional private amenity space because the use of the site is only temporary. It is considered that there are no other design issues of relevance to the proposal.

## **C Vehicle parking**

- 10.4 Policy GEN8 requires development to make appropriate provision for vehicle parking, and minimum parking standards are contained within 'Parking Standards: Design and Good Practice' and 'Local Residential Parking Standards'. While the proposal would increase the number of bedrooms, this would not give rise to any risks to highway safety caused by on-street parking because the space provided on site for vehicle parking far exceeds the minimum standards.

## **11. CONCLUSION**

The following is a summary of the main reasons for the recommendation:

- A The proposed development would increase the amount of living accommodation serving an agricultural worker and their family, and it would cause no material impact to the surrounding area. The use would be temporary, it being subject to the same trial period begun under planning permission UTT/1086/12/FUL to establish the need for a permanent agricultural workers' dwelling.

### **RECOMMENDATION – CONDITIONAL APPROVAL**

Conditions/reasons

- 1 The hereby permitted occupation of part of the egg grading building shall be limited to the same person(s) permitted to occupy the adjacent mobile home under the terms of planning permission UTT/1086/12/FUL.

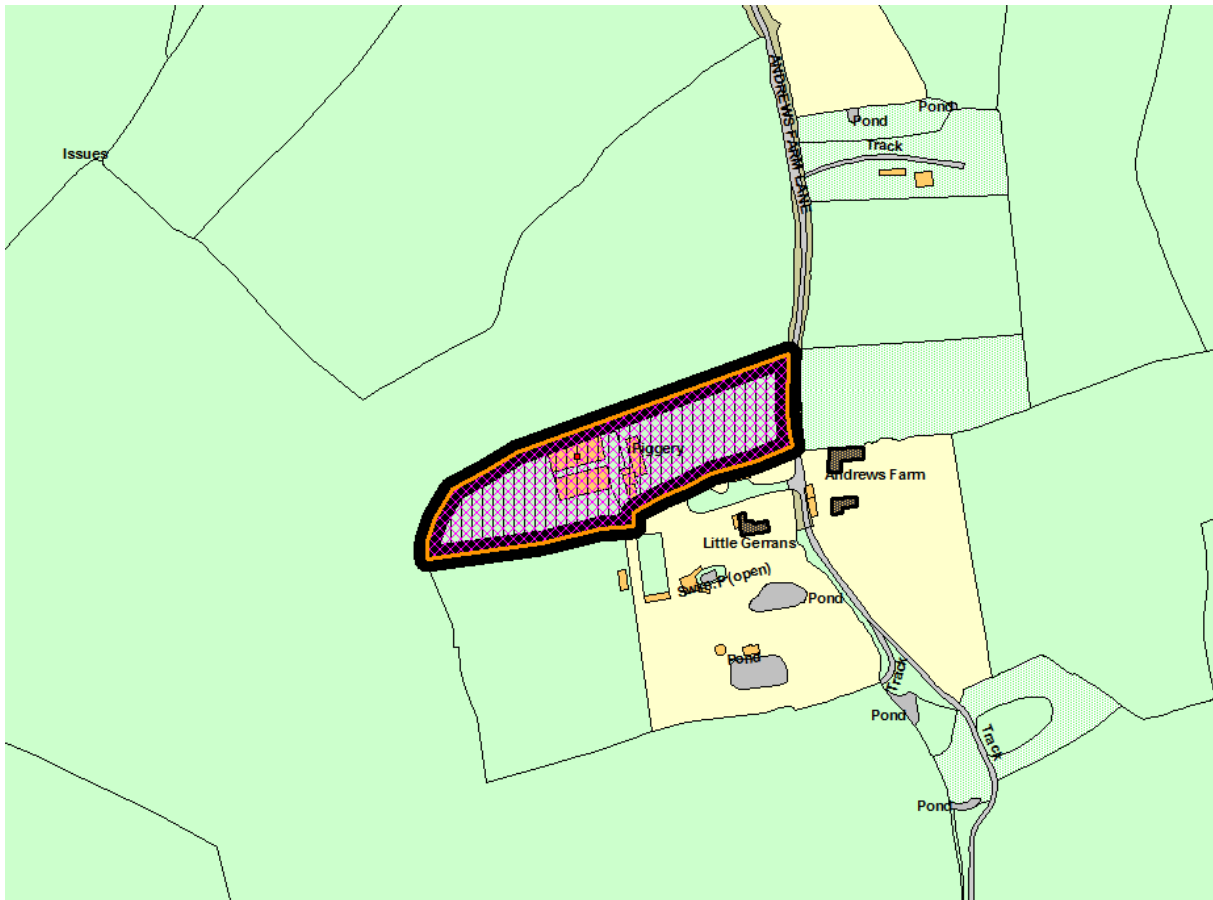
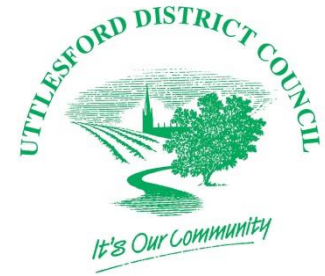
REASON: The site lies within an area where permission for new dwellings is not normally granted and the local planning authority would not be prepared to permit a dwelling on the site unless essentially required in connection with the use of land for agricultural purposes in accordance with Policies S7 and H12 of the Uttlesford Local Plan (adopted 2005).

- 2 The use hereby permitted shall cease on 13 August 2015.

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Application no.: UTT/14/0634/FUL

Address: Wilshers Farm Andrews Farm Lane Great Easton



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Organisation: Uttlesford District Council

Department: Planning

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