
Application Number: 1/W/05/001663 Full

MINOR

Registration Date: 28 September, 2005

Application Site: LOWER MOUNT FARM, THE MOUNT, MELPLASH,
BRIDPORT, DT6 3TX

Proposal: Site mobile home for agricultural worker.

Applicant: Ms Di Davies

Ward Members: Cllr A Alford

Case Officer: Darren Rogers

1. Summary Recommendation

1.1 Approve

2. Description of development

2.1 Location

Lower Mount Farm is located on the east side of the main Beaminster to Bridport road just south of the village of Melplash and is set in open countryside. Vehicular access is from the main road via a set of gates set close to the edge of the carriageway. The site is within the Area of Outstanding Natural Beauty.

2.2 Background

Lower Mount Farm extends to 6.5ha and is an owner-occupied unit. It was purchased by the applicant in 2004 and has been set up expressly for the keeping, breeding and rearing of alpacas. To this end some £28,000 has so far been spent on fencing with the main field having been sub-divided into a series of 12 inter-connected small paddocks. A further £6,000 has been invested in four moveable field shelters, with investment also made in the provision of water supplies to the various paddocks. In total some £100,000 has been invested in the property (including the land purchase) at Lower Mount Farm - in addition to the value of the alpacas on the unit.

The applicant, has been involved with alpacas for approximately the past five years and has, since then, been steadily investing in top-quality breeding alpacas. She has concentrated on purchasing and developing solely an Australian blood-line of alpacas with which she has had success at the various UK alpaca shows. She presently owns some 22 breeding females and various males including one breed champion. The value of the individual animals varies from £1,000 for a young, unproven female to in excess of £10,000 for the best animals. In addition to breeding and rearing her own animals the applicant is also variously: Secretary of the South-West Alpaca Group; acts as agent for an Australian owner seeking to establish sales of alpacas in the UK; and is a member of a syndicate of owners seeking to

establish black herds in the UK.

Prior to the purchase of the land at Lower Mount Farm the alpacas (albeit fewer in number) were grazed on rented ground near Charmouth, adjacent to a friend's dwelling - who oversaw the day-to-day management of the herd. The present day-to-day arrangements rely upon a neighbour's son who walks round the herd three times daily whilst passing the farm on his way to other employment, and who calls in specialist assistance as required. The applicant, who presently lives in Andover, travels down to the site at the weekends to undertake the routine management of the herd.

As far as general security is concerned, the Council is aware that a break-in occurred on the weekend prior to my making arrangements to undertake the site visit and losses were incurred of £10,000 of equipment - though no stock. Although this incident has heightened the perceived need for the dwelling, The applicant contends that there is already an essential functional need for someone to live permanently on this site to provide for the welfare and security of the alpacas - hence the application for a temporary dwelling adjacent to the yard.

2.3 The Proposed Development

As originally submitted the dwelling would have incorporated a double garage, 3 bedrooms (all en suite), a lounge kitchen area a sun room and an orangery. It would also have measured 14.5m x 17.5m. However amended plans have now been received showing a structure 11m x 6m comprising 2 bed unit kitchen and combined lounge dining room. Construction would be a timber sectional structure on a similar footprint and location to an existing building located on the site and set back parallel to the main road.

3. Main planning issues

- Impact on the character and appearance of the AONB
- Development beyond the Defined Development Boundary of any settlement/proliferation of buildings within the countryside.
- Need for the development given adopted and emerging local plan advice and Central Gov't advice contained in PPS7.

4. Statutory Consultations

Parish/Town Council

4.1 Objects – see correspondence copied to the Members Room and Bridport Area Office for details

Highway Authority

4.2 No objection in principle but there is a problem with the position of the access gates. The gates should be set back 6m from the carriageway or be removed.

5. Other consultations

5.1 None

6. Other representations

6.1 See correspondence appendix (as above).

7. Human Rights

7.1 Article 6 - Right to a fair trial.

7.2 Article 8 - Right to respect for private and family life and home.

7.3 The first protocol of Article 1 Protection of property

8. **Relevant Planning History – None relevant to the determination of this application.**

9. **The Development Plan**

Regional Planning Guidance for the South West (RPG 10)

EN1 – Landscape and Biodiversity

The Bournemouth, Dorset and Poole Structure Plan (adopted 13 July 2000)

- Settlement Policy I (Need for development in the countryside)
- Housing Policy C (Location for new housing in the countryside)
- Environment Policy G (Development within the AONB)

The West Dorset District Local Plan (adopted 6 November 1998)

- Policy SP3 (Development Outside of the DDB)
- Policy H7 (Agricultural/Forestry workers dwellings)
- L1 (AONB)
- CD1 (Design Standards)

10. **Other Planning Policy Considerations**

10.1 The Revised Deposit West Dorset District Local Plan (Published 8 March 2004)

- SA1 (AONB)
- SS3 (Development outside the DDB)
- H6 (Essential rural workers)
- DA5 (Scale and positioning of buildings)
- DA7 (Detailed design and materials)

11. **Supplementary planning guidance**

11.1 None relevant to the determination of this application.

12. **Planning issues**

12.1 The application proposes the erection of a dwelling in the countryside where the applicants' justification for 'need' is associated with the establishment of an alpaca rearing operation. Members will be aware that Adopted Local Plan Policy H7 only permits such development where there is a proven agricultural or forestry need (subject to other criteria such as siting, design etc).

Policy H6 of the Local Plan Revised Deposit Version March 2004, permits agricultural or forestry dwellings but such proposals have to be justified in terms of the following 9 criteria:

- “that it is essential for the operation of the holding or enterprise, for a worker or additional worker to be resident on that holding or enterprise and the need cannot be met in another way;*
- that no dwelling serving or closely connected with the holding or enterprise has recently been sold separately from the land, or otherwise alienated from the land;*
- wherever possible, the dwelling is located close to existing buildings, to meet the functional needs of the farm or*

enterprise;

- iv) the scale of the proposed dwelling is appropriate to the established functional requirement of the holding or enterprise;*
- v) where the application is for a permanent dwelling, the holding or enterprise has been established for at least three years, has been profitable for at least one of them, and can show evidence of a sound financial basis justifying the future need for the new dwelling;*
- vi) where the application is for a new permanent dwelling, there are no suitable buildings on or adjoining the holding or associated with the enterprise (within the control of the applicant) which are capable of being converted for the accommodation purposes;*
- vii) occupancy is limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependent; or in connection with the enterprise;*
- viii) the amenities of the surrounding areas are safeguarded and visual intrusion in the countryside is minimised; and*
- ix) adequate highway access, parking and utility services are provided, or will be provided."*

12.2 The applicant's agent has submitted a report justifying the proposed development. Reading Agricultural Consultants (RAC) has appraised this on behalf of the Council. The appraisal has been assessed by RAC who state:

Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions).

As noted above Col Davies (the applicant) has already invested in excess of £100,000 in the land and buildings at Lower Mount Farm and has built up a sizeable herd of breeding alpacas. I consider this to be ample evidence that she is intent upon developing the unit as outlined.

As far as ability is concerned, I was advised that Col Davies has been involved in alpaca rearing for the past five years and has been successful in her breeding programme to date. The fact that she has been appointed as agent for Australian breeders - holding imported stock prior to onward sale - also demonstrates an acknowledgement by her peers that she possesses an ability properly to manage the welfare of the animals. Based on the information provided with the application, and the depth of knowledge evidenced during the site visit, I am of the opinion that Col Davies does have the ability to develop the enterprise as outlined.

Functional need

This operation - the management and rearing of breeding alpacas - requires close attention to detail and sound supervision to ensure that the welfare of the stock is not compromised, and the enterprise operates efficiently. Considerable discussion was given to the potential for risk to these animals at parturition and it is noted that alpacas have a peculiar gestation insofar as there is no average gestation period: the quoted period is 270 days ± 30days. If assistance is to be required at parturition this would only be apparent if the

animal was observed to be in difficulty - as has already happened once at Lower Mount Farm. Living on site would mean the likelihood of spotting such a difficulty would be considerably higher, than if living off site. It is noted that in addition to her own alpacas Col Davies will also offer an “adgishment” service with others’ alpacas being grazed at the unit - including those close to parturition.

That alpacas can be at risk at parturition has been accepted by Planning Inspectors in the past and for one unit in the Cotswolds operating on a smaller scale than Lower Mount Farm the following was stated:

“from the evidence before me, I am satisfied that the current value of the animals together with the present understanding of the likelihood of difficulties during breeding - including mating, pregnancy and birth - mean that a presence is essential at all times when breeding is taking place. Given the evidence that there are frequently variations in the gestation period for alpacas I am also satisfied that this could not be adequately covered by the 28-day or the seasonal agricultural workers’ exemptions”.

At Monk’s Farm, Minterne Magna (also in West Dorset) a similar sized alpaca-rearing operation is being undertaken, and when an appeal for a residential unit at that farm was heard, the Inspector noted:

“It is accepted by the Council and its consultants that it is necessary for a residential presence on site to protect the welfare of the animals and their security and safety. Alpacas are valuable animals and it said that the loss of a single animal could undermine the business. Animal welfare is paramount to ensure that breeding females...fulfil their breeding potential...to be on hand for delivery of the crias [young alpacas]...besides these considerations an on-site presence is essential to prevent break-ins or other vandalism.”

I consider these comments apply equally to Lower Mount Farm.

Based on the evidence available I conclude that there is a functional need for staff to be readily available to manage the welfare of the stock on the unit. Provided there continues to be a consistent throughput of breeding and stud animals that functional need for the ready availability of staff will persist.

As far as the issue of security is concerned, PPS7 notes that such matters should be considered in conjunction with other factors. In this instance, there is already a strong argument in favour of the provision of a dwelling on this unit, and issues of security simply add to that balance of factors. However, there are issues of security - such as theft of stock or equipment - which could, quite clearly, compromise the welfare and safety of the animals, and which cannot be simply dismissed as irrelevant. If the manager of this unit were to live away from the site, the unit would be greatly at risk from intruders and theft and I consider such risks to be material considerations in this application.

Finally, these animals can be extremely valuable, by comparison to other farm stock, with a well-bred female being worth up to £10,000. Clearly, if one or more animals were to be stolen the financial impact on the enterprise could be significant.

The financial test - or evidence that the proposed enterprise has been planned on a sound financial basis.

The financial test in PPS7 for a temporary accommodation requires evidence

that the business has been planned on a sound financial basis which, at the very least, requires the submission of cash flow forecasts, or some test of potential profitability. The information submitted with this application includes, from the agent, some vague stock valuations over the next three years, which are almost unintelligible, but which purport to suggest that profits in excess of £500,000 could be generated in one year: however, the dearth of information provided renders such information meaningless.

However, there is also provided the "Outline Budget for Calculation of Financial Viability" attached to the University of Exeter report which, as usual for the University, makes reference to "data (published and unpublished) held by the University's Centre for Rural Research". This budget suggests that an operating margin of £46,000 ought to be possible by Year 3 and concludes that the farm business is financially viable and capable of being sustained.

Based on my own knowledge of the alpaca industry (and bearing in mind comments from Planning Inspectors at other alpaca appeals) I consider that, although the figures presented appear optimistic, Col Davies ought to be able to turn Lower Mount Farm into a viable unit within three years, provided the unit is developed broadly in accordance with the proposals she outlined during the site visit.

The suitability of other possible accommodation

Lower Mount Farm does not benefit from a residential property and was purchased as bare land - with an ex-MOD Nissan hut used for agricultural storage. The test of functional need has identified an essential need for someone to live on site to care for the animals and this need cannot properly be delivered from a dwelling in a nearby village.

- 12.3** Given the above information RAC conclude that the 'need' for the proposed development is justified.
- 12.4** With regards to other matters such as siting, design, access etc, these matters are now considered acceptable. As originally submitted the unit would have comprised a double garage, 3 bedrooms (all en suite), a lounge kitchen area a sun room and an orangery. It would also have measured 14.5m x 17.5m. Clearly such a large and elaborate temporary dwelling would have not have been justified by the enterprise taking place on this site. The amended size and design is now considered more commensurate with the enterprise and is now considered satisfactory. Its siting would be in a position where there is an existing barn – what appears to be a converted MoD structure set back from but parallel to the main road. Its design is also now considered appropriate to its location. PPS7 advice states that for the first 3 years a dwelling should be provided by a caravan, wooden structure which can be easily dismantled or other temporary accommodation and I am satisfied that what is proposed at the site complies with this advice given that the applicants agent states that the dwelling is a wooden sectional structure that can be prepared on site within 2-5days and can easily be dismantled in the same time frame.
- 12.5** Finally County Highways point out a problem with highway safety. This is because the existing vehicular access to the site direct from the main road comprises a gate at the edge of the carriageway so that vehicles have to stop on the road before opening the gate to gain access to the site. This is not a safe option given the speed and volumes of vehicles along this stretch of the

main Beaminster to Bridport road. They are requesting that the gates are set back 6m from the road. This can be dealt with by condition and in any event the applicant is content to carry out such alterations.

13. Summary

13.1 There appears to be a 'need' for the proposed development which has the support of the Council's consultants RAC who have appraised the merits of the scheme in relation to extant Government Guidance and Emerging Local Plan Policy.

13.2 The proposed development would not be visually prominent within the landscape it replacing an existing structure of a similar size and in a similar position.

13.3 Highway matters can be resolved by way of a condition.

14. Recommendation

14.1 Approval for a temporary period of 3 years only and to the following conditions

- i.** Removal of PD rights in respect of extensions and alterations
- ii.** Occupation limited to persons employed in the alpaca rearing business
- iii.** removal of the lodge at the end of the temporary 3 year period
- iv.** the setting back of the vehicular access gates in accordance with County Highways recommendations prior to the occupation of the dwelling.