

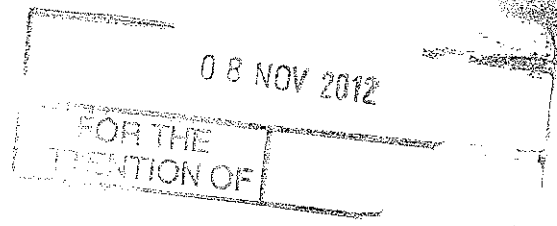


Director of Community Services
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
BB7 2RA

Tel (01772) 533895
Email nick.bower@lancashire.gov.uk
Your ref 11/12/0338
Our ref CPG/EST/INB/PA/3/10/8524/NS
Date: 7 November 2012

Dear Sir

**APPLICATION NUMBER 3/2012/0817
PARK STYLE, LEAGRAM, CHIPPING
GRID REFERENCE 631 453**



I refer to your consultation letter concerning the above planning application and have the following observations to make:

Introduction

A planning application has been submitted by Mr G Lowe for the retention of an agricultural worker's dwelling and proposed alterations. I undertook an inspection of the application site on 6 November whilst the applicant and his agent Janet Dixon were present. The information provided at the meeting together with the written submissions made in support of the application form the basis of this appraisal.

Background Information

Park Style comprises a former traditional farmstead consisting of a traditional stone dwelling, attached barn and small ancillary out buildings. This small complex of buildings ceased its identity as a property many years ago and the structures had fallen into varying degrees of disrepair/dilapidated conditions. The complex had been acquired by the applicant in 2008 as this had been included with his purchase of Higher Lickhurst Farm. I understand Park Style had been included in the title of Higher Lickhurst Farm for many years prior to the applicant's purchase and the buildings which could provide a functional use had been utilised for agricultural purposes and the applicant has been using these buildings for agricultural use albeit limited by their traditional design and generally poor structural condition.

I N Bower
Estates Surveyor
Property Group PO Box 26 •
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I was advised that the works to create the first floor residential area which is the subject of this application were completed by December 2011 and has been occupied by an employee of the applicant since its completion. This employee's duties are concerned with the agricultural operations undertaken at Higher Lickhurst Farm and game keeping duties associated with a 2600 acres shooting estate of which Higher Lickhurst Farm forms part of and which the applicant is senior member of three syndicates which operate the shoot

The application has been submitted as an agricultural worker's dwelling because the applicant feels that the farm duties this person undertakes would make him better placed by living on the farm.

Previous Planning Application

I note from our records that the Property Group were consulted upon a planning application submitted by Mr Lowe for the erection of an agricultural building at Higher Lickhurst Farm, application number 3/2009/546. The comments provided by Wayne Selway on behalf of the Property Group advised that the proposed building was justified for the purposes of agriculture on the unit. It was evident from the comments that the applicant, having only recently purchased the property, was intending to improve the agricultural facilities on the unit which it was evident which it is evident were not of modern design. Whilst this application was withdrawn I am aware an amended version for a similar building was re-submitted and this was granted planning permission. It was evident from my recent inspection that this building has been erected and is in agricultural use

I note from the written submission that there has been an earlier planning application relating to Park Style and earlier planning applications relating to Higher Lickhurst Farm but these did not involve the Property Group.

Agricultural Land

The applicant owns Higher Lickhurst Farm and this extends to 82 hectares (205 acres) of improved grassland. Adjoining this land are a further 60 hectares (150 acres) of shared grazing land of which the applicant has 75% use. This land is enclosed but is not of the same standard of improved grassland as the applicant's owned land. The applicant also has grazing rights on coastal marshland in Fylde and Wyre where he sends cattle for summering. I was advised that the applicant is in discussion over the acquisition of a further 48.5 hectares (120 acres) of rough grazing land located close to Higher Lickhurst Farm which if acquired would provide further grazing land to the applicant.

Enterprise

Higher Lickhurst Farm is operated as a combined cattle and sheep unit. The cattle side of the operation is in the process of change from rearing and sale of store cattle to the keeping of a suckler herd, and this change is intended to be completed by summer 2013 by which time the applicant intends to have a herd of 100 head of suckler cattle.

In order to facilitate the change the applicant has been purchasing Aberdeen Angus breeding cattle both in calf and cattle with calves at foot. The suckler herd will be managed as a spring calving herd with the intention of calving the cattle inside ie prior to turnout during April/May

The sheep kept are a breeding flock of 350 Lonk- ewes and a flock of 100 head half bred ewes (Lonk cross Texel). The ewes lamb from 1 April and whilst lambing has taken place outside it is intended to house the ewes during lambing

In addition to the agricultural operations the applicant is also a member of three syndicates which operate game shooting over 2,600 acres situated locally to Higher Lickhurst Farm. The shoot operates 16,000 birds keeping mostly pheasant and partridge. In addition, 500 duck are also kept. The majority of the birds are replaced annually as month olds during August when they are kept in pens up to September when they are released. During the shooting season the birds are managed such as feeding, pest/vermin control and maintaining habitat areas and I was advised that the employee who lives at Park Style is involved with all aspects of the day to day management of birds.

Buildings

Higher Lickhurst Farm is the centre of agricultural operations as the principle agricultural buildings are located there as well as the farm dwelling which has not been occupied for some time. The buildings at Park Style which are of a traditional design and construction as well as partly in a ruinous condition provide only a limited agricultural use although it was evident from my inspection that the ground floor area of the subject building is used in conjunction with the game keeping operations including kenneling, gun store and feed and medicines storage.

Labour

The applicant employs a stockman/farm manager to undertake the agricultural operations. A game keeper is also employed to manage the shoot although the costs associated with the shoot are met by the syndicates. There are two further employees who assist with the duties required by the agricultural operations and shoot and the time spent varies depending upon the season.

Accommodation

There is a dwelling at Higher Lickhurst Farm which is not occupied. I was advised there is a requirement to refurbish this dwelling although I understand that this dwelling may be sub-divided into two units as it is felt it is too large for a single dwelling.

The application dwelling is a first floor accommodation providing one bedroom, bathroom, sitting room and kitchen.

Assessment

The 2012 National Planning Policy Framework (NPPF) has replaced PPS7 and reference is made in paragraph 55 of the NPPF to dwellings in the countryside. In this paragraph a special circumstance where a dwelling would be permitted is where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. The paragraph also makes the point that development in rural areas needs to be sustainable. In addition to the above document I am also aware of those policies in the Borough Council's Adopted Local Plan which would be applicable to this application however I feel though that the NPPF will be most relevant to the comments which I intend to make:

It is evident from the written submissions in support of the application that the writer has made reference to the criteria in paragraph 3 of Annex A PPS7 as a means of assessing the agricultural justification for the retention of the dwelling which is subject to this application. I feel in the absence of any detailed criteria in the NPPF then the criteria contained in paragraph 3 of Annex A would provide an appropriate basis of assessing the agricultural justification. I feel it is relevant to make the point though that the employee who resides in the accommodation does not spend his full time undertaking agricultural work and I feel this will have a bearing upon the assessment of the need for an agricultural worker dwelling.

Paragraph 3 of Annex A sets out five tests/criteria to be met as part of the assessment of the agricultural justification and with reference to these I have the following comments to make:

1. Clearly established existing functional need

It was evident from my discussions with the applicant that it is considered a functional need will exist for a second person to reside on the unit when the changes to the cattle enterprise are complete. Clearly the fact that the enterprise is not established means that this factor has not been satisfied. I am of the opinion though even were the enterprise to be established I do not consider that a functional need does exist for two workers to reside on the unit. It is evident from the submissions made in support of the application that the employee's involvement in the game keeping duties also forms part of the justification for residing in the property. I do not consider

from my discussion that those aspects of the employee's involvement in the game keeping duties does contribute to the criteria of the functional need.

2. The needs relates to a full-time worker ...

The subject dwelling will be occupied by someone who works partly in agriculture and partly undertaking game keeping duties although these duties are not solely on behalf of the applicant as this relates to a syndicate-run shoot. Clearly a standard worded agricultural occupying condition would not be appropriate were permission to be granted for an agricultural worker's dwelling.

3. currently financially sound and have a clear prospect of remaining so

Financial accounts including annual trading accounts and balance sheets for 2009, 2010 and 2011 have been submitted but show substantial losses being made for each of these years. Clarification was sought during my discussion on this and the applicant explained why he felt these figures are not representative of the agricultural business's financial standing once the cattle enterprise is established. I feel it would be inappropriate to forecast future financial trading accounts years and as such I would advise that this condition has not been met

4. The functional need could not be fulfilled by another existing dwelling on the unit

Notwithstanding my comments above on the matter of functional need it is evident that there is an existing farm dwelling which is unoccupied and there is a proposal that this may be sub-divided.

5. Other planning requirements

Conclusion

I am of the opinion that the circumstances being made to justify retention of the dwelling do not exclusively relate to the need for an agricultural worker's dwelling and overall do not meet those criteria referred to in Annex A of PPS7. I also feel that the reasons provided do not satisfy the requirement referred to in the new NPPF which refers to "essential need for a rural worker". It is evident though that the occupier works both directly for the applicant on the farm and on the shooting estate both of which have been operative for a number of years. It is also evident that that part of the building not used for residential purposes does provide an operational use related to the occupant's employment.

Director of Community Services

7 November 2012

I would be obliged to receive a copy of your Decision Notice in due course.

Yours faithfully



Estates Surveyor
On behalf of the Assistant Director of Property

Graeme Thorpe

From: Bower, Nick [Nick.Bower@lancashire.gov.uk]
Sent: 07 November 2012 17:01
To: Graeme Thorpe
Subject: Park Style Chipping - application consultation
Attachments: Park Style.pdf

Graeme,

Please find attached my comments on application number 3/2012/0817.

If you have any queries do not hesitate to contact me. I mentioned an application I had dealt with earlier for a 2nd dwelling for a similar size agricultural enterprise and this was application at Watery Gate Farm dealt with by Sarah 04/369 and 04/1260.

Nick

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08/11/2012