



Mr Graeme Thorpe
Ribbles Valley Borough Council
Council Offices
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CLITHEROE
BB7 2RA

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Your ref
Our ref CPG/EST/WS/3/10/8583
Date: 11 March 2013

Dear Mr Thorpe

APPLICATION NUMBER 3/2012/1112
CLARKE HOUSE FARM, OLD HIVE LANE, CHIPPING
GRID REFERENCE SD 616 435

I refer to your consultation letter concerning the above application and have the following comments to make.

Introduction

A planning application has been submitted by Mrs Hannah Towers of Armitstead Barnett on behalf of Mrs Katherine Stott for the removal of an agricultural occupancy condition attached to the property Clarke House Farm. A site visit was made whilst the applicant, her son John Stott and their agent were present. The information provided at this meeting, together with the written submissions, forms the basis of this appraisal.

Background Information

Clarke House Farm has been occupied by the family since 1941, when it was initially rented. It was subsequently purchased, and the applicant and her husband took over the running of the farm, trading as P Stott, operating a dairy and sheep business. The applicant obtained planning consent for a second dwelling on the unit and John Stott moved into the new property, Meadow Hey in 2001. I note that Lancashire County Council Property Group commented on this application in 1997 (application number 3/97/0641/P) and I attach a copy of this report at Appendix 1. When consent was granted for this new property, a section 106 was also placed on the existing dwelling, limiting its occupation to an agricultural worker. John also became a partner in the business, and has continued to run the business with his mother. The applicant would now like to move house, hence the current application to remove the section 106 condition on this property.

Wayne Selway MRICS FAAV
Land Agent
Property Group • PO Box 26 •
County Hall • Preston • PR1 8RE

Agricultural Land and Enterprise

I understand the area of land occupied remains unchanged and consists of 100 acres (40 hectares) of owned land and 50 acres (20 hectares) of rented land.

I was told by John Stott that at the time of inspection there were a total of 120 head of cattle, including 70 dairy cows. There is also a flock of 100 breeding ewes.

In addition to the agricultural enterprise, John Stott runs a farm waste recycling business with his brother in law from the site. This involves collecting farm waste (in particular plastics) from other farms and collection centres, and returning it to Clarke House Farm, where it is sorted, baled and collected by another company.

Labour

The applicant is still a partner in the business with her role now relating primarily to clerical work. John Stott carries out most of the agricultural work, including milking and feeding. In addition, I was told that there are three part time workers who are mainly involved in the farm waste recycling but also help out with the agricultural work when required.

Marketing Campaign

The property, Clarke House Farm was placed on the market in August 2011, with an asking price of offers in the region of £415,00. Following an independent valuation, it was agreed that an asking price of £360,000 was more appropriate, taking into account a 30% reduction from unrestricted market value. As well as being advertised at the agent's offices and on the internet, the property has also been advertised in the local paper and also in the national paper, Farmers Guardian.

Despite the advertising campaign, I have been advised that there have been no viewings and any enquirers have not been able to comply with the occupancy condition.

Assessment

Paragraph 55 of the National Planning Policy Framework provides some guidance concerning the provision of housing in rural areas and refers to the provision of homes where there is an essential need for a rural worker.

Annex A of PPS 7 also provided guidance concerning the provision of agricultural workers dwellings and the removal of agricultural occupancy conditions and in my opinion remains relevant.

Mr Graeme Thorpe

11 March 2013

When considering the removal of such conditions, it is necessary to consider requirements for a dwelling on the unit itself, but also in the locality.

In respect of the requirement for a second dwelling on the unit, I note that the scale of the farming operations has in reality not changed since our earlier report dated 30 October 1997 (attached at Appendix 1), at which time it was considered that there was no requirement for an additional dwelling on the unit. I have no reason to alter this view, and the current application demonstrates that the additional dwelling, Meadow Hey, was in essence not essential.

When considering the requirements for a dwelling in the area, this is typically carried out by a marketing exercise. In this case, I have been told that the applicant is genuinely eager to sell the property in order to relocate and the property has been marketed for in excess of 12 months. During this period of time, the property has been advertised at an agreed price in both the local newspaper and the Farming Press, a For Sale board has been erected, and a questionnaire has also been sent out. In general, I consider the marketing campaign to be acceptable.

Summary

Taking all the above into account, I am of the view that the applicant has demonstrated that there is no requirement for the dwelling on the unit and that there is no requirement for the property subject to the agricultural occupancy condition (by section 106) in the area.

I look forward to receiving a copy of your Decision Notice in due course.

Yours sincerely



Wayne Selway MRICS FAAV
Land Agent

Appendix 1

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

Please ask for
Telephone
Your ref
Our ref
Date

I N Bower
(01772) 263895
CONCE/3/97/0641/AW
LCPC/LA/INB/PA/3/10/4575/EVJ
30 October 1997

Dear Sir

APPLICATION NUMBER 3/97/641
CLARK HOUSE FARM, OLD HIVE, CHIPPING, PRESTON
GRID REFERENCE 616 435

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

Proposal

The applicant Mr Stott is applying for outline planning permission to erect an agricultural workers dwelling.

Background Information

Clark House Farm is owned by Mr Stott and the farm operations are undertaken by himself and his son, John. I understand John currently lives with his parents and sister in the farm house but would like his own accommodation particularly as he has plans to marry in the near future. He feels that as he is working full time on the farm that he needs to be on hand in particular at times of calving and lambing.

Previous Application

I note from my records I have previously reported on a planning application submitted by Mr Stott's father application number 3/82/IO4. This application was an outline application to erect a bungalow at Clark House Farm to provide accommodation for his father who was proposing to retire from farming. At the time of the application Mr P Stott (the present applicant) lived in farm house with his wife and family, his father was the tenant of a nearby farm; "Chipping Lawn" which he was in the process of surrendering, as his other son was going to take on the tenancy. At that time there were effectively two dwellings associated with Clark House Farm the farm house and the dwelling at Spring House Farm where Mr Stott's (senior) other son was living. This dwelling was going to become vacant as the son was taking on the tenancy at Chipping Lawn but Mr Stott (senior) felt the dwelling was too large for his requirements. I considered that as there were already two dwellings associated with farm that a third could not be justified. I note planning permission was refused.

I was informed at my recent meeting with Mr Stott that the farm house and buildings at Spring House Farm were sold during the 1980's leaving the farm house at Clark House Farm as the sole residence on the unit.

continued

I was also informed that Mr Stott submitted a planning application during the late 1980's to change to use of the agricultural barn situated adjacent to the farm house on the south side of the road, in to a camping barn. Planning permission was approved for the change of use and noted that the camping barn is being utilised.

Agricultural Land

Clark House Farm extends to approximately 40 hectares (100 acres) and is owned by the applicant. The land is classified as Grade 4 on the MAFF Land Classification Map and is all down to grass and is utilised for mowing and grazing purposes. The farm is dissected by the highway road. In addition to the owned land Mr Stott also rents 20 hectares (50 acres) on annual and renewable grazing agreements. This land is divided, there are approximately 16 acres on the outskirts of Chipping village and 35 acres farming part of the Woolfen Hall Estate. I was informed the Woolfen Hall Estate land is currently being advertised for sale and therefore the continued use of this land is not certain.

Agricultural Enterprise

Mr Stott operates a dairy and sheep enterprise on the holding comprising of:

- 1 A dairy herd of approximately 70 dairy cows rearing all the dairy replacements. There are currently 50 dairy young stock of varying ages ranging from new calves up to springing heifers at approximately two years of age. The cows are calved in two batches: approximately 20 during June/July and the rest during September through to January. I was informed Mr Stott has a wholesale milk quota of 342,000 litres.
- 2 A commercial ewe flock of 60 ewes which are lambed from the end of March through in to April. The lambs produced are reared for fat lamb production.

Agricultural Buildings

The farm is severed into two by the highway, the farm buildings have been built on the north side of the road and the house and camping barn on the south.

There are a range of buildings on the unit comprising of the following:

- 1 A stone built barn with flag roof providing a 5/10 herring bone milking parlour, under cover cow collecting yard and loose box, with loft over part of the area.
- 2 A steel portal frame building with lean to providing an undercover grass silo and cubicle accommodation for 42 cows.
- 3 A dual span steel portal frame building providing two sets of cubicles one to house 23 cattle the other 29 dairy young stock. There is also a group housing area for calves.
- 4 A six bay mono pitched roof steel frame building adjoining the steel portal frame building. The building has a box profile tin sheeted roof and a combined concrete block and tin sheeted sides.

Labour

The farm operations are run by Mr P Stott and his son John. I was informed that Mr P Stott is also employed as a National Farmers Union representative. I understand the main of the daily farm work is undertaken by John although I was informed that unless Mr Stott is away on business the milking of the cows is shared.

30 October 1997

Proposed Bungalow

It is proposed to site the bungalow on the south side of the highway on an area of land to the rear of the camping barn. The area is currently a grassed area and is boarded on two sides by the field access road.

Assessment

The basis of my assessment has reference to Annex 1 of PPG 7 (revised) The Countryside - Environmental Quality and Economic and Social Development. I have referred earlier that the main reason put forward by Mr Stott for the dwelling is that he requires his son to be on hand particularly at times when the cows are calving and sheep are lambing.

I refer to paragraph 5 of Annex 1 which lists five points to be considered when assessing applications for new permanent dwellings as follows:-

- a) there is a clearly established *existing* functional need.
- b) the need relates to a *full-time* worker...
- c) the unit and the agricultural activity concerned have been established for at least three years ...
- d) the functional need could not be fulfilled by another dwelling on the unit, or by any other existing accommodation in the area which is suitable and available by the workers concerned.
- e) other normal planning requirements, for example siting and access are satisfied.

It is evident that as the application holding is already an established working farm unit that some of the above points will apply. I feel as this is an application for a second dwelling that the main test is to assess whether there is a functional need for a second worker to live on site. I am aware that the nature and scale of the farm operations have not changed since the earlier application in 1982. At that time whilst there were two dwellings associated with the farm unit ie Clark House Farm and Spring House Farm, Mr Stott's brother who lived at Spring House Farm was not associated with the workings at Clark House Farm. This demonstrates that there was not a need for a second person to live on the holding. I am of the opinion that the scale of the farm operations do not demonstrate a functional need for a second person to have to live on the unit. I recognise that as John is fully employed on the farm that it would be an advantage for him to be on hand for such occasions as calving and lambing but I am aware Mr P Stott who is not always on hand for the daily operations still wishes to live in the farm house with his wife and daughter.

I asked the applicant if he had considered any properties for sale in Chipping village particularly as the farm is sited close to the fringe of the village. I was informed that such an option would not be possible in view of the high value of properties in the village. I took the opportunity to enquire concerning the details of two village properties for sale located approximately half a mile from the farm. Both properties were three bedroom dwellings and each are being advertised at cf50,000. I consider that had a functional need been demonstrated that as the farm is sited close to the village that I would not have been able to overlook the suitability of these two properties.

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

Yours faithfully


Land Agency Manager
on behalf of the General Manager

