



TO: Planning Committee South

BY: Head of Development

DATE: 21st April 2020

DEVELOPMENT: Erection of an agricultural workers dwelling.

SITE: Ryecroft Nursery Fryern Road Storrington West Sussex

WARD: Storrington and Washington

APPLICATION: DC/18/2402

APPLICANT: **Name:** Mr P Godsmark **Address:** c/o Agent Storrington RH20 4BJ

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To refuse planning permission

This application was deferred from the January 21st Committee Meeting to allow the applicant time to submit more supporting information on their business case.

1. THE PURPOSE OF THIS REPORT

1.1 The purpose of this report is to update Members on new information that has been submitted and considered by officers since the deferral of this application at the January 21st Committee meeting. The applicants have provided a new financial report (income and expenditure figures and projections from 2017 to 2021), and letters from the applicant's son and daughter, detailing the intended succession of the business (March 2020). The original committee report for the January 21st meeting is appended to this report and forms part of the overall planning assessment.

Background

1.2 The proposal seeks to erect a detached chalet-style dwelling on the south eastern corner of Ryecroft Nursery to provide a rural workers dwelling for the nursery owner and family.

1.3 The applicants currently reside some 1.5km away in Storrington, and state that the growing dahlias is hard, physical work. Every October, before the cold and damp set in, over 8000 tubers are dug up by hand, cleaned, and labelled before being stored in dry boxes under cover. For security over the winter, many of the tubers are transported to a storage area at their current home.

- 1.4 The applicants state that living on site would provide security against theft of hens and turkeys, dahlia plants and equipment that contribute to their livelihood. The applicant is the last breeder of dahlia's in Britain, so living on site would enable the continuation of breeding and growing new varieties, whilst providing safety and well-being of the livestock in order to provide an on-going livelihood.
- 1.5 The nursery primarily centres around the breeding, cultivation and growing of Dahlias, including the production of new varieties. In addition, the nursery also runs a small farm shop where fresh produce grown on the site is sold in an on-site farm shop. The trading hours do not appear to be formally advertised and the business website does not appear to have been updated since 2015. There is no quantitative assessment on the 'food production' element of the business. It is understood that living on-site would allow the farm shop to increase its opening hours.
- 1.6 The site includes outdoor growing areas amounting to around 1.4ha, with a small area of land used for the outdoor chicken pens. Fresh eggs are also sold on site, laid by the hens. The business has also raised turkey pullets for the Christmas (meat) market, although, having suffered a theft of the entire flock some years ago, it is understood that there have been no more turkeys raised on the site since. It is also understood that the applicant would re-stock once an on-site dwelling is established.
- 1.7 An existing glasshouse on the site (DC/07/1210) amounts to some 55sq.m of potential growing space, but appears to be used for storage, whilst the polytunnel on site amounts to around 232sq.m of growing space, and is used to house the poultry and crates of overwintering dahlia tubers. An additional smaller glasshouse also appears to be used for general storage, rather than flower production.
- 1.8 The Council's Agricultural Consultant has advised that the use of the polytunnels for the housing of the poultry does not appear to be suitable or appropriate for laying hens. There appears to be no provision for suitable permanent poultry housing on the site. Reference to the rearing of rare breeds is noted in the additional information provided, but not further quantified, or clarified if these are sold as point-of-lay hens.
- 1.9 Permission was granted in 2009 for a much larger polytunnel, amounting to some 444sq.m, (DC/09/1281) has not been implemented.

2. OUTCOME OF CONSULTATIONS

- 2.1 **Agricultural Consultant: Objection**
The Council's Agricultural Consultant visited the site on 7 February 2020 with the case officer, but the applicant and their agent were not in attendance. We viewed the land, polytunnel, glasshouses and small sheds and saw a small number of poultry housed in the end of the polytunnel.
- 2.2 A further supplementary document produced by Sussex Rural Planning Ltd (undated) was submitted to the Council on 13 March 2020. This document includes letters from the applicant's son and daughter detailing their intended succession of the business, and income and expenditure figures and projections for 2017 to 2021 along with notes from the Accountant. These appear to include forecasts for the previous year's 2017/18, 2018/19 and the part year 2019/20 rather than actual accounts.
- 2.3 It is noted that the applicant's children intend to run the business, however no details of when this is planned to happen and whether this will mean the applicant will retire. It is also unknown where they live in relation to the site or their experience in growing and breeding dahlias.

- 2.4 The applicant has a small number of chickens which were viewed on the site visit. The number is unknown but they were housed in the far end of the polytunnel which RAC would consider is not suitable and appropriate housing for poultry, in particular laying hens. It is unknown what experience the applicant's son and daughter have in the production and management of poultry. In addition, there does not appear to be any consideration made by the applicant for suitable poultry housing for both the chickens and the turkeys.
- 2.5 Whilst it may have been the quiet season when I visited the site, the land and buildings had a rundown appearance and the glasshouses were in use for storage rather than flower production. The larger polytunnel which was granted permission in 2009 (DC/09/1281) has not been erected, therefore the permission has lapsed. This reduces the covered area by 460m² and means with the existing buildings there is now only 293m² of covered growing space, some of which was housing the chickens. In addition there did not appear to be any automatic systems (heating or water) installed in the buildings.
- 2.6 The Accountant has provided costings, however the applicant has never provided detailed breakdowns of the past accounts, only summaries of the past income and expenses which were shown to decrease from 2010/11 to 2011/12 and no further accounts until 2016/17. The Accountant notes that the applicant's enterprise is a small business with most sales and purchases paid in cash, and RAC accepts that some business are cash orientated, however, RAC would still expect to see reconciliation of these cash sales and purchases in financial accounts and/or book keeping records.
- 2.7 RAC accepts that the business has been operating for a number of years however the applicant has not been able to demonstrate its viability and sustainability being maintained over the last 10 years. As such, if the Council is minded to approve this application RAC considers a temporary dwelling may be more appropriate for a three year period.
- 2.8 If the Council were minded to approve the planning application for a temporary rural worker's dwelling then the applicant's business plan would be thoroughly tested over the next three years. However, the applicant needs to be aware that if approval were to be granted for a temporary dwelling, then full financial information would be required and this would be fully scrutinised at the end of the three year period where an application for a permanent residency for a rural worker is submitted. The business will have to have demonstrated that it is profitable, financially viable and sustainable.
- 2.9 In the event that at the end of the three year time period, the applicant's business was not proven to be viable, the Council will have the authority to have the temporary dwelling removed and the land restored to its original condition.

3. PLANNING ASSESSMENTS

- 3.1 Policy 20 of the HDPF is most relevant to this application and states:
"Outside the defined built-up area new housing for rural workers will be supported provided that;
- a) There is a functional need for the dwelling and the occupation of the dwelling is to support the established business use, and
 - b) Evidence is submitted to demonstrate the viability of the rural business for which the housing is required."
- 3.2 The applicant's additional submissions seek to address part b) of this policy.
- 3.3 The Council's Agricultural Consultant has reviewed the additional information that was received in March 2020 and notes that the applicant's children intend to take over the business, although no indication is given on when this is planned to happen and whether this means the applicant will retire. It is also unknown where they live in relation to the site or

their experience in growing and breeding dahlias, nor in the production or management of the poultry business.

- 3.4 The applicant's Accountant has provided additional costings, however the applicant has never been able to provide detailed breakdowns of the past accounts, only summaries of the past income and expenses which were shown to decrease from 2010/11 to 2011/12, and no further accounts until 2016/17. This is insufficient to be able to demonstrate with confidence that the business is sufficiently viable to support an agricultural workers dwelling.
- 3.5 Furthermore, the applicant's Accountant notes that the applicant's enterprise is a small business with most sales and purchases paid in cash (March 2020). Whilst it is acknowledged that some businesses are cash orientated, the reconciliation of these cash sales and purchases in financial accounts and/or book keeping records would still be expected to be demonstrated.
- 3.6 The additional information to support the applicant's business case provided since the deferral of this item at the January 21st committee meeting still does not demonstrate the business viability and sustainability being maintained over the last 10 years. The proposal therefore remains contrary to part b) of Policy 20.
- 3.7 In respect of part a) of Policy 20, which requires there to be a functional need for a dwelling on the site, the previous consideration of officers in consultation with the Council's Agricultural Consultant is set out at paragraphs 6.7 to 6.13 of the original committee report appended to this addendum. In summary, it remains that there is insufficient justification for a dwelling in terms of the associated animal welfare needs, as the amount of poultry on the site does not generate the need for full-time on-site staff presence. Furthermore, the area of protected cropping is less than previously assumed (some 293sq.m), with much of this used for storage or to house the poultry. Therefore, there is no essential need for a worker to be on site to deal with any emergencies that may arise in relation to sowing, growing, and caring of plants, which, due to weather conditions, require manual heating, watering and operation of ventilation systems. There is no essential need associated with outdoor crops.
- 3.8 It is therefore the view of the Council's Agricultural Consultant and officers that there is no functional need for a full-time employee to permanently reside on the site. Accordingly the proposal remains in conflict with both tests of Policy 20.

4 CONCLUSION

- 2.1 HDPF Policy 20 provides support for new rural workers accommodation, outside the built-up area, provided there is a functional need for the dwelling and the occupation thereof would be in support of an established business, and provided that evidence is submitted which demonstrates the viability of the rural business for which the housing is required. In addition, the rural business activity should have been established for at least three years and have been profitable for at least one of them, along with being financially sound and having a clear prospect of remaining so.
- 2.2 For new enterprises, it may be possible to apply for a temporary 3-year consent for a rural workers dwelling, mostly by way of a mobile home, which allows the business to establish itself and be able to demonstrate financial viability at the end of the period, after which permanent consent can be sought.
- 2.3 In this instance however, the proposal seeks a permanent dwelling, with the business having been operating from the last 10 years from the site.
- 2.4 However, despite the length of time the business has been operating from the site, it is considered that the rural business is not currently financially viable or sustainable now or in

the long term to support a permanent dwelling on the site, whilst there is no functional need for such a dwelling given the nature and scale of the business. Following assessment of the recently submitted information (March 2020), it is still not considered that the proposal would meet the criteria of Policies 20 and 26 of the HDPF.

2.5 The Council's Agricultural Consultant has suggested that a temporary 3 year consent could be considered appropriate to enable detailed accounts to be prepared, however the applicant is not proposing that the building be temporary. The application is for a permanent brick and tile structure rather than a temporary structure such as a caravan. As such, it is not considered reasonable to impose a temporary 3-year duration on the construction of a permanent dwelling, for this to be assessed in 3 years time, and then potentially seek its removal if the business cannot provide the required viability. Additionally, given that the advice of the Council's Agricultural Consultant is that there is not a functional need for a full-time employee on the site, it is not the case that a temporary consent would necessarily satisfy Policy 20a) in any case.

2.6 The application is accordingly recommended for refusal.

3. RECOMMENDATION

3.1 It is recommended that the application is Refused for the following reason

1. It has not been demonstrated to the satisfaction of the Local Planning Authority that a permanent agricultural workers dwelling on the site is financially viable or functionally required, and in this respect the proposed dwelling represents housing development in the open countryside, contrary to Policies 1, 2, 20, 26 and 40 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework 2019.

Background Papers: DC/18/2402