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Your Ref: DC/24/0845
Our Ref: 10460-sp-1

01 July 2024

For the attention of Shazia Penne
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Ms Penne,

Site: **Chantry Farm, West Chiltington Lane, Conyhurst, West Sussex, RH14 9DY.**
Application: **DC/24/0845**
Proposal: **Variation of condition 2 of previously approved application reference DC/13/0698 (Replace mobile home with permanent dwelling for agricultural worker) occupational condition to be amended to include Equestrian occupiers. dwelling.**

Thank you for the Council's letter dated 17 June 2024 requesting Reading Agricultural Consultants Ltd (RAC) comments on the above planning application.

This desk-top appraisal has been produced by Alan Bloor an Associate of RAC and a Fellow of the British Institute of Agricultural Consultants.

In preparing this response I have had regard to:

- the application form and associated plans;
- a Planning Statement (dated 21 May 2024) produced by White & Sons, the applicant's agent;
- Sales particulars for Chantry Farm produced by H J Burt, Chartered Surveyors, Estate Agents; and
- previous permitted planning application DC/13/0698 – *'Replace mobile home with permanent dwelling for agricultural worker'.*

I have not visited the site or discussed the application with the applicant or the agent.

Condition 2 of approved application DC/13/0698 states:

> *"The occupation of the dwelling shall be limited to a person solely or mainly working or last working in the locality in agriculture as defined in Section 336 (1) of the Town and Country Planning Act, or in forestry, or a widow or widower of such a person and to any resident dependants.*

Reason: The site lies in an area where, in accordance with policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted".

The Planning Statement proposes the following amended condition:

"The occupation of the dwelling hereby permitted shall be limited to a person or persons solely or mainly working in agriculture/equestrian activities in the locality, or a widow or widower of such a person and to any resident dependents".

Background

1. The Planning Statement (PS) notes that Mr and Mrs Taylor, the applicants, have farmed at Chantry Farm since 1998 and had a successful outdoor rare breed pig enterprise specialising in high welfare fresh pork, bacon, sausages in addition to cured meats and charcuterie products.

2. The PS details that these products were marketed directly to customers through the internet and social media.

3. The PS notes that the applicants sold the pigs in 2021/22 due to their own serious health problems and not being able to look after the pig herd.

4. The farmhouse and 17 acres were put on the market through H J Burt in June 2022, however, to date the PS has stated that no buyer has been found. It further details that the property, land holding, and agricultural outbuilding was marketed at £1.4 million which did reflect a 30% reduction for the Occupancy Condition.

5. The PS notes that much of the Coneyhurst area and many of the farms within the locality and surrounding West Chiltington Lane now have some equestrian use.

6. It is of note that as part of total land holding at Chantry Farm a small separate barn with 2 acres of land and adjacent to the main farmhouse at the application site was granted planning permission for conversion to residential use in 2019 (DC/19/0692). No occupancy condition was attached to this residential dwelling. This site has been marketed in conjunction and separate to the main house and holding.

Proposal

7. The applicant's proposal is to vary condition 2 of DC/13/0698 to include equestrian use.

Relevant Planning Policies

8. National planning policy guidance for development in the countryside is set out in the National Planning Policy Framework (NPPF) updated in December 2023.

9. Paragraph 11 of the NPPF sets out the core land-use planning principles that should be adopted and these expressly include:

    - A presumption in favour of sustainable development;
    - Positively seek opportunities to meet the development needs of the area and be sufficiently flexible to adapt to rapid change;
    - Provide for objectively assessed needs for housing and other uses;
    - Approving development proposals that accord with an up-to-date development plan without delay; and,
    - Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission.

10. Paragraph 38 requires that decision makers:
    - should approach decisions on proposed development in a positive and creative way;
    - work proactively with applicants to secure developments that will improve the economic; social and environmental conditions of the area;
    - seek to approve applications for sustainable development where possible.
11. Paragraph 82 et seq deals with housing in the countryside and notes;

    "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs…

    To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services…".
12. However, paragraph 84 maintains the presumption against isolated new dwellings in the countryside unless they are essential, noting:

    "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

    a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside…"
13. New Planning Practice Guidance titled 'Housing Needs of Different Groups' (July 2019) provides some guidance relevant to paragraph 84 of the NPPF in the section '*How can the need for isolated homes in the countryside for essential rural workers be assessed'?*
14. These include:
    - *Evidence of the necessity for a rural worker to live at or in close proximity to their place of work to ensure the effective operation of agricultural, forestry or similar land-based rural enterprise (for instance where farm animals or agricultural processes require on-site attendance 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
    - *The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
    - *Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
15. It further notes that: *"Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings".*
16. Section 6 of the NPPF is concerned with '*Building a strong, competitive economy*' and at paragraph 85 it notes:
    "planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt…"
17. At paragraph 88 '*Supporting a prosperous rural economy*' it notes:
    "Planning policies and decisions should enable:

    a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

    b) The development and diversification of agricultural and other land-based businesses;…"
18. Policy 10 of the Horsham District Planning Framework looks at rural economic development and states:

"Sustainable rural economic development and enterprise within the district will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities.

In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must:

1. *contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of the countryside; and either*
    a. *be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or*
    b. *result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first."*

19. Policy 20 considers rural workers' accommodation and states that:

    "Outside the defined built-up area new housing for rural workers will be supported provided that:

    1. *there is a functional need for the dwelling and the occupation of the dwelling is to support the established business use.*
    2. *evidence is submitted to demonstrate the viability of the rural business for which the housing is required."*

20. Policy 26 of the Horsham District Planning Framework (excluding South Downs National Park) deals with countryside protection and enhancement and states:

    "Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

    1. *support the needs of agriculture or forestry;*
    2. *enable the extraction of minerals or the disposal of waste;*
    3. *provide for quiet informal recreational use; or,*
    4. *enable the sustainable development of rural areas.*

    In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including:

    1. *the development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;*
    2. *the pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and*
    3. *the landform of the area."*

21. There is no specific policy within the Local Plan for the removal of Agricultural Occupancy or Rural Workers Conditions.

Appraisal

22. This application does not seek the removal of the agricultural occupancy condition but seeks to broaden that occupancy condition to permit its use as a residential dwelling for an equestrian worker(s).

23. RAC would accept that in general terms equestrian workers would fall within the definition of rural workers where there is a justified essential need for such a rural worker to live on site in line with national and local plan policy.

24. The PS has provided details of the marketing of the property by H J Burt as a whole or in lots and that no buyers have come forward in the past two years.

25. It details that H J Burt have had some 15 viewings of the property over the last two years but with no viewing that could meet the existing occupancy condition relating to an agricultural worker. It did note however, that there were six viewings who had an equestrian interest.

26. RAC would accept that many farming establishments are looking at some form of farm diversification schemes with the development of equestrian activities, in particular livery and use of grazing paddocks for horses being one.

27. RAC would further note that it has appraised a number of planning applications for rural worker's dwellings relating to equine/equestrian enterprises in the Horsham district.

28. The PS notes that the marketing of Chantry Farm has a 30% reduction in the guide price to reflect the agricultural occupancy condition.

29. The proposal to amend the occupancy condition to permit an equestrian use at Chantry Farm will in RAC's view increase the possibility of its sale to a potential equestrian buyer who can meet that occupancy condition.

30. Overall, RAC accepts that the proposal would be compliant with national and local plan policy.

I trust these comments are helpful in your deliberations.

Yours sincerely,



Alan Bloor