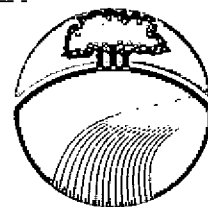


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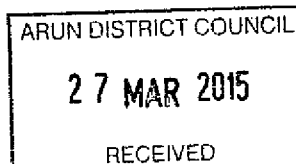
Our Ref: 6656/AG1
Your Ref: FG/26/15/OUT

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25th March 2015

For the attention of Mrs A Gardner

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF



Dear Mrs Gardner

Application No: FG/26/15/OUT

Proposals: Outline application with all matters reserved for the erection of 1 No. four bedroom [equestrian] dwelling

Location: Eastlands, Littlehampton Road, Ferring, BN12 6PB

Thank you for your instructions dated 27 February requesting comments on the above application. Your specific instructions are:

"Whether the size of the business and nature of the use is adequate justification for residential accommodation for the foaling unit on the site

Whether there is an unmet demand in the locality for an equestrian dwelling of this size

Whether the need for a dwelling could reasonably be met by early warning units or a dwelling in the village of Ferring"

In order to gain the necessary information, I attended a site visit on 9 March 2015 when I met the applicant, Mr Chris Ellis and viewed the land, buildings and horses and discussed the existing enterprise in operation on the application holding. We also discussed a previous enterprise which had operated from the adjoining Hangleton Farm and which had been owned and operated by Mr Ellis for more than thirty years prior to being sold in January 2014.

In preparing this response I have had regard to:

- the Planning Statement prepared by Speer Dade Planning Consultants, dated 9 February 2015;*
- financial accounts for years ending 31 March 2009, 2010 and 2011 prepared by Spofforths LLP;*
- financial accounts for years ending 31 March 2012, 2013 and 2014 prepared by Carpenter Box LLP;*
- a letter from Charlie Eve of Carpenter Box LLP to Mr Speer (the applicant's agent) dated 25 March 2015;*
- a Statement in relation to Eastlands Equestrian Enterprise prepared by the applicant; and*



ARUN DISTRICT COUNCIL FG/26/15/OUT

Reading Agricultural Consultants Ltd
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- *historic planning details.*

Background

1. The land at Eastlands extends to some 12.14ha (30 acres) and has been owned by the applicant since 2006 when it was purchased to support the existing equestrian enterprise at Hangleton Farm.
2. In 2009, the applicant secured planning permission at Eastlands (application FG/84/09 – with subsequent amendments FG/43/11, FG/45/11/NMA and FG/21/12 approved in April 2011, June 2011 and April 2012) for a foaling unit to be operated in conjunction with the existing equestrian enterprise at Hangleton Farm. At that time, Mr Ellis lived in one of the dwellings at Hangleton Farm and the welfare of the foaling mares and stabled horses was to have been met from that dwelling with support from workers working an eight-hour shift pattern, day and night.
3. A restriction was imposed as part of the 2009 permission (FG/84/09 and subsequently FG/21/12) which stated:

"At no time shall a caravan or mobile home be sited on the land."
4. Mr Ellis advised that the construction of the foaling-unit (to be referred to as the stable building in this report) started in March 2014 and the first horses arrived to use the facility in January 2015.
5. The applicant intends to continue with a livery enterprise on the holding with most of the horses being competition horses. He also intends to develop a foaling-down service on the holding. It is proposed that, at any one time, there will be sixteen horses at full-livery and four at part-livery though at present there are only fourteen horses at livery on the holding with an anticipated four mares coming to foal on the holding in 2015.
6. There are a number of buildings on the holding comprising:
 - the stable building has been built to a high standard and incorporates twenty stables (all incorporating sealed, cushioned floors, auto drinkers, hay feeders and a tack locker); two wash bays (incorporating solariums); kitchens and tack rooms; toilet; second tackroom; second kitchen; two changing rooms, storage facilities and a spiral staircase with access to;
 - a first floor at the western end of the building which incorporates a lounge with balcony over-looking the manège (I was unable to access this area at the site visit); and,

there is also a first floor at the eastern end of the building which provides additional storage facilities;
 - a mobile home which was moved to the site in December 2013 and has been occupied by Mr and Mrs Ellis since January 2014; and
 - two car ports and a gazebo structure which were constructed in 2014 though I am unaware of any planning permission for this development as an application for two car ports and a gazebo was submitted in 2014 (FG/110/14/PL) but was refused permission in October 2014.
7. I note that, from the plans on the Council website, it would appear that the first floor 'living accommodation' was not included in the original application. There is also a substantial amount of hardstanding to the south of the building and it is not clear that this formed part of the proposed development.
8. There is also a manège (55m x 48m) sited to the west of the stable building though I have been unable to identify a planning permission for this element of the development.

9. The applicant secured permission in 2010 under application FG/104/10 for 'the siting of a temporary security guard caravan and storage container to enable building work to be carried out'. Condition 1 of that permission stated that 'the development hereby permitted shall be begun before the expiration of 3 years from the date of this permission'.
10. I understand that this permission expired prior to commencement of the works on the foaling unit and a further planning application was submitted (FG/41/14/PL) for 'Removal of Condition 6 imposed under FG/21/12 relating to a caravan or mobile home on the land' and planning permission was granted on 31 July 2014. Condition 1 of that permission stated:
- "The mobile home hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, within 1 month of the foaling unit, granted permission under FG/21/12, becoming commercially active."*
11. The foaling-unit [stable building] became commercially active in January 2015 and therefore the retention of the mobile home is now unauthorised.

Hangleton Farm Equestrian Centre

12. Mr Ellis has operated an equestrian enterprise from Hangleton Farm for more than thirty years. The facilities included 150 stables and four outdoor schools and the equestrian activity generated the need for six full-time staff (including Mr Ellis) and six part-time staff. There were two dwellings on the holding and both were occupied by workers – one of which was occupied by Mr Ellis.
13. Mr Ellis advised that he got into financial difficulty in 2008/2009 and was forced to sell the holding.
14. Hangleton Farm was initially offered for sale in 2009/2010 for £1,600,000 but did not attract a buyer. Subsequently, it was offered for sale in two Lots with each lot having one dwelling, two outdoor schools, a number of stables and land. The Lots were each offered for approximately £850,000.
15. Mr Ellis advised that the property was on the market for four years before it was sold in January 2014.

Proposals

16. This outline application proposes the erection of a a four-bedroom rural worker's dwelling which would be occupied by Mr and Mrs Ellis. The dwelling would be sited to the south of the stable building.

Relevant Planning Policy

17. There are no saved policies that deal with rural workers' dwellings in the Arun District Local Plan.
18. Paragraph 28 of the National Planning Policy Framework (the NPPF) states:
- "Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*
- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*
 - *promote the development and diversification of agricultural and other land-based rural businesses;"*
19. In respect of new housing in the countryside, NPPF paragraph 55 advises:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities....Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside"*

Appraisal

20. It is accepted that, whilst PPS7 is no longer extant, Annex A can provide a useful structure for assessing the essential - permanent - need for a rural worker to live on site.

21. Usually, this would relate to the financial viability and functional requirements of the holding. Paragraph 5 of PPS7, Annex A stated:

"In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need."

22. In this instance I consider there are a number of concerns, namely:

- I was advised that the applicant was required to sell the farm; however no corroborative documentary information has been provided (although requested) to support this contention. The letter from the accountant makes general comments on this point but no specific references. Furthermore, Carpenter Box LLP was not the accountant responsible for the preparation of the accounts in 2009, at the time of the apparent bank foreclosure;
- the accounts provided do not show any substantial borrowing in place; creditors (falling due within one year) are shown in the 2009 accounts as £110,695 (which includes a bank overdraft of £85,057);
- I am not persuaded that there was not scope to sell only part of the unit. Mr Ellis advised that his borrowings amounted to £750,000. Thus, it would seem evident that if only one of the Lots had been sold (with each Lot selling for approximately £850,000), the applicant would have been in a position to clear all borrowings and retain a dwelling and all other facilities required to operate an equestrian enterprise;
- it would appear that there was also scope to sell the application holding, Eastlands, if further funds were required to modernise and develop the retained facilities; and
- the supporting documentation submitted in support of the 2009 application (Tab 11 of the Design and Access Statement) states that the applicant had secured a £300,000 loan from his existing lender to finance the development and this is not consistent with the arguments now advanced by the applicant.

23. In light of the above, it is clear that the applicant chose voluntarily to sell all the facilities at Hangleton Farm Equestrian Centre, including two dwelling houses, knowing that there would be a shortage of residential accommodation at Eastlands Farm. I consider, therefore, that the applicant has failed to demonstrate the need for the dwelling.

24. In the event that this is not agreed I provide an assessment of need and sustainability below.

Essential Need

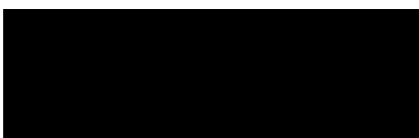
25. In order to ascertain the functional needs of the holding it is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice.
26. The foaling unit was permitted in 2009 and the essential needs of the stabled horses were to be met by workers living at Hangleton Farm Equestrian Centre and with a staff rota. No specific details of the proposed equestrian activity were provided but information in the Design and Access Statement stated that there would be a requirement for three full-time workers and two part-time staff; which is broadly consistent with current staffing levels.
27. However, no information has been provided to demonstrate why the essential needs of the enterprise cannot be met by workers living nearby supported by a 24-hour shift rota, as previously proposed. The foaling activity now proposed is low-level and not established.
28. I am satisfied that, based on the previous proposals, the welfare needs of the horses could be met from a dwelling nearby.

Financial viability and sustainability

29. Financial projections have been provided which indicate that the activity would generate net profit of about £35,000 in 2018.
30. However, I have a number of concerns over the financial projections provided, for example:
 - the projections are based on the previous enterprise at Hangleton Farm - which failed. Also the current enterprise is aimed at the higher end of the market and costs will undoubtedly be higher than at Hangleton Farm Equestrian Centre;
 - the feed, bedding and hay costs appears extremely low for the number of horses proposed – a total feed bill of £920 is shown for 2015/16 which is the equivalent of about 150 bags of feed. Insofar as there are intended to be up to 20 horses on the holding at any one time a feed cost of £920 only represents about 7½ bags of feed per horse per year which is obviously under-estimated;
 - no returns have been shown for the capital investment to date; some £800,000; and
 - the labour costs appear low for the proposed activity at £48,000.
31. In light of the above, I do not accept that an application for a permanent dwelling is justified; and the financial data submitted is not sufficiently robust to warrant temporary accommodation.

I trust that these comments will assist your deliberations.

Yours sincerely



Jill Scrivener