

Planning Statement Including Design and Access Statement

Outline Application Proposed New Agricultural Workers Dwelling

Caebettin Farm, Kerry, Newtown, Powys, SY16 4PN



SUMMARY

Proposal

Location

Date

June 2022

Project Ref

W137

Applicant

Jenna Jones

Planning authority

Powys County Council

Statement prepared by

Hughes Architects

29 Broad Street

Newtown

Powys

SY16 2BQ

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf Jenna Jones and is in support of an Outline application for an agricultural workers dwelling at Caebettin Farm, Kerry SY16 4PN.
- 1.2 The purpose of this planning statement is to provide additional and complementary information to the planning submission, including details of the site, description of the proposed development, recent planning history and how the proposal sits within the context of the national and local planning frameworks.
- 1.3 This Planning Statement is supported by the following set of drawings:

Drawing Number	Drawing Name	Prepared By
W137.3a.3.001	Location Plan	Hughes Architects
W137.3a.3.002	Existing Block Plan	Hughes Architects
W137.3a.3.003	Proposed Site Plan	Hughes Architects

- 1.4 In addition, the application is supported by the following supporting document:

Document Title	Prepared By	Date
Ecological Appraisal	Turnstone Ecology	June 2022

- 1.5 The applicant is Jenna Jones
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2.0 SITE CONTEXT

Details of the Site

2.1 The existing farm comprises 250 acres, with a further land parcel in Dolfor. Kevin Jones farms sheep and cattle. The farm and the holding have been in existence for nearly 40 years.

Location of the site

2.2 The application site is located along an unclassified adopted highway which junctions with the A489 some 4.3 miles to the North-east.

2.3 The site is located at Easting 313034, Northing 287292 and under What Three Words reference topped.profiled.domain.

Access to the Site




2.4 Access to the site is via the adopted highway. There is an existing cattle grid into the holding with a field gate.

2.5 Visibility splays under the highway network are 2.4m x 215m in both directions. The speed of the road servicing the site is 60mph, but bearing in mind its width and configuration traffic speed is less than this. Having noted that, visibility splays are compliant with 60mph.

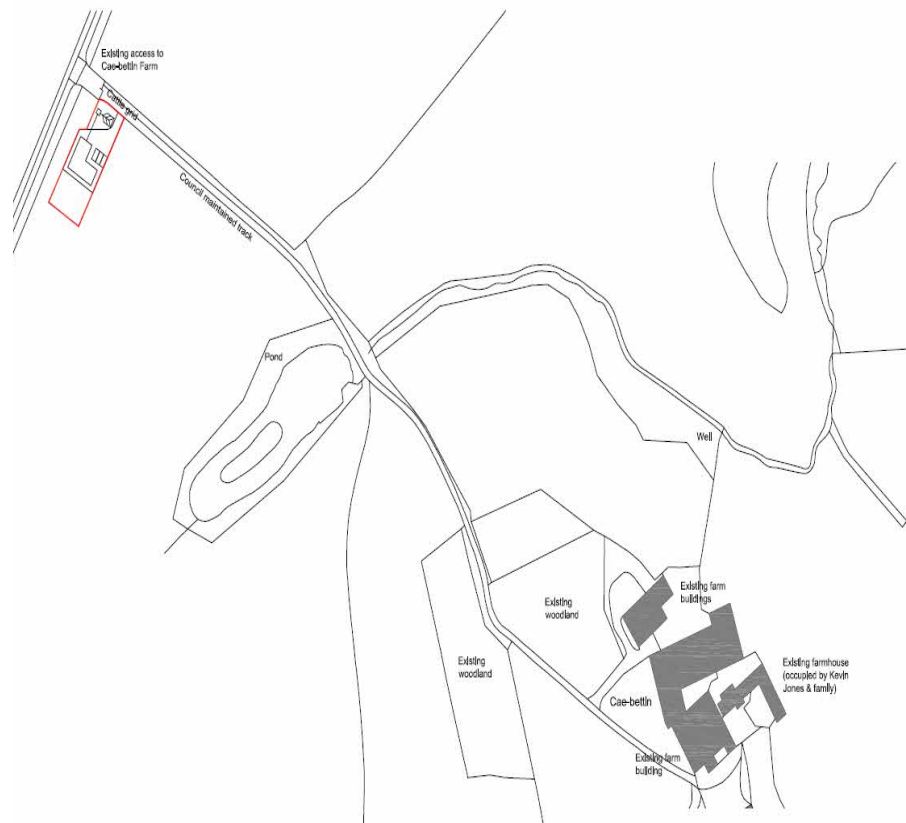
2.6 There are sufficient passing spaces on the highway network in the vicinity of the existing junction into the site.

2.7 The new access into the site of the proposed new dwelling will be tarmacked for the first 10m and shall be designed so that no surface water will discharge onto the public highway.



-  *Proposed location of new dwelling*
-  *Caebettin Farm*
-  *Adopted highway connecting the site to A489*

Site
Description



Location Plan



Existing Access and Visibility



Existing Access and Visibility



Site Description

3.0 PROPOSED DEVELOPMENT

Type of Application Proposal

- 3.1 A planning application is proposed to be made in **outline** with details of the scheme presented here.
- 3.2 The application is accompanied by a site layout design and highways plan alongside technical supporting documents which show that the site is capable of supporting this rural enterprise dwelling.

Highways and Access

- 3.3 The proposed dwelling would be accessed from the existing access.
- 3.4 The existing access drive will be used to service the proposed dwelling. The existing access has good visibility splays up and down the adopted highway.
- 3.5 The existing access configuration into the ~~site~~ which we believe is fully compliant with current highways standards. It is not the intention to improve this junction, given that it is already fully compliant.

Vehicle Parking

- 3.6 It is proposed that 3no. car parking spaces will be provided for the dwelling.

Scale and Appearance

- 3.7 The intention is to create a 3 bed 2-storey dwelling of approximately 150m² with small farm office ~~(on a)~~ associated parking provision as noted above, amenity space and foul water receptacle.

- 3.8 The proposal will seek to create a home which complements its rural setting and the houses in the immediate vicinity.

Proposed
Development

- 3.9 The proposed dwelling will be highly insulated to create a comfortable living environment and to also minimise environmental impact

Biodiversity

- 3.10 A detailed biodiversity plan will be submitted as part of a future reserved matters application.

4.0 PLANNING HISTORY

- 2.1 A pre-application enquiry was submitted to the LPA in January 2022. The response was supportive in the main. The LPA considered that further information would be required in order to establish a principle of development in respect of a rural workers dwelling, this information has been supplied as part of this outline application.
- 2.2 There are no other planning applications associated with this site.

5.0 PLANNING POLICY FRAMEWORK

- 5.1 National Planning Policies –Planning Policy Wales (Edition 10, 2018):
Technical Advice Note 2 –Planning and Affordable Housing 2006;
Technical Advice Note 5 –Nature, Conservation and Planning 2009;
Technical Advice Note 6 –Planning for Sustainable Rural Communities 2010;
Technical Advice Note 11 –Noise 1997;
Technical Advice Note 12 –Design 2016;
Technical Advice Note 18 –Transport 2007;
Technical Advice Note 23 –Economic Development 2014;
Technical Advice Note 24 –The Historic Environment 2017;

5.2 **National Planning Policy: Future Wales 2040 (2021)**

- Planning Policy Wales Edition 11 February 2021
Technical Advice Note (TAN) 5 –Nature, Conservation and Planning (2009)
Technical Advice Note (TAN) 6 –Planning for Sustainable Rural Communities (2010)
Technical Advice Note (TAN) 12 –Design (2016)
Technical Advice Note (TAN) 15 –Development and Flood Risk (2004)
Technical Advice Note (TAN) 18 –Transport (2007)
Technical Advice Note (TAN) 23 –Economic Development (2014)
Technical Advice Note (TAN) 24 –The Historic Environment (2017)
Supplementary Planning Guidance
Powys Residential Dwelling Guide SPG (2020)
Affordable Housing SPG - Adopted October 2018
Biodiversity and Geodiversity SPG –Adopted October 2018
Landscape SPG –Adopted April 2019



5.3 **Local Planning Policy –Powys Local Development Plan (LDP) 2018:**

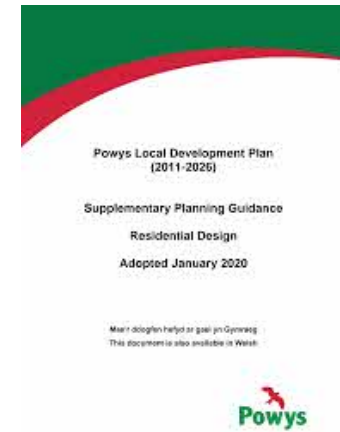
- Policy DM2 –The Natural Environment;
- Policy DM4 –Landscape;
- Policy DM7 –Dark Skies and External Lighting;
- Policy DM –Design and Resources;
- Policy H1 –Housing Development Proposals;
- Policy H6 –Affordable Housing Exception Sites;
- Policy SP1 –Housing Growth;
- Policy SP5 –Settlement Hierarchy;
- Policy SP6 –Distribution of Growth Across the Settlement Hierarchy;
- Policy SP7 –Safeguarding of Strategic Resources and Assets;
- Policy T1 –Travel, Traffic and Transport Infrastructure

5.4 **Supplementary Planning Guidance:**

- SPG Affordable Housing;
- SPG Biodiversity and Geodiversity;
- SPG Landscape;
- SPG Powys Residential Design Guide (2020)

5.5 In terms of this application, we shall highlight the main objectives of the national planning policies affecting the site and then outline our response to the more regional, as well as local policies within our response as well. In Future Wales, the Mid-Wales region is defined in its own right comprising Powys and Ceredigion in the main. In this document it is stated that “the economy of Mid Wales will be based on both traditional rural enterprises, and modern, forward- looking, innovative businesses”. It goes on to note that “Mid Wales is an attractive region and can be the location of choice for dynamic and technologically advanced businesses, while continuing to support its traditional rural sectors” of which this is one.

5.6 The proposal is to develop 1 no. agricultural workers dwelling in order to service the existing farm at Caebettin. The application site forms part of an agricultural field in visual proximity to the host farmhouse at Caebettin. The site itself is particularly discreet and in the lee of an existing mature hedgerow, sufficiently open for solar tracking.



Planning Policy

- 5.7 Policy SP5 of the LDP organises settlements into hierarchies, which in turn have been analysed in terms of their size and on arrangement of key services and facilities that they provide. The application site is outside of any recognisable settlements and is regarded as Open Countryside.
- 5.8 Policy H1 of the LDP applies restrictions to housing development in the open countryside in line with national policy. This policy identifies where certain types of development could be supported and determined in accordance with national policy and Technical Advice Notes, namely 1 Rural Enterprise Dwellings –see Technical Advice Note 6, July 2010. T
 - 5.8.1 One Planet Development –see Technical Advice Note 6, July 2020. It is not the intention to erect a temporary dwelling.
 - 5.8.2 Reuse/Adaptation of Rural Buildings –see PPW, Tan 6 and TAN 23. It is acknowledged that there are some rural buildings around the existing Caebettin Farmhouse, but these are not satisfactory for conversion. They are essential for farm use, and it is preferable to consider a new agricultural workers dwelling in order to support and sustain the existing farm and holding at Caebettin.
 - 5.8.3 The crucial areas of the policy relating to an Agricultural Workers Dwelling are within TAN 6 clause 4.4 and is summarised as follows.
 - 5.8.4 The existing farm is owned by Kevin Jones, but the majority of farm work is now carried out by Jenna Jones, with assistance from her partner Jake Green. [REDACTED]

The existing farm business comprises 250 acres of land, which is broadly split between sheep and cattle. The pastureland is particularly challenging and most of it is upland farming. There are some plantations and natural woodlands on the holding. The rural enterprise and holding has been particularly successful and remains viable over its 40 years of existence. A financial summary of the performance of the holding will be forthcoming, subject to receiving positive advice from the LPA to this pre-application submission.
 - 5.8.5 [REDACTED] We are of the opinion that there is demonstrable functional need for an additional fulltime worker to reside on site and support Kevin Jones. A business case and functional appraisal that demonstrates this is appended to this application.



The core planning policy is TAN and more specifically clause 4.4 (and our preliminary response in blue) thus:

4.4 *New dwellings on established rural enterprises*

4.4.1 *New permanent dwellings should only be allowed to support established rural enterprises providing:*

a. *there is a clearly established existing functional need; (See paragraph 4.8.1).*

Our response to this clause is as below.

b. *the need relates to a full-time worker and does not relate to a part-time requirement; (See paragraph 4.7.1)(See paragraphs 4.5.1 - 4.5.3 for policy exemptions).*

Our response to this clause is as below.

c. *the enterprise concerned has been established for at least three profitable years, and for at least one of them and both the enterprise and the business need for the job is currently financially sound, and has a clear prospect of remaining so; (See paragraphs 4.10.1 -4.10.3).*

Our response to this clause is as below.

d. *the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned; (See paragraphs 4.11.1 - 4.11.2),and*

Our response to this clause is as below.

e. *other normal planning requirements for example siting and access are satisfied.(See paragraphs 4.12.1 - 4.12.2).*

Our response to this clause is as below.

4.8.1 *A functional test 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. It should relate to unexpected situations that might arise, for which workers are needed to be on hand outside of normal working hours for the particular enterprise. Such requirements might arise, for example, if workers are needed to be on hand night and day to deal with an emergency that would threaten the continued viability and existence of the enterprise without immediate attention. Where there are existing dwelling(s) on the enterprise then the need for additional workers to live on the site for the proper functioning of the enterprise must be demonstrated to be essential.*

Living onsite allows for easier monitoring and management of the farm. As Jenna and Jake take on



more of the day to day running of the farm it is vital they are on site every day and at all times of the day. The tasks associated with the enterprise are many and varied, and require constant input on the part of the applicant to function effectively and efficiently. The information set out above in describing the nature and extent of the business highlights the need for a permanent presence on site.

4.5.1 The Assembly Government wishes to encourage younger people to manage farm businesses and promote the diversification of established farms. To support this policy objective, it may be appropriate to allow a second dwelling in established farms that are financially sustainable where the criteria set out in paragraph 4.4.1 cannot be fully satisfied. The following exceptions to the policy are:

- Where there are secure and legally binding arrangements in place to demonstrate that management of the farm business has been transferred to a person younger than the person currently responsible for management, or, that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should demonstrate majority control over the farm business and be the decision maker for the farm business; or,
- There is an existing functional need for an additional 0.5 or more of a full-time worker and that person obtains at least 50% of a Grade 2 Standard Worker (as defined by the latest version of the Agricultural Wages Order), from the farm business.

It is not the intention to apply for an exception under this policy and it is expected that the proposed dwelling be legally tied to Caebettin Farm for many reasons including that of its very specific design and location.

4.5.2 In these circumstances a rural enterprise dwelling may be considered favourably provided the criteria set out above and in paragraph 4.4.1 c - e are met. These special policy exceptions will only apply to the first additional dwelling to be attached to an established farm after this TAN comes into force and not to subsequent dwellings.

4.5.3 It must also be demonstrated that the management successor or part time worker is critical to the continued success of the farm business, and that the need cannot be met in any other reasonable way, e.g. through the re-organisation of labour responsibilities. In addition, where all the criteria specified



above are met the planning authority should ensure that the new dwelling is tied to the holding by way of a legal agreement.

Jenna and Jake are required to be on site to ensure the proper running of an enterprise of this size, being 250 acres. The supporting documents show that this enterprise has been successful, and this dwelling is crucial to allow that success to continue.

4.10.1 The rural enterprise and the activity concerned should be financially sound and should have good prospects of remaining economically sustainable for a reasonable period of time, usually at least 5 years.

Accounts are attached to this application and the income generated can sustain a full-time worker in excess of the national minimum wage for an agricultural worker. The last 3 years accounts are attached demonstrating the overall sustained profitability of the business and one that can support and sustain the dwelling proposed both during its construction and beyond. As such, this test is satisfied.

4.10.2 Evidence of actual or potential economic performance will be required. To assess economic sustainability, it will be necessary to show the business has a reasonable prospect of providing a market return for all operators for the amount of management and manual labour inputs, including the job for which the rural enterprise dwelling is being sought, least five years from the anticipated completion of the proposed development. This should be assessed on the basis of what is a realistic income for the skills of the operator. A financial test is also necessary to assess the size of dwelling which the enterprise can afford to build and maintain. Dwellings which are unusually large in relation to the needs of the enterprise, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise rather than of the owner or occupier which are relevant to determining the size of dwelling that is appropriate.

A Business Plan has been prepared and appended here along with accounts have been submitted demonstrating the enterprise can sustain the dwelling. It is noted from the accounts that the business can sustain the drawing of an income for an agricultural worker on average wage. Given all of the supporting documentation the application is fully compliant with this clause.



4.11.1 Evidence must be provided to demonstrate that there is no other dwelling(s) or buildings suitable for conversion, which are available to meet the need. If there are existing dwelling(s) on the enterprise it needs to be shown why these cannot be used to meet the needs of the enterprise for a resident worker, and why labour or residential arrangements cannot be re-organised to ensure that the existing accommodation meets the needs of the enterprise without the need for a further dwelling.

There are no dwellings within close range that are in the ownership of the applicant, in fact the client lives in rented accommodation culminating in a regular vehicular commute on a daily, but sometimes hourly, basis dependent on the demands of the rural enterprise. Given the above, we are of the opinion that this application is compliant with this clause.

4.11.2 In cases where the planning authority is particularly concerned about possible abuse, it may be helpful to investigate the history of the enterprise 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. Such a sale could constitute evidence of lack of need.

No part of the enterprise has been sold in recent times.

5.8.6 We also refer to clause 4.5 of TAN 6 which aims to encourage younger people to manage farm business and promote the diversification of established farms. The holding at Caebettin has been in the family for many years now. The erection of a new dwelling on land at the holding will ensure that this will continue for generations to come.

5.8.7 [REDACTED] it is vital that a new dwelling for her is provided in order to support the continued viability of the farm business. A full agricultural workers functional test is appended to this application.

5.9 Highways Safety –we refer the Local Highways Authority (LHA) to the existing access configuration into the site, which we believe is fully compliant with current highways standards. It is not the intention to improve this junction, given that it is already fully compliant.



- 5.10 Biodiversity –A preliminary ecological appraisal has been submitted as part of this Outline application. There are no existing hedgerows or trees that will need to be removed to facilitate the development of this dwelling. Biodiversity enhancements will be submitted as part of a later reserved matters application.
- 5.11 Environmental Health –given that the site is an agricultural field we are of the opinion that no additional reporting will be required in relation to contaminated land. Porosity tests for a private foul water receptacle have been undertaken and the results are provided as part of this submission. The proposed is a Biodisc system.
- 5.12 Flood risk –According to WR1 data, the site is outside of any flood risk zone



6.0 CONCLUSION

6.1 This statement and its supporting documents illustrate the necessity of the new dwelling to allow the continued success of the existing farm and its future expansion.

- There are no other suitable dwellings close to the site and no buildings suitable for conversion. This is an application for an agricultural workers dwelling given the functional and financial tests required under TAN 6 have been justified. The farm requires Jenna and Jake to be on site to support its proper functioning.
- In reference to the 'time test' we enclose supporting documentation from our client in a format similar to that outlined in the TAN6 practice guidance.
- We have designed the house to be 150m² based on the need for a family home commensurate with the financial capacity of the existing farm.
- In terms of foul water drainage, it is confirmed that the proposed new dwelling shall be connected to a new treatment plant system on site which will have minimal impact on its surroundings.
- The farm has been operated by Kevin Jones for over 40 years now and has been incredibly successful over that time. It has been sustainable to date, and the only way in which it can continue to operate effectively is with Jenna and Jakes involvement and the construction of an agricultural workers dwelling to support this.

Given all of the above, we are of the opinion that this application merits the support of the LPA. We welcome the opportunity to discuss this in more detail with Powys County Council as appropriate and organise a site visit.



Disclaimer

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