

AGRICULTURAL NEED APPRAISAL FOR CORNWALL COUNCIL

FARM DWELLING HOUSE

HAVING REGARD TO THE CONSIDERATIONS AND CRITERIA SET OUT IN THE ODPM PLANNING POLICY STATEMENT 7

1.	<u>Proposed Development--</u>	Construction of permanent dwelling for agricultural/forestry worker to replace existing mobile home; retention of existing polytunnel and wind generator (as approved 2005 app. no 04/00824/FUL). Conversion of existing pedestrian access to vehicular access.
2.	<u>Location –</u>	Pentiddy Woods, Pensilva
3.	<u>Applicant –</u>	Mr Anthony Waters
4.	<u>Planning Reference –</u>	09/01385/FUL
5.	<u>Chief Land Agent Reference</u>	E46/09
6.	<u>Report by -</u>	Adam Birchall
7.	<u>Dated –</u>	15 th October 2009

8. Brief Background to Application and Applicant's Stated Reasons for Requiring the Proposed Development in Respect of Existing/Proposed Farm Enterprise –

The site owned by the applicant extends to 11ha (27 acres) excluding the area owned by Pentiddy Community Woodland Trust. It is managed as a multi use site around the themes of biodiversity, sustainable living, wood land management and community use.

The applicant purchased the land in 2001 and previously applied for a temporary dwelling in 2004. At that time the Chief Land Agent found that there was no functional need nor was the financial test satisfied. However, in January 2005, Caradon District Council granted a 5 year temporary consent.

That period is now nearing its expiry date and the applicant has therefore submitted an application for a permanent dwelling.

The main enterprises over the last 5 years have been:

- Furniture making;
- Courses;
- Woodland work off site;
- Alternative technology consultancy;
- Woodland Burial in latter years.



There have been a wide range of other activities including outdoor vegetables, the polytunnel, fruit cages, fruit trees, lamb, rabbit, sheep skins, eggs, honey, firewood, willow, charcoal, talks and presentations.

Grants have also been a significant source of income.

The plan for the coming 5 years shows broadly the same mix of enterprises but the principal income earning items are:

- Eggs;
- Charcoal;
- Furniture;
- Courses, education and talks;
- Woodland work;
- Alternative technology consultancy;
- Woodland burial and coffin making.

Grant income is projected to be much lower than in the past.

9. Is this application treated as agricultural or a rural based enterprise? If the latter what is the evidence and justification for treating it as such?

This is very clearly an alternative rural based enterprise.

10. Summary of Principal Consideration/Factors Relevant to this Application

Functional Test

This is a highly unusual case. Although it is not now untypical for us to be consulted on small woodland sites or environmental projects, it is extremely rare to find one with any length of track record in delivering its vision. Pentiddy woods is probably almost unique in the combination of the strength of its community partnerships, the real and genuine structures that have put in place to safeguard that community interest, and the proven environmental benefits derived from the habitats created on the site.

It is with the deepest regret that I have to conclude that there is no functional need to live on site as defined by PPS 7 – there is no emergency care or welfare activity of any scale that requires accommodation. Security would be a very obvious concern but not an over riding factor. The applicant would also contend that living on site is required partly to deter deer and rabbits from damaging the grown trees and crops – but that is not an unusual problem that foresters have to over come on remote sites.

However, despite all of the above I do not think the project would have been delivered, or could continue to be delivered, if the applicants lived off site. Therefore this may be a particularly special case where living on site is justified by the wider benefits bought to the area. The issue that sets this application apart is the track record of the project, the wide range of activities involved, and the long term stability of the project.

Financial Test

- (i) If a business/ financial plan has been prepared does it show the business to be financially sustainable?

The applicant has produced clear evidence of activity over the last 5 years, and an equally clear plan for income and expenditure over the next 5 years. It shows the project to be financial sustainable, but amongst the wide range of activities it does ultimately rely on the handful of principal income earning activities that provide the major sources of income – as described in the introduction above.

- (ii) Has the unit and the agricultural activity been established for at least 3 years?

Yes.

- (iii) Has the agricultural activity been profitable for a least one year in the last 3 years (equal to the average annual agricultural wage and return on capital invested)?

No, but it is within the spirit of PPS 7 which states that “In applying this test authorities should take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.” I think Pentiddy Woodland, in view of its track record and the evidence of environmental benefit submitted with the application does fall within the scope of what PPS 7 intended.

- (iv) Will the agricultural activity remain financially sound?

It does appear so based on the submitted costings, but at a general level of self sufficiency.

- (v) Is the dwelling of a size commensurate with the functional requirements, or of a size – in relation to the income of the enterprise?

Yes

- (vi) Any other comments

At least two of the main activities would generate their principal income from outside the holding – namely woodland work and alternative technology consultancy, and we would normally discount this type of work but I would accept that the alternative technology consultancy does have a direct link to the practical activity at Pentiddy. The woodland burials are, by a long way, the most profitable activity.

C. Other Relevant Issues

- (i) Is the proposed siting related to the functional need of the enterprise and other buildings?

Yes.

- (ii) Is this a case where a temporary 3 year consent may be more appropriate to prove the need on a newly established unit or one with a newly established enterprise?

There has already been a 5 year temporary consent.

D. Conclusion

This is an exceptional case.

On the normal interpretation of PPS 7, there is no functional need. However, the project as it exists is probably unlikely to be deliverable without accommodation and it may therefore be justified if the local planning authority feel that the strength of the benefits delivered by the project warrant continued support and that the development can be controlled with appropriate conditions.

The financial test is satisfied within the scope of PPS 7.

E. Other matters

The application also includes a polytunnel. The poly tunnel is very straightforward in that it is directly related to the produce consumed by the applicant and his family, and people attending the courses on the holding. Some of the courses also relate to crops within the poly tunnel. It is therefore clearly justified.