

Rural Dwellings

NEW PROPERTIES

Government planning policy allows for the building of dwellings essential to agriculture in the open countryside, including within the Green Belt. The National Planning Policy Framework paragraphs 78 & 79 (as revised July 2018) state:-

Paragraph 78

'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. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

Paragraph 79

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;*
- b. *The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c. *The development would re-use redundant or disused buildings and enhance its immediate setting;*
- d. *The development would involve the subdivision of an existing residential dwelling; or*
- e. *The design is of exceptional quality, in that it:*
 - *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area*

Local Planning Authorities (LPA) will usually include a similar policy to NPPF paragraph 79a within their Local Plan.

The essential need for a rural worker effectively means an applicant must prove that the dwelling is required for themselves or an employee who needs to be on site for potentially 24 hours per day. The care of livestock and undercover cropping being two examples where this can be such a requirement.

Given the sensitivity of such proposals, applications must be well prepared and contain sufficient information to demonstrate to the LPA that a genuine need exists for the on-site accommodation. If permission is granted it will usually be subject to an occupancy condition and sometimes a Section 106 agreement (i.e. 'tying' the property to the holding).



MIDLANDS & WALES

Oak House
Kingswood Business Park
Holyhead Road
Albrighton
Wolverhampton
WV7 3AU
Tel: 01902 625024

EAST & SOUTH EAST

Old Market Office
10 Risbygate Street
Bury St Edmunds
Suffolk
IP33 3AA
Tel: 01284 753271

SOUTH WEST

Addlepool Business Centre
Woodbury Road
Clyst St George
Exeter, Devon
EX3 0NR
Tel: 01392 873900

NORTH

Tel: 01524 793900

SOUTH EAST MIDLANDS

Tel: 01954 267418

YORKSHIRE

Tel: 0113 347 0430

ask@acorus.co.uk



TEMPORARY ACCOMMODATION

Where a farm enterprise is in its infancy planning permission can often only be obtained for temporary accommodation (e.g. a static caravan) to give time for the business to develop. The planning consent would usually be granted for a 3 year period. Then, if the business objectives are met the next stage would be to apply for a permanent dwelling at the site.

NON AGRICULTURAL ENTERPRISES

It can be possible to obtain permission for accommodation required for non agricultural enterprises, such as equine, where again an essential need for on-site accommodation can be demonstrated i.e. 'a rural worker'.

RETIREMENT

It is not possible to argue for a new dwelling for retirement purposes in England. However, appeal cases have successfully argued that where an existing house is occupied legally and legitimately by a retired person that dwelling can be discounted in any assessment regarding the availability of dwellings on a farm holding. Also, with the revised wording of the NPPF paragraph relating to rural workers (i.e. *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*) it provides the possibility/opportunity for a new dwelling for the next generation.

OUR SERVICES

Acorus Rural Property Services offer a full planning consultancy service regarding rural dwellings, including the preparation of appraisals.

Updated July 2018



CHARTERED SURVEYORS & PLANNING CONSULTANTS
www.acorus.co.uk