



Planning Committee
20th June 2023

Application No	:	22/01650/FUL Full Application
Location	:	Land South Of Colam Lane Little Baddow Chelmsford Essex
Proposal	:	Erection of rural workers dwelling for a temporary period of up to 3 years
Applicant	:	Mr + Mrs Steve Gunn
Agent	:	Mr Marc Willis
Date Valid	:	14th October 2022

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1. Executive summary

- 1.1. This application has been called to committee at the request of the local Ward Councillor.
- 1.2. The site is located within the Rural Area to the northwest of Little Baddow. It comprises a parcel of agricultural land with alpacas, horses and poultry currently being kept on the site.
- 1.3. The proposed building is required by the applicant to provide accommodation for a rural worker in association with the alpaca breeding business at the site, for a period of 3 years.
- 1.4. The Council has commissioned an independent appraisal of the application documents and the rural business on the site to assess whether a rural worker's dwelling is required in association with the business.
- 1.5. The Council's Rural Consultant has advised that the business generates a requirement for one full-time employee and it is necessary for security and animal welfare reasons that there is an on-site presence. There is no alternative accommodation in the vicinity of the site which could accommodate the required employee.
- 1.6. The proposed timber structure would be well related to the site boundaries and animal enclosures in the northeast corner of the site.
- 1.7. The proposal for a rural worker's dwelling for a temporary period of up to three years has been justified as necessary for the rural business and would not have a detrimental impact on the intrinsic character and beauty of the surrounding countryside.
- 1.8. The application is recommended for approval.

2. Description of site

- 2.1. The site is located to the west of Little Baddow, off Colam Lane and it comprises an irregular shaped parcel of land.
- 2.2. The application building is a single storey, green timber structure located in the northeast corner of the site.
- 2.3. A vehicular access has been created from Colam Lane. The application building is located approximately 23m to the south of the access.
- 2.4. The access to the site is enclosed by a timber five bar gate. The parking and turning areas within the site have been surfaced with bark chippings. In addition to providing a surface for parking and turning, the chippings provide a surface for accessing the animal enclosures.
- 2.5. Existing, mature native species trees and hedging comprise the boundaries to the northeastern, eastern and southern site boundaries.
- 2.6. There is a Public Right of Way (Footpath 22 Little Baddow) running in a north-south orientation along the western boundary. New planting has been installed along the site boundary with the Public Right of Way.

3. Details of the proposal

- 3.1. The proposed development is for the erection of a rural worker's dwelling on the site for a temporary period of up to 3 years in association with the applicant's alpaca breeding business at the site.
- 3.2. The proposed dwelling is a timber structure painted green with dimensions of 20m long x 6m wide and a maximum ridge height of 4.1m. The building is a prefabricated structure which has been put together on the site and can also be dismantled for removal from the site.
- 3.3. This application seeks planning permission for the use of the timber cabin as rural worker's accommodation for a period of 3 years.
- 3.4. The proposed temporary accommodation has been placed on the site in advance of this application being determined. It is not currently occupied.

4. Other relevant applications

- 4.1. 22/00841/FUL - Refused 15th July 2022 Change of use of agricultural land to use as equestrian land. Construction of a barn and riding arena. Formation of access. Car park with provision for 3 vehicles.

This application was refused in relation to the impact the development would have on the intrinsic character and beauty of the rural area.

- 4.2. 22/01877/FUL - Currently under consideration
Change of use of agricultural land to use as equestrian land. Construction of a barn and riding arena. Formation of access. Associated area of hardstanding.

5. Summary of consultations

- Ramblers Association – No comments
- Little Baddow Parish Council –
 - Strongly objects to the proposal.
 - The Parish Council feels that the application does not meet the requirements of Policy DM8 as it would adversely impact the intrinsic character and beauty of the open rural landscape.
 - The proposal will be visible to walkers using the public footpath close to the site.
 - Colam Lane is narrow with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers.
 - Concern over the inclusion of chicken farming at the site – requiring enclosed buildings to house chickens – it is requested that a separate detailed application is made before chicken farming can be considered on the site.
- Public Health & Protection Services – No comments with regard to this application.
- Economic Development & Implementation – No comments received.
- Essex County Council Highways –
 - A new gated vehicular access has been constructed, however it does not benefit from hardened construction in accord with current Highway Authority standard.

- Manual for Streets visibility standard is therefore required for the 85th percentile vehicle speeds above. This is 2.4 metres by 35 metres. The visibility splays measured at X or minor distance 2.4 metres were well in excess of this distance in both directions. Appropriate visibility is therefore provided to the vehicular access, in both directions.
- The vehicular access has not been authorised or constructed lawfully. The applicant is therefore vulnerable to enforcement action by the Highway Authority to remedy the situation. This must be addressed by the applicant by making an application to the Highway Authority, for construction of the vehicular access.
- Failure to resolve this issue may result in enforcement action by the Highway Authority which could result in prosecution.
- From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the imposition of appropriate conditions.
- Local residents –
 - It is not clearly stated that the building would be removed if the business should fail in the first three years.
 - Further structures for chickens would be an intrusion in an area which the village considers to be a visually important open space.
 - The access to the site does not have planning permission.
 - Query whether three-bedroom accommodation is excessive for an agricultural worker on minimum wage.
 - The proposal will generate more mixed traffic using single track Colam Lane.
 - The site has been well kept and used for sheep grazing/ alternative hay silage until recently purchased, as agricultural land and has been subjected to a complete change in character
 - Numerous fences/shelters have been erected.
 - The proposed 'workers building' would be unsightly and intrusive from both FP 22 and Colam Lane.
 - The proposed development of this land would undoubtedly give precedence for other similar locations along both Colam Lane and Holybred lane, which currently enjoy a mostly uninhibited natural environment.

6. Planning considerations

Main Issues

- 6.1. The main consideration is whether the construction of a temporary rural worker's dwelling is necessary and justified for the rural business on this site.
- 6.2. It is also necessary to consider the potential impact of the proposal on the intrinsic character and appearance of this rural area in this part of Little Baddow.
- 6.3. Consideration is also given as to whether the proposal would be detrimental to highway safety.

Need for a temporary rural worker's dwelling

- 6.4. Para 174 b) of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

- 6.5. Para 80 of the NPPF states that “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;”
- 6.6. Chelmsford Local Plan Policy S1 sets out the spatial principles within the Local Plan and identifies that the Council will require all new development to accord with the stated spatial principles. This includes a requirement to “respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity”.
- 6.7. Policy S11 states that when determining planning applications, the Council will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with the Spatial Strategy, and to support thriving rural communities whilst ensuring that development does not have an adverse impact on the different roles and character of the countryside.
- 6.8. Part C of this policy specifically relates to the Rural Area:
“The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt, is designated as the Rural Area. The intrinsic character and beauty of the Rural Area outside of the Green Belt, and not designated as the Green Wedge, will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.”
- 6.9. Policy DM8 relates to new buildings and structures in the rural area; planning permission will be granted for new buildings and structures where the development will not adversely impact on the identified intrinsic character and beauty of the countryside and where the development is for one of a specified type of development set out in the policy. One of the exceptions is point v. of the policy which allows for “a rural worker’s dwelling in accordance with Policy DM12”.
- 6.10. Policy DM12 states that “Planning permission will be granted for a new dwelling or caravan in the Green Wedge or Rural Area where there is a proven essential need for the purposes of agriculture or forestry, horse breeding and training, livery or other land-based rural business.”
- 6.11. Part A of Policy DM12 relates to temporary accommodation and applications must meet the following criteria:
- i. it can be demonstrated that the business can sustain the full-time worker directly employed by the business at minimum wage; and
 - ii. it can be demonstrated that there is a functional need for the proposed accommodation which cannot be met by existing suitable accommodation available in the area, or by rearranging duties and responsibilities between workers; and
 - iii. the need cannot be met by re-using, extending or adapting an existing building on the holding; and
 - iv. the proposed accommodation is located within or adjacent to the existing farm complex of buildings or other dwellings on the holding; and
 - v. the size of the accommodation relates to the needs of the rural worker to be employed under his or her current situation.
- 6.12. The application is supported by a range of information including an appraisal of the agricultural business on the site and whether there is a need for a full-time employee to be accommodated at the site.

- 6.13. The Council has appointed an independent Rural Consultant to appraise the proposed development and the agricultural business. As part of this appraisal, the consultant conducted a site visit with Council Officers and spoke to the applicant.
- 6.14. In respect of criteria i. and ii. set out in Part A of Policy DM12, the Council's Rural Consultant has advised the following:
- i. The lack of a rural worker's dwelling on the site is considered to be restricting the growth of the operation. Although the unit is in a build-up phase, it has been demonstrated that it should provide work for a full-time employee and there is sufficient financial opportunity to fund a worker.
 - ii. The rural location and type and number of animals would benefit from an on-site presence. The planned scale of this operation with larger numbers of alpacas makes a presence necessary, with security and welfare issues relevant to this rural location, during the build-up phase of the enterprise.
- 6.15. There are no suitable or available dwellings in the vicinity of the site and an on-site presence is therefore necessary.
- 6.16. In relation to the remaining criteria and the proposed development:
- iii. There are no existing buildings on the site and therefore none are available for the re-use or adaptation of an existing building as an alternative to the use of a temporary building.
 - iv. The proposed accommodation would be well related to the agricultural and rural activities on the site. It would be positioned approximately 24m from the entrance to the site. This would provide natural surveillance with any visitors to the site being observed from the dwelling. Any associated parking would be adjacent to the dwelling and the development would be well positioned for access to the animal enclosures close to the eastern part of the site.
 - v. The applicant intends to live on the site with his family. Although this application relates to the use of a timber structure which can be dismantled and reconstructed, it is not uncommon for temporary accommodation for rural workers to initially be in the form of a mobile home on a site.
- The building which forms this application is of a similar size and proportions to mobile homes which could be permitted for temporary rural worker's accommodation. In light of the need to accommodate the applicant and his family in the structure, the size of the accommodation proposed is commensurate to the needs of the rural worker to be employed by the business.
- 6.17. The proposed dwelling has been purchased by the Applicant from a site elsewhere in the country. It can be taken apart and put back together and is therefore considered to be a temporary structure which could be removed from the site if the associated business does not achieve the required viability to justify a permanent dwelling on the site at a later date.
- 6.18. The proposal complies with the five criteria set out in Policy DM12 in respect of the provision of temporary rural worker's accommodation.

Impact of the proposal on the intrinsic character and appearance of the rural area

- 6.19. The proposed accommodation has been constructed on the site prior to the determination of this application. It is a single storey, timber structure located on the site near the entrance from

Colam Lane. While it is visible from both Colam Lane and the Public Right of Way which runs to the west of the application site, it is a low-level structure which would provide an appropriate level of accommodation for the Applicant and his family.

- 6.20. It is necessary to consider the impact of the temporary structure and any associated domestic paraphernalia separately from the visual impact of the other activity and structures associated with the keeping of animals, on the site.
- 6.21. The character and appearance of the site has already been altered through the introduction of horses, alpacas and poultry with associated fencing and temporary shelters on the site. It is not unusual for fencing to be constructed to create animal enclosures on parcels of land in the countryside.
- 6.22. The use of the land for the keeping of animals does not require planning permission and could continue if planning permission for the temporary accommodation is not granted. In addition, temporary, moveable structures and fencing below 1m when adjacent to a highway, and 2m otherwise, do not require planning permission.
- 6.23. The visual impact of the proposed temporary structure with the parking of vehicles adjacent, when viewed from the Public Right of Way is limited to some degree by the structure being seen against the backdrop of mature vegetation along the eastern site boundary. In addition to its low ridge height, the building is a green colour and it does not appear as a contrasting feature when viewed in the context of mature trees and hedges. The development associated with the accommodation would be limited to the northeastern corner of the site and it would be restricted to that part of the site.
- 6.24. The structure is visible to vehicle and pedestrian traffic using Colam Lane through the new access to the site. These views from the access on Colam Lane are fleeting and the development is seen in a corner of the site, close to the site boundaries. The majority of the application site would remain as open land.
- 6.25. As a temporary structure required for the running of the rural business, the proposed building is an appropriate form of temporary accommodation which does not unduly impact the intrinsic character and beauty of the surrounding countryside.

Highway Safety

- 6.26. Para 108 of the NPPF states that when assessing specific applications for development it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree. Para 109 continues that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 6.27. A vehicular access has been created to access the site from Colam Lane. Planning permission is sought for this as part of an associated application – ref. 22/01877/FUL which is currently under consideration.
- 6.28. Although no planning permission currently exists for the access, the Local Highway Authority has indicated that they have no objections to the access in respect of highway safety. As such there is no conflict with the use of the access and vehicular and pedestrian traffic using Colam Lane.

The proposal would not generate a level of traffic which would be harmful to highway safety and users of Colam Lane.

Other Matters

- 6.29. The description of development states that the accommodation would be for a temporary period of up to three years. This can be controlled by a condition which would require the removal of the building on or before three years of the date of any approval and the restoration of the land to its previous condition.
- 6.30. Any additional permanent buildings which may be required for the business would require planning permission and the merits of any application would be assessed as part of the determination of an application.
- 6.31. The applicant has applied for the access as part of planning application ref. 22/01877/FUL which is currently under consideration. Notwithstanding this, the Local Highway Authority have indicated that the access has sufficient visibility splays to ensure that there is no detrimental impact on highway safety.
- 6.32. The size of the proposed building is within the limits of a mobile home which could have been applied for instead of the structure currently on the site. The level of accommodation is commensurate with the needs of the Applicant.
- 6.33. The site is being used for the keeping of animals which is an appropriate use in the rural area.
- 6.34. Each planning application is determined on its own merits and as such it is rare that a precedence is established as a result of a single planning decision. The application is supported by sufficient information which demonstrates that it is compliant with the relevant National and Local Planning Policies.

7. Community Infrastructure Levy (CIL)

- 7.1. As a temporary structure this proposal is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

The residential use hereby permitted shall be for a limited period being the period of 3 years from the date of this decision. The temporary rural worker's dwelling hereby permitted shall be removed and the land where it is located shall be restored to its former condition on or before 3 years from the date of this decision.

Reason:

To safeguard the character of the area in accordance with Policy DM12 of the Chelmsford Local Plan.

Condition 2

The occupation of the temporary dwelling shall be limited to a person solely or mainly employed or last employed in the rural business occupying the plot edged red on the approved plans, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.

Reason:

The temporary dwelling has only been permitted within the rural area due to the functional need of the business to have a permanent rural worker on site. The construction of a new dwelling in this location unconnected with the rural business would be contrary to Policy DM12 of the Chelmsford Local Plan.

Positive and Proactive Statement

The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Ramblers Association

Comments
No comments

Little Baddow Parish Council

Comments
<p>03.02.2023 - Little Baddow Parish Council re-considered this application at its meeting on February, 2023 and strongly objects to the proposal. All reasons for objection expressed before remain. Council feels that the application does not meet the requirements of Policy DM8 in the Chelmsford Local Plan in that the development will adversely impact the intrinsic character of the area as an open rural landscape; both in terms of the proposed building and of vehicles parked on site. There is a public footpath close to the development and so the proposed building will be clearly visible to walkers enjoying the rural scenery. In addition, Colam Lane is narrow and in places a single-track road with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers. There is concern over the inclusion of chicken farming on the development - this will require enclosed buildings to house the chickens to meet 'Bird Flu' restrictions. Council requests that a separate detailed application is made before Chicken farming can be considered on the site.</p> <p>04.11.2022 - Little Baddow Parish Council considered this application at its meeting on November 3, 2022 and strongly objects to the proposal. Council feels that the application does not meet the requirements of Policy DM8 in the Chelmsford Local Plan in that the development will adversely impact the intrinsic character of the area as an open rural landscape; both in terms of the proposed building and of vehicles parked on site. There is a public footpath close to the development and so the proposed building will be clearly visible to walkers enjoying the rural scenery. In addition, Colam Lane is narrow and in places a single-track road with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers. There is concern over the inclusion of chicken farming on the development - this will require enclosed buildings to house the chickens to meet 'Bird Flu' restrictions. Council requests that a separate detailed application is made before Chicken farming can be considered on the site.</p>

Public Health & Protection Services

Comments
No PH&PS comments with regard to this application

Economic Development & Implementation

Comments
No response received.

Essex County Council Highways

Comments

A new gated vehicular access has been constructed, however:

It does not benefit from hardened construction in accord with current Highway Authority standard. The Highway 'Confirm' System Record System has been examined and it is confirmed that there has been no application made to the Highway Authority for permission to construct the access. It has therefore been constructed without the necessary permissions from the Highway Authority. It has therefore not been legally constructed.

Colam Lane is subject to a de-restricted or 60mph speed limit. However, the measured 85th percentile vehicle speeds by ATC (Automatic Traffic Counter) were:

- North-bound 33.3mph
- South-bound 33.4mph

Manual for Streets visibility standard is therefore required for the 85th percentile vehicle speeds above. This is 2.4 metres by 35 metres. The visibility splays measured at X or minor distance 2.4 metres were well in excess of this distance in both directions:

- To the north; 49 metres (beyond the Rectory Wood Cottage access).
- To the south; in excess of 49 metres.
- Appropriate visibility is therefore provided to the vehicular access, in both directions.

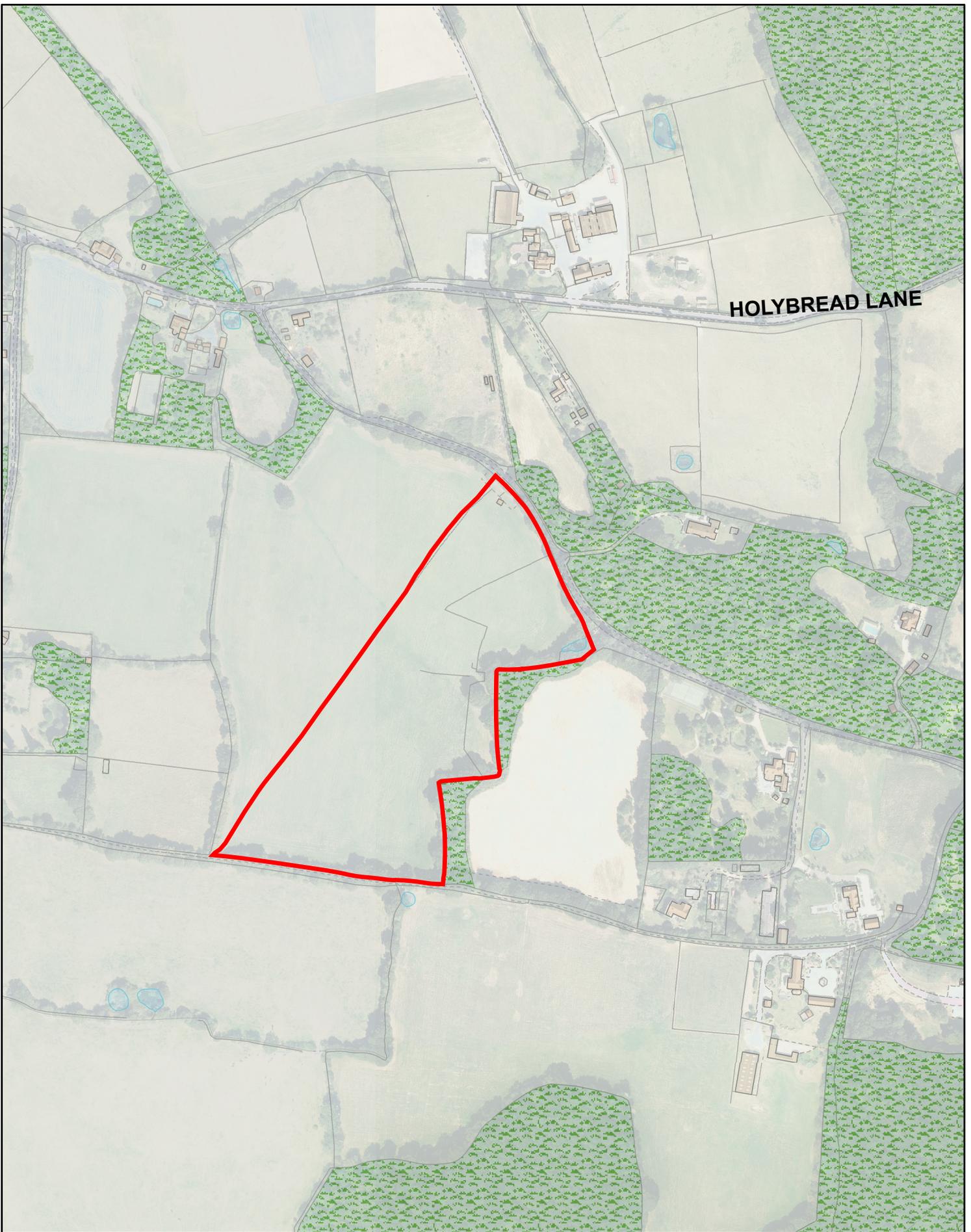
The vehicular access has not been authorised or constructed lawfully. The applicant is therefore vulnerable to enforcement action by the Highway Authority to remedy the situation. This must be addressed by the applicant by making an application to the Highway Authority, for construction of the vehicular access. Failure to resolve this issue may result in enforcement action by the Highway Authority which could result in prosecution.

It is strongly suggested that the applicant resolve the issue of the unauthorised vehicular access as above.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

Local Residents

Comments
Three representations received and these are included in the main body of the report.



0 40 80 160 Metres

1:3,991



Planning Committee
22/01650/FUL

Planning & Development Management
Directorate for Sustainable Communities

PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

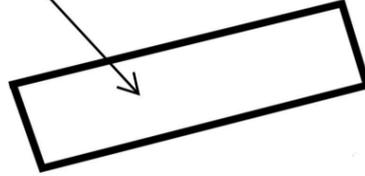
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PROPOSED TIMBER CABIN



EXISTING ACCESS



AREA OF
HARDSTANDING



POND



Willis & Co.

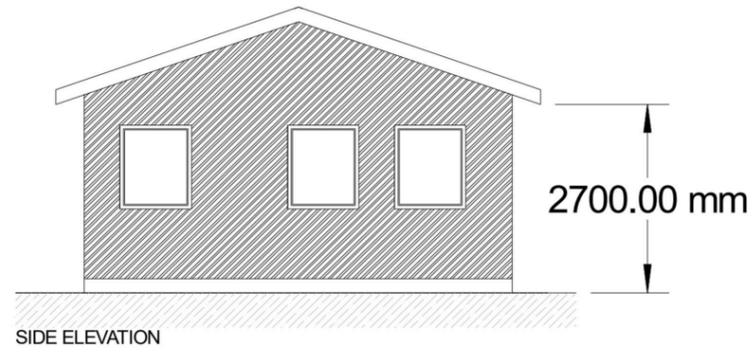
Chartered Town Planners
30 The Causeway, Chippenham, Wiltshire, SN15 3DB.
Telephone: 01249 444975 Facsimile: 01249 655556
Email: Willisplan@aol.com

Client; Mr S. Gunn.
Title; Land at Colam Lane, Little Baddow, Chelmsford, Essex.

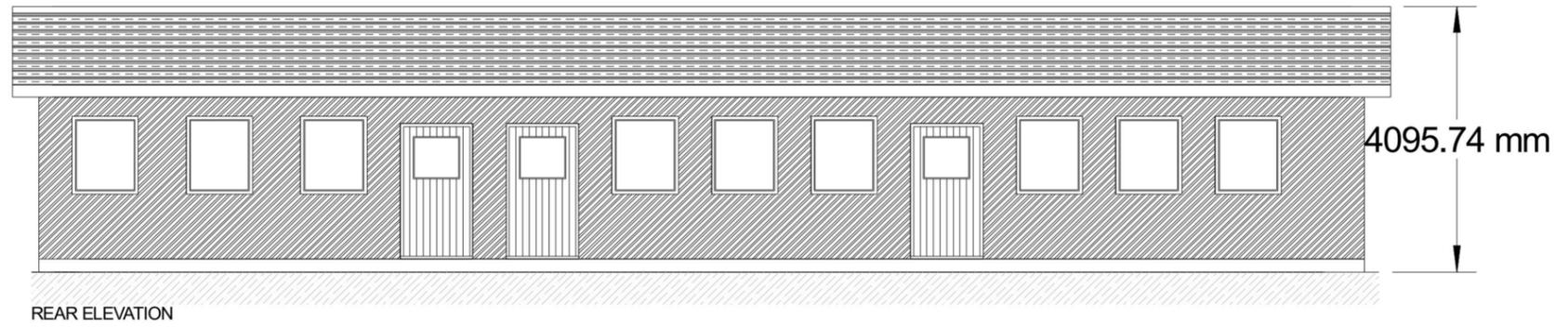
Site Plan.

Scale; 1:500 @ A3 Date; February 2022 Drawing no; SG-JH-02

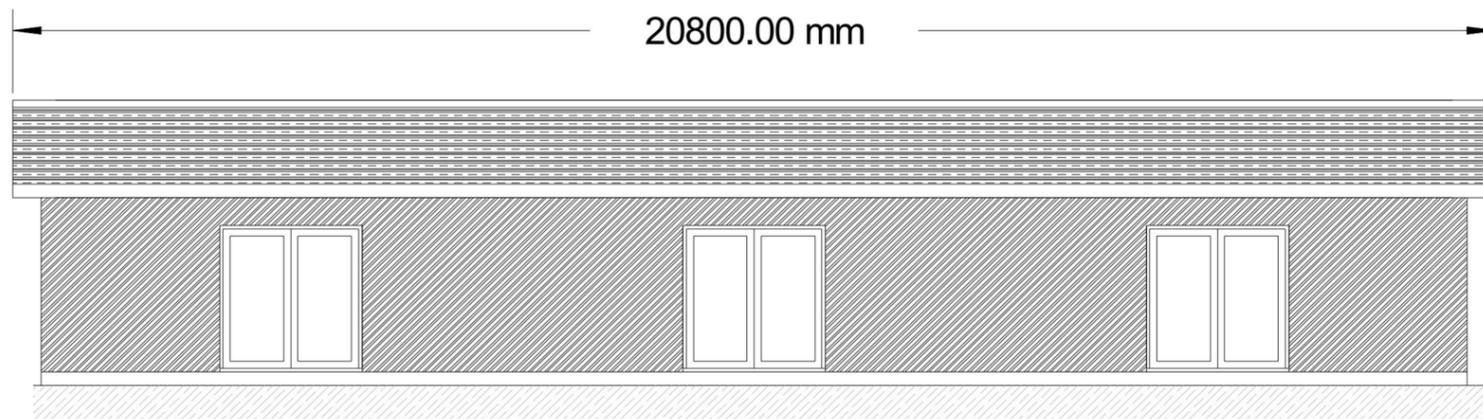
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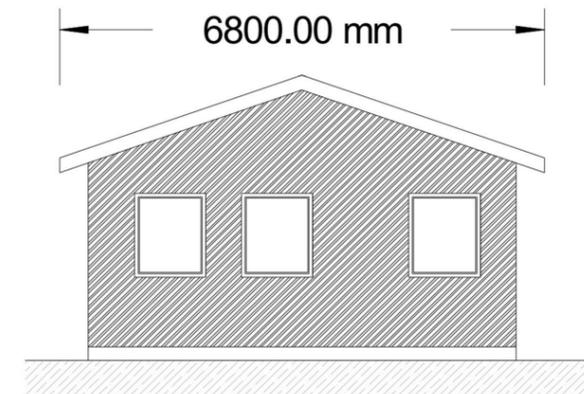
SIDE ELEVATION



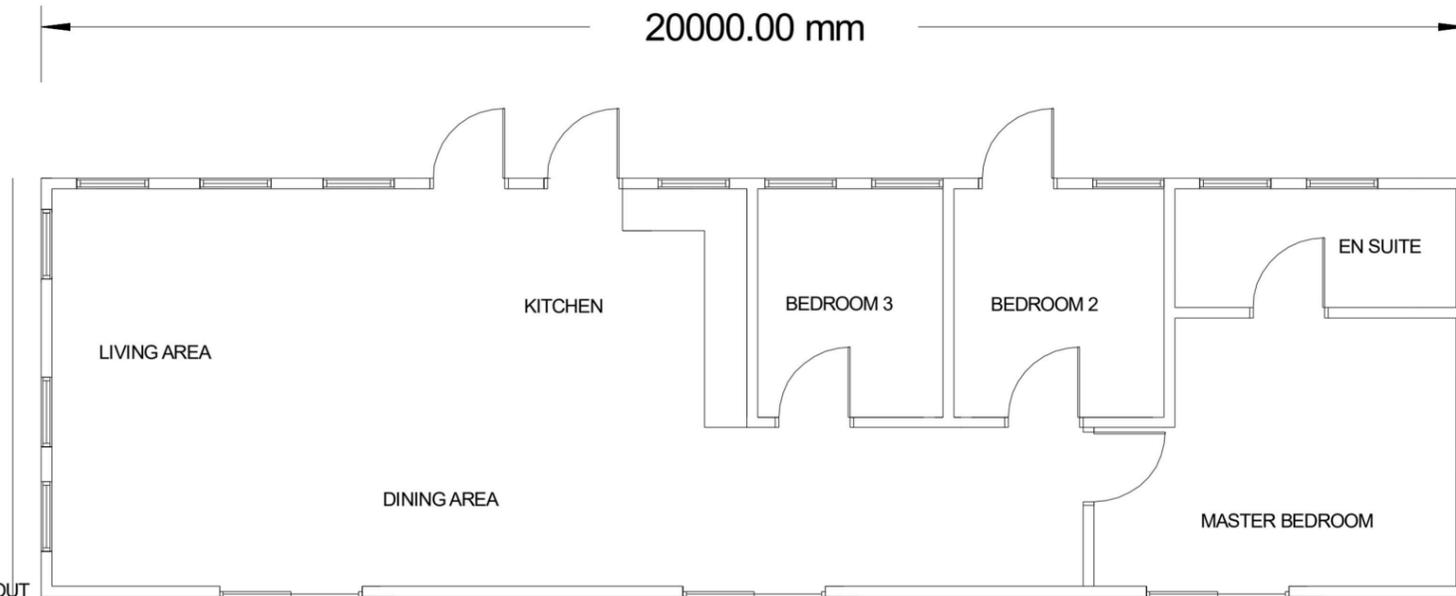
REAR ELEVATION



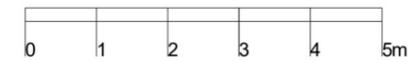
FRONT ELEVATION



SIDE ELEVATION



LAYOUT

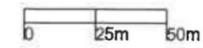


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Client; Mr S. Gunn.
Title; Land at Colam Lane, Little Baddow, Chelmsford, Essex.
Elevations and floor plan of proposed timber cabin.

Scale; 1:100 @ A3 **Date;** July 2022 **Drawing no;** SG-JH-10

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Client;	Mr S. Gunn.
Title;	Land at Colam Lane, Little Baddow, Chelmsford, Essex. Location Plan.
Scale;	1:2500 @ A3
Date;	February 2022
Drawing no;	SG-JH-01
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**AN APPRAISAL RELATING TO THE
CONSTRUCTION OF A NEW RURAL WORKER
DWELLING
AT
LAND ADJACENT TO COLAM LANE LITTLE BADDOW,
ESSEX CM3 4BL
PLANNING REF: 22/01650/FUL**

On Behalf of Chelmsford City Council

By Landscape Land and Property Ltd
Village farm
Thorncote Green
Sandy
Bedfordshire
SG19 1PU

April 2023

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1. INTRODUCTION AND BACKGROUND

1.1 I have been instructed by Chelmsford City Council to undertake an assessment of the holding known as Land at Colam Lane, Little Baddow following the submission of application 22/01650/FUL for the construction of a new dwelling. I made an accompanied site visit in January and an inspection of the planning history records available at Chelmsford City Council via the internet and the current documentation supplied with the application.

1.2 The Planning Application is for a temporary dwelling. Previous planning history is mainly associated with equestrian and agriculture:

Change of use of agricultural land to use as equestrian land. Construction of a barn and riding arena. Formation of access. Car park with provision for 3 vehicles. Ref. No: 22/00841/FUL

1.3 There are a few small agricultural structures and equestrian buildings associated with the recent use of the site for horses and agriculture

2. LOCATION AND DESCRIPTION

2.1 The holding known as Land at Colam Lane is a small grass based site. It is located approximately half mile from Little Baddow, via a single track road. Access to the holding is directly off the narrow lane and the site comprises approximately 4.5 hectares (11 acres) of mainly grass land with post and rail and electric fencing. The proposed dwelling site is on the side of the farm access road near to the road with a relatively new agricultural building suitable for feed and livestock storage.

2.2 The land has been in the applicants ownership since 2018 when they purchased it. Mr Gunn the current main worker and undertakes the day to day running of the unit. The land is of medium quality, being considered mostly Grade 3 according to the Agricultural Land Classification map.

2.3 Land at Colam is an equine and alpaca farming enterprise. The total farm consists of small areas formerly arable now planted to grass for hay and grazing, it is set out in fenced paddocks with post and rail and electric fencing.

3. THE PROPOSAL

3.1 The proposal is for an agricultural worker's dwelling on the site. The plan for the holding is to develop an agricultural business with the keeping, breeding and rearing of high-quality alpacas for sale; the selling of alpaca fibre and fibre-products; and the keeping of poultry (hens and quail) for egg sales. The dwelling will be occupied by Mr Gunn as the key worker. There are currently no vacant residential dwellings on the site. This application is seeking approval for a temporary dwelling, which was under construction at the time of the site visit.

3.2 It is accepted within national planning policy that paragraph 80 of the NPPF supports the provision of new isolated homes in the countryside where 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.

3.3 Local Plan policy DM12 in the Chelmsford City Council Local Plan also supports the provision of permanent agricultural workers where certain criteria are met. This report is to consider the national and local policies that are relevant to this application.

4. THE HOLDING

4.1 The land extends to around 4.5 hectares or 11 acres and has been used for the grazing and hay making. It comprises of small agricultural and equestrian buildings as well as fields for grazing. Some hay and straw is purchased locally for supplementary feed and bedding. Additional land is rented locally.

4.2 There are a selection of small building structures on the site for the housing of the animals and machinery as well as for the storage of hay, straw bedding and other feed stuffs, but these seem insufficient for the existing and proposed scale of enterprise. There is a small outdoor stack of hay near the proposed site.

4.3 The enterprise includes some rented land in the locality, some of it adjoining the holding and some around 1 mile away. Firm agreements to utilise this land for the longer term will be required in order to demonstrate both sustainability and financial security going forward.

4.4 The herd is currently around 10 breeding females, plus followers some of which may be retained for additional breeding stock. At present the animals are sold as pedigree stock to other producers and the wool is also harvested for preparation of fibre. At present the unit is in a development and build-up phase and will take 2-3 years to reach an appropriate scale.

4.5 Animals are bought and sold as market conditions provide opportunity.

5. THE ENTERPRISE

5.1 The plan envisions a breeding herd of approximately 25 female alpacas, plus stud males and youngstock. The applicants will purchase up to 10 breeding females and a stud male in Year 1 and expand over the next two to three years.

5.2 Sales of alpacas will occur with additional income streams envisaging from fleeces and wool products, the sale of alpaca manure, trekking and picnics etc

5.3 A further element is up to 100 free-range chickens and 100 quail producing eggs which will be sold locally, either roadside or delivered locally.

5.4 The Enterprise has been established in its current form for about a year. According to the agent the business has the prospect of profitability in the first 3 years and thus would become financially stable. Initially there is quite a lot of investment in livestock and infrastructure proposed.

Labour

5.5 The operation is run by Mr Gunn. He works solely on the holding and does not have part time jobs elsewhere Mrs Gunn also works part time on the holding and would undertake more if resident.

5.6 A case has been made in the supporting information that there is a need for a dwelling on the site. The applicant currently lives on a neighbouring village and a night security presence has been taken up in a caravan. The application argues that there is a labour equivalent for a full-time worker role at the farm.

6. CAPITAL INVESTMENT

6.1 It is clear from the information provided in the supporting statement and previous applications that new buildings and infrastructure have been erected and investments made at the site.

6.2 The land has been improved in the time that it has been in ownership of the applicant and this, together with the livestock purchased for the livestock enterprises suggests significant capital investment over time.

6.3 A second hand log cabin style dwelling has been sourced and was under construction at the time of the site visit.

7. TURNOVER AND PROFITABILITY

7.1 I consider that the size and scale of the operation at Colam Lane demonstrates that the unit is potentially sustainable. The business projects profits in future years when livestock numbers have grown to allow sales of breeding stock, wool and other products.

7.2 The information provided with the supporting statement suggests that there is full time work for an employee, at least at minimum agricultural wages. The business needs to grow and the numbers of stock proposed would require a full-time labour equivalent, to give good cover for emergencies and out of hours activities, particularly when alpacas are birthing. However, it is only at the scale proposed in the application that justifies a presence on site and if numbers fail to materialise not only will the finances suffer, but there will not be a justification for a permanent presence on site.

8. COMMENTS ON THE PROPOSAL

8.1 The business is considered to be a modest scale and tidy operation, the livestock systems that are run are fairly complex which require Mr Gunn to work on site full time. The size of the overall land holding, is small and additional land is rented in the immediate vicinity to compensate for the small land holding.

8.2 Practice shows that the market for quality reared livestock is only profitable in either an expanding or increasing added value market. The agricultural report indicates that whilst Mr Gunn has no long term experience that he and his wife have undertaken training and work experience to gain knowledge:-

In terms of background, Steve comes from a commercial background and ran his own hairdressing business for the past 20 years. Following an accident he had to sell that business and find alternative forms of employment. The establishment of the agricultural business presented itself as a practical option and he and Chris took the opportunity to purchase the land. They have completed a series of courses in alpaca husbandry with Alpaca Evolution and pasture management with East England Alpaca.

8.3 The financial position of the business is not yet secure, but I consider it has sufficient financial opportunity to fund a worker. The unit should provide work for a full-time employee and the scale of the operation suggests that the work is likely to be ongoing.

8.4 On the basis that there is no vacant dwelling nor a suitable one in the surrounding area of Colam Lane, I consider that there would be a need for an onsite presence for one worker in order to allow the business to develop. However, it would only justify a permanent presence if the numbers of animals stated are achieved during this development phase.

8.5 Colam Lane is very narrow and difficult to access. The sight line of the dwelling and its location to the farm buildings is well placed such that if there are any problems they will be seen or heard in this location when animals are housed or kept in the paddocks.

9. LOCAL AND NATIONAL PLANNING POLICIES

9.1 Chelmsford City Council Local Plan 2013-2036 was adopted in May 2020 and includes policies regarding agriculture and rural worker dwellings:-

Policy DM12: Rural and agricultural/forestry workers dwellings

Planning permission will only be granted for a new dwelling or caravan in the Green Belt where there is a proven essential need for the purposes of agriculture or forestry, and very special circumstances which clearly outweigh the harm to the Green Belt and any other harm.

Planning permission will be granted for a new dwelling or caravan in the Green Wedge or Rural Area where there is a proven essential need for the purposes of agriculture or forestry, horse breeding and training, livery or other land-based rural business.

A) Temporary accommodation

For applications for temporary accommodation, the following criteria must be met:

- i. it can be demonstrated that the business can sustain the full-time worker directly employed by the business at minimum wage; and*
- ii. it can be demonstrated that there is a functional need for the proposed accommodation which cannot be met by existing suitable accommodation available in the area, or by rearranging duties and responsibilities between workers; and*
- iii. the need cannot be met by re-using, extending or adapting an existing building on the holding; and*
- iv. the proposed accommodation is located within or adjacent to the existing farm complex of buildings or other dwellings on the holding; and*
- v. the size of the accommodation relates to the needs of the rural worker to be employed under his or her current situation.*

9.2 Paragraph 80 of the NPPF supports the essential need for workers to live on site where the business is sustainable but does not detail any particular financial requirement. However the council policy requires a financial justification.

9.3 The information provided with the application shows that the business could become financially viable and secure. The financial information provided should be sufficient to justify a temporary dwelling.

9.4 As such, I do consider that the application would meet the strict criteria for a temporary dwelling, including the financial criteria set out in Policy DM12 and elsewhere. The scale of the operation suggests that it will become a full time holding in due course or has the reasonable prospect of doing so. The numbers of livestock present on the unit are small but significant and are proposed to be grown over time and there is a need for a competent operator to be living at or close by. However, for a permanent dwelling the numbers of animals would need to be achieved to justify a permanent presence.

9.5 It is unlikely that there would be any suitable and available dwellings in a nearby settlement that could meet the needs of the site, particularly due to the narrow lane, needs of the animals and the proposed scale.

10. CONCLUSIONS

10.1 The lack of an agricultural workers dwelling on Land at Colam Lane has become apparent. The farm is relatively secluded and has no vacant residential properties on it. The lack of a dwelling is considered to be restricting the growth of the operation. There are no other dwellings on the site.

10.2 The financial information presented with the application shows that a modest level of profits can be achieved within 3 years although there will be some fluctuation. The farm has made significant investments in infrastructure and livestock and I am satisfied that it is sufficiently well planned.

10.3 The rural location and type and number of animals would benefit from an on-site presence. The planned scale of this operation with larger numbers of alpacas makes a presence necessary, security and welfare issues are relevant to this rural location, during the build up phase of the enterprise.

10.4 Chelmsford City Council's local plan policy and the national guidance contained in paragraph 80 of the NPPF suggests that it is only in exceptional circumstances that agricultural workers dwellings should be approved. In particular Policy DM12 requires the holding to be viable and that the need relates to a full-time worker or someone primarily employed in agriculture. The information provided with the application confirms that the unit has a reasonable prospect of becoming viable and sustainable.

10.5 At present the unit is in a build up phase and it anticipates providing full time employment to the applicant in the role of a stockman/manager and that person has a need to reside on site or close by. There are no suitable or available dwellings in the vicinity and an on-site presence is therefore necessary. However if the full scale of the enterprise does not develop then I consider that a permanent dwelling would not become necessary.

10.6 I consider that the application would meet the broader test in Policy DM12 and NPPF 80 for a temporary dwelling in order to allow the business to develop and grow.

Landscape Land and Property
April 2023