

Item No 04:-

15/00655/FUL (CT.8950/D)

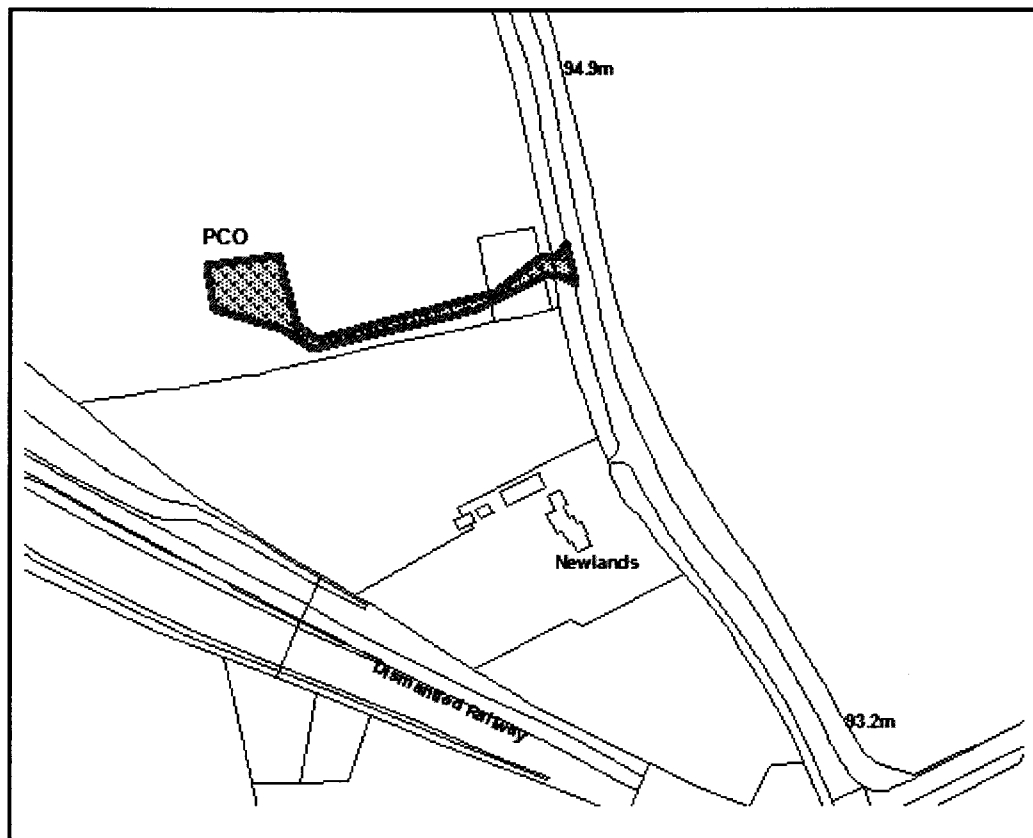
**Clay Meadow
Cirencester Road
South Cerney
Cirencester
Gloucestershire
GL7 6HU**

Item No 04:-

**Erection of an agricultural worker's dwelling
at Clay Meadow
Cirencester Road South Cerney**

| Full Application 15/00655/FUL (CT.8950/D) | |
|--|--------------------------|
| Applicant: | Mrs Helen Kendall Smith |
| Agent: | |
| Case Officer: | Martin Perks |
| Ward Member(s): | Councillor Shaun Parsons |
| Committee Date: | 10th June 2015 |

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) Essential Need for Worker's Dwelling and Sustainable Development
- (b) Size, Design and Impact of Proposed Dwelling on Character and Appearance of the Locality

Reasons for Referral:

This application has been referred to Planning Committee by Cllr Layton as she has concerns about the size of the proposed dwelling and in light of the level of local interest in the application.

1. Site Description:

This application relates to a parcel of agricultural land measuring approximately 8 hectares (20 acres) in size located approximately 200m to the north of South Cerney Development Boundary. The site lies approximately 800m from the centre of the aforementioned village. Access to the site is via an existing field/site entrance opening onto the main road linking South Cerney with the A419 just to the south east of Cirencester. The application site is located outside the Cotswolds Area of Outstanding Natural Beauty.

A Public Footpath runs parallel to the northern edge of the site. It extends alongside the route of a former canal and lies outside the application site. A second footpath extends in a roughly north south direction through the centre of the applicant's land. It is located approximately 210m to the west of the proposed dwelling.

2. Relevant Planning History:

CT.7622/A Creation of car park and use of land for education (rural interpretation) Granted 1996

12/04205/FUL Use of land as a site for a log cabin as a temporary farm dwelling and the permanent construction of farm buildings and related development to include a hardcore access track and turning head Granted 2012

14/04592/FUL Use of land for the siting of two yurts for holiday lets associated with existing Alpaca farm and creation of decking Withdrawn 2014

14/04593/FUL Erection of farm building and related development to include hardcore access track and turning head Granted 2014

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR19 Development outside Development Boundaries
 LPR26 Tourism
 LPR38 Accessibility to & within New Development
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Development

4. Observations of Consultees:

Independent Agricultural Consultant: No objection - see attached

Environmental Health Contamination: No objection

MoD Safeguarding: No response to date

5. View of Town/Parish Council: Object

'South Cerney with Cerney Wick Parish Council objects to this proposal as it considers there is no case for the necessity of an agricultural dwelling on the site. This has not been proven through a business plan and there is no demonstration of the need for such a dwelling. It was misleading to describe such a large building as an agricultural dwelling'

6. Other Representations:

Eleven letters of objection and six letters of support received;

Grounds of objection are:

- i) Dwelling is not required;
- ii) Property for sale nearby which could be purchased by the applicant if it is necessary to reside near business;
- iii) The proposed property would not be affordable to another farm worker in the future should business fail;
- iv) Alpaca business likely to fail as it is very small scale and there is limited demand and reward for alpaca wool. It is also my understanding that applicant has had more than one previous business that has failed;
- v) Alpaca farm and the way it has been run has already had an impact on the local community with interference by the applicant on public footpaths which are used by local joggers and dog walkers;
- vi) Not a sustainable green field development. 20 alpacas on 30 acres, this is a "SHAM" business;
- vii) Planning permission to build a dwelling of any kind on farm land should not be granted to this applicant unless it is the intention of the Council to grant all such applications in the future.;
- viii) This development would have a detrimental impact on the rural landscape in and around South Cerney. The farm is only around 20 acres and the scale of this development is inconsistent with the claimed requirement to have a permanently resident 'rural worker'. In practice this is a residential development and may set a precedent for further green field development along the approach road to South Cerney;
- ix) The haphazard way, the style and location of the building on this development are not in keeping with the local environment. Is it not the planning departments role to manage and police this?;
- x) The proposed development will have a detrimental impact on a landscape already blighted by hire wire fencing and the removal of signage marking two pathways previously open to generations of users;
- xi) here is little evidence that this is a sustainable green field development or that an agricultural business of just 20 acres demands, or can sustain, residential accommodation for a rural worker. This lack of evidence suggests development by stealth rather than necessity which, if successful, may well be the thin end of the wedge regarding the possibility of further developments in this and neighbouring rural locations';
- xii) There is already a workers dwelling on this site therefore there is no reason for another;
- xiii) Since original application the site has become heavily fenced and has become an eyesore;
- xiv) Our opinion is that this operation is not a true farm /agricultural enterprise, more a small scale hobby;
- xv) It is clear that the applicant intends to operate a range of business activities at the site. Whilst the creation of products on farm may constitute acceptable business diversification almost none of the activities actually constitute an additional essential need component. All activities seem to be geared towards creating additional income and all of which will detract from the applicant's ability to actually farm the land. Tourism also seems to be a key consideration in the applicant's business plan. Again this would detract from the true rural business and is likely to have a negative impact on the farm business;
- xvi) Concerned that if planning permission is granted we may find ourselves facing an application in the future for a property to be built on the field opposite our house;
- xvii) The dwelling design shows a large number of windows directly facing Lock House. This would have a detrimental impact on the quality of life at Lock House as there will be no privacy in

any of its 3 bedrooms. Due to the height of the land at Clay Meadow the new dwelling will overlook Lock House and the design of the new dwelling isn't sensitive to its privacy. Can the design be altered to reduce the impact on the residents of Lock House? Could a small tree similar to one already in place on the north boundary be planted to maintain the privacy of residents of Lock House?

viii) See attached.

Grounds of support are:

i) We have lived in South Cerney for 42 years so know the village well and in the past have objected to many planning schemes. Having visited Clay Meadow twice with our family and seen for ourselves the work and commitment Helen puts in to keeping the alpaca farm running. We whole heartedly support the erection of an Agricultural Workers Cottage - disabled toilets - accommodation;

ii) Applicant has always had her alpaca vetted prior to purchase. She is very careful with her genetic selection criteria and health of her herd. She is one of only a handful of alpaca studs in the UK who has badger fenced her entire farm. These points demonstrate the applicant's commitment and veterinary expertise but also her investment in the long term future and continued viability of her established alpaca business;

iii) Alpaca are not inexpensive and I like the way that Helen insisted I was capable of handling and looking after an alpaca before she would sell to me. It was very difficult to imagine a working farm from the rough fields with barbed wire that I first saw. However, Clay Meadow has been transformed and has become a very smart, active alpaca farm. As a client I have been re-assured by Helen's on site presence all the time and her security;

iv) The development has been planned and carefully designed with advice sought from numerous relevant experts. The facilities for the alpaca, security for them, isolation and bio security measures are as a result of discussions with a veterinary practice with whom the owner has been a client for over a decade and whom also strongly support the application;

v) Sustainability is a key issue and weight should be given to the fact that the farm was first started in 2008, has survived through the recession and was physically built in the worst winter on record.;

vi) Proposed dwelling is well designed, in keeping with the Cotswolds and its local surroundings and incorporates local stone;

vii) Alpaca increase tourism to the area;

viii) Site by its location is vulnerable if left unoccupied;

ix) Rarely do you see the enthusiasm and total dedication, commitment to the animals and their care that you can see and feel on this farm;

x) The NPPF fully supports diversification towards tourism for agricultural farms where it does not actually affect the actual livestock farming. It would be extremely beneficial for alpaca clients and visitors to be able to stay on site and enjoy the whole intrinsic experience;

xi) What we have here is a agriculture with a small amount of tourism co-existing with the farm for the benefit of visitors. The facilities for people with disabilities incorporated within the ground floor of the proposed farmhouse is an excellent concept as few realise that even minor handicaps in walking create hazards in the usual public toilet facilities;

xii) Tourism of this kind will generate income from the stud which ultimately supports its long term viability;

xiii) My background is in the field of mental health and know first hand the benefits to patients coming into close contact with animals in a friendly supportive environment. The concept of walking and being with alpaca is something that has genuine cognitive benefits for those involved;

xiv) Research indicates that people with disabilities reap untold benefits when being given the opportunity for social interaction with animals. The business provides this opportunity and is working towards providing facilities entirely suited to the needs of people with disabilities;

xv) The fact that during their time on the farm everyone is able to walk safely with the alpaca alone and then feel and work with the fleece is not something I believe is found elsewhere in the UK.

7. Applicant's Supporting Information:

Planning Statement

8. Officer's Assessment:

Background, Existing Business and Proposed Development

The applicants moved to the Clay Meadow site in 2012 following the purchase of the land from Gloucestershire County Council. They had previously been operating their alpaca business from a site in Wiltshire since 2008. Their business primarily focuses on the breeding and rearing of alpaca. Such activities fall within the definition of agricultural as set out in Paragraph 336 of the Town and Country Planning Act 1990.

In 2012 planning permission was granted for the erection of agricultural buildings and the stationing of mobile home for use in connection with the applicant's alpaca business. As the business at Clay Meadow was still in its initial stages the accommodation was allowed for a temporary three year period. The three year temporary period was intended to provide the applicant with time to demonstrate that their business was viable and had a long term chance of being profitable and successful. The temporary period is now nearing its conclusion. The applicant has therefore submitted a new application for the creation of a permanent dwelling on the site in place of the existing log cabin. If permission were to be granted the occupancy of the dwelling would be restricted to a person(s) mainly or solely employed in agriculture and any resident dependents.

The applicant owns approximately 8 hectares (20 acres) of land and rents a further 1.8 hectares (4.5 acres) from Bathurst Estate. The Estate has recently agreed to extend the lease on the rented land for a further 3 years. Since 2012 the applicant has erected a number of barns on the site in accordance with the 2012 permission. They have also gained permission for a further barn on the land. Extensive badger proof fencing and a number of mobile field shelters have also been sited on the land. Neither the keeping of alpacas on the land, the fencing nor the field shelters require planning permission. Approximately 90 fruit trees have also been planted on the site. The amount of work that has been undertaken on the site since 2012 demonstrates that the applicant has made a commitment to the site and the business.

The size of the operation has increased since 2012. From an initial herd of approximately 20 alpaca the numbers are expected to increase to 50-60 by the end of 2015. The business generates income from a number of sources. The main source of revenue is the selling of homebred progeny and from the provision of stud services. The applicant also receives revenue from agistment, alpaca walking, corporate alpaca events, alpaca husbandry days and alpaca goods and products such as clothing, alpaca yarn, fleece as well as product related activity packs. The applicant has also received sponsorship from other businesses which further demonstrates how the business has developed in a positive manner since 2012. The applicant has a website and has produced videos showing the range of activities and items that are available. The applicant is also seeking to provide on-site accommodation for visitors who currently pay to spend time with the alpaca.

The proposed dwelling will consist of a central range measuring approximately 16m wide by 7m deep. To the rear of the dwelling will be a single storey addition measuring approximately 6.5m deep by 6m wide. The proposed dwelling will be 2 storey in height and will house 4 bedrooms. It will be constructed in natural stone. The ground floor of the proposed dwelling will also contain a Bed and Breakfast room, a disabled access WC, fleece room and office, The B and B room and WC will have outside access and will be utilised by visitors to the site. The applicant initially wished to establish disability friendly visitor accommodation on the site in the form of yurts. However, the MoD objected to the creation of such accommodation due to the site's location within the explosive safeguarding zone of South Cerney barracks/airfield. The MoD considered that the yurts would not provide sufficient protection to their occupants should there be an explosion at the nearby military base. The applicant has therefore had to consider alternative

means of providing the visitor accommodation. Rather than providing further detached buildings on the land they have decided to pursue the option of a single building which would provide domestic and business related space for the applicant and additional accommodation and facilities for visitors. People who have already visited the site have expressed an interest in residing on site as part of their visit. This in turn provides an additional income stream for the applicant and accords with farm diversification/rural business policies set out in Local Plan Policy 27 and Paragraph 28 of the NPPF. The latter states that planning should support the sustainable growth and expansion of all types of businesses and enterprises in rural areas, both through conversion of existing buildings and well designed new buildings. It also seeks to promote the development and diversification of agricultural and other land based rural businesses.

The proposed dwelling will be located in a broadly similar position to the existing log cabin. It will be set back approximately 90m from the main road to the east.

(a) Essential Need for Worker's Dwelling and Sustainable Development

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011. Development in such locations is primarily covered by Policy 19 Development Outside Development Boundaries of the aforementioned plan. Policy 19 has a general presumption against the erection of new build open market housing (other than that which would help to meet the social and economic needs of those living in rural areas) in locations outside designated Development Boundaries. Notwithstanding this, Paragraph 3.3.19 of the text accompanying Policy 19 advises that acceptable new build housing in areas covered by Policy 19 can include 'dwellings specifically tied to agricultural, forestry, equestrian or other occupational uses.' Policy 19 can therefore offer support for agricultural worker's dwellings where they serve an agricultural business.

Prior to January 2009 the Local Plan included a policy (Policy 29) which set out specific criteria covering the erection of agricultural worker's dwellings. However, this Policy was not saved by Paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 and as such no longer carries any weight. The policy was not saved because it was considered to duplicate guidance in Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) which also set out criteria in respect of proposals for agricultural worker's accommodation. However, the aforementioned document was revoked following the introduction of the National Planning Policy Framework (NPPF) in March 2012. Following its revocation the Council's Cabinet resolved in May 2012 that the Council should continue to use the guidance in Annex A as informal guidance during the consideration of applications for agricultural/occupational buildings. Whilst the informal guidance is still in place it does not constitute adopted policy or supplementary planning guidance and as such carries minimal weight. The limited weight that can be attached to the informal guidance is highlighted by a High Court judgment dating from December 2013 (Embleton Parish Council v Northumberland County Council) where the judge stated 'I accept that the test under paragraph 55 of NPPF is different from the test under Annex A, paragraph 12(iii) of PPS7.' and that 'the NPPF test simply requires a judgment of whether the proposed agricultural enterprise has an essential need for a worker to be there or near there.' The judge therefore made a distinction between current guidance in the NPPF and that appearing in the now revoked PPS7.

In light of the above the only formal guidance, other than Policy 19, that specifically relates to proposals for agricultural worker's dwellings is set out in Paragraph 55 of the NPPF. It states that 'local planning authorities should avoid 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.'

It is evident that Paragraph 55 of the NPPF relates to 'isolated' homes in the countryside. In this instance the application site is located approximately 200m to the north of South Cerney Development Boundary and approximately 800m from the village centre. It is also located approximately 4km from the centre of Cirencester. The site is therefore located in reasonably close proximity to two Principal Settlements and the range of services, facilities and amenities

that they have on offer. The site is within cycling distance of both settlements and is within walking distance of a bus route. There is also a pavement leading into the centre of South Cerney starting approximately 200m to the south of the site entrance. Guidance in Manual for Streets (Para 4.4.1) states that 'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot.' It is considered that the site does have reasonable access to range of facilities that could be accessed by modes other than the private motor car. The site is therefore considered to represent an sustainable location in terms of accessibility to services and facilities. In light of the proximity of the application site to South Cerney it is also considered that the proposal does not represent an 'isolated' home in the context of Paragraph 55 of the NPPF. The weight that can be given to the aforementioned paragraph is therefore considered to be limited. However, the Council must still have regard to the NPPF as a whole when reaching its decision. The NPPF is a material consideration in the determination of this application.

Paragraph 14 states that 'at the heart of the National planning Policy Framework is a presumption in favour of sustainable development'. Paragraph 7 states that 'there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles'. These are an economic role whereby it supports growth and innovation and contributes to a strong, responsive and competitive economy. The second role is a social one where it supports 'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations'. The third role is an environmental one where it contributes to protecting and enhancing the natural, built and historic environment.

Paragraph 8 of the NPPF states that the three 'roles should not be undertaken in isolation, because they are mutually dependent'. It goes on to state that the 'planning system should play an active role in guiding development to sustainable solutions.'

Paragraph 14 of the NPPF also states that 'where the development plan is absent, silent or relevant policies are out date' planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

In the case of agricultural worker's dwelling it is evident that the current Local Plan does not include a dedicated policy covering the matter. However, Policy 19 provides general guidance in respect of all development proposals that fall outside existing Development Boundaries. For instance, it seeks to prevent development that; causes significant harm to existing patterns of development, leads to a material increase in car-borne commuting, adversely affects the vitality and viability of settlements and results in development that significantly compromises the principles of sustainable development. This proposal has therefore to be judged against the aforementioned criteria. As the Local Plan is not totally silent on the matter of agricultural worker's dwellings and the Council can demonstrate the requisite 5 year supply of housing land it is considered that the guidance in Paragraph 14 does not take precedence at the current time. Local Plan Policy 19 is therefore the starting point for the determination of the application.

Whilst this proposal is seeking approval for an agricultural worker's dwelling it must also be noted that the 'in principle' objection to new open market housing outside existing Development Boundaries set out in Policy 19 does not currently carry full weight. Guidance in Paragraph 215 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight they can be given)'. There will be instances where new open market housing outside existing Development Boundaries can constitute sustainable development as required by the NPPF. The blanket ban on new open market housing outside such boundaries is therefore considered not to carry full weight when assessed against Paragraph 215. Each application has therefore to be judged on its own merits. For example,

Planning Committee has recently granted permission for open market dwellings in Bourton-on-the-Hill (14/05480/OUT), Driffield (14/05648/FUL) and Birdlip (14/04047/FUL). All of the aforementioned proposals were more distant from a Development Boundary than the current application site.

In relation to Policy 19 it is evident that the current proposal would result in the erection of a dwelling in a location detached from built development forming part of South Cerney. It would therefore result in the erection of a new dwelling in the open countryside. However, it would also be located in close proximity to a Principal Settlement and in a sustainable location in terms of its accessibility to services and facilities. It is considered that the introduction of a dwelling onto the site would not result in a material increase in car-borne commuting. It is also considered that the proposal would not adversely affect the vitality and viability of South Cerney. The proposal does not therefore conflict with Policy 19 in these respects. However, the proposal would result in the introduction of additional residential development into a rural landscape and an extension of built development along one of the main roads serving South Cerney. The introduction of an unrestricted dwelling onto the site would therefore be likely to cause significant harm to existing patterns of development and therefore potentially conflict with criterion b) of Policy 19. Given that the Council can demonstrate the requisite supply of housing land it is considered that the impact of allowing an open market dwelling on the site would be outweighed by the environmental impact. However, when considering applications for agricultural dwellings a wider set of issues must also be taken into consideration. In the first instance the proposal is intended to serve and support a local business. The presence of permanent accommodation would allow for the more efficient functioning of the business and improve its viability. It would also reduce the need for the applicant to commute to the site on a daily basis. There can therefore grounds for supporting an occupational related dwelling in locations where unrestricted dwellings would not ordinarily be supported. The social and economic benefits arising from such development can outweigh the environmental impact.

In this particular case the applicant has been operating from the site since 2012. The applicant has invested in new buildings, undertaken numerous operational works and has expanded their operation in accordance with the business plan put forward three years ago. In the period since 2012 it is considered that the applicant has demonstrated a serious commitment to the business and has invested heavily in the site. The business has been profitable for the last two years and is expected to remain so in the foreseeable future. Profits have increased with time indicating that the business is moving forward in a positive manner. The number of animals on the site has increased in line with initial business plans. The amount of on-site care and attention is now greater than it was in 2012. The Case Officer and agricultural consultant spent 3 hours on site with the applicant looking in detail at the business and the activities undertaken on site. The consultant has subsequently confirmed that he considers that the business is sound and has a good prospect of remaining so, and that there is an essential need for someone to reside on site. Alpaca gestation periods can vary and it can therefore be difficult to gauge exactly when they are to give birth. Pregnant females can require constant monitoring and new born animals need 24 hour supervision. Animals in quarantine also need close supervision. In a recent appeal decision relating to an alpaca business in Devon (APP/W1145/A/4/2218039) the Planning Inspector considered that there was an essential need for a worker to be present on site to look after 28 animals. The agricultural consultant also considers that there is an essential need for a permanent on site presence in connection with the existing operation (see attached).

The applicant has also suffered from numerous crime incidents since 2012. Whilst the need to be on site to prevent crime is not a reason in itself to support a new dwelling it can still represent a material consideration that can add weight to the applicant's case. This is particular relevant to alpaca businesses where the high price of individual animals means that even the loss of one animal can have a potentially adverse impact on the business. The applicant has suffered from numerous incidents of criminal damage as well harm to livestock. These incidents give weight to the need for someone to be on site on a 24 hour basis.

On balance it is considered that an essential need for a permanent dwelling can be justified in this instance. The proposed scheme has social and economic benefits which weigh in favour of the proposed development.

With regard to the tourism element of the proposal it is advised that the on-site accommodation is intended to serve the existing alpaca business rather than being utilised as a completely separate business activity. The applicant currently allows people to visit the site to spend time with the alpaca. A number of visitors (including a number from overseas) have asked if they could stay overnight. The applicant is seeking to build on this demand. They are also seeking to develop the side of the business that caters for disabled visitors. The applicant originally wanted to do this through the provision of yurts. However, following the objection from the MoD they are now seeking to provide more solid accommodation within the proposed dwelling. The tourist accommodation is therefore purely intended to relate to existing agricultural activities and will not be the primary source of income for the business. It must also be noted that the site was previously used a nature reserve by the County Council prior to its sale. The site has therefore had a history of being open to visitors.

Paragraph 28 of the NPPF actively supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings. It also offers support for 'sustainable rural tourism that benefits businesses in rural areas, communities and visitors, and which respect the character of the countryside.' In addition, Local Plan Policy 27: Diversification of Farms and Agricultural Estates also states that development in connection with the diversification of existing farms will be permitted so long as it does not cause conflict with an existing farming operation and that the scale and design of development harmonises with the character and appearance of the area.

The inclusion of the guest accommodation accords with the aspirations of Paragraph 28 as it will help support a rural business. It will allow the applicant to diversify the existing business thereby generating additional income streams which will contribute further to the long term viability of the business. The provision of tourist accommodation would also benefit the local economy. The tourist accommodation will operate in conjunction with the existing alpaca operation and will not therefore cause conflict with the agricultural business. The provision of the accommodation within the main dwelling will also negate the need to introduce further buildings onto the site thereby reducing the spread of development. The tourist element of the development is a modest part of the proposal as a whole and will be incorporated within a traditionally designed natural stone dwelling. It will also be seen in conjunction with existing agricultural buildings and development. The scale and design of the tourist accommodation are considered to represent a sympathetic form of development that will harmonise with the character and appearance of the area in accordance with Local Plan Policy 27.

(b) Size, Design and Impact of Proposed Dwelling on Character and Appearance of the Locality

The proposed dwelling is traditional in form and will be constructed in natural stone. The internal floor area of the proposed dwelling is approximately 220 sq metres. The floor area includes a Bed and Breakfast room and WC as well as an office and fleece room. Approximately half the ground floor is set aside for business related activities rather than as living accommodation. On the basis that the proposed dwelling will provide space that will help to support the business it is considered that there are grounds to support a development of the size proposed. It must also be noted that there are currently no national or local policies or guidance that place restrictions on the size of agricultural worker's dwellings since the revocation of PPS7. However, it is also recognised that one of the main reasons for supporting this proposal would be that the dwelling meets an essential need and as such it is considered reasonable to require the dwelling to be of a size that is commensurate with that need. In this instance the provision of the residential accommodation is considered to be consistent with the essential needs of the business. The additional tourist/business related accommodation and facilities are considered to be reasonably necessary to assist the proper functioning of the business and to allow the business to diversify in

accordance with Local Plan Policy 27 and Paragraph 28 of the NPPF. The incorporation of the aforementioned facilities within the main dwelling will also reduce the need for further buildings to be erected on the site. It will also allow for the more efficient operation of the business and help assist its long term viability. It is therefore considered that there are reasonable grounds for supporting a development of the size proposed.

The proposed dwelling is considered to be of traditional form and design. The proportions, materials and overall appearance are respective of vernacular Cotswold building styles and to respect local distinctiveness in accordance with Local Plan Policy 42.

The proposed dwelling will be set back from the main road. It will be slightly elevated above the road and will therefore be able to be seen from outside the main entrance to the site. However, it will lie in close proximity to existing buildings and will be seen in context with existing agricultural development. Views of the proposed development from elsewhere along the road and public footpaths are largely screened by existing vegetation and topography. There are dwellings to either side of the applicant's land which are visible from the road. The proposed dwelling will not therefore appear as a completely isolated form of development unrelated to existing development. The proposed dwelling is considered not to have a significant adverse visual or landscape impact on the character or appearance of the locality.

Other Matters

The proposed dwelling is located over 90m from the nearest dwelling (Newlands House) to the south. Mature vegetation provides a degree of screening between the aforementioned dwelling and the site of the proposed development. The nearest dwelling to the north is Lock House which lies approximately 190m from the proposed dwelling. Lock House lies alongside the main road and is readily visible from the public highway and adjacent Public Right of Way. It is considered that the erection of the proposed dwelling by virtue of its distance from Lock House will not have an unacceptable adverse impact on the residential amenity of the occupiers of the aforementioned dwelling. It is therefore considered that it is sufficiently distant from neighbouring dwellings to avoid any adverse impact in terms of loss of privacy, light or amenity. The proposal therefore accords with Local Plan policy 46.

With regard to the availability of other dwellings it is noted that Lock House was advertised for sale at the end of 2014. It was scheduled to go to auction at the beginning of 2015 with a guide price of £395,000. It was also described as being in need of refurbishment. At the time of writing this report the property no longer appeared to be on the market.

9. Conclusion:

Overall, it is considered that the applicant has demonstrated that the existing business is financially viable and that there is an essential need for a permanent on site presence. The proposed development will assist an existing rural business and as such has economic benefits. In addition, the proposed development will provide social benefits in the form of a new dwelling. Whilst this benefit is only small the need for the Council to continue to provide new housing in order to meet its 5 year housing land supply requirements carries weight. The site is also located in a location close to a Principal Settlement and is within reasonable distance of Cirencester. The site is therefore considered to be a sustainable location in terms of accessibility. The landscape and visual impact of the proposal is considered to be limited and not to be of a level that has a significant adverse impact on the character or appearance of the locality. Having regard to Local Plan Policy 19 and guidance in the NPPF it is considered that the social and economic benefits arising from the proposal outweigh the other limited impacts. As such the application is recommended for approval.

10. Proposed conditions:

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing number(s): 15-005-P-E01, 15-005-P-GF01, 15-005-P-FF01, 15-005-P-SP01 A, 15-005-E-SP01 A

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working or last working in the locality in agriculture or forestry activities, or a widow or widower of such a person and to any resident dependants.

Reason: The site is located in a rural area wherein there is a presumption against new build open market residential development. In accordance with Cotswold District Local Plan Policy 19 and guidance set out in Paragraph 55 of the National Planning Policy Framework permission is granted only because the accommodation is required to house a person employed in an agricultural business where there is a demonstrated essential need.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other statutory instrument amending or replacing it, no extensions or outbuilding shall be erected, constructed or sited in the application site other than those permitted by this Decision Notice.

Reason: To ensure that the dwelling remains of a size commensurate with the essential needs of the business and affordable to an agricultural worker. This condition is attached having regard to Local Plan Policies 19 and 42 and guidance in the NPPF, in particular Paragraphs 17 and 55.

Prior to the erection of any external walls of the development hereby approved samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the erection of any external walls of the development hereby approved a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

No bargeboards, eaves fascias or exposed rafter feet shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 42

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 42.

Prior to, or within one month of, their installation all windows shall be finished in a colour that has first been agreed in writing by the Local Planning Authority and the windows shall be retained in the approved colour thereafter unless a similar alternative is first agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 42.

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the environment in the interests of the amenity in accordance with Local Plan Policy 5

Within one month of the first occupation of the dwelling hereby approved the existing log cabin shall be permanently removed from the site.

Reason: Permission is granted for the dwelling to meet the essential needs of the existing business. There is no justification for the presence of two dwellings on the site and it is therefore important that the existing log cabin is removed following the first occupation of the new dwelling having regard to Local Plan Policy 19 and guidance in the National Planning Policy Framework, in particular Paragraph 55.

NOTES

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A 13.02.15 - Domestic curtilage boundary line amended

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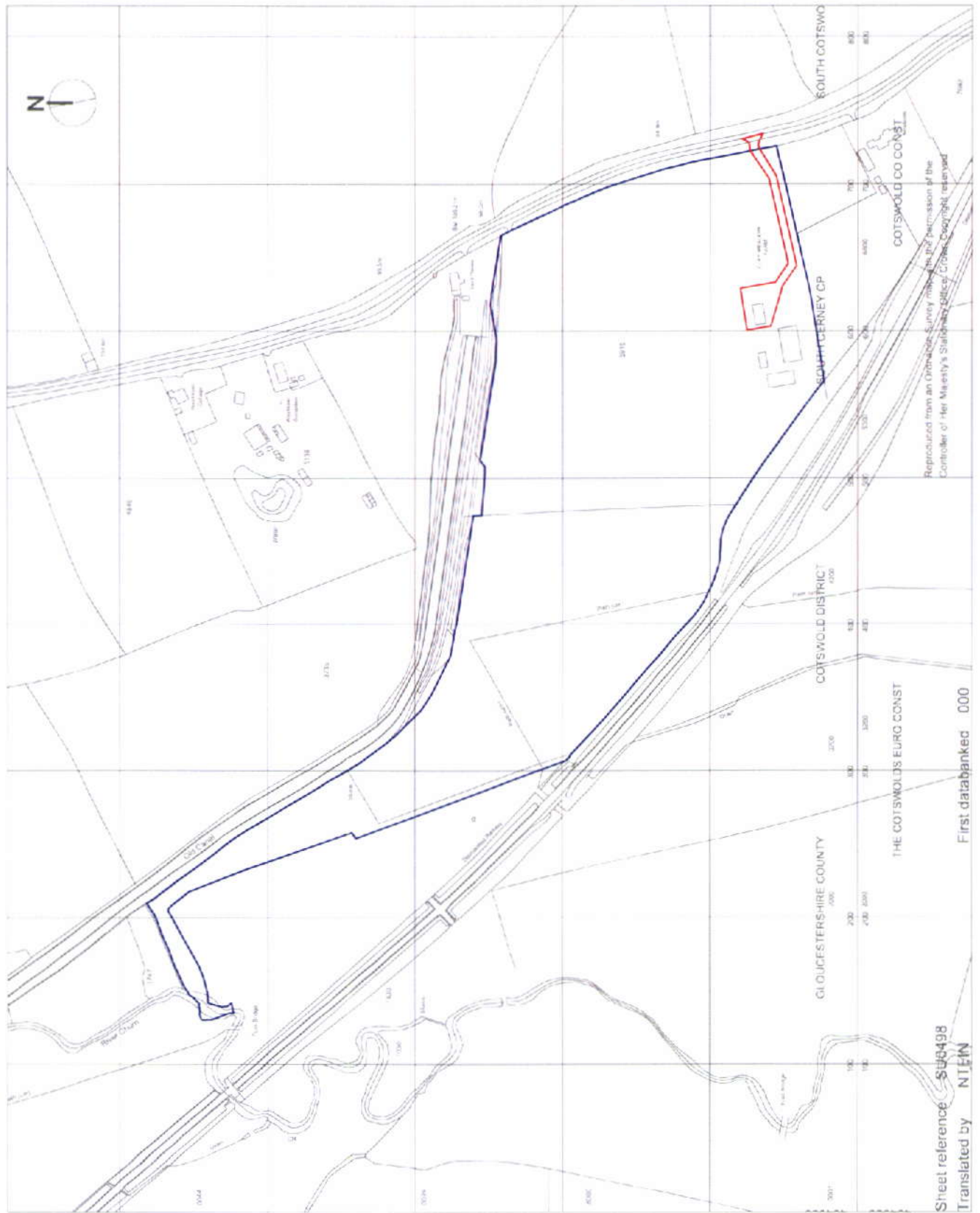
PROJECT
 Proposed New Farmhouse
 Clay Meadow Farm
 South Cerney
 Gloucestershire

TITLE
 Site Location Plan

| DRAWING NO | REV. |
|--------------|------|
| 15-005-E-SLP | A |

SCALE
 1:2500@A3

DATE
 Feb 2015



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First databanked 000

Sheet reference S00498
 Translated by NLEIN

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A. 1.2.15 - Proposed outline boundary line
1:5000

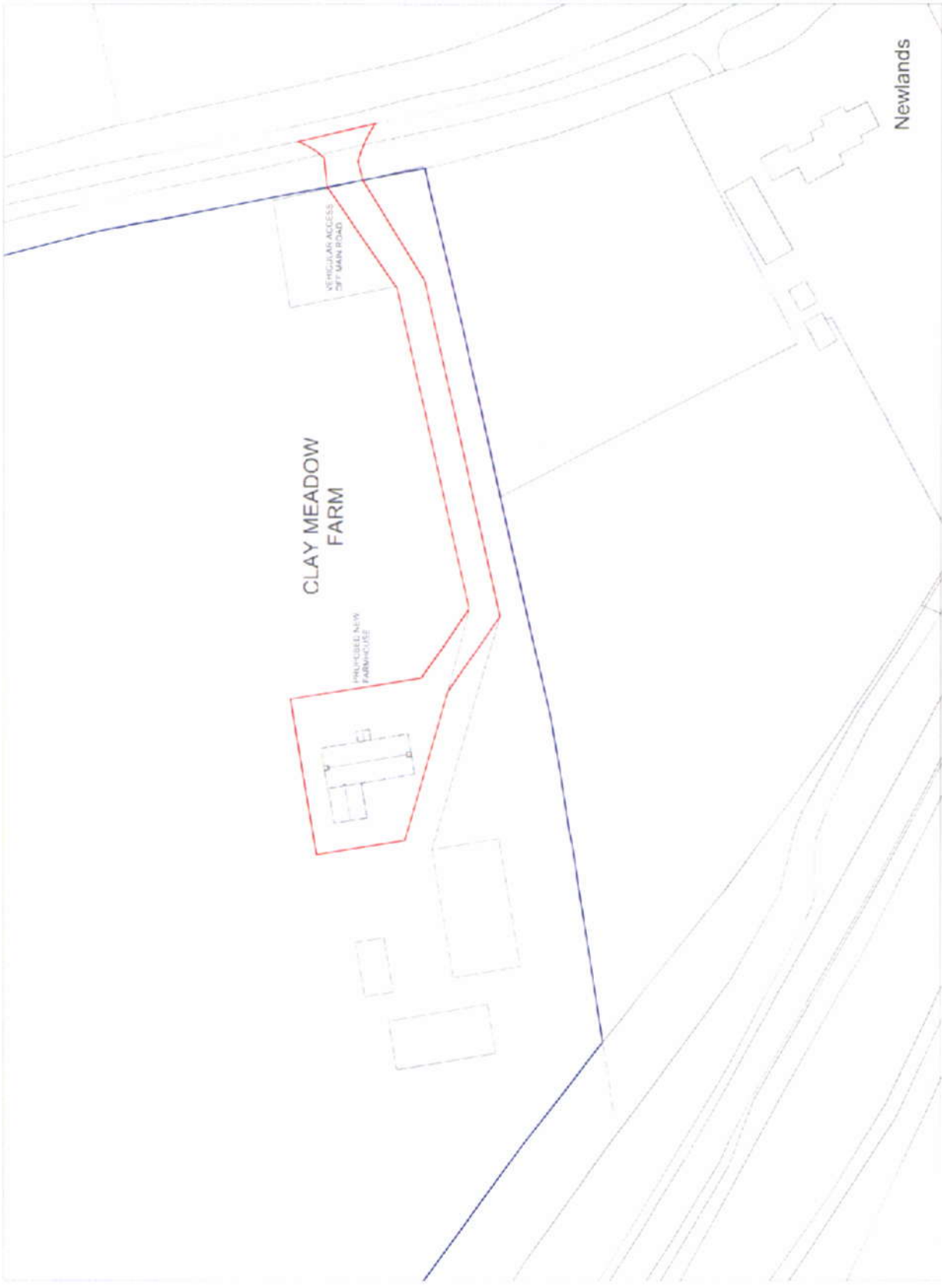
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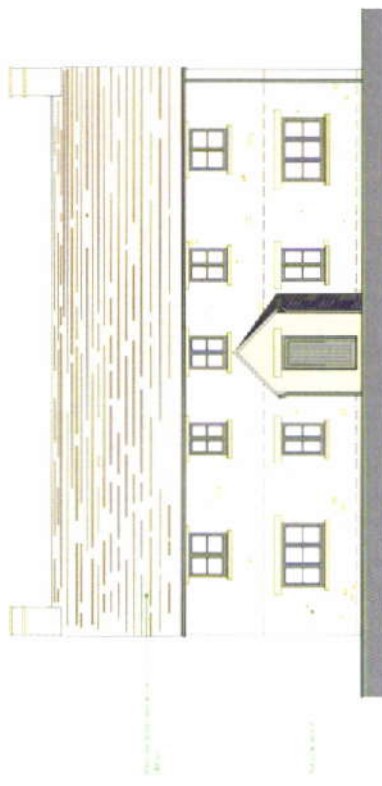
PROJECT
Proposed New Farmhouse
Clay Meadow Farm
South Cotswold
Gloucestershire

TITLE
Proposed Site Plan

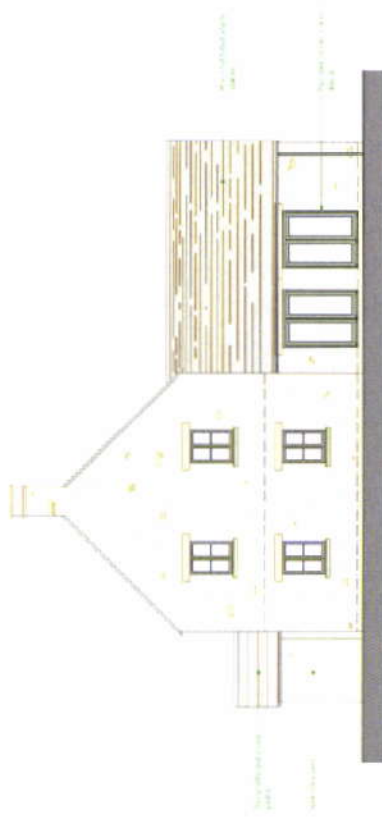
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| DRAWING NO. | REV. |
| 15-005-P-SP01 | A |

SCALE
1:5000(A2)
DATE
Feb 2015





EAST ELEVATION
 (Front elevation)



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

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Proposed New Fabrication
 City Meadow Farm
 South Gairney
 Cumbernauld

Proposed Elevations

| | |
|--------------|----------|
| DATE | REV |
| 15-005-P-E01 | |
| SCALE | DATE |
| 1:100 @ A2 | Feb 2015 |

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PROJECT
Proposed New Farm House
Clay Meadow Farm,
South Cotswold,
Gloucestershire

TITLE
Proposed Ground Floor Plan

DRAWING NO
15-005-P-GF01

SCALE
1:50@A2

DATE
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119

119

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PROJECT
Proposed New Farmhouse
Clay Meadow Farm,
South Cotswold,
Gloucestershire

TITLE
Proposed First Floor Plan

DRAWING NO.
15-005-P-FF01

SCALE
1:50 @ A2

DATE
Feb 2015





Above: Alpaca

Below: Dwelling to be located on site of existing mobile home





Above: Site entrance

Below: View north along main road (site entrance by car)



FOREWORD

This application is for a permanent residential Agricultural Workers dwelling at Clay Meadow. This dwelling will carry restrictions for it to be lived in only by those involved in Agriculture and their Dependants, in accordance with the National Planning Policy Framework (NPPF) conditions. The Permanent dwelling will replace the Temporary existing dwelling.

A temporary Agricultural workers dwelling was granted in December 2012 for Kensmyth Stud at Clay Meadow and the proposed permanent dwelling not only replaces the temporary structure in terms of building quantity on the site but also is proposed in its same place within the Farmstead cluster.

Clay Meadow is a parcel of Agricultural land that used to be farmed many years ago with a residential Farm building called "Clay Meadow Farm." When Gloucestershire County Council (GCC) sold the land, it went out to tender for full and final bids. With Lot 2 selling only at this point, it was split into two parcels.

Lot 2 sale was finalised after a considerable period of time and was subsequently developed as a private Equestrian smallholding with stables and ménage. Lot 1 remained on the market for some 18 months before being sold.

Lot 1 was purchased by Kensmyth Stud for their existing Alpaca business established in 2008 and remains an Agricultural Farm today.

Out of respect for the village history, and community spirit, we retained the name.



SOUTH CERNEY – SUPPORTING THE COMMUNITY 1

Kensmyth Alpaca Stud – the edge of the village is staying Green!

We would like to thank our friends in the villages of South Cerney and Siddington who have welcomed the Alpaca as the “green field” entrance to their Villages.



We are so Green we even recycle our used straw to a local pony charity...



ALPACA ARE NOT "LIKE SHEEP AND GOATS" - DISPEL THE MYTH

With some exceptions in that all three species have similar stocking levels of 4-6 per acre, all have four feet and all can reabsorb their foetus at varying stages due to stress... take a look at the differences and put the "Alpaca are like sheep and Goats MYTH" to bed once and for all:

| | ALPACA | SHEEP | GOATS |
|---|------------------------------|-------------------------|-------------------------|
| Neck | long | short | short |
| Feet | Soft, padded, two toes | Hard, cloven hoofed | Hard, cloven hoofed |
| Gestation period | 11.5 mths, 6 wks either side | 5 months/147 days | 5 months/147 days |
| Number of young production capability | one cria pa. | up to 3 lambs pa | up to 3 kid pa |
| Age of sexual maturity M/F | 18 mths - 2 years | 5-12 months | 6-12 months |
| Can male run with herd | no | yes | yes |
| Signs for mating | none | Crayon/raddle | Rutting/ Scenting |
| Reproduction | induced ovulator | estrus cycle | estrus cycle |
| Visual signs for presenting male for mating | none | wet around vulva, noise | wet around vulva, noise |
| Birthing season | year round | spring* | spring |
| Artificial mating methods | Embryo transfer only | Artificial Insemination | Artificial Insemination |

| | | | |
|-----------------------------------|---|--|---------------------------------|
| Skin/fleece | no lanolin, hypoallergenic | lanolin | no fleece |
| Meat rearing timescales | Maturity aged 3 years + | 5 months | 5 months |
| Fleece | High value/demand | Low value | No fleece |
| Bottle feeding | Run away have to catch | Easy, come to you | Easy, come to you |
| Barning anytime | Prey animals dislike captivity Highly stressed if kept in long Dislike birthing indoors | Like, birth easily indoors | Like, birth/live easily indoors |
| Sheepdog use | Prey animals cannot use dogs - any dog can cause stress Abortion / reabsorption | Rounded up easily with trained dogs | Dogs can be used |
| Average Weight Adult | 85-110 kg | 40-70 kg | 45-80 kg |
| Drugs | none licenced for alpaca | licenced | licenced |
| Fighting teeth (need removing) | males annually | No | No |
| Climate husbandry exemptions | Need ADE vitamins Monthly in low light months | No | No |

Some purebred sheep differ in birthing

NB: all drugs used on Alpaca in the UK are only licensed for use in Sheep and Goats - so for Alpaca it is a "best guess" situation - whereas for the other two it is a considered and acknowledged result.

1. SITE CONTEXT

The land at Clay Meadow is situated about 1 mile to the north of the village of South Cerney, and within 3 miles of Cirencester. It is accessible on its eastern boundary from Cirencester Road. Easting 40565, Northing 198142. Postcode GL7 6HU.

To the south west the property has a common boundary with the route of the former railway line; to the far north western end, frontage to the River Churn; and to the north east the farm land borders with the old Thames and Severn canal.

Clay Meadow lies to the immediate north east of the Cotswold Water Park and is not located in an Area of Outstanding Natural Beauty or Green Belt.

At present the working farm area comprises a block of approximately 25 acres of pasture, a hardcore car park with access track and turning head leading to temporary mobile home Log Cabin, two agricultural barns and farm office log cabin with visitor toilets and showers. These are not suitable for Disabled Visitors. There is also a dog kennel.

It should be noted that 4.5 acres of this land is owned by Bathurst Estate with whom Mrs H Kendall Smith holds a Farm Business Tenancy agreement.

It should also be noted that Clay Meadow has its own Holding Number and Mrs H Kendall Smith a PI number under the Rural Payments Agency.

Clay Meadow land owned by Mrs H Kendall Smith is registered with the Rural Payments Agency under the Active Farmer Single Payments Scheme. – BPS 2015.

There are Mobile Field shelters in every paddock; of size commensurate with numbers of livestock grazed therein. There is a tall hedgerow alongside the south west former railway boundary. There is likewise good hedge screening to the east boundary to the road.

There is one public right of way on foot which crosses the property, NOT in the vicinity of the Application Site.

2. AMOUNT / EXTENT OF THE PROPOSALS

The planning proposal is for the permanent construction of an Agricultural Farm Workers Residential dwelling; with a single room to facilitate onsite visitors for Alpaca Events, Alpaca Corporate Events, Alpaca Walking, Alpaca Husbandry Days and Tourism. The Farm workers dwelling ground floor will also include Disabled Visitor Toilet and shower facilities

The dwelling is to be sited where the Temporary Agricultural workers dwelling currently sits and is to replace this. It will sit adjacent to the 90 fruiting tree orchard planted in 2012.

3. EXISTING PERMANENT PLANNING – GRANTED IN 2012 AND BUILT ON SITE:

This has been completed and is on site. In addition, to be built in 2014 is a :
Barn to accommodate Alpaca in lower fields. Granted 2014. Planning Application no: 14/04593/FUL

4. APPLICATION FOR YURTS WITHDRAWN. 14/04592/FUL

This would have added two buildings to the site, the current application for an integral room for visitors means there would be no additional building to accommodate visitors. Likewise the Disabled Toilet facility is incorporated into the dwelling house and avoids another extra building.

5. PLANNING POLICIES

In addition to the Local Plan is the National Planning Policy Framework. This replaces the old PPS7 Annexe A and works within the confines of the NPPF.

6. INVOLVEMENT / PRE-APPLICATION CONSULTATIONS

Discussions have been held and a pre-application meeting with Martin Perks at Cotswold District Council. Discussions and meetings have also been held with West Wales Utilities and SSE who have restrictions on the site.

Previous archaeological investigation had been carried out a further site survey would not be required for the planning application.

Highways have previously been consulted for the Temporary Dwelling and the Car Park and Access already have Full Planning Permission.

7. AGRICULTURAL MERITS

The business case for compliance with planning policy and the NPPF was set out in the original accompanying agricultural appraisal for the Temporary dwelling in 2012.

9. FLOOD RISK ASSESSMENT

By reference to the Environment Agency's website – "What's in your backyard?", the application site lies well outside any area identified at risk of flooding from rivers or sea without defences or as an area benefiting from any flood defence, so no risk assessment has been carried out.

10. BIO-DIVERSITY

It is not considered that the interests of bio diversity and nature conservation will be affected.

11. ACCESS

The existing access to the farm property via its east boundary was improved following the grant of planning permission in 1996 by the previous owner a few years ago to include a wider road entrance. Visibility sight lines are generally good.

12. LANDSCAPING

Rotational paddocks for alpaca grazing purposes have been laid out.

No existing trees either on or abutting the farm property are affected by the proposed development. Extensive planting has taken place on the farm in terms of a 90 tree strong orchard, 60 Field Maple trees and mixed hawthorn hedges amounting to some 2300 bare root planted in 2013 by the Applicant. Wildlife Bird belts have been included in the planting.

Background and History

Kensmyth purchased the block of bare land in 2012 in order to move their existing Alpaca business; established in 2008; to Clay Meadow. Previously Kensmyth bred Show Ponies for some ten years with Showing success and excellent reputation. Kensmyth have used the same Veterinary Practice, George Vet Group since 1997. A summary assessment of Kensmyth is provided by George Vet Group within this documentation.

The farm has been Alpaca segregation and isolation fenced, badger fenced and mobile field shelters installed in each field. The original Planning application 12/04205/FUL granted have all been fulfilled and are on site. Planning permission was granted owing to poor drainage of the lower part of the farm, for a further barn in 2014 and will be built this year.

The land originally in very poor condition is now vastly improved by means of harrowing, fertilisation, spraying, rotation, haymaking, topping and grazing.

The land is registered with the Rural Payments Agency and as such is part of the Active Farmer scheme entitling annual payments for sustainable land and farm management.

The Stud also has an ongoing Agricultural Farm Business Tenancy for an additional 4.5 acres owned by the Bathurst Estate.

This application is for a permanent Agricultural Workers dwelling to replace the current Temporary dwelling granted in 2012.

The permanent dwelling will replace the Temporary dwelling and therefore there will be no change to the character of the farmstead cluster or environmental character of the surrounding countryside or grazing facilities on farm.

There are a number of restrictions on site with SSE and West Wales Utilities who have had pre- application meetings and discussions regarding the site with Kensmyth. The location of the proposed Agricultural Workers dwelling has been agreed.

Ownership and Occupation

Kensmyth has been breeding Alpacas since 2008 and has had great success in all aspects of the Alpaca farming initiatives. This includes selling homebred progeny, homebred Stud services to agisted females, Alpaca Events, Alpaca Walking, Corporate Alpaca Events, Alpaca Husbandry Days, Alpaca Designer products, Alpaca Fleece, Alpaca Yarn, Alpaca goods and has designed her own Activity Natural Product Activity packs.

A popular, evolving website and blog has been established since 2008: www.kensmyth.com . Kensmyth also has a Facebook page being worked on. Videos showing all aspects of Kensmyth extensive range of products and activities are available to view on the website.

Buildings and Equipment

Buildings as per original planning granted in 2012, a barn to be built granted in 2014 and mobile fields shelters.

Labour

Temporary planning was granted based on the functional need for a full time Agricultural onsite worker for some 20 plus Alpaca. Under all proven methods of calculating Standard Man Days of labour including overtime, the livestock numbers now on site and agisted stock would justify at least two full time workers. Once the 20 plus cria have been born at Clay Meadow between March and September this year, there would be justification for three full time workers.

Dwellings

The application is for the erection of a permanent Agricultural Workers dwelling in the place of the existing Temporary building. The dwelling is to include a fully Disabled Toilet and Shower facility and also a room for visitors to event to stay on site. These will be incorporated into the ground floor area and avoid further building on site. A Yurt application was withdrawn in 2014.

The Proposed Permanent Agricultural Workers Dwelling Planning Policy

Clause 28 of the National Planning Policy Framework states that local planning policy should, in future, **promote the development and diversification of agricultural and other land based rural businesses**. However, local planning authorities should in accordance with Clause 55 of this framework **promote sustainable development in rural areas** with regard to housing but 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**.

Firm Intention and Ability

Kensmyth has made this enterprise work and clearly has the experience and detailed knowledge of Alpaca breeding. Kensmyth has invested in a sound farm plan and erected all appropriate Agricultural buildings for a continuing Alpaca enterprise.

Quote from Agricultural Appraisal by Robert Fox

“Kensmyth appears to be extremely knowledgeable of the market including the International situation and demand from other European countries coupled with what seems to be excellent business acumen. Kensmyth has also invested in the land and in summary Kensmyth would seem to have the ability and intention to make a success from a newly established Alpaca enterprise in that seems to be becoming a more difficult market.

Functional Need

I enclosed, in my original application, several documents on Functional need based on experience. Functional need was justified for Temporary Residency on site and is further justified by increased numbers, agisted livestock and security issues. I have also included a self written analysis of the differences between breeding Alpaca, Sheep and Goats which dispels the myth that they are the same.

“The Government’s guidance to the farming community on animal welfare emphasises the responsibility of those looking after animals to meet five basic needs: freedom from thirst, hunger and malnutrition; appropriate comfort and shelter***; the prevention, *or rapid diagnosis and treatment of, injury*, disease or infestation; freedom from fear; and freedom to display most normal patterns of behaviour...”

Although there are no official guidelines relating to the management of alpacas, it is a standard theme of the Codes of Recommendations for the Welfare of Livestock (DEFRA) that any livestock unit should not be increased in size or established unless it is reasonably certain the stockman in charge will be able to safeguard the welfare of the individual animals.”

Functional need is usually defined as “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 a requirement might arise, for example, if workers are needed to be on hand day and night to deal with an emergency **that would threaten the continued viability and existence of the enterprise without immediate attention.**”

Originally it was stated that I would be bringing onto the land a total of **26 Alpaca** and that over the last three year period these numbers would rise to around **60 Alpaca.**

Including Agisted (Client owned) and sold Alpaca, the total achieved at the point of writing is 50 with 20 plus cria due in 2015 – so we have over achieved.

Appeal decisions consistently determine in favour of holdings where there are in excess of 20 alpacas on the site.”

Sound Financial Basis

Quote from Agricultural Appraisal by Robert Fox

"The business plan has been well presented with very clear reasoned budgeting... In this case we have an applicant with whom one cannot help but have confidence in when it comes to marketing and who has networked her way up in the Alpaca world and in all likelihood will create a viable business. The conclusion is therefore that it has been planned on a sound financial basis as far as one can ascertain in what is a specialist enterprise."

Other Dwellings – Sight and Sound

There are no dwellings available in the locality.

Agricultural Workers Dwelling

Part 6 of the Town and Country Planning Act (General Permitted Development) Order 1995.

The buildings must be on agricultural land.

Agricultural Land - The proposed building would be built on agricultural land and Clay Meadow is not in ANOB or a Conservation area

Conclusion

Quote from Agricultural Appraisal by Robert Fox: *Alpaca applications have undergone enormous scrutiny in recent times and are clearly viewed by observers as nothing more than a potential gateway to a rural lifestyle. There are many well established Alpaca businesses and together with the economic climate and other issues such as TB means that it is not easy to get a foothold and create a viable business.*

Kensmyth appears to be an exception to the rule and based on what I have seen I would fully expect the business to grow and be successful for the foreseeable future.

AGRICULTURAL APPRAISAL WRITTEN BY H KENDALL SMITH, APPLICANT

With reference to the additional single storey extension to the Rural Agricultural Workers dwelling in order to facilitate onsite visitors:

BUSINESS MERITS

Through Events on site and client meetings, Kensmyth have worked with many disabled family's. The concept of Onsite Visitor accommodation (enabling disabled visitors to stay when visiting), along with better disabled facilities on site were a justified and proven need to ensure full accessibility to Kensmyth Stud for all.

Following the launch of Kensmyth Corporate Events 2013 and their growing popularity and reputation, again in 2014 following the launch of Kensmyth Alpaca Walks; along with Alpaca husbandry training for both Clients Agisting their Alpaca at Kensmyth and those purchasing; as well as residential craft courses - it became obvious that short term accommodation on site was crucial to the business evolvment and sustainability.

www.kensmvth.com Corporate Events and Family Days. Kensmyth market their Alpaca through these events and sell Alpaca produce in conjunction with them.

This proposal also provides an element of "farm diversification" income for Tourism bringing visitors to the nearby village of South Cerney without impinging/prejudice upon the true agricultural functionality of the Livestock Farm itself.

Kensmyth are the first Alpaca stud to release their own Craft Activity packs for visitors using Natural Alpaca Fleece. See references later to this.

To meet the established need for residential accommodation two disabled Yurts were proposed, insulated with stove pipes and on their own permanent decking. However, this application was withdrawn. This would have added two buildings to the site, the current application for an integral B & B room negates the need for an additional building to accommodate visitors or for a separate Disabled Toilet building.

We are now proposing an additional room within the Rural Agricultural Workers Dwelling to facilitate families visiting. This will have less visual impact on the landscape, is less development on the site as a whole and is more integrated with the existing site buildings.

With Visitors staying on site, this moves the business forward more profitably and successfully and affords even more longer term viability of the business.

8. ACCESS

The existing access to the farm property via its east boundary was improved following the grant of planning permission in 2012 by the owner to include a wider road entrance.

Visibility sight lines are generally good. There is a car park at the entrance within the grounds and existing access track leading to the proposed site. Disabled toilets and showers will be provided within the Agricultural Workers dwelling.

- This proposal does not affect the Agricultural functionality of the farm
- This proposal could bring visitors/tourists to the local pubs/restaurants/Post Office and Spar.
- There are no nearby residents to be affected and Events have been successfully carried out in marquees on the site area proposed without issue for the past two seasons.
- The proposal will not affect traffic to the site as it is too small and we have
- adequate parking and good road entrance facilities.
- The proposal will not adversely affect the countryside or landscape
- The application herein falls within Agricultural land.
- The application herein is not within a Conservation Area.
- The application herein is not within an Area of Outstanding Natural Beauty(ANOB).
- The scale of development is very small and replaces the existing Temporary Dwelling
- The application herein is not within an area of historical/geological/archaeological
- heritage/interest.

FUTURE PLANS

Innovative creativity - keeping Kensmyth at the top.

We try to release something new every quarter, everything we do was included in our Business Plan at the outset. There are no curve balls here and everything is done by the book.

First Quarter 2012/2013 – Release of revamped website and Alpaca Clothing shop online

Second Quarter 2013 – Launch of Alpaca Baby & Childrens Clothing online

Third Quarter 2013– Launch of Suri DVD

Final Quarter 2013/2014 – Launch of Tekplas barn separations & Smallholder Ads

First Quarter 2014 – Release of Alpaca Cards for sale and postcard creation

Second Quarter 2014 – Launch of two tone Alpaca Garment portfolios

Third Quarter 2014 – Launch of new Social Media website with Corporate Events

Final Quarter 2013/2014 – Launch of Alpaca Activity packs

First Quarter 2014/2015 – Release of Alpaca Card packs with 2015 Diary on back

Second Quarter 2015 – Launch of two tone Alpaca Garment portfolios

Third Quarter 2015 – Launch of Alpaca seating cushions

KENSMYTH GREAT PLANS AHEAD

If it "ain't broke – why fix it?"

We will continue with everything we have done so far and more of it. The beauty of Kensmyth is that the livestock breeding is key to everything – Alpaca bloodlines, Alpaca products, Alpaca events and so there are endless opportunities open to those who embrace the true concept of Alpaca farming.

Alpaca Workshops – we plan to start felting days based on the success of the Activity Packs.

Fruit Farm – Kensmyth proposes in the long term to have its own jams and pickled walnuts – we planted 90 fruit trees in 2012/2013 to facilitate this.



KENSMYTH ALPACA HUSBANDRY, EVENT DAYS, ALPACA WALKING





Fox Rural Planning & Land Management

PLANNING APPRAISAL

COTSWOLD DISTRICT COUNCIL

PLANNING APPLICATION FOR AN AGRICULTURAL WORKERS DWELLING

AT

CLAY MEADOW

SOUTH CERNEY

Planning Reference: 15/00655/FUL

Reference

I have been asked to undertake an agricultural planning appraisal of an application at Clay Meadow, South Cerney for a permanent agricultural workers dwelling, and I inspected the site and met with the applicant, Helen Kendall-Smith, together with the case officer Martin Perks, on the 18th March 2015.

1.00 Background Information

1.01 Location

The site lies between Cirencester and South Cerney.

OS grid reference – SU 045 981

1.02 Background Information and History

The applicant had already in 2008 started to breed Alpacas and purchased the Clay Meadow site in 2012, with a view to establishing an Alpaca farm. In that year an application (12/04205/FUL) was submitted for

“Use of land as a site for a log cabin as a temporary farm dwelling and the permanent construction of farm buildings and related development to include a hardcore access track and turning head”.

I met with the applicant on the 11th October 2012 and appraised the application and did have reservations in particular with regard the functional need element. Alpaca enterprises have been the subject of a number of planning appeals with mixed results and especially having regard to the need to live on site and financial viability.

I was at the time however persuaded that this particular application was a cut above the norm in respect of an Alpaca business model.

The application was permitted with a three year condition on the log cabin.

Since then there have been a few applications relating to this site, including the reorganisation of buildings, an application for two holiday yurts (withdrawn), and a recent application for a further farm building (14/04593/FUL) (yet to be started).

The present application for the erection of a permanent dwelling is on the basis of there now being an established permanent essential need.

2. Present Situation

2.01 Ownership and Occupation

The site extends to include 25 acres of pasture which is predominantly owned (c5 acres is rented from the Bathurst Estate), and includes buildings, field shelters and a temporary log cabin, all in a ring fence.

2.02 Enterprises

The business is based around Alpaca breeding, Alpaca products and Alpaca events. There is a website www.kensmyth.com.

Alpaca breeding

The applicant's Alpaca business trades as Kensmyth and has built the herd up to include the following:

- 23 breeding females
- 4 Stud males
- 6 Walking males (used for hands on interaction with the public)
- 13 Cria (baby and young Alpaca – 10 female and 3 male).

All are 'Huacaya' Alpacas with most of the females still 'in cria' and due to birth this year.

There are increasingly bio-security issues relating to Alpacas and the applicant takes this very seriously.

The site is divided into paddocks with dividing 6-8ft corridors between for access and so that air contact between animal groups is minimised.

All the fences are 5ft high "X Fence "with 3ft buried to make the boundaries badger proof to minimise the risk of TB infection. There are disinfectant footbaths on all paddock access points.

The applicant also has a small nucleus of Alpacas (included in the above figures) on the Isle of Wight for future breeding security so that if anything tragic was to occur at Clay Meadow then she could start again.

The applicant sells females 'in cria' to clients in the UK and abroad which are making typically £3-4K. These are often kept on agistment at Clay Meadow until after the cria is born and weaned for which the client pays the applicant on a per head per week basis.

Males are sold as pets or as walking males trained by the applicant to a level of trust so that they can be used for interaction with the public and command prices of up to £1,500.

Due to biosecurity issues the applicant does not offer stud service to animals outside Kensmyth, nor does she show live animals but instead enters the fleeces into shows and events.

There is sufficient diversity of bloodlines to enable the applicant not to have to buy in a new stud male for a few years to come.

Alpaca Products

The fleeces are sent away and spun into wool which is in turn made into garments, baby clothes and other creations by members of the applicant's family.

These are high end garments which are sold online through the website.

Alpaca Events

Kensmyth hosts:

- *Family Alpaca visiting days* - which incorporates a farm tour and walking Alpacas and encourages all abilities with a constant appraisal of the disabled facilities.

In recognition of the provision of these facilities and encouragement of all facilities has meant that Kensmyth has received substantial sponsorship from certain businesses.

- *Corporate Events* - including corporate days, team building and brand marketing etc

2.03 Labour

The applicant carries out all the day to day husbandry herself with family help when required eg handling a stud male.

2.04 Dwellings

The applicant and her family live in the temporary log cabin on site.

2.05 Buildings and Equipment

The buildings include:

- Storage buildings for machinery, fodder and bedding – 80ft x 40ft
- Covered yard – 60ft x 30ft
- Fleece store/ Customer room
- Utility building to incorporate WC and hand washing facilities

3.00 Proposals

3.01 Area

I am not aware of the intention to increase the acreage farmed if the opportunity arose

3.02 Future Enterprises

With regard to the Alpaca breeding enterprise the intention is to increase numbers and hence the numbers sold looking to opportunities abroad especially the European market.

The product range is to be expanded and the applicant is already in the process of creating a designer catalogue.

The application for the two Yurts which unfortunately was withdrawn due to complications relating to the structures and the proximity to the nearby South Cerney military base, was aimed to people of all abilities whereby people could stay on site which would be especially attractive and encourage those who would have to travel a certain distance.

The Yurts were designed with larger than normal doors and ramps and decking so that they could be used by disabled people.

With the demand for catered residential facilities for the disabled having been identified, then Plan B is to now provide such accommodation within the proposed dwelling so that disabled people and their carers can stay on site.

3.03 Dwellings

The intention is to erect the dwelling as per the application as a permanent base for the applicant and family, and for accommodation for people wishing to stay overnight plus disabled WC and utility facilities accessible directly from the farm itself.

4.00 Planning Appraisal

Clause 28 of the National Planning Policy Framework states that local planning policy should, in future, promote the development and diversification of agricultural and other land based rural businesses.

In accordance with Clause 55 of this framework, local planning authorities are required to promote sustainable development in rural areas with regard to housing but *“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.”

This exact wording originated from clause 10 of PPS7, the only difference being was that clause 10 went on to recommend that planning authorities should follow the advice in Annex A to PPS7.

Despite the status of the NPPF, Annex A of PPS7 provided clear criteria to assess the essential need for a dwelling and is still a tried and trusted process which I shall continue to use in assessing the need for the proposed dwelling and follow the same criteria and guidance for a permanent dwelling that was contained within clause 3 to Annex A.

Simultaneously Cotswold District Council produced an informal guidance on agricultural/occupational dwellings in the countryside which largely reflects Annex A.

4.01 Functional Need

The most frequent reason for there being a functional need for a rural worker to be permanently based on a site, is so that there is somebody experienced to be able to deal quickly with emergency animal welfare issues that are likely to arise throughout the majority of the year and during the middle of the night eg calving cows.

Alpacas are hardy animals and at the same time sensitive to disturbance which is why the fencing that the applicant has erected can be so important eg to keep stray dogs away etc

As with most livestock enterprises most husbandry duties are routine that would be normally carried out during the day. That said during the time of birth there will be a requirement for vigilance and if necessary the need to act quickly and sometimes this will be during the night. In mitigation of this requirement Alpacas commonly give birth during the day and there is an element of seasonality with the birthing which the aim to concentrate the

birthing during the spring and early summer when weather and grassland is generally expected to be at its best.

I accept that Alpacas can be notoriously difficult to get in Cria from the start they do have a habit of aborting if disturbed for instance and predicting an accurate birthing date is impossible even with scanning. Even the applicant whose extraordinary understanding and knowledge of Alpacas is in no doubt has Alpacas birthing later in the year due to having to re-mating for instance. Nevertheless it is predominantly a seasonal requirement in my opinion from my observations and for that reason I am not convinced that the birthing on its own equates to a functional need for welfare purposes.

However this business also looks after animals that have been purchased by clients who are more than likely to be happier if they knew that there was somebody on site for peace of mind ie client care issue

In addition there is the requirement to quarantine animals that are going abroad and hence there is a greater need for vigilance out of hours eg to make sure that nothing interferes with that isolation and jeopardise or delay the exporting of that animal.

The applicant has it seems had more than her fair share of security breaches and there would seem to be justifiably a greater concern than normal for the stock which is of course very valuable.

Lastly but not least the proposed tourist accommodation side of the business with special emphasis on the disabled, could not operate, in my opinion, without the applicant living on site.

Although this is not up and running I am of the opinion that with the applicant intends to take this forward and will make a success based on her determination and sales and marketing skills, and hence this adds a lot of weight to the functional need to be on site.

Overall considering all the activities existing and proposed, there would appear to be a functional need for there to be a qualified person permanently based on site.

4.02 Full Time Labour

There is clearly a full time labour requirement

4.03 Establishment and Viability

This is a very important part of assessing as to whether the proposed need is essential, since if the enterprises that the case is built on are not financially viable then they are unlikely to exist in the future and hence nor would the essential need.

When considering a permanent dwelling as here, then one requires robust financial information with at the very least accounts to demonstrate the business is viable and likely to remain so for the foreseeable future.

I have had sight of the accounts and have gone through them in detail including projected figures.

Utilising the depth of her sales and marketing experience coupled with her scrupulous attention to husbandry detail, in particular with her reputation regard bio-security, the applicant is managing to sell a number of quality females each year despite other Alpaca businesses struggling to do so.

The applicant is selling her own stock abroad as well as in this country. I can see no reason why this will not continue to increase with her in depth knowledge of the market place coupled with her ever increasing profile through sponsorship, events, and products.

This is a viable business with a strong likelihood of remaining so for the foreseeable future.

4.04 Other Dwellings

There are no dwellings as far as am aware that are available to the applicant that would fulfil the functional need to be within easy walking access to the paddocks and buildings.

4.05 Other Planning Considerations – Size of proposed dwelling.

What limit should be put on a rural workers dwelling is of course subjective and there will be examples of dwellings permitted which would seem much too large and examples of where the size of a dwelling is restricted to the bare necessity. The question really only arises when the proposal would seem to be excessive.

Annex A PPS7 referred to a size .."*commensurate with the established functional requirement*". In the absence of any current detailed guidance then it would seem reasonable to consider this as a starting point when considering the size of a proposed rural worker's dwelling.

Annex A also stated that it is the "*It is the requirements of the enterprise rather than those of the owner or occupier that are relevant in determining the size of dwelling that is appropriate to a particular holding*". This would appear to be reasonable since it was the need of the enterprise that justifies the dwelling in the first place.

Within the last 10 years 150m² was a generally accepted size for a new workers dwelling based on the functional requirement, and this appears to have crept up to 160m² as reasonably acceptable which equates to a reasonably sized 3 bedroom house with room for a small office and downstairs WC. Anything smaller might preclude a worker with family.

One general reason for limiting a rural workers dwelling's size to its functional role, other than restricting unnecessary development in the open countryside, is the fact that assuming that there will be an occupiers restriction then it should remain as affordable as possible for other qualifying persons in the future. A house such as the proposed would likely be well beyond the reach of the majority of qualifying candidates in the future.

Applications will always push the boundaries, but there will be special circumstances for a bigger house and examples of would include a child with special needs or a rural business where the provision of guest accommodation is reasonably necessary.

The accommodation floor space is in the region of 270 m², but take away the disabled facilities and accommodation and reduce the dining area etc you soon find the house back to a modest three bedroomed property.

This is one of those rare cases in my opinion from a business point of view, where it would appear reasonably necessary for the applicant to be permitted to have the extra accommodation to allow the tourism accommodation element to develop, especially in light of that this side of the business would likely to have been already established if the Yurts has been permitted.

5.00 Summary

In accordance with the National Planning Policy Framework there would appear to be an essential need for a permanent dwelling at Clay Meadow, and that the proposed extent of accommodation it is considered reasonably necessary for the business to develop.

Signed _____

Robert Fox BSc (Hons) MRICS FAAV

27th March 2015

Date _____

Fox Rural Planning & Land Management
www.foxrural.co.uk

To whom it may concern.

19th January 2015

Re. Mrs. H. Kendall Smith
Kensmyth Stud
Clay Meadow, Cirencester Road
Cirencester
Glos.
GL7 6HU

Mrs Kendall Smith has been a client with our practice since 1997. Initially with her equine stud work and then since 2008 with her alpaca herd. She has been successfully breeding cria since.

When initially setting up the unit, we attended to discuss the proposals regarding herd health requirements, biosecurity measures and isolation facilities. All these areas have been carefully planned and aspects such as paddock management and fencing have been addressed to an exemplary standard.

The current farm layout was established in 2012 and we have visited a number of times since. I am pleased to say that on all occasions the herd has always presented in good health, with best management practices being upheld at all times. Mrs Kendall Smith has been working hard at developing and expanding this alpaca business.

As her veterinary practice, we supply the required medicines and veterinary products needed. Mrs Kendall Smith has a long and solid background in agriculture and is very competent at caring for and treating her stock when needed. She also does not hesitate to contact us if the situation or condition requires it. She is very knowledgeable and up to date with all aspects of alpaca husbandry and medicine. I have, myself, spoken to Mrs Kendall Smith on two occasions on the phone during difficult birthing problems while being too far away to help. Both times she was able to correct the problem and deliver a live cria. This fact stresses two issues. Firstly, the experience and ability that Mrs Kendall Smith has with regard to the breeding and care of this species and secondly, the importance of having someone with those skill sets on site at all times.

We have on occasion taken veterinary students, while on work placement, with us to Clay Meadow where they are always welcomed and receive much thorough and invaluable advice and practical training from Mrs Kendall Smith.

Part of:



VAT Registration No. 137680257

I visited in August 2014 to carry out 12 veterinary examinations on alpaca which required 'vetting' for insurance purposes prior to sale. All were in excellent health and condition. More recently at the beginning of this year I was invited to examine the herd and inspect the premises in order to give an opinion of this agricultural unit from a veterinary point of view.

This farm is maintained to very high standards. At my visit there were 45 alpaca on site with 20 cria expected during 2015, the first due in March. The animals were all in good condition. Pregnant females were checked for signs of anaemia (common at this time of year) and all adults and cria were body condition scored. The farm has its own purpose built alpaca weigh station and Mrs Kendall Smith ultrasound scans for pregnancy diagnosis herself. Attention to detail is second to none. Groups of animals are regularly monitored for internal and external parasites or other conditions of concern, via worm egg counts, skin scrapes and hair examination as well as blood sampling when needed. Any action or treatments needed are agreed and efficiently administered.

I would not hesitate to recommend Mrs Kendall Smith's experience as an agricultural livestock farmer and her stock management and farm layout are of the highest standard. Her commitment to the Defra Active Farmer Initiative speaks for itself.

From a veterinary and agricultural point of view, we understand the necessity and indeed fully support her planning application.

R. I. Cardiff BSc MSc BVMS MRCVS.

Newlands
Cirencester Road
South Cerney
Gloucestershire,
GL7 6HU

27 March 2015

Mr M Perks
Planning & Development Control
Cotswold Council
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

Dear Mr Perks,

OBJECTION TO A PLANNING APPLICATION FOR AN AGRICULTURAL WORKER'S DWELLING AT CLAY MEADOW, SOUTH CERNEY

Application Reference: 15/00655/FUL
Application Description: Erection of an agricultural worker's dwelling
Site address: Clay Meadow, Cirencester Road, South Cerney

We write in the strongest terms of objection in reference to the above planning application.

Before we explain our reasons for objection to this application we must raise question with the Council as to the validity of the site notice apparently posted at the site on 6/3/15. We regularly travel past the site (being immediate neighbours) and we do not recall on any occasion the presence of a planning application site notice prominently displayed. Had the notice been visible we (and probably others) would have registered concerns / objections at a much earlier stage in the application process. Whilst we don't doubt that the planning department installed the site notice as recorded its inconspicuous location limited public knowledge of this potentially contentious application. We presume that this application has not been advertised in the local press. We only became aware of this application as a direct result of our being notified very recently, as "neighbours to the site".

We feel so strongly about this application, that we have taken professional advice on the matter. Recommendations from our advisor (an experienced Rural Practice Chartered Surveyor & Planning Advisor) are included. We have been advised quite explicitly that this application is not only premature, but is also lacking in detail and substantive evidence that should be required to enable the council to determine the application properly

Our advisor and we are dismayed that the Council has even considered validating this application - let alone moving onwards through consultation towards a determination. It would seem that the application is missing a great deal of information about the viability / sustainability of the 'farm' / 'rural enterprise' which the applicants operate...

- at this stage we would welcome a firm refusal of the application on the basis of insufficient information provided.
- Notwithstanding the lack of information, it is our opinion that the proposal / operation at Clay Meadow is not at all sustainable and that a full time functional need to service the operation is not, has not and can not be, demonstrated on such a small unit.

- The information provided within the current application is, on the whole, largely irrelevant to the proposal to create a new rural worker's dwelling within this rural 'greenfield' site.
- We note that the applicant insinuates that this application (and its pending approval) is a foregone conclusion owing to the previous approval for a temporary dwelling at the site.
- We note that the applicant states that " Newlands House lies to the right of the property and is unaffected by the Temporary dwelling... Newlands does not overlook nor will be overlooked by the new dwelling "

and the applicant also states " There are no unsightly buildings "

This is NOT the case.

Newlands is overlooked by the Herodian Hilltop development. Furthermore Claymeadow have advertised, on their six-foot panel fences, the presence of Closed Circuit Cameras directed towards Newlands property. This enhances the experience of being overlooked.

(Address incorrectly called Newlands House in the application)

The inference that Newlands are in support of the application is misleading. Newlands have not been consulted and had we been we would not have supported and do not support the application for a permanent dwelling. Our address should not be inaccurately quoted in this manner.

- Since that application the 'business' or at least activity on the site has been heavily fenced. I am sure many would agree – has become something of an eyesore to the area. This being despite several assertions that the development of the Clay Meadow site will not change the character of the area... a quick drive by will quickly show that it has indeed drastically and detrimentally changed.
- The activity of the applicant to date has adversely impacted on the rural ambiance of this area and further development would certainly cause yet more damage.
- On the basis that this application is of a specialist nature, we trust that the Council will be taking advice from a suitably qualified rural professional to provide proper interpretation of the information provided (and which may be provided subsequently).
- Should such an advisor accept the business is sustainable – we would of course bow to that advice – however we do not believe that this will arise.
- Likewise we assume that the council (or their advisor) will undertake examination of the present situation in comparison with supporting information submitted back in 2012. We note for example that the previously provided details that a property of this size would be expected to host 81 animals – not 'up to' 50 as is apparently now the case...
- We have been advised that since the original application (2012) the alpaca market has inevitably changed and as such the financial viability (and business sustainability) of this application may need to be re-addressed.
- In particular the actual labour requirement for the system in operation should be assessed (noting particularly that gelded 'field' males would not contribute significantly to any labour requirement calculations) and the corresponding functional need for the husbandry of currently [up to] 50 alpaca *in residence* on an 8.2 hectare (~20 acre) 'farm'.
- There is no information provided to assess the actual operation as it stands today and again, we feel that this is pertinent to the application.
- Without this detail being provided the application should, in our opinion, be forcefully refused.

We are advised that any permanent worker's dwelling application needs to be determined on its individual merits. We accept that in certain sustainable circumstances an agricultural dwelling is an entirely appropriate solution to suit the needs of legitimate farming / agricultural enterprises. However in our collective opinion this operation is not a true farm / agricultural enterprise, more a small scale 'hobby' (albeit with actively advertised *grand aspirations*). Furthermore our advisor notes, a property immediately adjacent to the site currently lies vacant and for sale. It is clear that the applicant is aware of the availability of the house – as mentioned in the application. Lock House is of a similar size to the proposed dwelling, is situated clearly within sight and sound of the applicants owned land and appears to be entirely unencumbered - meaning that it could provide accommodation without the need for an agricultural tie – or to prove that the use of the land for 'farming' purposes to a sustainable level.

As you know the applicant sought a temporary occupational dwelling back in 2012, as is apparently the normal process for establishing a new workers dwelling – in order to demonstrate that a functional need actually exists. Despite the previous application being approved (for a temporary dwelling) the creation of a permanent dwelling should not be considered a foregone conclusion

It is our firm belief that, having observed events of recent months and years, this application is a text book application - designed specifically to enable the creation of a new high value dwelling in a Greenfield location where such a development should not normally be allowed - and thus should be given little credence.

Our advisor has offered the following observations:

The National planning policy framework (Para 55) - allows for the creation of rural dwellings (sustainable development) where there is a proven essential need for a 'rural worker' to live at or near their place of work in the countryside. This need is generally agreed to be triggered at a point where the essential operations would result in a rounded average labour input of at least 1900 man hours per year (i.e. a full time employment on a typical 39 hour week – as set by the UK agricultural wages board). With a single stud male and only 'up to' 50 animals present on site this simply is not realistic in our opinion. It is clearly evident from the application that the applicants undertake a large number of non-essential operations within the varied 'diversification' activities which they advertise. It should be noted further that this essential labour requirement figure should be assessed / based on typical labour requirements for an equivalent enterprise (as if the unit was operated by a typical / competent individual) and specifically not based on the operational requirements expressed by an applicant – who may, or may not, be running the operation in a sub-optimal / competent manner.

In regard to this application we fail to see how the applicant could account for a labour requirement at anywhere near this sort of level on a unit of up-to 50 animals (of which it is unclear how many are breeding animals, cria at foot, field males or open / maiden / barren females). With the scale of the operation at the site it should be noted that permitted development rights exist to allow a 'farmer' to accommodate staff / labourers in 'seasonal accommodation' (for example when lambing, calving or dealing with any other seasonal husbandry matters) - without requiring planning permission... With this option in mind the question has to be asked whether or not there is an essential functional need for the applicant to reside on site full-time when permitted development rights would allow the applicant to stay on site when actually needed. The main question in our minds is: "Is the proposal for a full time dwelling one of "essential need" or one of "convenience" to the applicant.

In our opinion this application represents the opportunity for convenience for the applicant and NOT a proven essential requirement.

Beyond this, the next question is whether or not the applicant in this case has demonstrated a clear intention to develop their rural business (the essential need to be resident on site) and, perhaps most importantly, whether or not the business has been demonstrated to be viable (financially sustainable). In our professional opinion the application provides absolutely no evidence to support any of these key criteria.

For information it is evident that, since the 2012 temporary dwelling application, various buildings and fences have been erected on and around the site (apparently with planning permission). However it also remains evident from other 'background research' that neither the applicant nor her partner consider themselves 'farmers' instead, on the whole, referring to themselves as 'consultants', an author / writer, events manager, etc - and one has to wonder whether or not their 'day to day' business activities actually demonstrates the essential

need to be located on site or even in a rural area. For information we know of a good number of 'hobby farmers' across the south west who operate herds of larger numbers of alpaca (than suggested in this application) without needing to reside on site... The only difference with other operators being that they tend not to describe themselves as a 'stud' operation - as in this case.

In respect of information provided within this application, one would normally expect to see copies of accounts, movement records and substantive supporting information to demonstrate that genuine growth had occurred between the submission of the temporary dwelling application and this proposal.

The applicant asserts that functional need for the alpaca business has already been established with the granting of an initial temporary residence. This is absolutely not the case, the whole purpose of providing a temporary residence is to enable an applicant to prove that their business is sustainable and that an essential need has been established over a period of (up to) 3 years. As it stands there is no evidence whatsoever to show sustainability or the actual need to reside on site. In fact according to their previous consultants' advice, it would seem that the applicant has fallen short of their targets - suggesting that perhaps 'the business' is not as viable as had been previously asserted. With this in mind we doubt that the original business plan has been satisfied within the 3 year period.

Additional considerations:

Market for fibre in the UK is currently very limited – aside from local 'niche' market sales there are a handful of fibre buyers paying up-to around £8 / kg for Super 1st white fleece. With the average alpaca producing between 2.5 – 5.5 kg of fleece material per year the financial sustainability of the production of fleece as a primary business soon start to fall into question. Even in a good year with all white super 1st quality fleece – the 50 animals at the site will only be capable of producing income to the holding of ~£2200 / annum. The reality is that both in terms of quantity and quality a mixed herd will produce half this figure at best... Most producers consider the sale of fleece solely as a supplementary income to help pay for some feed costs...

Tourism & other business aspirations.

It is clear that the applicant intends to operate a range of business activities at the site. While the creation of products on farm may constitute acceptable business 'diversification' almost none of the activities described within 'supporting' information actually constitute an additional 'essential need' component. All activities seem to be geared towards creating additional income – and all of which will detract from the applicant's ability to actually 'farm' the land. Tourism also seems to be a key consideration in the applicant's business plan. Again this would detract from the true 'rural business' and is likely to have a negative impact on the 'farm' business. We can understand that the operator may wish to provide accommodation to guests, visitors, buyers and or people on training events. However it would appear that the application is designed to generate more income from 'tourism' - as such we feel that the creation of a guest house (which may very well be more profitable than the alpaca business) is not appropriate on a greenfield site.

In summary we would suggest that this application does not represent a sustainable green field development. With most other 'stud operations' running to many tens of hectares and often upwards of 200 animals (or often many more), this small scale, un-proven and generally unjustified application for a new dwelling in the countryside should be refused. In our opinion the approval of this application would set a huge precedent for sham operations across the district. Essentially unless this application is properly tested and reviewed in detail, anyone with 20 – 30 acres and a small herd of animals of undisclosed quality could conceivably justify a new dwelling in the countryside.

Furthermore, were the application to be approved and the applicant to find their business untenable (as appears to be the case with a previous equestrian business) – the house proposed in this case would, in our opinion (even with a S.106 in place – or a suitably worded occupancy restriction) be well outside the range of affordability for another agricultural worker in similar circumstances. In short we believe this application to be unrepresentative of sustainable development, contrary to NPPF guidance and local policy.

With the above in mind, it is our understanding that this application should be compared (by the applicant) to the farm appraisal prepared and submitted with the application in 2012. This and this alone, should form the first part of the Council's assessment of this application.

Again, we would ask that the council refuse this application outright. If this is not possible, we would demand that an independent expert be appointed to assess the true detail of the application and for the council to take appropriate action based on their findings. In any case, if a delegated refusal were not possible we would

respectfully ask that this application be called in to the planning committee for the members to form their own opinions.

Yours sincerely

Dr & Mrs M.P Jacob

cc.

Cllr C E Bennett

Cllr J M Layton

Cllr E G J Jenkins

South Cerney with Cerney Wick Parish Council

Siddington Parish Council