



DUMFRIES AND
GALLOWAY COUNCIL
PLANNING SERVICES

*Development
Management Practice
Note (Policy H3
– Housing in the
Countryside)*

August 2016



Recommended information
requirements for planning
applications submitted on the
basis of agricultural or rural
business need.



POLICY BACKGROUND

Policy H3 of the Dumfries and Galloway Local Development Plan supports housing proposals in the countryside where it is *'essential for the needs of agriculture or other business requiring a rural location that cannot be met in a nearby settlement'*.

This policy is supported by adopted supplementary guidance (Housing in the Countryside May 2015) that provides further detail on this criteria. The relevant extract is included as Appendix 1 to this practice note.

This practice note is not adopted Council policy or guidance; instead it is intended to offer detailed clarification on the level and type of information that is likely to be required for any planning applications submitted on the basis of agricultural or rural business need.

INFORMATION REQUIREMENTS

It is critical that the policy and supplementary guidance is read carefully and understood fully before any application is submitted; the following information will normally be needed in order to fully assess any application.

1.0 Details of current or proposed farming/business operations. This should contain:-

1.1 A comprehensive summary of the existing farming or business operations currently undertaken, including staffing levels, age of existing business, etc.

1.2 Newly established farms or businesses (normally less than 5 years old) should additionally provide final annual accounts for each financial year of

operation to confirm viability (these will be kept confidential if required).

1.3 Proposed new farms or businesses - or proposed new enterprises associated with existing farms or businesses - should provide clear evidence of the viability of the business. This could include, for example, a business plan signed off by appropriately qualified business consultant/agency. Where future viability cannot yet be clearly demonstrated, planning permission can instead be sought for temporary accommodation until such time as the business viability can be established.





1.4 Notwithstanding any labour requirement calculation (see below), a clear statement should be provided why a new dwelling is essential in operational terms. This should relate to the farming or business operations only and personal circumstances should be discounted. If one or more dwellings already exist on the unit, detailed evidence should normally be provided explaining why a further dwellinghouse is necessary in operational terms over and above the existing. If the labour requirement calculation demonstrates a need for, say, 6 full time staff, detailed evidence should be provided explaining the essential operational need for any of those 6 staff to live on site.

2.0 Labour requirement report. These are usually commissioned by the applicant from suitably qualified agricultural or other consultants, most of whom should be aware of the Council's policies and guidance. If not, you should refer them to

this document. The labour requirement report should set out the full labour requirements, including consideration of the following:-

2.1 Calculation of standard labour requirement hours worked, based on the specific work duties carried out at the farm or business. This should specifically discount rented land and work contracted out by the business.

2.2 Where the calculated labour requirement substantially exceeds actual existing staff levels, evidence should be submitted explaining how long this difference has been managed and what mitigation has been used to manage the shortfall throughout this period.

2.3 Any assessment must be confirmed as being the bona fide professional opinion of the agricultural or other consultant.



3.0 Buildings and other opportunities survey. This should contain:-

- 3.1 Details of any extant planning permission for the land holding.
- 3.2 Details of any dwellings severed from the agricultural holding or business within the last 10 years.
- 3.3 Details of all existing dwellinghouses on the landholding and their occupancy, and any reasons for unavailability.
- 3.4 A scale plan showing all land holdings and non-residential buildings associated with the business operations
- 3.5 Photographs of all existing non-residential traditional buildings along with details and evidence of current usage
- 3.6 Justification for dismissal of conversion of any existing traditional

buildings (of traditional construction built before 1919), including economic viability assessment.

3.7 A survey of appropriate alternative accommodation available within any nearby settlement/s.

4.0 Site selection statement. This should explain:-

4.1 The Council's policies on design offer support for developments that are physically and visually associated with the existing operational or other buildings. Where a dwelling is proposed in an isolated location, unrelated to existing buildings, justification should be submitted to demonstrate why the selected site is essential for operational reasons.



APPENDIX 1

Extract from Supplementary Guidance on Housing in the Countryside

Agricultural or Rural Business Need

Farming continues to be a significant component of the rural economy and it is important that planning policy continues to support the operational needs of farming enterprises. Whether a house is considered to be essential will depend on the specific needs of the farm concerned and not the personal preferences or circumstances of the individuals involved.

This part of the policy also acknowledges that there are particular circumstances when a new house in the rural area is required to accommodate a full time worker who is employed in a business that requires a rural location, where the nature and demands of the work concerned make it essential for the person engaged in the business to live at, or very close to the site of their work. For newly established businesses, long term viability



must be demonstrated. If the Council is not satisfied in relation to the long term viability, a temporary permission may be granted for a non-permanent form of housing in the interim period.

The presence of a business in the rural area is not in itself sufficient justification for a house. The material factors which will determine whether there is a genuine need for a new house include:

- The scale, viability and detail of the farming / business operation;
- The labour requirements, including the need for specialist workers and the level of attention needed outside normal hours; and
- The existing residential accommodation available to the farm or business and other development opportunities on the farm or land holding.

In either instance, favourable consideration will only be afforded to those proposals where the applicant is able to demonstrate that:

- A new house is essential for the proper functioning of the farm / rural business and there is a clearly established need for a worker to be readily available at most times;
- There is clear evidence that the proposed enterprise has been planned on a sound financial basis and that the farm / rural business is economically viable;
- The need relates to a full-time farm worker or one who is mainly involved in agriculture or the running of the rural business;



- There is no appropriate, available alternative accommodation or economically viable development opportunities available on the landholding associated with the farm or rural business or nearby settlement; and
- The need for a house is not a direct consequence of the recent severance of a house from the agricultural holding and its resultant loss to agriculture or the rural business except when severance arises as a result of a compulsory purchase order. For the purposes of the policy recent severance is taken to be ten years from completion of the house that is being severed from the land holding.

Permission granted under this part of the policy may be subject to a Planning Obligation designed to ensure that any house constructed is tied in ownership to the farm or business concern which was used to demonstrate the essential need for that development. Where essential need is demonstrated by an agricultural labour report covering a whole farm then the house will be expected to be tied in ownership to the whole farm and not to a restricted part of the farm holding assessed.

