
Summarised views of the Council's retained Rural Planning Advisor

Notes that this proposal would have fallen to be judged under the criteria of Annex A of PPS7, the long-standing Government advisory statement on new rural occupation dwellings, prior to 27 March 2012. This has now been replaced by the new NPPF which simply states (in paragraph 55), in the context of sustainable housing development in rural areas, that local planning authorities should avoid new isolated homes in the countryside unless they 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.

At present there appears to be no further clarification nationally or locally to assist in deciding upon "essential need" in individual cases. However there is nothing to suggest that paragraph 55 of the NPPF or TMBCS Policy CP14, are promoting any significant departure from the sort of functional and financial considerations that were set out in detail in Annex A, and there appears to be a general consensus amongst decision makers that the principles set out in Annex A continue to be broadly relevant to applications relating to isolated dwellings in the countryside

In this case I am therefore applying the Annex A criteria in order to judge whether an essential need, amounting to very special circumstances, arises in this case.

The plant nursery activity here, specialising in rhododendrons and azaleas, forms part of a long-established business (G Reuthe Limited). The site's planning history, with regard to proposed residential accommodation, goes back many years, and indeed outline permission for a dwelling was originally granted to the current applicant in 1994 after he took over the nursery, but this was never implemented.

A proposal to extend the time limit of the 1994 consent was made in 1999 but refused. At the time, I advised the Council about the application, whilst employed by KCC. I noted therein that the applicants were also operating a nursery at Edenbridge where they lived, and this appears still to be the case today (the property being Starborough Nursery, Edenbridge, which is the registered office of G Reuthe Limited).

I also noted in 1999 that whilst the management of the nursery could clearly benefit from on-site residence, the applicants had been able to develop and sustain their business without residing on site, and I did not consider a dwelling was essential to its proper functioning. At the time propagation had been organised elsewhere, using material taken from Crown Point's stock plants, later brought back as young established plants for growing on, and this appeared to have been a cost effective arrangement.

Similar arguments are now advanced again as to the requirement to live at Crown Point, for re-introducing propagation on site, and to help security and general management. However the future continuance of the business for almost another 14 years, post 1999, without a dwelling at Crown Point, does call into question any essential need for permanent accommodation here, particularly since the advice in Annex A of PPS7 is that the functional need must be *existing*.

Also, whilst there have been some failures in sending material away to other growers (in Sussex and Belgium) for propagation, it is unclear why cuttings taken from Crown Point could not be propagated by the applicant himself at Starborough Nursery.

Even if it were clear that the re-introduction of propagation warranted accommodation at Crown Point, the most that would be indicated, under Annex A criteria, would be for some form of temporary dwelling unit until it was demonstrated that this new activity had been successfully introduced (usually over a period of at least 3 years). In that context, it would be expected that any such proposal would be supported by sound financial planning, i.e. a detailed business plan demonstrating how the changes to the operation would be cost effective and viable.

For the current application, for a permanent new dwelling, it is also necessary to consider if the existing unit at Crown Point Nursery is profitable, financially sound, has a clear prospect of remaining so, and can support the construction costs of the proposed dwelling.

The overall submitted business accounts, whilst profitable, do not show a sufficient level of income to support the additional cost of the large dwelling proposed. It is suggested that the cost of the dwelling could be largely funded from a recent sale of an investment property (understood to be in Devon), but it is the ability of the nursery unit itself to support the cost of the dwelling that is relevant, and there is no evidence that there are sufficient profits from Crown Point to warrant and afford a dwelling of this cost. Nor is it established that the dwelling would need to be so large, in function terms.

To summarise, therefore I do not consider it has been shown that the proposed development is needed to meet an existing crucial function requirement, nor that it is financially sustainable in relation to the current Crown Point Nursery operation. Consequently, in my view, no essential need, amounting to very special circumstances, has been demonstrated for the proposed dwelling.