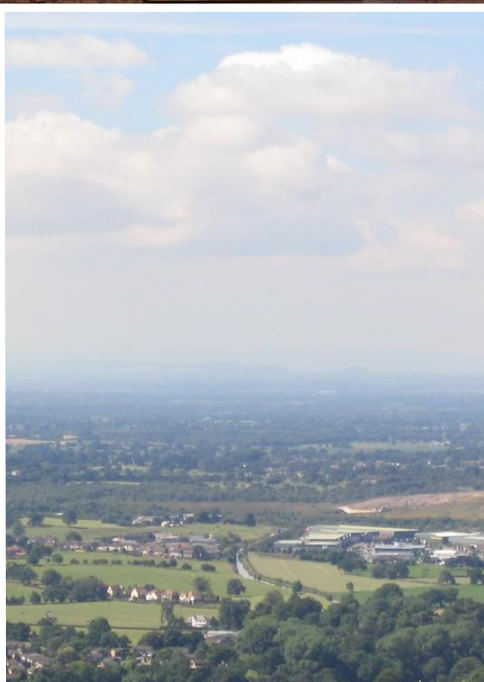


Rural Worker Dwellings - Advice Note (2022)



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1 Rural Worker Dwellings

Policy context

1.1 In the rural area, beyond the settlement boundaries of identified key and local service centres, development is restricted through [Local Plan \(Part One\) policy STRAT 9](#) to that which requires such a location. New dwellings must be linked to the occupational use of the land, and to a business that requires a worker to live on or near to that business. [Local Plan \(Part Two\) policy DM 25](#) sets out the criteria for proposals relating to housing for essential rural workers.

1.2 This note sets out guidance for applicants and agents to explain how policies relating to the creation of temporary and permanent rural worker dwellings are applied.

What is an essential rural worker?

1.3 Somebody who is a full-time worker or is in primary employment as a rural worker for a job that has been demonstrated (through evidence) to be essential to the operation of rural enterprise. Generally, it will be necessary to demonstrate a need for at least one or more full time rural workers to be readily available to attend to the needs of the business for most of the year (day and night).

Making a planning application

1.4 When submitting a planning application for a rural worker dwelling the following should be considered, and included on submission where applicable:

- ✓ size and nature of the current enterprise
- ✓ the need for an additional worker on-site
- ✓ (for a permanent dwelling) evidence that the unit and the rural land-based activity concerned:
 - has been established for at least three years
 - has been profitable for at least one of them
 - is currently financially sound (and has a prospect of remaining so)
- ✓ evidence of a sequential approach to considering alternative locations including existing dwellings or the reuse of an existing building
- ✓ consideration of the location, size and design of the proposed new dwelling in the context of the existing size, scale and layout of the farm buildings/enterprise
- ✓ clear floorplans showing:
 - gross internal floorspace
 - clear demarcation of habitable and ancillary / additional accommodation

1.5 In order to demonstrate compliance with criterion 3 of [Local Plan \(Part Two\) policy DM 25](#) for permanent rural worker dwellings, the business unit and agricultural activity concerned will be expected to have been established for three years, having been profitable for at least one of them. A business appraisal will be required to accompany the planning application. The appraisal should set out how the business/enterprise meets the functional and financial tests for a new dwelling and how the business/enterprise is proposed to develop. The appraisal should include for example, submission of actual accounts comprising the trading and profit and loss; the balance sheet figures, with all the normal costs of the enterprise, including labour and purchase costs. An assessment of information such as costs of stock, feed, vet care, transport, marketing, electricity, insurance, accountants, water charges, repairs, land rent and financing charges will also be required. The Council will consider the information provided and all other evidence submitted with the planning application and will usually seek verification from a qualified consultant prior to determining the application. The cost of the business appraisal and verification will be the responsibility of the applicant.

1.6 In some instances, where viability cannot yet be demonstrated, it may be more appropriate to apply for planning permission for a temporary dwelling e.g. a caravan. This would then enable the applicant to grow or sustain the business/enterprise in order for its long-term viability to be demonstrated. In such instances, a business plan which includes financial forecasts will be required to set out how the business is proposed to develop over the next three years.

1.7 A caravan is defined in the Caravan Sites and Control of Development Act 1960 as any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted.

Is a new dwelling required?

1.8 In line with criterion 4 of [Local Plan \(Part Two\) policy DM 25](#) it should be demonstrated in any planning application that alternative provision has been considered and is unsuitable. This should include consideration of, where relevant, the following:

- the original farmhouse (where the farm manager may have retired and no longer needs the level of accommodation provided in the farmhouse)
- houses for sale/rent in the immediate vicinity of the farm/enterprise
- opportunities to convert unused/surplus rural buildings within the ownership of the business
- other dwellings on or near the farm/enterprise controlled by the applicant or business e.g. rental/holiday let properties.

What is an acceptable size for a permanent rural worker dwelling?

1.9 Criterion 5 of [Local Plan \(Part Two\) policy DM 25](#) states that “the size and siting of the dwelling is commensurate with the established functional requirement and well-related to existing buildings or other dwellings”. The policy also requires that, should the original need for the rural worker dwelling cease, the dwelling should remain as affordable housing.

1.10 The National described space standards ([Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards)) suggest that a two-storey house suitable and capable of comfortably accommodating a family of four to six people, is between 84 and 106 m². A dwelling with an internal area of 106m² would provide sufficient and comfortable living space in the form of a two-storey, four-bed dwelling for six people. Therefore, a new rural worker dwelling should not normally exceed 106m² (internal floorspace).

1.11 Where it can be demonstrated that a boot room and/or farm office space is required to be included within the dwelling i.e. it is not/cannot be provided in an existing building, up to a further 20% internal floorspace will be considered acceptable to provide the necessary facilities, taking into consideration design and layout. Additional floorspace will take into consideration the measurement of the gross internal floorspace excluding the additional rooms (please see B 'Internal floorspace measurements'). For example, a dwelling of 90m² (excluding office / boot room), and additional 18m² (20%) would be considered acceptable. This would result in a gross internal floorspace of 108m² which is similar to the National described space standards for a four or five-bed, six person dwelling (please see [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards))

1.12 Any increase in the size of the dwelling beyond the standards set out in the National Described Space Standards (please see [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards)) must be justified clearly, on a business basis, in respect of supporting the operational needs of the related enterprise. In line with [Local Plan \(Part Two\) policy DM 25](#), proposals must also demonstrate that a larger dwelling can be financially sustained by the enterprise and in the long term continue to be financially accessible as a rural worker dwelling. There will seldom be a functional requirement for ancillary/incidental domestic outbuildings such as garages.

1.13 To be commensurate with the established functional requirement a rural worker dwelling should respond to the requirements of the demonstrated need for a certain level or type of worker e.g. farm manager or rural labourer. The size of the dwelling should be relative to the type/level of rural worker, and not relative in size to the overall enterprise or business.

Extensions, alterations and outbuildings

1.14 [Local Plan \(Part Two\) policy DM 25](#) states that “Permitted development rights for extensions and outbuildings will normally be removed to ensure that the size of the dwelling remains commensurate to the needs of the business.”. To protect visual amenity and extensions and domestic outbuildings for rural workers dwellings will only be approved if evidence indicates that there are specific requirements relating to the business or the rural worker that require such changes for example changing health needs, or changes to the business that may result in additional space to be provided.

Occupancy conditions or obligations

1.15 When granting planning permission for a rural worker dwelling a restriction on occupancy will be applied to ensure that the dwelling is appropriately used.

1.16 If the original need for the rural worker dwelling ceases and an application is made to remove the occupancy restriction, the local planning authority would, in line with [Local Plan \(Part Two\) policy DM 25](#), seek to secure the property as affordable housing in perpetuity (see 'Affordability', below).

Planning obligations

1.17 Where new rural worker dwellings are approved on the basis that they are vital to the success of a specific rural enterprise, it is reasonable and necessary to seek to ensure that they remain available for that purpose in perpetuity and the Council will use planning obligations to ensure that the land cannot be sold separately from the dwelling. This is to prevent a rural worker dwelling being sold off separately when the functional need to serve the enterprise remains, therefore potentially justifying a further application for an additional rural worker dwelling.

Affordability

1.18 This requirement will be applied if an application is made to remove or vary an occupancy condition or obligation attached to a planning permission granted after the adoption of the [Cheshire West and Chester Local Plan \(Part Two\)](#) (18 July 2019).

1.19 [Local Plan \(Part Two\) policy DM 25](#) requires that "a rural workers dwelling must remain available for meeting the evidenced need for as long as it exists and should remain as affordable housing if the original need ceases.". This ensures that any new rural worker dwellings permitted in the countryside, contrary to the sustainable and locational strategy of the Local Plan meet a specific need, and in circumstances where this reason may fall away, the dwelling is then made available to meet the alternative need, of affordable housing in the rural area. The policy requires that the unit (dwelling) itself should remain affordable, so a financial contribution towards units elsewhere would not be acceptable in this circumstance.

1.20 Having regard to the definition of affordable housing set out in the National Planning Policy Framework (updated 20 July 2021), it is envisaged that the most likely category applicable in such cases will be 'discount market sales housing', where a discount – secured by S106 planning obligation - is applied to the open market value of the house in perpetuity. The discount must be at least 10% and will be calculated having regard to local eligibility. Applicants should be aware that the required discount may be significantly greater than 20% as values are often higher in rural areas but median salaries may not be.

1.21 It is recommended that applicants consider this when designing a rural worker dwelling. Generally, larger dwellings will have a higher value and will have to be more heavily discounted. When granting planning permission for a rural worker dwelling, the Local Authority will, as part of the decision notice, normally include an advisory note to ensure that the applicant is aware of the position should this occur.

A Local Plan policies

Local Plan (Part One) Strategic Policies

Policy STRAT 9 Green Belt and countryside

The intrinsic character and beauty of the Cheshire countryside will be protected by restricting development to that which requires a countryside location and cannot be accommodated within identified settlements.

Within the countryside the following types of development will be permitted;

- Development that has an operational need for a countryside location such as for agricultural or forestry operations.
- Replacement buildings.
- Small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area.
- The reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.
- The expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting.

Development must be of an appropriate scale and design to not harm the character of the countryside.

The general extent of the North Cheshire Green Belt will be maintained. Policy [‘STRAT 3 Chester’](#) sets out the proposed release of Green Belt to meet the development needs of Chester. In settlements and areas of the countryside that are within the Green Belt, additional restrictions will apply to development in line with the National Planning Policy Framework.

Local Plan (Part Two) Land Allocations and Detailed Policies

Policy DM 25

Permanent rural workers dwellings

Proposals for new permanent essential rural workers dwellings to support agricultural, forestry and rural based enterprises will be supported where a worker is required to live on site, and where all of the following criteria are met;

1. there is a clearly established existing functional need for an additional worker to live permanently at the site;
2. the need relates to a full-time worker, or their primary employment as a rural worker, and does not relate to a part-time requirement;
3. the unit and the rural land based activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a prospect of remaining so;
4. the functional need could not be fulfilled by another existing dwelling on or near to the site, or by any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned;
5. the size and siting of the dwelling is commensurate with the established functional requirement and well-related to existing buildings or other dwellings;
6. occupation of the dwelling will be restricted to persons employed in agriculture, forestry, or other land-based rural enterprise, or the widow or widower of such a person or any resident dependants;
7. where new dwellings are approved on the basis that they are vital to the success of a specific rural enterprise, provisions will be put in place to ensure that they remain available for that purpose in perpetuity; and
8. other planning requirements e.g. in relation to access, or impact on the countryside, are satisfied.

A rural workers dwelling must remain available for meeting the evidenced need for as long as it exists, and should remain as affordable housing if the original need ceases.

Permitted development rights for extensions and outbuildings will normally be removed to ensure that the size of the dwelling remains commensurate to the needs of the business.

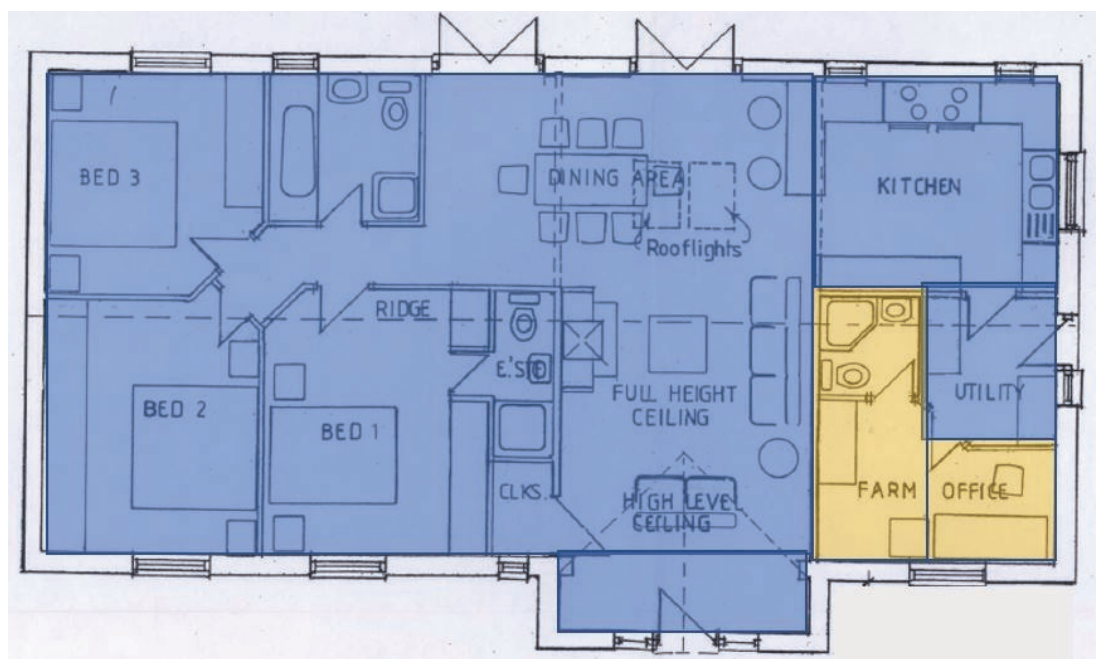
Temporary rural workers dwellings

Where a new dwelling is essential to support a new rural based activity, whether on a newly-created agricultural unit or an established one, it should, for the first three years, be provided by a caravan, or other temporary accommodation.

Proposals for temporary workers dwellings should satisfy all of the criteria for permanent rural workers dwellings set out above, with the exception of criterion three, requiring activity to have been established for three years.

B Internal floorspace measurements

Measuring internal floorspace (diagram for illustrative purposes only - not to scale)



Internal habitable floorspace (indicated by the blue shading on the illustrative diagram above) will include the following:

- kitchen (including domestic utility)
- lounge / day rooms / snugs / study
- bathrooms (including en-suite and ground floor WC)
- bedrooms
- hall / stairs / landing
- conservatory / orangery / enclosed porch

Internal ancillary floorspace (indicated by the orange shading on the illustrative diagram above) will include the following:

- boot room
- decontamination room
- office / filing / workspace / meeting space

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at **equalities@cheshirewestandchester.gov.uk**

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

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Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

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