

Header: Rural Business Use in the Countryside

Stand first: Wayne Reynolds, Director of Atriarc Planning offers an insight into issues around Farm Buildings and Business Use in the Countryside

Rural businesses play a vital role in supporting the local economy. With many farmers now diversifying to include general contracting services (to maximise the use of expensive equipment purchases); what are the key considerations for landowners when reviewing business and planning requirements?

As most readers will know, planning permission is required when looking to develop new or existing buildings. The Local Planning Authority (LPA) will then consider the merits of the evidence and plans presented. However, not all sites are quite as straightforward, especially when considering agricultural contracting arrangements for existing farms (and buildings).

When a building, site and/ or equipment is used primarily for the management of a landowner's (or tenant's) land; the planning Use Class the buildings and site fall within is quite simple – Agricultural Use. However, when new commercial enterprises are developed, for example, contracting equipment and services to other farmers; in planning terms, a material Change of Use would have occurred. At this point a planning application seeking a Change of Use is required. However many small contractors will often carry on activities without the benefit of planning permission, especially when general farming activities are still evident on the main farm holding.

In determining whether a Change of Use has occurred, the key questions to consider are; what is the primary use of the site and equipment for? And, what proportion of time is dedicated to the new venture? There is no set limit but generally speaking if the new enterprise forms over 30% of your time or resources, a Change of Use would be deemed to have occurred. If buildings or yards are used for other business purposes e.g. non-agricultural general storage, the principles of assessment follow the same pragmatic approach.

For growing or new contracting businesses looking to develop new storage buildings, the two main planning concerns are often related to visual impact and impact on the local highway network. However, for new ventures many land-owners often forget to justify the reasoning for preferred sites. In the first instance, a basic land-search is often advisable to consider what other commercial buildings may be available in the area before a greenfield site is put forward. A location plan of existing and/ or prospective clients can also greatly assist, to reinforce why a particular location has been chosen. In many instances it is often better to overstate the reasons for the siting to ensure officials have a clear understanding of your business needs, to assist with the planning process.

For further advice or assistance please contact Wayne Reynolds on 01994 220 667 or email wayne@atriarcgroup.com

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