

PLANNING APPEAL STATEMENT

Parmar Manor, Stratford Road, Loxley,
Warwickshire, CV35 9JR

Stratford Upon Avon District Council Enforcement
Reference: 22/00173/DESCOU

Mr and Mrs Parmar

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1. Introduction

Qualifications and Experience

- 1.1. My name is Andrew Neil McMullan. I am a chartered member of the Royal Town Planning Institute. I have twenty years' experience in the planning profession, predominantly in the private sector.
- 1.2. I have worked for a number of national planning practices, including Gerald Eve, Partner of Knight Frank, Head of North West Planning at Freeths LLP. I am a Director of Broadgrove Planning and Development Ltd, a position I have held for five years.
- 1.3. I am familiar with the appeal site and its surroundings. I am fully aware of the planning policy position of Stratford on Avon District Council.

Scope of the Statement

- 1.4. This Enforcement Appeal Statement has been prepared on behalf of Mr and Mrs Parmar ('the Appellants') in support of their appeal against an Enforcement Notice (EN) dated 27.7.23, served by Stratford on Avon District Council.
- 1.5. The EN states that the matter which constitutes the breach of planning control is the use of the stables for residential accommodation ("the Subject Building") at the property known as Parmar Manor ("the Appeal Site").
- 1.6. The reasons for serving the EN are as follows:

1. The development is not considered to meet any of the Policies set out in AS.10 of the Stratford – on – Avon District Core Strategy. In particular, there is a lack of identified need for a rural worker and the use has not been demonstrated to serve an agricultural worker, required in connection with the agricultural enterprise. Furthermore, in the absence of any planning conditions, the Local Planning Authority has no controls over the occupation of the dwelling, which would otherwise be an unsustainable form of development in the open countryside. On that basis, the development is contrary to Policies AS.10, CS.15 and CS.16 of the Stratford – on

– Avon District Core Strategy and the Policies H1 of the Loxley Neighbourhood Development Plan.

2. The unauthorised alterations to the building introduces visual harm to the character of the area (by virtue of the domestic character of the alterations, being incongruous for this location). Furthermore, the alterations to the building, fails to conserve the distinctive character and appearance of the rural setting within the Special Landscape Area. The visual harm caused by the resultant building is considered to conflict with CS.9, CS.12 and AS.10 of the Stratford – on – Avon District Core Strategy.
3. The development is considered to result in an unacceptable standard of amenity for an occupier of the residential accommodation (particularly due to the substandard size of the unit, the condition of the current unit, and the proximity to the other active farm use which is likely to cause noise and disturbance). On this basis, the development is contrary to Policies CS.9 and AS.10 of the Stratford – on – Avon District Core Strategy.

The District Council does not consider that planning permission should be granted because planning conditions could not overcome the objections to the development.

1.7. Under Part 5, what are you required to do, it states the following:

- a. Cease the use of the building for residential purposes and thereafter only use the building for equestrian or agricultural purposes.
- b. Remove all new UPVC windows and all new doors from the building.

1.8. Under Part 6 of the EN, time for compliance, it states the following:

- a. Within 6 months from the date this notice takes effect
- b. Within 6 months from the date this notice takes effect

1.9. Under Part 7 of the EN, when this notice takes effect, it states the following:

This notice takes effect on 4 September 2023 unless an appeal is made against it beforehand.

1.10. The structure of this appeal statement is as follows:

- 1.10.1. Chapter 2 discusses the Site and Surrounding Area;
- 1.10.2. Chapter 3 discusses the Planning History;
- 1.10.3. Chapter 4 provides a description of the Subject Building;
- 1.10.4. Chapter 5 outlines the Planning Policy Framework & Material Considerations;
- 1.10.5. Chapter 6. outlines the case under Ground A;
- 1.10.6. Chapter 7 outlines the case under Ground A temporary planning permission
- 1.10.7. Chapter 8 sets out the case under Ground F;
- 1.10.8. Chapter 9 sets out the case under Ground G;
- 1.10.9. Chapter 10 makes the appellant's conclusions.

2 Site and Surrounding Area

- 2.1 The appeal site is at Parmar Manor, Stratford Road, Loxley, Warwickshire, CV35 9JR ‘the site’ (424565, 252592). It is situated entirely within the administrative boundary of Stratford on Avon District Council (‘the Local Planning Authority [LPA]’).
- 2.2 The appeal site is a small part of Parmar Manor (previously known as Pastures Farm).
- 2.3 Parmar Manor is partly residential and partly agriculture in use. The residential curtilage is physically delineated on site to the south, east and west by timber fencing. There is no northern boundary to the residential curtilage as it naturally blends into the agricultural activities, however crudely it is the northern (side) elevation of the detached triple garage block. The appeal site is within the agricultural part of the site.
- 2.4 The entire site (both agricultural and domestic) extends to 31 hectares.
- 2.5 At the time of writing this Statement, the wider agricultural holding is only used for the keeping of chickens, however as set out within the enclosed, Business Plan Proposal for Parmar Manor (Appendix A), the appellant has intentions to significantly expand the farming operations and needs to regularise, rationalise and expand the farm to make it an efficient and sustainable enterprise.
- 2.6 The appeal site lies at the end of a private road , which is accessed from Stratford Road. The group of buildings lie approximately 1 km (as the crow flies) to the village of Loxley. The nearest larger settlements are Wellesbourne which lies 3km to the north east of the site and Stratford Upon Avon, approximately 5 km to the north west of the site.
- 2.7 There are no designated heritage assets, including listed buildings, scheduled ancient monuments or conservation areas within or in proximity to the site’s demise.
- 2.8 The site does not form part of any statutory designated sites such as Sites of Special Scientific Interest, Special Areas of Conservation, National or Local Nature Reserves, or Ramsar Sites.

3 Planning History

- 3.1 There is no planning history relating to the Subject Building.
- 3.2 The wider appeal site has been subject to the following planning history.
- 3.3 21/00279/FUL. This application was validated on 25/03/2021, for a replacement barn. It was withdrawn on 19.5.21.
- 3.4 The Council served an Enforcement Notice on 15.3.22, requiring the removal of the building within 4 months of the date. The notice took effect from 22.4.22 unless an appeal was lodged.
- 3.5 An appeal was lodged by the appellant within the above timeframes. The appeal, which was considered via written representations was determined on 18.4.23 (Appeal Ref: APP/J3720/C/22/3297269). The decision for the appeal was as follows, 'The appeal is dismissed and the enforcement notice is upheld as corrected and the deemed planning permission is refused.'
- 3.6 An application was submitted for a reduced, single storey building on 24.7.23. On 21.8.23 a letter was received from the District Council advising that they had determined to decline to determine the application under Section 70C of the Town and Country Planning Act 1990.
- 3.7 The detail of the EN is that the building and all materials need to be cleared from the site by 18.8.23.
- 3.8 At the time of writing the appeal statement, the process of dismantling the building has commenced.
- 3.9 85/01351/FUL - pastures farm cottage Meer hill Loxley - construction of one five bedroomed detached bungalow for wholly human habitation, to replace the existing pastures farm cottage. Application approved 24/04/1986.
- 3.10 This application relates to the residential property currently on site.

- 3.11 19/03254/FUL - Proposed porch, front extensions, single storey rear extension, first floor extension, associated internal alterations and replacement garage block. Application refused 20/01/2020.
- 3.12 21/00449/FUL - Installation of a Ground Source Heat Pump/System. Application approved 14.4.21.
- 3.13 21/02770/AGNOT - Agricultural Barn. Agricultural Notification . Application refused 20/10/2021.
- 3.14 22/02926/FUL - Change of use from agriculture to residential. This is a retrospective application that relates to a small area of land to the east of the existing dwelling house. This application was validated on 4.10.22 and remains undetermined and is pending.
- 3.15 22/03475/FUL - Retrospective permission for the erection of a cold store. This is a retrospective planning application that relates to an existing building within the wider group of farm buildings. It is used for the storage of dead live stock. This application was validated on 25.11.22 and remains pending.
- 3.16 22/01885/FUL - Demolition of existing detached car garage and erection of car garage with granny annexe above. This application was made valid on 15.7.22 and then subsequently invalidated, due to the incorrect application form and fee being supplied. The applicant has subsequently appealed against the Council not validating the application (Appeal Reference: APP/J3720/W/22/3312182). The appeal remains undetermined.

4 Description of the Subject Building

- 4.1 The appeal relates to the Subject Building, which is identified on the plan enclosed within Appendix B.
- 4.2 A floor plan of the use of the Subject Building is enclosed within Appendix C.
- 4.3 This is a single storey building located centrally within the cluster of residential and agricultural buildings present on the site.
- 4.4 The building is an inverted L shape, with a maximum width of 7.24 metres and minimum width of 5.34 metres. It stands at a length of 17.6 metres.
- 4.5 Internally the building accommodates 3 no. bedrooms, a living room, a bathroom and a kitchen.
- 4.6 Externally the building is constructed of a combination of timber and rendered walls, with a sloping felt roof.
- 4.7 The windows are of a modern insertion and are white UPVC, matching those on Parmar Manor residential accommodation. The doors are of timber construction.
- 4.8 The exact date of construction of the building is unknown but it is estimated that it was constructed decades ago. It has been confirmed by the appellant that the use of the Subject Building for residential accommodation commenced in October 2019.
- 4.9 The building is used solely as residential accommodation for agricultural workers in connection with the agricultural activities of the estate.

5 Planning Policy Framework & Material Considerations

- 5.1 Paragraph 11 of the National Planning Policy Framework requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990), that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The Development Plan for Stratford Upon Avon District Council is currently formed of the following documents:
- Stratford Upon Avon District Core Strategy (2011 – 2031)
 - Loxley Parish Neighbourhood Development Plan (2011 – 2031) (July 2020), including Loxley Village Design Statement (March 2007)
- 5.3 On the adopted proposals map the site is designated as:
- Open countryside;
 - Feldon Parklands Special Landscape Area;
- 5.4 Based on the allocation, the EN and the appeal building, the following policies are deemed relevant to the proposed development:

Core Strategy

- Policy CS.1: Sustainable Development
- Policy CS.9: Design and Distinctiveness
- Policy CS.12: Special Landscape Areas
- Policy CS.15: Distribution of Development
- Policy CS.16: Housing Development
- Policy CS.22: Economic Development
- Policy AS.10: Countryside and Villages

Loxley Parish Council Neighbourhood Plan

- Policy H1: Housing Growth
- Policy H3 Design and Character

- Policy NE1 Protection of SLA and Valued Landscapes

Material Considerations

- 5.5 The following represent material considerations to be balanced in the judgment of the proposed development.

National Planning Policy Framework (July 2021)

- 5.6 At a national level, planning policy and guidance is contained in the National Planning Policy Framework (NPPF). The updated NPPF (July 2021), sets out the Government’s vision for future growth. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 5.7 The NPPF acknowledges that planning policies and decisions should play an active role in guiding development towards sustainable development solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.8 Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental and, as set out in paragraph 9, these provide broad objectives to be delivered through planning decisions.
- 5.9 At the heart of the NPPF is a presumption in favour of sustainable development as set out in paragraph 11. This means that local planning authorities should “approve development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.
- 5.10 Paragraph 38 advises that LPAs should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.
- 5.11 Chapter 4 outlines how Local Planning Authorities should approach decisions on proposed developments. It sets out that the approach should be positive and creative and that decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.12 Paragraph 47 states that,

“Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”

5.13 Paragraph 81 states “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

5.14 Paragraph 82 states planning policies should:

“a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;

b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;

c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”

5.15 Chapter 11 concerns the effective use of land and obliges planning policies and decisions to encourage as much use as possible of previously-developed or ‘brownfield’ land.

5.16 Paragraph 126 states that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.”*

5.17 Paragraph 130 seeks developments that function well and add to the overall quality of the area, are visually attractive as a result of good architecture, are sympathetic to local character and history and create places that are safe and inclusive.

5.18 Paragraphs 152-169 requires developments to mitigate against the effects of climate change. When determining applications, developments must ensure they do not increase the risk of flooding elsewhere.

6 Case Under Ground A

6.1 Ground A of the EN states the following:

6.2 *‘that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition of limitation concerned ought to be discharged.’*

6.3 It is the first part of Ground A that is relevant in this instance and upon which the case is made that planning permission should be granted for the use and the associated works.

6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.5 The key planning issues in respect of Ground A are considered in turn below.

Principle of Development/Use

6.6 The building will be used solely to accommodate agricultural workers who are employed directly by the appellant for purposes related to the agricultural use of the estate.

6.7 Policy AS.10 relates to Countryside and Villages and states the following in part (with regard to principle):

‘The following forms of development and uses in the countryside are acceptable in principle:

Residential

(i) A permanent dwelling for occupation by a person engaged in an agricultural operation or other form of use that can only reasonably be carried out in the countryside, subject to a functional need being established.’

6.8 Within the supporting policy, there is another sub policy on Development Management Considerations and part 10), which is relevant and states that:

(10) In relation to part (i) in the policy - the Council will require sufficient evidence to demonstrate that there is an essential need for a person or persons to be present on the site at all times sufficient to justify the provision of residential accommodation. A case based solely

on grounds of security will not necessarily be sufficient. The future sustainability of the enterprise will be taken into consideration along with established functional and financial tests.

6.9 It is clear that Policy AS.10 considers that the principle of a new building related to agricultural related residential accommodation to be acceptable, where there is a proven need.

6.10 The supporting text to Policy AS.10 also states that:

‘6.12.5 A key priority in the Corporate Strategy is to improve the prospects of success for rural businesses. This is also reflected in the Sustainable Community Strategy vision that ‘our rural areas will be providing more businesses and jobs’. Many rural firms aspire to grow and even those that don’t still need to innovate and develop so that they remain viable, provide local employment opportunities and support local services.’

And

‘6.12.10 The Government’s Rural Statement (DEFRA, September 2012) stresses the crucial role of farming and food production in rural life. Many types of development relating to agriculture do not need planning permission or are subject to a notification process. It is also important to ensure that diversification schemes are supported, particularly those that will bring longstanding benefits to the individual farm operations and to the wider rural economy.’

6.11 In this regard, the NPPF is also supportive of agricultural development and confirms the following:

‘84. Planning policies and decisions should enable:

b) the development and diversification of agricultural and other land-based rural businesses;’

6.12 The appeal statement submission is supported by a Business Plan Proposal, prepared by Symonds and Sampson enclosed within Appendix A.

6.13 To be clear, the appeal is submitted based on the above plan to provide a sustainable farm business for the existing and future situation.

6.14 By way of background, since the applicant purchased the site in July 2019, there have been varying degrees of agricultural activity. The applicant allowed a nearby agricultural business

to tenant the land for sheep for a couple of years. However, with the amount of scrutiny and planning matters raised by the Council as a result of the various works, the applicant considered that it was in the best interest of the welfare of the animals to cease using the land for grazing.

- 6.15 Currently, the only agricultural activity that takes place on the holding, is the keeping of chickens for the production of eggs. The eggs are sold to local businesses. However, the Business Plan for the short term future shows how the rationalisation and optimisation of the site will take place, with the buildings necessary to support the future use. The application building hereby submitted is the first phase of a multi-phase operation that will allow the applicant to run a sustainable farm business.
- 6.16 The proposed farming business will be based on arable and pastoral farming.
- 6.17 In terms of pastoral farming, this will be for the growing of Asian niche vegetables. This will include, coriander, fenugreek, saag and 6 types of beans.
- 6.18 The arable farming business will be split into three business streams as set out within the Business Plan, as follows.
- Sheep - purchase and develop a breeding flock of approximately 150-200 ewes that lamb outside in the spring, providing 200-300 lambs a year;
 - Goats – 100 to be purchased for both milk and goats meat; and
 - Hens – maintain the 80 hens that are currently on site, producing 24,000 eggs per year direct to market.
- 6.19 The Business Plan sets out clearly the infrastructure that is required to enable the operation to come to fulfilment. The accommodation is clearly required to realise the farming operations and the intention is that it will lead to a number of other applications coming forward in the future.
- 6.20 In addition to the Business Plan, the appellant now has acceptance in principle regarding the signing of two Memorandum of Understandings with two educational establishments in Pakistan as set out within Appendix D (Arid Agriculture University, Rawalpindi) and Appendix E (University of Sargodha).
- 6.21 This shows a clear strategy and intention to progress with the farming venture on an arable and pastoral basis in the future. It is requested that the appeal is considered on this basis.

- 6.22 The proposed use has been fully justified against the requirements of local and national policy and a robust response against Part 4, issue 1 of the Council's Enforcement Notice.

Design/External Appearance/Landscape Impact

- 6.23 Part 4, issue 2 of the Enforcement Notice considers the visual harm. This part clarifies that it is not actually the building that causes the visual harm and resultant impact but the domestic insertions. Section 5 part b) of the Notice provides further clarification in that it requires the appellant to, 'remove all new UPVC windows and all new doors from the building.'

- 6.24 The insertion of replacement doors and windows into the property was to necessitate the use of the building for residential purposes. If the Inspector accepts the appellant's case that there is a need for residential accommodation for agricultural workers (as above) then it follows that it is reasonable to allow domestic inserts to facilitate this use.

- 6.25 Part of Policy CS.1 relates to Sustainable Development and states the following:

'Development should be located and designed so that it contributes towards the maintenance of sustainable communities within the District.'

- 6.26 Policy CS.9 Design and Distinctiveness is relevant and relates to, Ensuring Local Distinctiveness, ensuring High Quality Design and Design Innovation.

- 6.27 Policy AS.10 relates to Countryside and Villages and states the following in part:

'All proposals will be thoroughly assessed against the principles of sustainable development, including the need to:

- minimise impact on the character of the local landscape, communities and environmental features;'*

- 6.28 Policy CS.5 relates to Landscape and states the following in part:

'The landscape character and quality of the District will be maintained by ensuring that development takes place in a manner that minimises and mitigates its impact and, where possible, incorporates measures to enhance the landscape. The cumulative impact of development proposals on the quality of the landscape will be taken into account.'

- 6.29 It also lists the criteria, relating to landscape character and enhancement; visual impacts; trees, woodland and hedges.

6.30 Policy H3 - Design and Character of the Loxley Neighbourhood Plan is relevant and states that:

'To be supported, the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, must sustain and enhance the distinctive character of the Neighbourhood Plan Area.

To be supported, development proposals must comply with the following guiding principles based on the Loxley Village Design Statement presented in Appendix 1:

a) be compatible with the distinctive character of the area, respecting the local settlement pattern which is predominantly ribbon development, building styles and materials whilst taking a positive approach to innovative, contemporary designs that are sensitive to their setting;

b) retain gaps between buildings and spaces behind buildings where they contribute to the open aspect of the village and retain links with the countryside beyond;

c) retain existing open green spaces within Loxley where they make an important contribution to the character and local distinctiveness of the area and/or contribute to reducing the likelihood of surface water flooding;

d) be of a density and scale that is in keeping with the character of the surrounding development and landscape;

e) conserve or enhance heritage assets including listed buildings and their settings, balancing the significance of the asset and extent of any harm vis-à-vis any other public benefits of development;

f) protect, or enhance landscape and biodiversity by incorporating landscaping consistent with Warwickshire County Council Landscape Guidelines;

g) have regard to the impact on tranquility, including dark skies; and

h) not exacerbate foul drainage capacity problems.'

6.31 It is considered that the proposed insertions into the building are appropriate for the site's setting as a mixed agricultural and residential use. Whilst the Subject Building was constructed decades ago, it is not of any historical or aesthetic value that would be undermined in any way by the insertions. Should the change of use have not occurred then the question is raised to the Inspector and the Council as to whether they would have even issued an Enforcement Notice for just these parts solely. Should the response be no to these then it is unreasonable and refuted that this should be part of the EN.

- 6.32 In respect of design, external appearance and the setting of the landscape, it is considered that the windows and doors complies with Policies CS.9, CS.12 and AS.10 of the Core Strategy and should be supported.

Residential Amenity

- 6.33 Part 3 of the EN states that the development would equate to an unacceptable standard of amenity for an occupiers of the residential accommodation due to the substandard size, condition and proximity to the other farm uses which are likely to cause noise and disturbance.
- 6.34 With regard to the first matter, the property is being used as a three bedroomed property with a total floor area of 96.01 sqm. The enclosed floor plan set out within Appendix C, shows the layout and the sizes
- 6.35 Technical housing standards – nationally described space standard was published in March 2015 and sets out minimum space requirements for housing development. This relates to new build and conversions. The property is being used by 3 occupants who have their own bedrooms. Whilst there is no direct comparison on the technical standards with regard to Table 1, the nearest appropriate standard is for a three bedroomed, 4 person, single storey accommodation. For such a level of accommodation the standards require a minimum floor area of 74 sq.m plus 2.5 sq.m of built in storage, creating a total requirement of 76.5 sq.m. The Subject Building is 20 sq.m in excess of this minimum requirement.
- 6.36 Therefore the Council's position that the Subject Building's size is substandard cannot be sustained.
- 6.37 In respect of the second matter regarding its condition, this is something that the appellant is seeking to address and this process is ongoing. The first action in this regard is the insertion of new windows and doors, which ironically is a matter that the Council have objected to. It is considered that it is outside of planning scope of determination to resist a proposal because of the condition of the building.
- 6.38 The final matter relates to noise and disturbance to the occupiers in respect of the proximity to the nearby farm operations.
- 6.39 To be clear, the accommodation is being used by workers on the farm and the appellant would be happy to accept a condition on the granting of planning permission that restricted to the occupation to agricultural workers only.

- 6.40 As set out previously, whilst the intention is to develop the farm business in accordance with the Business Plan, it still will remain as a dual use of agricultural and residential. Parmar Manor is occupied as a multi-generational dwelling and is located only 51 metres from the Subject Building. This is a lawful use and property and would be subjected to similar noise conditions as the occupants of the Subject Building.
- 6.41 Furthermore, it is common practice for centuries to have farming and residential operations adjacent to each other and therefore to seek to resist a proposal on this basis in part is wholly unreasonable.

7 Case under Ground A for temporary planning permission

- 7.1 Notwithstanding the case put forward for the Ground A appeal or for the permission for the Subject Building's use and external alterations set out within Ground A, if unsuccessful, the appellant will require permission to retain use for a temporary period until alternative permanent facilities can be secured. That process will undoubtedly involve the preparation and submission of a planning application followed by the construction of those facilities. The appellant therefore submits in the alternative to the ground A appeal pleaded at section 6 above that planning permission should be granted for the retention of the Subject Building for a period of three years pending delivery of those facilities.
- 7.2 The three year period is considered appropriate and reasonable for the circumstances. The planning application process, in terms of application preparation, pre-application engagement with the Local Planning Authority and the formal planning application process, is likely to take 12 – 18 months. Following approval, the construction period, in terms of the tender process and the actual construction of the building is also likely to take another 12 – 18 months.
- 7.3 It is imperative that a three year period is granted failing Ground A, otherwise the appellant is likely to be faced with an unlawful use with no alternative provision being ready for occupation and use.

8 Case under Ground F

- 8.1 The appellant puts forward the case that the steps required by the notice are unacceptable with specific regard to part b) which requires the following, 'Remove all new UPVC windows and all new doors from the building.'
- 8.2 As stated previously within this Statement, should the residential use of the building be considered inappropriate, for the reasons set out previously, it is considered that the windows and doors should remain in the building.

9 Case Under Ground G

- 9.1 The EN requires that the Subject Building residential use is ceased and the UPVC windows and doors are removed within 6 months of the EN taking effect. Given the importance of the Subject Building to the agricultural operations and the time it will take for the appellant to secure/deliver replacement facilities elsewhere the period of 6 months is insufficient. The appellant is seeking under Ground A permanent planning permission for the retention of the Subject Building and if that is unsuccessful temporary planning permission for its retention for three years. If the Ground A appeal is unsuccessful, the appellant is reliant on Ground G.
- 9.2 The requirements of the EN within 6 months can clearly be achieved, however the implications of doing so within such a short time frame are hugely significant for the Appellant. The loss of the use of the Subject Building without replacement would substantially affect the operation of the farming business, which, for the reasons explained previously, is an important facility to the business.
- 9.3 6 months would be oppressive given the functional disruption and a longer period of 36 months would be more appropriate given the absence of any harm from the use of the Subject Building.

10 Conclusion

10.1 This Planning Appeal Statement has been prepared on behalf of the Appellant in support of its appeal against the EN served by Stratford on Avon District Council.

10.2 The EN states that the matter which constitutes the breach of planning control is the residential use without planning permission of the Subject Building at the Appeal Site and also the insertion of new windows and doors.

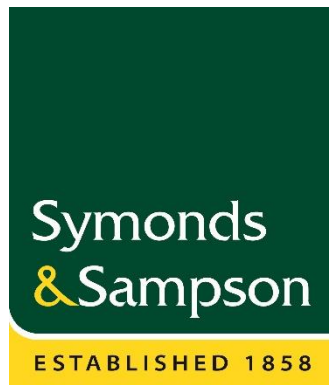
10.3 The reasons stated for serving the EN are:-

1. The development is not considered to meet any of the Policies set out in AS.10 of the Stratford – on – Avon District Core Strategy. In particular, there is a lack of identified need for a rural worker and the use has not been demonstrated to serve an agricultural worker, required in connection with the agricultural enterprise. Furthermore, in the absence of any planning conditions, the Local Planning Authority has no controls over the occupation of the dwelling, which would otherwise be an unsustainable form of development in the open countryside. On that basis, the development is contrary to Policies AS.10, CS.1, CS.15 and CS.16 of the Stratford – on – Avon District Core Strategy and the Policies H1 of the Loxley Neighbourhood Development Plan.
2. The unauthorised alterations to the building introduces visual harm to the character of the area (by virtue of the domestic character of the alterations, being incongruous for this location). Furthermore, the alterations to the building, fails to conserve the distinctive character and appearance of the rural setting within the Special Landscape Area. The visual harm caused by the resultant building is considered to conflict with CS.9, CS.12 and AS.10 of the Stratford – on – Avon District Core Strategy.
3. The development is considered to result in an unacceptable standard of amenity for an occupier of the residential accommodation (particularly due to the substandard size of the unit, the condition of the current unit, and the proximity to the other active farm use which is likely to cause noise and disturbance). On this basis, the development is contrary to Policies CS.9 and AS.10 of the Stratford – on – Avon District Core Strategy.

The District Council does not consider that planning permission should be granted because planning conditions could not overcome the objections to the development.

- 10.4 The case has also been made under Ground A that planning permission should be granted for the permanent retention of the use of the Subject Building and the insertions for the reasons outlined. The proposal accords with the pertinent and named policies of the development plan and the NPPF and there are no material considerations which should prevent the granting of retrospective planning permission.
- 10.5 The case has also been made that notwithstanding the case put forward in Ground A, that if unsuccessful, a temporary grant of planning permission should be awarded with a duration of three years to allow alternative accommodation to be delivered.
- 10.6 The case has also been made under Ground G, that given how intrinsic the Subject Building is to the operations of the farming operation golf course and club that the date for compliance with the EN should be revised from 6 months to at least 36 months.
- 10.7 Should there be any queries regarding this Planning Appeal Statement then please contact Andy McMullan.

Appendix A



BUSINESS PLAN PROPOSAL FOR PARMAR MANOR

Property:	Parmar Manor, Loxley, Warwick, CV35 9JR
Client:	Mr Harshad Parmar
Date:	July 2023
Agent:	Christopher Powell BSc (Hons) MRICS FAAV

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1. Executive summary

The current owners Mr Harshad Parmar and Mrs Pravina Parmar bought Parmar Manor in July 2019. They want to establish and manage a sustainable, profitable and diverse holding. Symonds and Sampson were instructed to advise on enterprises, their structure, labour requirements and potential markets.

As can be seen from this report the “base” of a good sustainable holding has been built by the current owners and with the recommendation made implemented, the holding will have longevity and success. A combination of traditional and niche enterprises utilising the owners heritage provide an opportunity for the holding to become a success.

2. Introduction and Business Overview

Symonds and Sampson LLP have been instructed to provide an agricultural business plan and review for the current owners, Mr Harshad Parmar and Mrs Pravina Parmar, who have owned the property since July 2019.

The purpose of this report is to provide the owners with the basis to guide management and business decisions for Parmar Manor moving forward. The owners' objectives are to invest in the farm to create a sustainable and profitable holding utilising multiple enterprises.

Parmar Manor was acquired by the current owners (Mr Harshad Parmar & Mrs Pravina Parmar) in July 2019. See Appendix A for details. The property was then known as Pastures Farm.

Originally owned by the equestrian Diana Mason, the farm fell into disuse after her death, and when Mr Parmar acquired it from Mr Mark Webster in 2019 a lot of work was needed to bring it back into productive use.

The aim of the current management is to produce premium products and sell them directly to the customer rather than to wholesalers and also have a small equestrian facility in the honour of Diana Mason who was an ex Olympic gold medallist. These actions will help increase the revenue generated by the farming operations.

Parmar Manor is situated in Loxley, Warwick, a village and civil parish near Stratford-upon-Avon, and extends to 31 Ha (76.6 acres). Currently the holding is mainly down to longer term grass leys which are utilised for grazing of sheep and goats.

At the time of our visit there was a flock of around 500 sheep that are grazed and finished for direct sales of meat boxes to the wholesaler. There were also 100 goats forming the base of the milking herd and goat meat supply moving forward.

There are 80 laying hens kept to produce a quality supply of fresh eggs.

3. Proposals and Market Analysis

After discussions with the owners, we have identified which enterprises need to be pursued and expanded on. In the sections below, commentary on proposed enterprise management and expansion is given along with analysis.

3.1 General Farming

The golden thread running through any business decisions at Parmar Manor should be sustainability. It is a subject the current owners are passionate about. This is pertinent as sustainability and renewable energy is a major theme in national planning policy.

3.2 Sheep

Currently the business buys store lambs and finishes on farm to provide meat boxes for direct sale. Moving forward it will be sensible to purchase and develop a breeding flock of approximately 150-200 ewes that lamb outside in the spring, providing 200-300 lambs a year that can then provide the current number to be finished on farm with the excess sold at market. This model will provide a more sustainable system, the flock will be grass based and marketed as quality free-range grass-fed lamb and mutton. The demand for quality British lamb is growing and a movement towards grass finished meat is now seen as a sustainable farming method of production.

3.3 Goat

If a dairy herd of 100 goats was established (subject to milking infrastructure), a milk volume of 90,000 litres could be achieved per annum “viable commercial units will probably need to have excess of 200 milkers, with those that process their own milk perhaps needing half that. This would require one full-time person” (ABC 2023). They would also produce approximately 1.2 kids per annum based on 300-day lactation. This would then allow for approximately 70-80 kids to be finished each year for meat sales, while also providing replacements for the dairy herd. The market for goat produce is growing and is incredibly popular with the Asian community in the UK.

3.4 Laying Unit

The current laying unit is 80 number of hens producing 24,000 eggs per annum. Currently farm fresh eggs are a buoyant market and once the direct meat sales are established, they will provide a good complimentary income source.

3.5 Asian Niche Vegetables

The Asian vegetable market is an ever-increasing market. Traditionally produce would be imported from Asia and sold locally within the Asian communities. With the constant pressure of climate change, everyone is looking at food miles and consuming local produce. Mr Parmar's heritage gives him the in depth knowledge of growing and marketing this produce, including coriander, fenugreek, saag and 6 types of beans. The Asian community has the availability of local producers like Mr Parmar to purchase produce in line with their heritage and religious beliefs.

4. Sales Strategy

The business needs to take full advantage of Mr Parmar's links within the Asian community in the Midlands along with his clearly active relationship with his immediate community. The business has already seen some direct sales of meat and eggs but due to the lack of structure and business plan, along with Mr Parmar's other commitments, the opportunities have not been maximised.

4.1 Asian Community

The market for locally produced Asian produce is growing exponentially, with climate change and sustainability at the forefront of peoples minds, importing produce is no longer acceptable. By growing niche vegetables and producing meat cuts commonly used by these communities, Mr Parmar set his business apart and therefore creating his own market and increasing his profitability.

4.2 Direct Local Sales

Mr Parmar has already sold locally his lamb, mutton and eggs to local butchers and restaurants. By increasing production sustainability while utilising the correct buildings this market should be increased.

5. Farm Management Systems

Based on current systems and recommendations, below is a summary of how each enterprise will be run.

5.1 Sheep

A flock of 150-200 ewes should be established, this can be created either by purchasing ewes with lambs at foot or by running store lambs on to become ewes and form the base of the flock. Investment figures can be seen in Section 6.7 with the acreage of the farm a flock of 150-200 can be sustained with the flock lambing outside in the late spring to utilise the good weather, I would expect a lambing percentage of 150% minimum providing 225-300 lambs. These can be brought on over the summer being grass fed. The killing of lambs can then be staggered through the following autumn, winter and spring to provide a year-round supply of lamb and mutton. An “easy care” system approach would be taken with limited medicine and wormer being used. Sheep would be shawn in the spring dependant on lambing dates. The flock would be rotated around the grassland throughout the year to reduce worm burden while maximising grass value.

5.2 Goat

Goat meat and milk in an ever-increasing market, especially with the Asian and Caribbean communities in and around the Midlands and Birmingham. I would recommend a herd of 100 milking goats is purchased in order to produce milk the goats need to “kid” therefore providing a secondary enterprise of finishing these kids as meat goats. The goats have a 300 day lactation and a 150 day gestation period. The goats would run with the billies around 200 days into their lactation allowing for around a 50 day “dry” window before the next kid is born and they are reintroduced into the milking herd. This would be an all year round system ensuring a continuous flow of kids for the meat enterprise. Approximately 120 kids would be produced a year with 10 of those potentially being replacements for the herd. The remainder would be fattened on the grass with the sheep for sale direct.

5.3 Laying Hens

As is already established the laying hens are currently housed in an old “Nissen hut” style building. This is currently acceptable and does reduce risk of diseases such as bird flu but it is recommended that a free range unit is moved in the future. The 80 hens will need checking 3 times a day in addition to egg collection twice a day. Eggs then need to be stored and stamped correctly so they can be sold direct.

5.4 Niche Vegetables

Initially it is recommended that 1 acre is allocated to niche vegetables and herbs. The first crops proposed will be coriander, and fenugreek, saag and 6 types of beans. The crops will need to be part of a rotation so other vegetables and herbs will be introduced over time once markets are established.

5.5 Required Machinery

For the outlined enterprises, the required machinery is minimal. An off-road vehicle such as a pickup, ATV or UTV will be required for shepherding and sheep work, along with checking the goat herd and rounding up for milking. A tractor for general farm work is not essential but will assist with efficiencies and help undertake maintenance around the farm. For the niche vegetables, tractor, plough cultivator drill and spray/fertiliser attachments will all assist in increasing productivity.

5.6 Building Requirements and Layout

As you can see from the plan below, some existing buildings can be utilised, but it would be prudent to invest in specific infrastructure to support the goat enterprise.

5.6.1 Existing

The existing agricultural buildings on site can be utilised for machinery storage/workshop, fodder store for animal feed, the existing cold store and office/packaging centre. The current building marked yellow on the plan is used as an office/business hub. There is a requirement for the proposal to have a farm office supporting a minimum of 2 people with space for team meetings, staff breaks and washrooms, and an area to package and collate orders for delivery. I am also aware that this building houses all of the sustainable energy infrastructure, which is integral to the business and owners.

5.6.2 Proposed

For the enterprises to be run efficiently and effectively, specific infrastructure should be built. As can be seen from the plan, 3 new buildings are proposed.

- Dairy building – this houses the goat milking parlour and milk storage/processing room.
- Goat housing/rearing unit – during the winter months the goats need to be housed and it is prudent to have an area designated for kidding.
- General purpose lambing shed/hospital wing – the sheep and goats need to be housed separately for health and welfare and even though the sheep will remain outside for the majority of the year, they will need to be brought in if there is trouble during lambing and for orphan lambs to be reared.

Parmar Manor - Building Plan



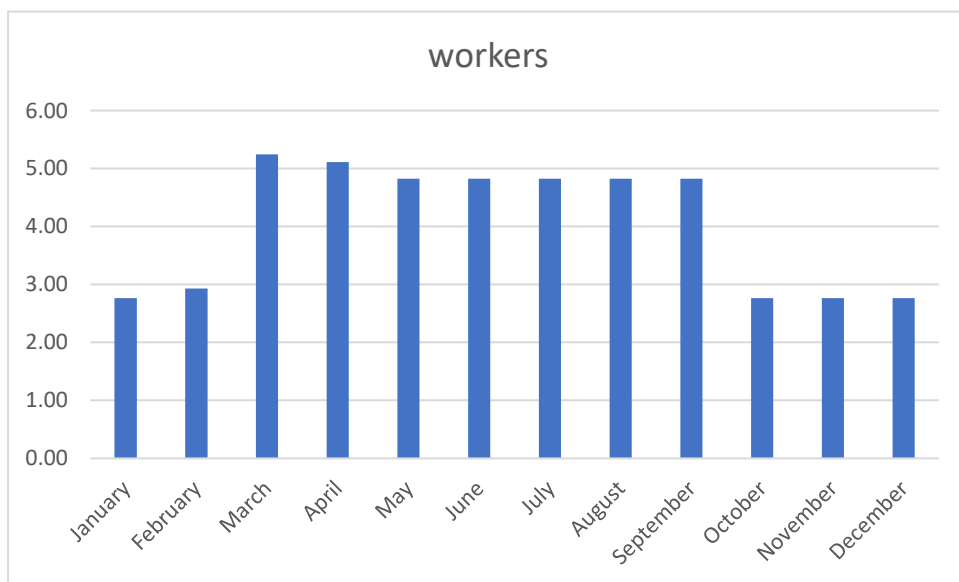
5.7 Labour Requirements

Below in table A are calculations for each enterprise.

Table A

Enterprise	No./Ha	SMD	Total
Sheep	200	0.5	100
Lambs	300	0.3	90
Milking Goats			275
Meat Goats	120	0.3	36
Laying Hens	80	0.06	4.8
Niche Vegetables			605
Sub Total			1110.8
Maintenance 15%			166.62
Total			1277.42
Labour Requirements			4.64

As the table above shows the farm requires 4.64 members of staff. The assumptions made are based on ABC 2023 stating 1 full time worker for every 100 milkers if milk is processed, and for vegetables 1 full time with an additional 3-4 part time staff during harvest periods. The chart below shows the seasonal need for staff on the farm.



6. Financials - Additional Information

6.1 Sheep Gross Margins

6.2 Goat Gross Margins

6.3 Laying Hens Gross Margins

6.4 Niche Vegetables

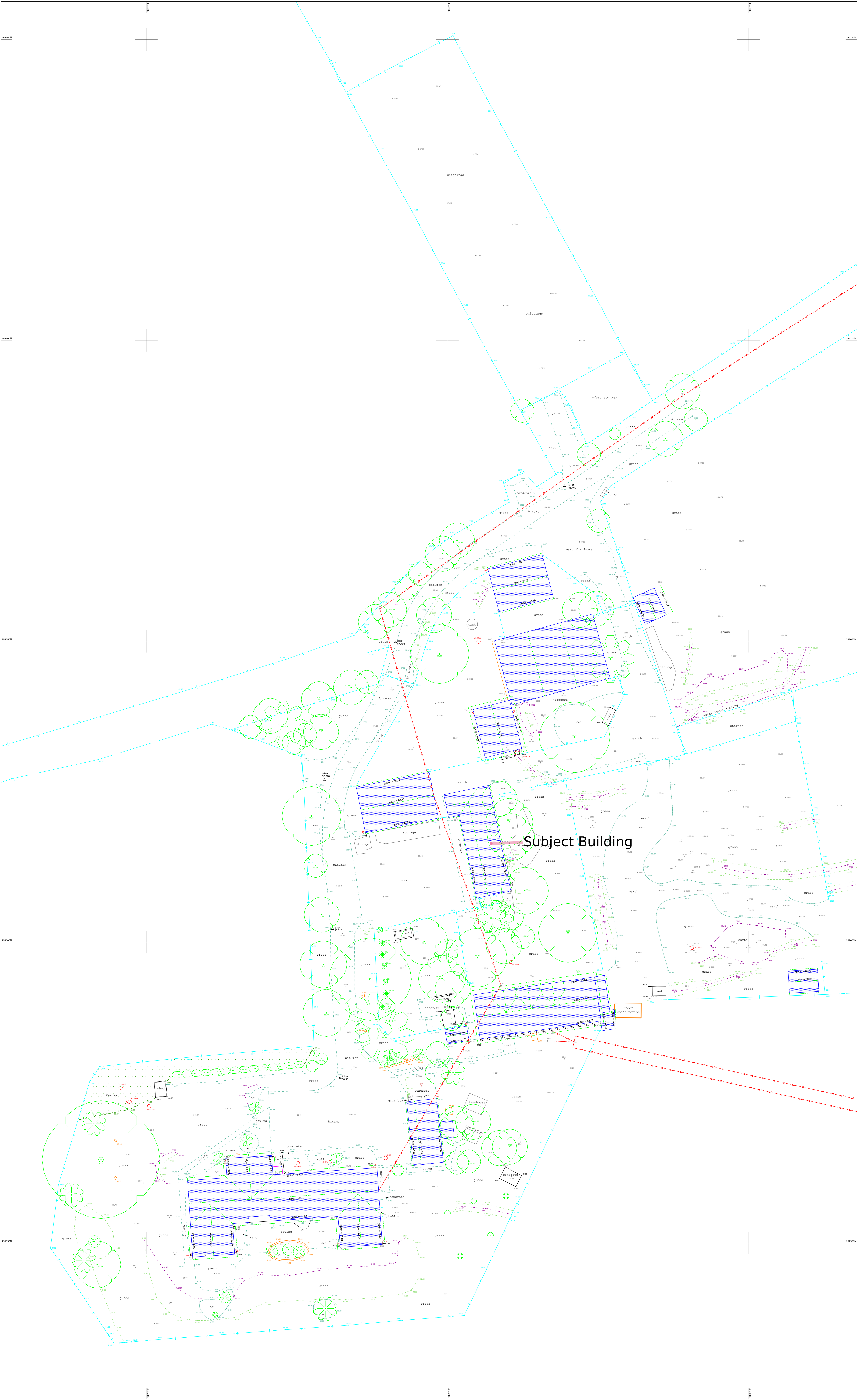
TBC

6.5 Farm Costs

6.6 Investment Costs

TBC

Appendix B



Symbol & Abbreviation Key.

BARBED WIRE FENCE	BARBED WIRE FENCE
POST & RAIL FENCE	POST & RAIL FENCE
CLOSE BOARD FENCE	CLOSE BOARD FENCE
RAILINGS	RAILINGS
CHAIN LINK FENCE	CHAIN LINK FENCE
OTHER FENCE	OTHER FENCE
KERB	KERB
DROPPED KERB	DROPPED KERB
GULLY CHANNEL	GULLY CHANNEL
TOP / BOTTOM OF BANK	TOP / BOTTOM OF BANK
FOLKAGE	FOLKAGE
DITCH	DITCH
VERGE	VERGE
OVERHEAD CABLES	OVERHEAD CABLES
GATE	GATE
HEDGE	HEDGE
TREE - BROAD LEAVED	TREE - BROAD LEAVED
TREE - CONIFEROUS	TREE - CONIFEROUS
BUSH	BUSH
BUILDINGS	BUILDINGS
BOREHOLE	BOREHOLE
SURVEY STATION	SURVEY STATION
ORDNANCE SURVEY BENCH MARK	ORDNANCE SURVEY BENCH MARK

A/C	AIR CONDITIONING UNIT	KO	KERB OFFLET
AV	AIR VALVE	LC	LIGHTING COLUMN
BOL	BOLLARD	LP	LAMP POST
BH	BOREHOLE	NP	NAME PLATE
BL	BED LEVEL	NS	NOTICE BOARD
BM	BENCH MARK	PS	Pipe RISER
BT	BRITISH TELECOM	RP	ROOFTOP POINT
CTV	CABLE TV	RS	ROAD SIGN
CL	COVER LEVEL	SP	SPIN POST
CR	CABLE RISER	SV	STOP VALVE
DP	DOWN PIPE	TL	TRAFFIC LIGHT
ER	EARTH ROD	TP	TELEGRAPH POLE
EP	ELECTRICITY POLE	TOF	TOP OF FENCE
EM	ELECTRICITY MARKER	TOH	TOP OF HEDGE
FB	FUSE BOX	TOR	TOP OF RAILINGS
PH	FIRE HYDRANT	TOS	SERVICE LEVEL
FP	FENCE POST	TOW	TOP OF WALL
FL	FLOOR LEVEL	UTL	UNABLE TO LEFT
GV	GAS VALVE	VM	VALVE MARKER
GM	GAS MARKER	VP	VENT PIPE
GU	GULLY	WL	WATER LEVEL
HM	HYDRANT MARKER	WM	WATER MARKER
L	INVERT LEVEL	WO	WASH OUT

General.

This survey has been prepared with a scaling accuracy for a plot at a scale of 1:200.

All tree heights and spreads are approximate. We have tried to identify tree types, however if tree species are critical specialist advice should be gained.

Drainage pipe sizes have been measured from the surface. Chamber access has not been gained for safety reasons, therefore sizes should be regarded as approximate.

Some detail may have been omitted due to parked vehicles.

Notes.

Coordinates related to OS National Grid from ST04 by GPS (No scale factor added). Levels related to GPS.

INDICATIVE ONLY

Rev	Details of Revision	Drawn	Date
AS	AS	11/11/22	GD

Surveyed	Drawn	Date	Checked	Date	Approved	Date
AS	AS	11/11/22	GD	11/11/22	GD	11/11/22

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Client.

THE DESIGN CENTRE LTD
54 KEATS ROAD
COVENTRY
CV2 5LA

Title.

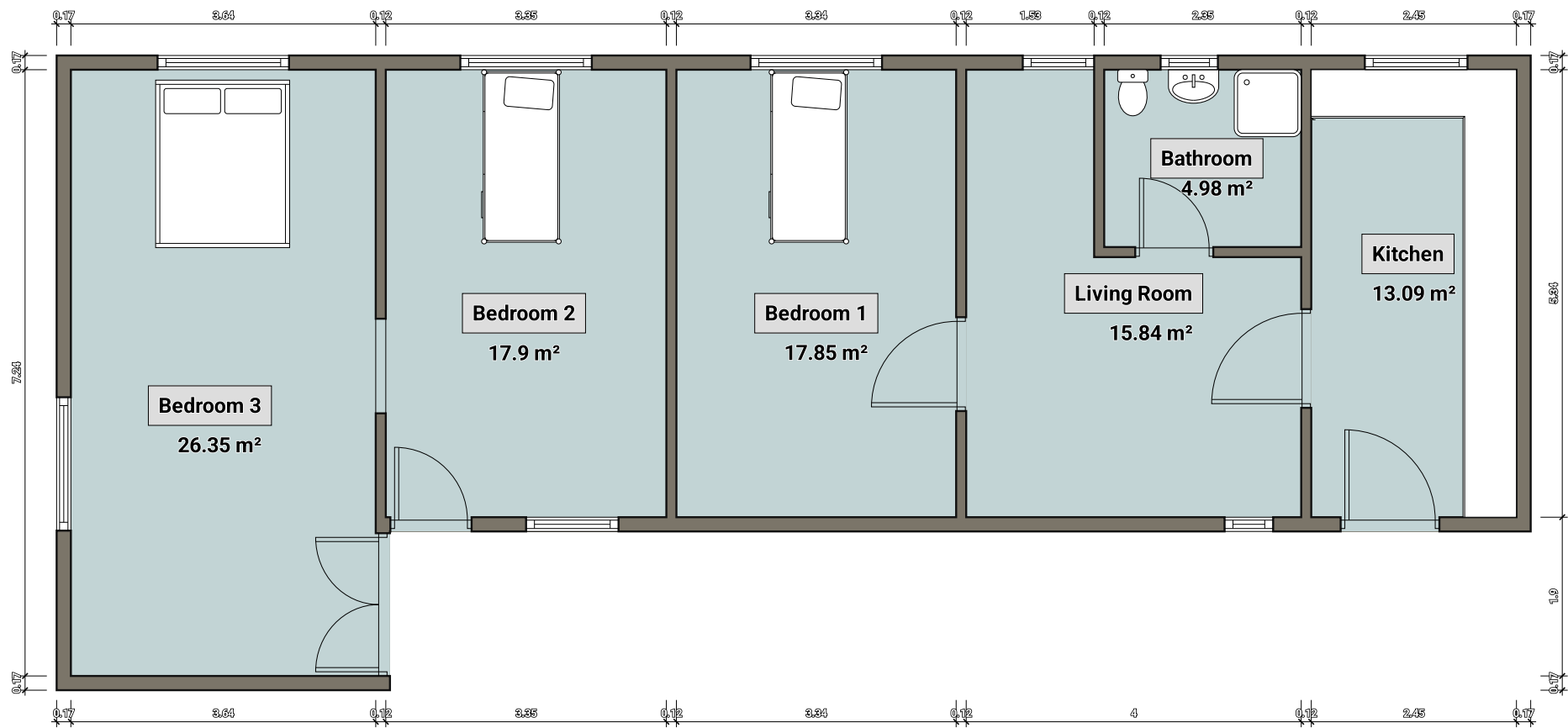
TOPOGRAPHICAL SURVEY
PARVOR MANOR
STRATFORD ROAD
LOXLEY
WARWICK, CV35 9JR

Dwg No. **220758** Sheet **1 of 3**

Scale 1:200 A0 Sheet Rev. -

Appendix C

Former Stables Converted to House For Farm Workers Temporarily



Appendix D



(PMAS-AAUR)
Pir Mehr Ali Shah
Arid Agriculture University

Pir Mehr Ali Shah Arid Agriculture University, Rawalpindi

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Dear Mr. Parmar,

I am writing to you on behalf of PMAS-Arid Agriculture University Rawalpindi (PMAS-AAUR) to express our sincere happiness in agreeing to sign a Memorandum of Understanding (MoU) with Parmar Farm on internship and research.

We believe that this MoU will be a mutually beneficial agreement that will allow our students to gain valuable experience in the agricultural sector, while also providing Parmar Farm with access to talented and motivated interns.

The MoU will outline the terms and conditions of our partnership, including the duration of internships, the number of interns, and the areas of research that will be conducted. We are confident that this partnership will be a success and will help to strengthen the ties between our two institutions.

I would like to take this opportunity to thank you for your interest in our university and for your willingness to work with us on this important initiative. I look forward to signing the MoU with you in the near future.

However, I am writing to you today to inform you that I will not be able to travel to united kingdom for the signing of the MoU. I have a prior commitment that I cannot reschedule.

So I am writing to you on behalf of PMAS-Arid Agriculture University Rawalpindi (PMAS-AAUR) to request that you or your representative come to Pakistan for the signing of the Memorandum of Understanding (MoU)

I apologize for any inconvenience this may cause. I look forward to meeting you in person and discussing our partnership in more detail in the near future.

Sincerely,

Prof. Dr. Muhammad Naeem

Vice Chancellor

PMAS-Arid Agriculture University Rawalpindi

Appendix E



UNIVERSITY OF
SARGODHA
A JOINT VENTURE UNDER PUBLIC PRIVATE PARTNERSHIP

Dear Mr. Parmar,

I am writing to you on behalf of the University of Sargodha to express our sincere happiness in agreeing to sign a Memorandum of Understanding (MoU) with Parmar Farm on internship and research.

We believe that this MoU will be a mutually beneficial agreement that will allow our students to gain valuable experience in the agricultural sector, while also providing Parmar Farm with access to talented and motivated interns.

The MoU will outline the terms and conditions of our partnership, including the duration of internships, the number of interns, and the areas of research that will be conducted. We are confident that this partnership will be a success and will help to strengthen the ties between our two institutions.

I would like to take this opportunity to thank you for your interest in our university and for your willingness to work with us on this important initiative. I look forward to signing the MoU with you in the near future.

Representatives from your side have to come to Pakistan for the signing of the MoU. I look forward to meeting you in person and discussing our partnership in more detail.

Sincerely,

Qaisar abbas

PROF. DR. QAISAR ABBAS
Vice Chancellor
University of Sargodha