STATEMENT OF SUPPORTING INFORMATION IN CONNECTION WITH THE REMOVAL OF A CONDITION FOLLOWING ORIGINAL GRANT OF PLANNING CONSENT WITH RESTRICTION UPON OCCUPATION IN CONNECTION WITH AGRICULTURE

FOR

1 DARLEY'S BUNGALOW
MILL GREEN
PINCHBECK
PE11 3PU

Submitted by:

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1. GENERAL BACKGROUND:

1 Darley's Bungalow comprises a rurally located 3 bedroom semi-detached bungalow. It is located off Mill Green Road which is approximately 1 mile south of Pinchbeck and 2.5 miles north west of Spalding, the location of which is shown on the Land Registry Plan attached (Appendix A) and Location Plan attached (Appendix B).

The bungalow was built by the then farm owners, Messrs Darley, to house farm workers employed on the farm holding to which the property relates. The bungalow was sold in approximately 2001 to Mr Chapman who was previously living in the bungalow as an employee of Messrs Darley, as an agricultural worker on the farm, and as such he satisfied the Agricultural Occupation Condition.

We are informed that the house was built circa 1966 with consent being granted by the then Holland County Council under a full planning reference SR88/66 for a pair of semi-detached bungalows off Mill Green. Such consent was granted on 5th May 1966. A copy of the consent is attached hereto (Appendix C).

The planning permission contained an agricultural occupation condition stating:

> *'The occupation of the bungalow shall be limited to persons employed, or last employed, locally in agriculture or to their dependants.'*

The reason given in the consent for that condition was:

> *'These buildings are sited in an area in which buildings, other than those connected with an agricultural need, would not be permitted.'*

1 Darley's Bungalow was built by the farm owners G Darley & Sons Limited in combination with the other half of the semi-detached building (being number 2 Darley's Bungalow) to provide accommodation to agricultural workers employed on the circa 400 acre farm, which employed as many as 13 full time employees plus part time and seasonal labour also. When number 1 and number 2 Darley's Bungalows were built there was a high requirement for agricultural labour on the holding and a requirement to provide accommodation for certain staff members.

It should be noted that number 1 and number 2 Darley's Bungalow were constructed as replacement dwellings for a pair of cottages which were sited immediately to the north of the current semi-detached bungalows as the cottages were becoming dilapidated and unfit for habitation. The location of the former cottages which were replaced by number 1 and 2 Darley's Bungalow are shown edged red and the location of number 1 and 2 Darley's Bungalow immediately adjacent edged blue on the 1905 Ordnance Survey Plan (Appendix D). If should further be noted and considered that the original cottages which were demolished would not have been encumbered by Agricultural Occupation Conditions.

Due to the change in the agricultural industry as a result of reducing commodity process and increasing costs resulting in inevitable potential financial losses in what was known as the 'agricultural recession' of the early 2000's, G Darley & Sons changed their farming system in 2000 going from a self-equipped farm for both machinery and labour to selling all their machinery and employing a farm contractor, therefore using the contractors own machinery and labour enabling them to dispense with their own. This allowed G Darley and Sons to substantially lower their own costs in both machinery ownership costs and labour costs and therefore financial risk as any work instructed was on a pre-agreed price with the contractor using their own labour and machinery which also meant that there was no labour employed on the farm at all by G Darley & Sons Limited. This then negated the need for agricultural labour on the farm.

In 2008 the farm land and agricultural farm buildings were sold by G Darley & Sons Limited, thereby there is no future possibility of a requirement for the bungalows to house employees on the farm they were built to serve again or as demonstrated below to the wider agricultural industry to house an agricultural worker in the locality due to circumstances of change in the farming industry and agricultural economics meaning very few people are required to be employed in agriculture.

The agricultural industry has undergone monumental change in the last 20-30 years whereby farms of the size that the bungalow originally belonged would once have employed multiple agricultural workers, requiring accommodation, now, sadly due to the progressions in agriculture, farm labour of the quantities once required is no longer needed.

As part of the agricultural 'reform', growers have adopted technology and employed the use of larger machinery with greater output to lower overheads by dispensing with labour workforce. Whether this is by purchasing the larger machinery themselves on larger units, or smaller farms cooperating in a machinery pool with neighbours or using anther famer's machinery by way of employing them as a contractor as G Darley & Sons Limited did. This in turn, has resulted in far fewer people working in agriculture both in the area and nationwide, therefore requiring residential accommodation. Therefore, there are few people in society being able to comply with an Agricultural Occupation Condition.

2. DETAILS OF MARKETING

1 Darley's Bungalow has been marketed primarily through R Longstaff and Co's residential department and also has received marketing input through R Longstaff & Co's specialist agricultural department (due to the presence of the Agricultural Occupation Condition) to try and give the property maximum exposure to attract a sale.

The property was placed on the market on 1st September 2019 to present and had been promoted by advertising both locally, nationally, internationally and in farming/agricultural related media as follows:-

a) In our office windows on a rotational basis
b) With a 'For Sale' Board at the premises
c) On the Rightmove Website
d) On The Market Website
e) UK Land and Farms Website
f) On the Longstaff Mayfair Office affiliated website
g) Guild/Property Logic website
h) R Longstaff and Co website

Throughout the period of marketing, the property was available 24/7 on the above websites. A schedule of the number of times it was viewed online is attached (Appendix E).

3 ENQUIRIES RECEIVED

A number of enquiries were received during the marketing period and a list of these is attached (Appendix F).

Whilst multiple enquiries were made, most notably 13,789 sets of online sales particulars being downloaded via 'Rightmove' (Rightmove no longer issue month by month summary view figures, but upon making an enquiry we are informed that this was 149,060 online summary views were made) and a further 40,679 summary views from 'On The Market' website resulting in a further 2,256 sets of online sales particulars being downloaded at the time of collating data for this report.

This gives a total of 187,582 online summary views for these two websites alone transposing to 16,045 sales particulars being downloaded from Rightmove and On The market websites alone. In addition, the property is listed on UK Land and Farms website, R Longstaff & Co website, Longstaff Mayfair Office affiliated website, and Property Guild/Property Logic website, all of which do not provide internet analytics per property, as well as the presence of the 'For Sale' board and in office window display card.

The above interest created 21 enquiries made to the agent, which lead to 3 parties booking 4 viewings (the fourth viewing being a second viewing) with one offer being made (Appendix G) who claimed that they did comply with the Agricultural Occupation Condition, although it transpired that they were not in a position to proceed. Although the initial offer made was not at a suitable level, discussions with the offeror showed that they would have offered at the asking price. However, it was subsequently ascertained that they could not proceed without the sale of their own property (which was not on the market) and there was a requirement to re-mortgage. Having spoken to the mortgage broker the presence of the Agricultural Occupation Condition would prevent the offeror from obtaining a mortgage on the property as the lender insists on a low loan to value ratio, and the fettered value of the property as a result of the Agricultural Occupation Condition would not give the lender sufficient financial security in the property to lend.

From all enquiries made, viewings undertaken, and the offer made in each and every situation, interest in the property was halted, or did not proceed, due to the presence of the Agricultural Occupation Condition.

In summary, whilst multiple enquiries were made, particularly via the internet and 21 enquiries made to the selling agents, of these three transpired through to viewings, but the applicants and viewers did not proceed their interest any further, mainly due to not being able to comply with the Agricultural Occupation Condition.

4. SALES PARTICULARS

A copy of the printed Sales Particulars issued during the period of marketing are attached (Appendix H). The property is marketed at a guide price of £139,950 which we consider to be a correct guide price, being a price which was reduced from an unfettered value by in excess of 30% to reflect the presence of the Agricultural Occupation Condition being in excess of the suggested and accepted percentage reduction of 25-30%, which is ratified by the large number of enquiries and viewings which the property received.

5. CONCLUSION

Due to the farm land and buildings having been sold and now being farmed as part of a bigger unit there is no longer a need for labour on the farm and therefore also no requirement for the bungalow on the farm to house an agricultural worker.

Due to the economics gained and advances in technology of the modern agricultural industry, collaboration between farmers in sharing machinery and the increased use of contract farmers meaning that the requirement for labour on farms is vastly decreasing, thus vastly less people are working in the agricultural industry at present than there were say 10-20 years ago, let alone when Planning Permission for 1 Darley's Bungalow was given when agriculture was a large employer of labour in the locality.

Therefore, the presence of properties subject to Agricultural Occupation Conditions are reducing in their need for the housing of people employed in agriculture in the locality. As such, this is leaving properties such as 1 Darley's Bungalow surplus to requirements and the presence of any Agricultural Occupation Condition is creating a situation whereby there are more properties available which have to be occupied by a party which complies to an Agricultural Occupation Condition and fewer number of parties available to reside in them.

Despite significant exposure through extensive marketing, locally, nationally and internationally, at a price heavily discounted to reflect the presence of the Agricultural Occupation Condition which resulted in numerous enquiries (particularly through the Rightmove and On The Market websites), no interest was forthcoming from a party who could actually proceed to purchase the property and comply with the Agricultural Occupation Condition. Even though a sale was agreed which subsequently was withdrawn as the offeror was unable to finance and therefore proceed with the purchase. This was despite 12 months of marketing up to the date of production of this report.

In addition to all the foregoing it is pertinent to note that prior to offering 1 Darley's Bungalow to the market we also, completely independently and coincidentally, tried to sell number 2 Darley's Bungalow between June 2018 through to July 2019. Number 2 Darley's Bungalow is the other half of the semi-detached bungalow to number 1 Darley's Bungalow which was also fettered with an Agricultural Occupation Condition, albeit the subject property of this report, 1 Darley's Bungalow, is a larger property due to having being extended and also sits on a much larger plot, including a garage. The two properties had completely different owners. It is interesting to note that from the coincidental marketing of the two properties there has been a property with an Agricultural Occupation Condition on the market at the same location for over two years, and there has been no party that could comply to the condition and lawfully purchase either property, which further demonstrates the lack of qualifying purchasers in the market place compared to the number of properties there are which are subject to an Agricultural Occupation Condition. Following an application by the author to South Holland District Council the Agricultural Occupation Condition affecting number 2 Darley's Bungalow was removed on 23rd September 2019.

Having regard to the above and appendices, we would respectfully request that the South Holland District Council remove the Agricultural Occupation Condition from the Planning Consent for 1 Darley's Bungalow.

Signed: _____

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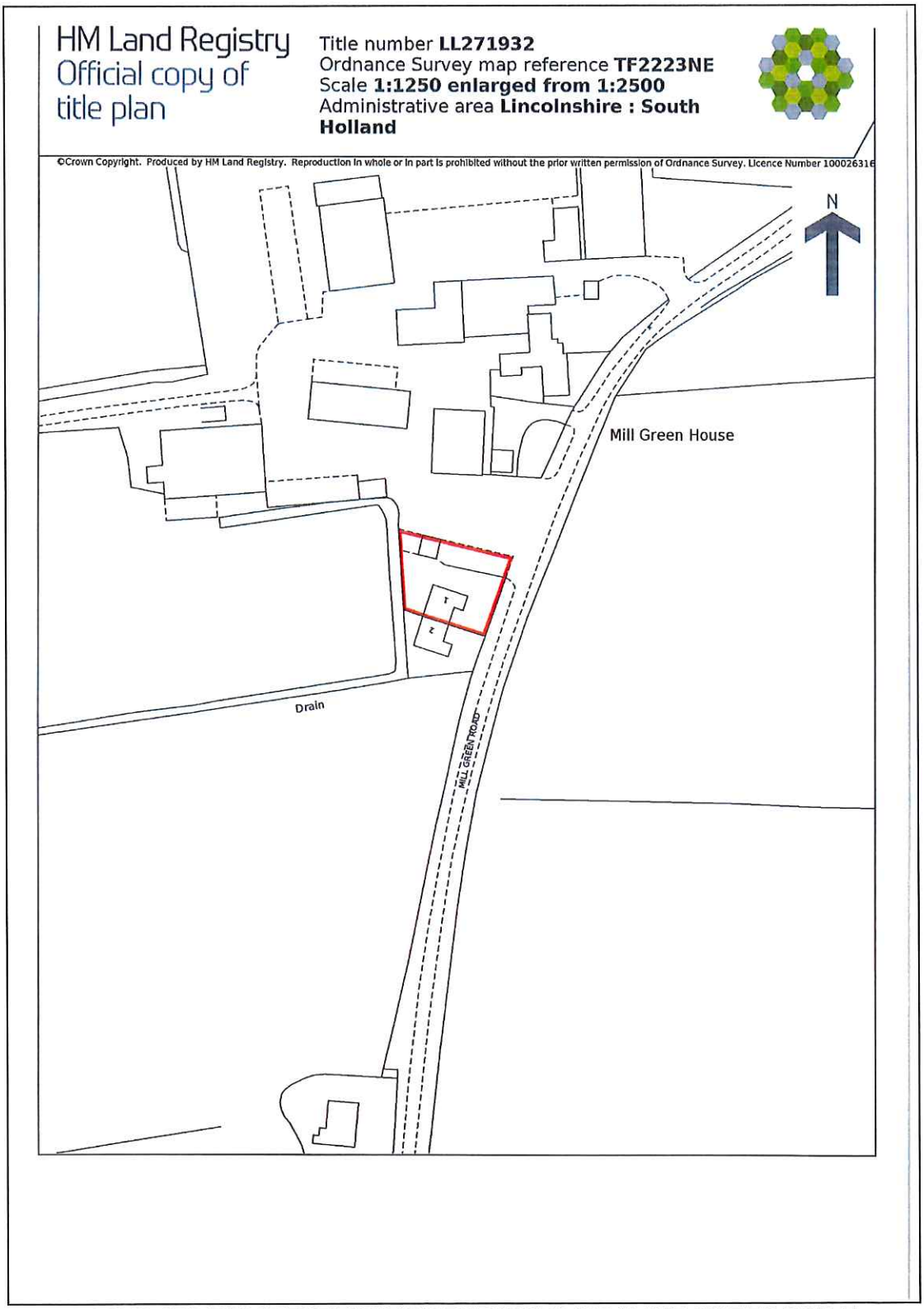
Dated this 22nd October 2020 Ref: RAS/MC

LIST OF APPENDICES

APPENDIX A:	Land Registry Plan of 1 Darley's Bungalow
APPENDIX B:	Location Plan
APPENDIX C:	Planning Consent Ref No: SR 88/66
APPENDIX D:	Ordnance Survey 1905 Plan Showing Location of Former Cottages and 1 & 2 Darley's Bungalow
APPENDIX E:	Schedule of Advertising and Internet Viewings
APPENDIX F:	Schedule of Enquiries
APPENDIX G:	Schedule of Viewings
APPENDIX H:	Copy of Sales Particulars
APPENDIX I:	Photographs Showing 'For Sale' Boards

APPENDIX A

LAND REGISTRY TITLE PLAN



PLANS ARE FOR IDENTIFICATION PURPOSES ONLY AND NOT TO SCALE

APPENDIX B

LOCATION PLAN



Promap V2
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Licence number 100022432
Plotted Scale - 1:2500. Paper Size - A4

PLANS ARE FOR IDENTIFICATION PURPOSES ONLY AND NOT TO SCALE

APPENDIX C
PLANNING CONSENT REF NO: SR88/66

Ref. No. SR 88/66

HOLLAND COUNTY COUNCIL

Permmission for Development subject to Conditions

Town and Country Planning Act, 1962

To Messrs. G. Darley & Sons Ltd., Messrs G. Darley + Sons Ltd
Mill Green House,
Mill Green, Pinchbeck.

The Holland County Council HEREBY PERMIT the development proposed by you in your application dated the 28th day of March, 1966 namely :— Pair of semi-detached bungalows at Mill Green, Pinchbeck.

and shown on the plan(s) accompanying the application, subject to due compliance with the byelaws and general statutory provisions in force in the district, and **subject to the conditions specified hereunder :—**

The occupation of the bungalows shall be limited to persons employed, or last employed, locally in agriculture or to their dependents.

The reasons for the Council's decision to grant permission for the development, subject to compliance with the conditions hereinbefore specified are :—

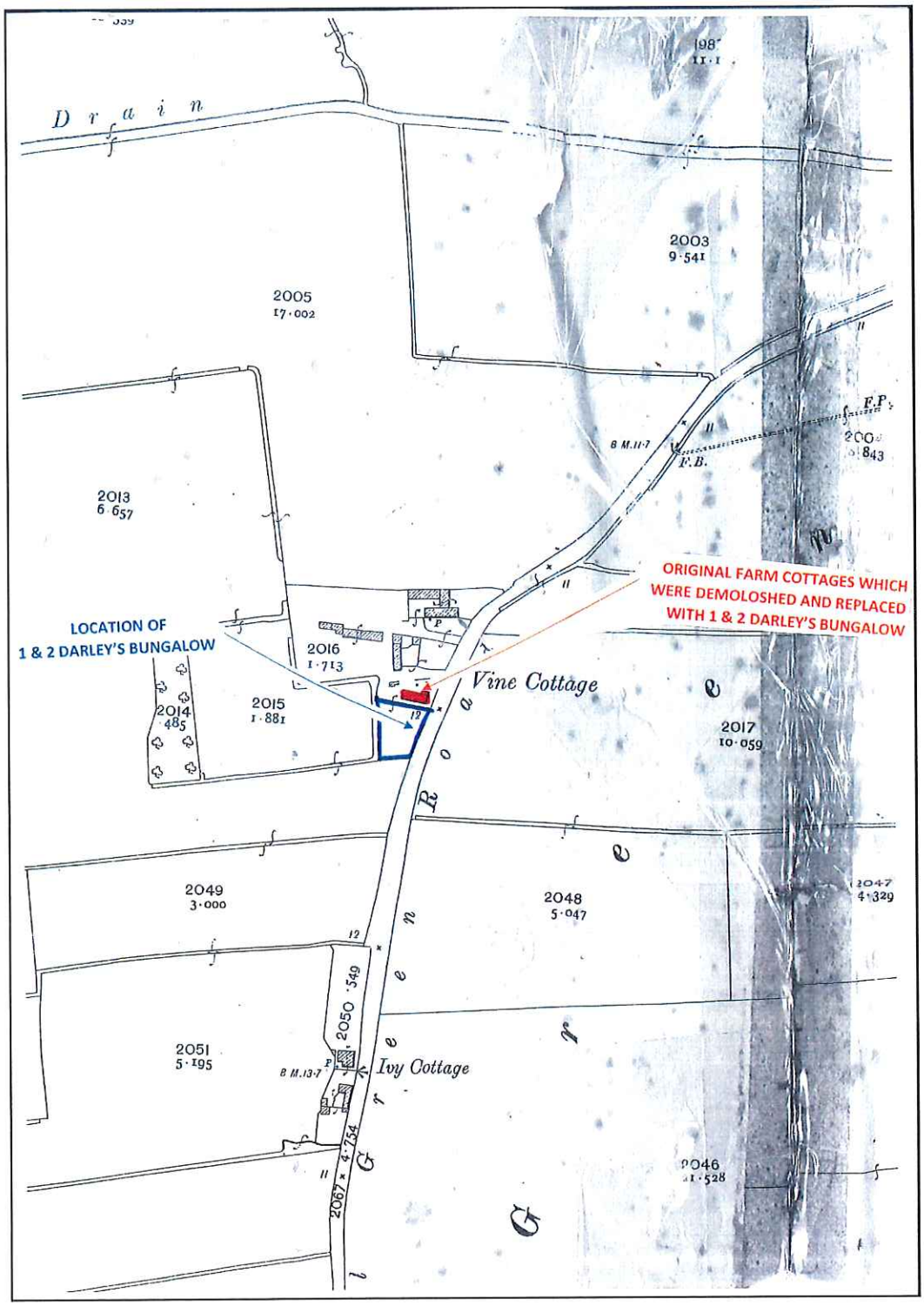
These buildings are sited in an area in which buildings, other than those connected with an agricultural need, would not be permitted.

Dated the 5th day of May 1966

Signed Signed H A H WALTER
Clerk of the County Council.

County Hall,
Boston,

APPENDIX D
ORDNANCE SURVEY 1905 PLAN SHOWING LOCATION OF
FORMER COTTAGES AND 1 & 2 DARLEYS BUNGALOW



PLANS ARE FOR IDENTIFICATION PURPOSES ONLY AND NOT TO SCALE

APPENDIX E
SCHEDULE OF INTERNET ADVERTISING

RIGHTMOVE ENQUIRIES		
DATE	SUMMARY VIEWS	DETAILED VIEWS
Sep 2019		1416
Oct 2019		1096
Nov 2019		874
Dec 2019		863
Jan 2020		1149
Feb 2020		362
Mar 2020		824
Apr 2020		998
May 2020		1279
June 2020		1812
July 2020		753
Aug 2020		562
Sep 2020		956
Oct 2020		845
TOTAL	**149,060**	**13,789**

ON THE MARKET ENQUIRIES		
DATE	SUMMARY VIEWS	DETAILED VIEWS
Sep 2019	7376	433
Oct 2019	3125	176
Nov 2019	2159	100
Dec 2019	2378	94
Jan 2020	3964	236
Feb 2020	2995	145
Mar 2020	1820	140
Apr 2020	1398	91
May 2020	2494	154
Jun 2020	2678	187
July 2020	2591	173
Aug 2020	3699	215
Sep 2020	1845	112
Oct 2020	2157	103
TOTAL	**40,679**	**2,256**

APPENDIX F

SCHEDULE OF ENQUIRIES

NUMBER	DATE	APPLICANT	COMMENT
1	25/9/19	Ms B	Lives in Essex needs to sell own property that is not on the market yet and also does not comply to AOC
2	4/11/19	Mrs A	Already in agriculture but outside area living north of Louth Mrs A was advised to speak to SHDC to ascertain if they comply to 'the locality'. Also need to sell own property which is currently rented out and not yet on the market for sale.
3	4/11/19	Mrs R	Does not comply to AOC
4	2/12/19	Mr B	Does not comply to AOC, works for Anglia Water
5	2/12/19	Mr F	Viewed the property on 7th December 2020 and subsequently made an offer £125,000 but could not proceed without sale of own and re-mortgage. Having spoken to mortgage lender he believes presence of AOC may prevent Mr F obtaining a mortgage offer on the property as lender insists low loan to value
6	21/1/20	Mr J	Does not comply to AOC and lives in Northampton. Also needs to sell own property
7	4/3/20	Mr F	Interested but has property to sell therefore cannot proceed to offer. Also needs to arrange finances.
8	13/3/20	Mr H	Spoke to Mr H, he works as a lorry driver so can not comply, also needs to sell own property
9	3/6/20	Mr W	Viewed the property on 5/6/20. Transpires he is interested but does not comply to AOC

10	30/6/20	Mr W	Does not comply to AOC as he is a landscaper, as confirmed by Mr Gedney of SHDC to Mr W in a 'phone conversation,
11	11/7/20	Mr H	Does not comply to AOC also comes from Downham Market
12	30/7/20	Mr W	Interested, needs to sell own and arrange finance. Cannot comply to AOC
13	12/8/20	Mr P	Does not comply to AOC and did not want to take interest any further
14	1/9/20	Mr S	Does not comply to AOC, lives in Scotland and needs to sell own property to progress.
15	11/9/20	Ms G	Can proceed without selling needs to arrange mortgage but does not comply to AOC
16	12/9/20	Mr W	Made enquiries as to whether property is still available, however has not desisted interest when trying selling agents telephoned Mr W to discuss and arrange viewing. Transpires Mr W lives in Boston and cannot comply to AOC.
17	16/9/20	Ms P	Likes property and said she could comply, viewed property on 19th September and arranged second viewing for 21st September. Transpires her partner works in Sleaford and works in Worksop so does not comply to AOC, needs to sell own property which is co-owned and not yet on the market and needs a mortgage. Subsequently Ms P cancelled second viewing on 21st September 2020
18	5/10/20	Mr W	Does not work in agriculture he is a mechanic. Not sold own property, and also not yet on market so does not comply to AOC and cannot proceed in any event.
19	14/10/20	Mr G	Cannot comply
20	16/10/20	Mr W	Cannot comply and lives outside area
21	21/10/20	Mr G	Lives in Newbury so not in locality and not yet sold own so can not progress

APPENDIX G

SCHEDULE OF VIEWINGS

No.	Date	Applicant	Comments
1	7/12/19	Mr F	Has a property to sell, subsequently made an offer – see enquiry number 5 in Appendix G above
2	5/6/20	Mr W	Does not comply
3	19/9/20	Ms P	Likes but needs to sell own, booked second viewing on 21st September
4	21/9/20	Ms P	Second viewing – cancelled due to not complying to AOC and cannot proceed as own house not on market.

APPENDIX H
COPY OF SALES PARTICULARS

EST 1770

Longstaff.com

SPALDING RESIDENTIAL: 01775 766766 www.longstaff.com



1 Darleys Bungalow, Mill Green, Pinchbeck PE11 3NJ

£139,950 Freehold

- Semi-Detached Bungalow
- 3 Bedrooms
- Double Garage
- Agricultural Habitation Clause
- No Chain

3 bedroom semi-detached bungalow. Semi-rural location. Driveway, double garage, gardens. Open views.

SUBJECT TO AN AGRICULTURAL HABITATION CLAUSE.

SPALDING 01775 766766 HOLBEACH 01406 422760 BOURNE 01778 420406

ESTATE AGENTS ~ VALUERS ~ AUCTIONEERS ~ SURVEYORS ~ LETTINGS ~ RESIDENTIAL ~ COMMERCIAL ~ AGRICULTURAL

Longstaff







ACCOMMODATION
Half glazed UPVC door to:

RECEPTION HALL
Radiator, ceiling light, doors arranged off to:

BEDROOM 1
11' 3" x 12' 2" (3.44m x 3.71m) maximum Radiator, UPVC front window, ceiling light.

BEDROOM 2
11' 7" x 12' 0" (3.55m x 3.66m) Radiator, TV point, ceiling light, UPVC front window.

BEDROOM 3
11' 5" x 9' 11" (3.48m x 3.03m) UPVC side window, radiator, ceiling light.







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MAYFAIR Longstaff

STUDY/BREAKFAST ROOM
9' 10" x 6' 11" (3.02m x 2.11m) Radiator, UPVC window to the rear, doorway into:

LOUNGE
16' 1" x 11' 9" (4.92m x 3.59m) UPVC front window, ceiling light, radiator.

BATHROOM
Three piece suite comprising panelled bath with Triton shower over, pedestal wash hand basin, low level WC, radiator, Airing Cupboard, obscure glazed UPVC window.

KITCHEN
11' 10" x 10' 10" (3.63m x 3.32m) Range of units comprising base cupboards and drawers beneath the roll edged worktops with inset single drainer stainless steel sink unit, freestanding electric cooker and washing machine with plumbing, space for under counter fridge, radiator, cupboard housing the oil fired central heating boiler, half glazed UPVC door and UPVC window to the rear.

EXTERIOR
At the front of the property there is a lawned garden with privet hedge to the front boundary and pathway leading to the front door. There is a further lawned side garden, enclosed lawned rear garden, store shed and oil storage tank.

To the right hand side of the property there is an extensive concrete driveway with multiple parking and access to:

PAIR OF GARAGES

GARAGE NO. 1
14' 9" x 10' 0" (4.50m x 3.06m)
GARAGE NO. 2
14' 9" x 10' 0" (4.50m x 3.06m) The pair of Garages are of concrete block construction with a pitched corrugated asbestos roof, concrete roof and 2 pairs of timber entrance doors.

AGRICULTURAL HABITATION CLAUSE
The property is sold subject to an Agricultural Habitation Clause whereby a purchaser must be wholly or mainly employed or retired from (or the widow or widower of) agriculture or horticulture in the local area.

DIRECTIONS
From Spalding proceed in a northerly direction along Pinchbeck Road and at Pinchbeck Church turn left into Rose Lane. Continue taking the third left hand turning then veer left into Cherry Holt Lane, continue over the level crossing into Mill Green Road and proceed without deviation for just over a mile where upon the property is situated on the right hand side indicated by the Agents For Sale sign.

AMENITIES
Pinchbeck village is about a mile and a half from the property and offers a range of shops, public house, primary school, doctors surgery, Church etc. The well served market town of Spalding is 3.5 miles from the property and has a full range of facilities.

SERVICES
Mains water and electricity, private drainage and oil central heating.

APPENDIX I
PHOTOGRAPH SHOWING 'FOR SALE' BOARD



