

From: Jim Barron
Sent: 10 June 2022 10:12
To: Eldred, Simon
Subject: RE: B/22/0168 - Patterdale Farm

Hi Simon

Thank you for your response which Shanon has asked me to reply to and give further clarification.

I would firstly confirm that the agricultural holding that justified the original bungalow (B9/0606/74) no longer exists and has not done so for many years. Our client and associated company have checked their records and have confirmed that it was purchased at auction in **JULY 2002**. It was in fact vacant and had no agricultural or horticultural activity as the property had been repossessed by the mortgage company. It has been confirmed by the Council that our client and/or his company paid Council tax on the property from 2002 until 2009 when the payment of the rates were taken over by another director who has dealt with all the issues with the site although it remains in the applicants name. When purchased it comprised the dwelling, and some 5 acres including the barn and since the acquisition have NEVER been used for agricultural purposes. Our client subsequently purchased the adjoining field to the south. This made a total site of some 10 acres. At no time has the application site and the land been used was used for raising crops or horticultural purposes. Our client has never lived at the site but rented the bungalow for a short period in 2011 but it again became vacant and the land unused.

Our client has confirm that he and/or the company has paid field rates since July 2002

The site was not visited on a regular basis due to our clients ill health, which was why dealings with the site were taken over by another director, who decided to rent it in 2013 with the agricultural occupancy condition (AOC) still in place even though no agricultural use had existed since 2002. It was advertised for rent for a period of 3 months in Farmers weekly (12 issues) but no interest was received. The property was therefore left vacant due to our clients ill health – he has diabetes with its resultant complications and loss of limbs. There was no agricultural activity that justified the retention of the AOC and it was his intention to seek the removal of the condition and sell the property but again was delayed by further bouts of ill health. As a consequence, with his main residence being in Kent, he did not visit the site.

He was therefore unaware that the property had been partial destroyed by a fire in September 2017 and was advised either by the Fire Brigade or the Council even though he was still paying council tax on the property. He only discovered the fire damage a year later with the view to selling it again due to his continuing ill health. It was at this point he instructed Bruce Mather Ltd, a local estate agency, to market the property . You have been provided with the relevant documentation that clearly shows that it was marketed with the AOC in place at a price that reflected this restriction. During the first year of marketing there was no interest from the agricultural or private sector and the be price was reduced by a further £50k in December 2019. In September 201 Mather's confirmed that it had been on their books for three years with no interest. In conclusion the property has been vacant and no used for any agricultural or horticultural activity for more than two decades.

I trust this clarifies our clients position but would point out that this is a very similar situation to Mobile Farm Manor Lane Wrangle PE22 9DE where the council granted permission for a replacement dwelling (B/18/0078) without re-imposing the AOC. Again a dwelling with AOC that was destroyed by fire.

In conclusion our investigations have shown that this area of SE Lincolnshire has seen significant changes in the agricultural industry which has seen many applications for the removal of AOC's in recent years. We would point out that it would be difficult to market with an AOC when there has been no agricultural or horticultural use in place for in excess of 20years. It is our opinion that a 'one for one' replacement would not conflict with Policy 22 (formerly CO1) in that it would re-use a redundant or disused building and lead to an enhancement of the immediate setting.

Kind Regards,

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Planning Director

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