



STANFORDS

ESTABLISHED 1879

**Colchester City Council Preferred Options Local Plan  
Regulation 18 Consultation 2025**

Draft Planning Policy Comments For and on Behalf of Stanfords Colchester LLP

**Section: 8**

**Policy H8: Rural Workers Dwellings**

Policy H8 sets out criteria for granting planning permission for permanent and temporary rural workers' dwellings and for removing agricultural occupancy conditions. While the principle of supporting rural businesses is welcomed, the policy lacks clarity in several key areas, which could lead to inconsistent interpretation and unnecessary barriers for applicants.

#### Issues Identified

1. **Insufficient Detail on Business Plan Requirements for Temporary Dwellings**

The policy requires a "business plan of at least 3 years duration" for temporary rural workers' dwellings but does not specify what this plan should include. Without clear guidance, applicants face uncertainty, and decision-makers risk inconsistency.

2. **Lack of Definition for "Rural Worker"**

The term "rural worker" is not defined. This creates ambiguity about eligibility; does it apply only to agricultural and forestry workers, or does it include equestrian businesses, tourism and leisure and other rural enterprises? A clear definition would ensure transparency.

3. **Criterion (e) for Permanent Dwellings – Ambiguity Around "Available" Accommodation**

The requirement that "the functional need cannot be met by another suitable and available dwelling" lacks specificity. The policy should clarify:

- What constitutes "available" (e.g., actively marketed for sale or rent within a defined timeframe).

- The acceptable distance from the business (e.g., within a 2-mile radius or reasonable commuting distance).
- The type of accommodation considered suitable (e.g., size, tenure, and condition).

#### 4. Removal of Agricultural Tie – Lack of Clarity on Timeline

The policy states that removal of an occupancy condition requires evidence that an “essential functional need no longer exists for the property and is unlikely to in the foreseeable future.” However, “foreseeable future” is vague. The policy should specify a timeframe (e.g., 10 years) or require supporting evidence such as long-term business trends or market analysis.

### Recommendations for Improvement

#### Specify Business Plan Contents

- Include minimum requirements such as:
- Projected income and expenditure.
- Staffing requirements.
- Operational milestones.
- Contingency measures for financial resilience.

#### Define “Rural Worker”

Provide a clear definition, for example:

*“A rural worker is an individual employed full-time in an agricultural, forestry, horticultural, or other rural-based enterprise where the nature of the work creates an essential need to live near the place of employment.”*

Alternatively, provision of a non-exhaustive list of rural occupations applicable

#### Clarify “Available” Accommodation Criteria

Define:

- Marketing period (e.g., 12 months).
- Distance threshold (e.g., within 2 miles or 10 minutes travel).
- Suitability factors (size, tenure, condition).

**Set a Timeline for Agricultural Tie Removal**

Specify that evidence should demonstrate no essential need for at least the next for example 10 years, supported by market testing and consultation with local rural businesses.