



**“Change of Use  
Farm to Leisure Attraction –  
Planning Permission and Rates –  
Avoid the Pitfalls!”**



**BARRY DAVIES**

 **DAVIES & CO.**  
CHARTERED SURVEYORS

# Farm to Leisure Attraction

- **FARM BUILDINGS - PERMITTED DEVELOPMENT RIGHTS – GPDO 2015 – CLASS R – Flexible Commercial Use**
- **HIGHWAYS CONSULTATION – PRE-APP**
- **PLANNING - ADVENTURE VALLEY - DURHAM**
- **BUSINESS RATES – 2017 APPEAL - Ash End Farm, Tamworth, Staffs**



# Farm Buildings – GPDO (2015) – Class R – Flexible Commercial Uses

- **Flexible Commercial Uses:**

Farm shops

Financial

Restaurants/cafes

Offices

Special Industrial

Hotels

Leisure

- **Solely in agricultural use on 3<sup>rd</sup> July 2012, if erected or brought into use after that date must be maintained in agricultural use for 10 Years**
- **The planning classification for Class R – Sui Generis**
- **Thresholds: <150 sqm notify LPA, 150-500 sqm – prior notification to LPA – 56 days**
- **Applies to buildings within a National Park, AONB or Green Belt**
- **Not permitted if the building is Listed or a Schedule Monument**
- **The ‘use’ can be changed but ‘physical changes’ to a building cannot without planning permission**
- **Highways, Noise, Flooding Risk, Contamination.**

# Class R – Leisure and Tourism

- Expansion of existing farm attraction – play barn, retail shop, restaurant
- ‘The zone balance’ – retail, adventure, play barn, education, parent/child interaction
- Not retrospective!





# Highways – Consultation – Pre-App

- Existing Farm and Proposed Traffic Flow
- Farm Access – Visibility Sight Line and Kerb Radius (measure!)
- Accident Statistics
- Speed Survey
- Trunk Road/motorway –  
National Highways
- Classified Road – County Council
- Car Parking Area v GIA (Buildings)
- Be Conservative



# Adventure Valley - Durham

The banner features a navigation bar at the top with links: Home, Things To Do, Parties, Schools & Groups, Tickets, Plan Your Visit, Events, Jobs. The main header includes the Adventure Valley logo and a cartoon girl flying. The central text reads "Winter Wonderland" in large white letters on a dark blue background. To the left is a photo of two women in elf costumes next to a Christmas tree, with a red box containing the text "A magical Christmas Experience for the whole family!". To the right is a cartoon elf holding a gift, with a "More" button. Below the main banner are three promotional boxes: "After School Friday Treats!", "Our Christmas Winter Wonderland Experience!", and "Book Tickets" with a "TICKETS" button. A yellow box at the bottom right says "Parties from 69.95 - take a look".

Home Things To Do Parties Schools & Groups Tickets Plan Your Visit Events Jobs

Adventure Valley

Adventure Valley

Winter Wonderland

A magical Christmas Experience for the whole family!

Selected dates from  
**25<sup>TH</sup> NOV - 24<sup>TH</sup> DEC**

More

After School Friday Treats!

Our Christmas Winter Wonderland Experience!

Book Tickets

TICKETS

Parties from 69.95 - take a look

# Adventure Valley - Durham





# Adventure Valley (Union Hall Farm)

- 170 Acres – arable, suckler cows and equestrian
- 3 miles from Durham
- Traditional/modern buildings - 1200 sqm
- Located in Green Belt





# Adventure Valley - The Issues

- Highways
- Green Belt (National Protected Designation)
  - Visual impact (LVIA)
  - “Very Special Circumstances”
- Farm Buildings
  - Structural condition
  - Protected Species Report

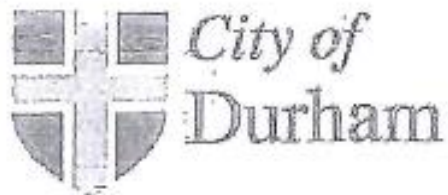


# Pre-Application

- **Market Research** – “Need and Unmet Demand”, Tourism, Education
- **Highways** – TIA , Visibility, Access, Car Parking
- **Sustainability** - Economic, Environment, Social Cohesion
- **Surveys /Plans/Reports** – Architects, Structural Survey, Design & Access/Planning Statement, Ecology, FRA, VIA, Drainage
- **“Localism”** – Ward Councillor, Parish Council, Tourism Dept, Schools

# The Planning Application

- **The Development Plan**
- **National Planning Policy (NPPF)**
- **Other Material Considerations (OMCs)** –  
Essential Need, Social Cohesion, Education, Farm Diversification
- **Support** – Schools, CFE, FACE, Tourism Dept, NFAN
- **Planning Committee** – Always attend
- **Planning Conditions** - Negotiate



TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING PERMISSION APPROVAL

Application Ref No

4/08/00728/FPA/AI

Applicant

Mr M Calzini  
Union Hall Farm  
Brasside  
Durham  
DH1 5SG

Agent (if any) to whom correspondence should be sent

Davies And Co  
Fao Mr B Davies  
Victoria House  
31-33 Victoria Street  
Kettering  
Northamptonshire  
NN16 0BU

In pursuance of its powers under the abovementioned Act and Orders the City of Durham as Local Planning Authority hereby **APPROVE** planning permission for the following:-

**Proposal**      Creation of rural education, equestrian and interpretation visitor centre involving: the construction of new buildings to provide indoor equestrian arena, shop, kiosk and toilets; change of use and conversion of existing buildings to provide staff area, visitor centre, animal barns and refreshment area; provision of amphitheatre, paddocks, footpaths, car and coach parking; and, formation of associated outdoor activities and landscaping





## Top Tips



- **Give your Business Plan to the Planning Officer**
- **Be complacent – P M T**
- **Carry out development without planning permission – Enforcement Notice**
- **Submit your planning application without essential reports**
- **Ignore the local Parish Council**
- **Ignore Planning Conditions**

# Farm to Leisure Attraction Business Rates



# Farm Attractions

## 2017 Rateable Values

Attraction	County	2010 (£)	2017 (£)	% Increase
Avon Valley	Avon	19400	32000	65%
Blackberry Farm	Norfolk	5000	27600	452%
Crealy Adventure Park	Devon	313000	573500	56%
East Links	East Lothian	18000	69000	283%
Hall Hill Farm	Durham	17500	31500	80%
National Forest Adv Farm	Staffs	38000	82000	116%
Noahs Ark	Herefordshire	30000	84000	180%
Roves Farm	Wiltshire	1750	32500	1757%
Whitehouse Farm	Northumberland	40000	61500	54%

# Definition of Rateable Value and Valuation Methods

## Schedule 6 - LGFA 1988

The Rateable Value is the yearly rent the property might reasonably be expected to be let for in the open market.

Effective Date – 1<sup>st</sup> April 2015 (AVD)

### *Valuation Methods:*

- Rental method (primary)
- Accounts - Receipts & Expenditure
- Comparative approach - % of FMT





# Information Needed to Challenge Your Rateable Value

- Leases/Tenancy Agreements – Rent-Primary Evidence
- Scale plan of the whole property
- Planning Permissions
- Financial Accounts (2012-2016)
- Improvements to the property during the last 5 years
- Schedule of non-rateable assets
- “Truly” comparable evidence



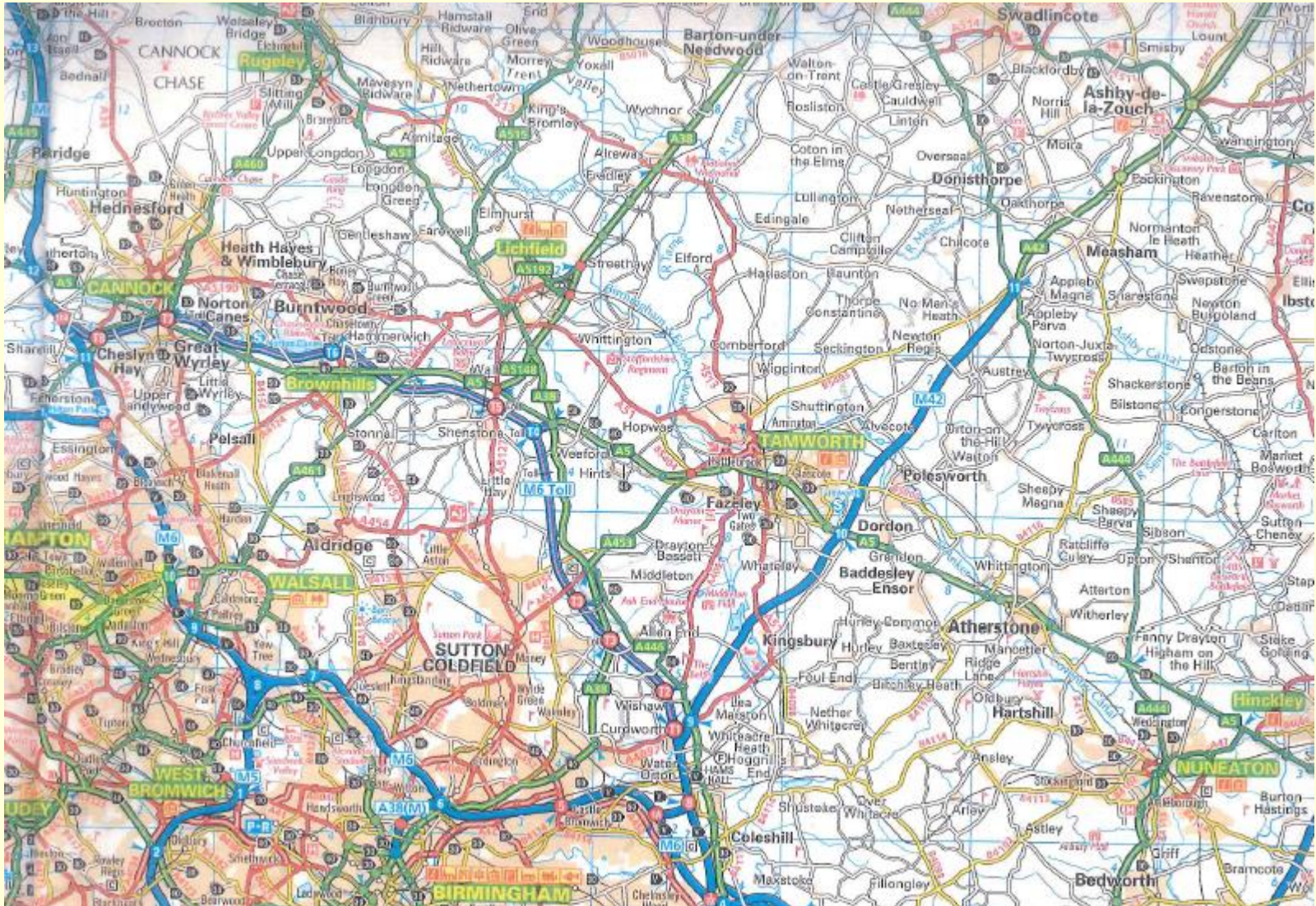
# Ash End Children's Farm Tamworth, Staffordshire

- Area 19 Acres
- Established 1986
- Owned freehold
- Buildings – Traditional range brick; general purpose
- 4 miles from Tamworth
- Rateable Value £68,000 – Appealed!





# Ash End Children's Farm Tamworth, Staffs





# Ash End Children's Farm Tamworth, Staffs







# Ash End Children's Farm Tamworth, Staffs



# Ash End Children's Farm

## Valuation of Rateable Value Assessment

	£	
Adopted Net Profit	159,377	
Renewal fund for non-rateable assets - £485,055		
Renewal fund adopted @ 10%	<u>-48,506</u>	
Divisible Balance	110,871	
Tenant's Share Adopted (Interest on Capital, Profit & Risk)	<u>-71,098</u>	(64%)
Rateable Value (Open Market Rent)	<u>39,773</u>	(36%)



# Ash End Children's Farm Tamworth, Staffs

Negotiations with Valuation Officer

Rateable Value	£68,000	£39,773
Divisible Balance (%)	61%	36%

Concluded @ £40,000 RV – reduction of £28,000 (41%)

Saving of £13,440 p.a. in rates paid



# Valuation Method

## “Truly” Comparable Evidence

- Location – Urban population, Communication Links
- Buildings similar in:
  - physical respects, facilities, etc.
  - design, age, size and surroundings
- Visitor numbers
- Tenure
- Rateable Value?



# Revaluation 2023



Valuation Office Agency

## Request for information Non-Domestic Rating

The Valuation Office is an Executive Agency of HM Revenue & Customs

For office use only

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**1<sup>st</sup> April 2023 – Physical**  
**1<sup>st</sup> April 2021 - Economic**

Issued:  Ref: 9296094/535 3410 S  
VO 6036 relates to the following Property:

If any part of either address is wrong, please correct it.

### Time limit

You must return this form within 56 days from the day you receive it. **If you do not return this**



This request for information is a notice sent to you pursuant to powers granted to the Valuation Officer under paragraph 5 (1) of Schedule 9 to the Act. You are required as the owner or occupier, to provide information regarding the property (see paragraph 5(2) of Schedule 9 to the Act). You may be prosecuted if you make false statements.

### Why your information is important

The Valuation Office Agency assesses the rateable value of all non-domestic property.

The basis of rateable value is the annual rent for a property as if it was available on the open market at a fixed valuation date.

The information you provide on this form is used to help ensure that the assessment of rateable values is correct.

Local authorities use rateable values to calculate rate

# Conclusions

- Investigate Rateable Value on VOA website
- Appoint an experienced RICS Rating Surveyor/Valuer (IRRV/RSA)
- Information
  - Leases/Tenancy Agreements
  - Financial accounts (2012-2016)
  - Planning Permissions
  - Improvements – in the last 5 years
- Do pay the council rates bill!
- Truly Comparable Evidence
- Rateable Value can be reduced, but also increased on appeal!



***Thank you for listening!***

**Barry Davies**

**Davies & Co Chartered Surveyors**

**31 – 33 Victoria Street**

**Kettering**

**Northamptonshire**

**NN16 0BU**

**Tel: 01536 524808**

**E-mail: [info@daviesandco.co.uk](mailto:info@daviesandco.co.uk)**

**Website: [www.daviesandco.co.uk](http://www.daviesandco.co.uk)**