Sanham Agricultural Planning Limited

AGRICULTURAL EQUESTRIAN RURAL PLANNING CONSULTANTS

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Mr. S. Wood,
Head of Planning,
Hinckley & Bosworth Borough Council,
Argents Mead,
Hinckley,
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LE101BZ.

23 NOV 2010

Your ref: 10/00816/FUL

Our ref: AGC/JW/HBBC24

22nd November, 2010

DEVELOPMENT SERVICES
23 NOV 2010
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Dear Mr. Wood,

PROPOSED AGRICULTURAL WORKERS DWELLING - LAND ADJACENT NEW HOUSE FARM, STAPLETON LANE, DADLINGTON - MR. M. MORRIS

I refer to the above application which has been forwarded to me for my comments with regard to the guidance in Annex A to PPS7. I now comment on the application and agricultural appraisal submitted by Rhodes Rural Planning and Land Management as follows:-

1. The application site at New House Farm is on land which is rented by the Applicant from his mother on a 35 year Farm Business Tenancy. New House Farm comprises 11.3 hectares (28 acres) of land together with a set of farm buildings which include a cattle yard for approximately 100 store cattle, a hay barn and a small range of traditional buildings.

2. There is an extant consent under the General Development Order for an agricultural storage building 18.3m x 15.3m (60' x 50').

3. The application site known as New House Farm is part of the overall holding farmed by a partnership of which the Applicant is one of the two partners. According to the report by Rhodes Rural Planning the overall holding comprises the following areas of land:-

   40.46 hectares (100 acres) of bare land at Dadlington and Stoke Golding which is owned by the Morris family.

   2.02 hectares (5 acres) being Mulberry Farm owned by Mr.P. Morris who is also a partner in the business.

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69.2 hectares (171 acres) of land and buildings at the application site, and Brooke House Farm, together with areas of land at Fenny Drayton and Stoke Golding which is all rented by the Applicant on a 35 year Farm Business Tenancy from his mother Mrs. A. Morris, who retired on 31st March, 2010 from the partnership. In addition to the above 111.7 hectares (276 acres) of land all of which is secure the partnership rent or take a further 136.8 hectares (338 acres) on various unwritten or insecure agreements. I consider the insecure land should be ignored for the purposes of this agricultural appraisal as it may not be available in the long-term to sustain the cost of the proposed new dwelling.

4. According to the report by Rhodes Rural Planning the holding is currently stocked with 820 breeding ewes, 20 suckler cows, 80 sows with the progeny sold as weaners, 700 store/finishing cattle, 5,000 turkeys and 2,500 cockerels for the Christmas trade, and 1,000 laying hens which are kept in batteries. Some of these figures have increased significantly since April 2010 when I last visited the holding, with the ewe flock increasing from 700 to 820 breeding ewes, the pig enterprise increasing from 36 sows to 80 sows, and the laying hens from 840 to 1000. All of the land is down to pasture with a proportion being mown for hay/silage each year.

5. I calculate, using the stock figures in Mr. Rhodes' report and standard manday figures from recognised sources, that the holding - if the stock numbers are at these levels - has an existing labour requirement for 5.35 full-time persons. The existing labour force comprises the Applicant, who occupies Mulberry Farm House with his mother, Mr. P. Morris who lives in his own dwelling at Roseway in the village of Stoke Golding, a full-time worker who is self employed and lives in his own dwelling with casual workers as required at peak/seasonal times.

6. The existing residential accommodation on the holding comprises Mulberry Farm House which is owned by Mr. P. Morris, but is currently occupied by the Applicant Mr. M. Morris and his mother Mrs. A. Morris who retired from the partnership on 31st March, 2010. Mr. P. Morris lives in his own dwelling in Roseway, Stoke Golding. There is also the farmhouse at Brooke House Farm which is to be renovated and occupied by Mrs. Morris in her retirement. It is stated by Mr. Rhodes that this dwelling "is now in the private ownership of Mrs. Morris and is shortly to be occupied by her". If this property has been separated from the holding and is now in private ownership this is clearly contrary to paragraph 5 of Annex A to PPS7 which states "in cases where the Local Planning Authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of the land and buildings and whether, for example, any dwellings, or buildings suitable to conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could

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constitute evidence of lack of agricultural need." In addition, there is a property owned by Mrs. Morris in the village of Stoke Golding which is "let on a long-term shorthold agreement and is therefore not available to the farm business". If it is let on an assured shorthold agreement it could clearly be made available to the business within 6-12 months by not renewing the tenancy when the current six monthly term expires. - This is why properties are let on assured shorthold tenancies to enable the landlord to regain vacant possession within a short period if required. I therefore consider that there is at least one property within Stoke Golding which could be made available to the enterprise.

7. Permanent agricultural dwellings are required to satisfy the criteria in paragraphs 3-11 of Annex A to PPS7. Paragraph 3 states "New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:

(i) There is a clearly established existing functional need (see paragraph 4 below); - I consider there are existing agricultural activities and the overall agricultural unit is well established, although there has clearly been a significant change to the farming activity with Mrs. Morris retiring and letting the 69.2 hectares (171 acres) of land to Mr. M. Morris on a 35 year Farm Business Tenancy. With regard to satisfying the criteria in paragraph 3 (i) of Annex A to PPS7 I consider there should be an existing functional need at the application site.

The application site has been the subject of previous applications including one in 2003 when the then Applicant Mrs. Morris was proposing to relocate the lambing of the ewe flock, the Christmas poultry - turkeys and cockerels etc., to New House Farm. In 2003 I was informed New House Farm comprises 48 hectares (120 acres). It is however, only 11.3 hectares (28 acres). In 2003 I stated "If this relocation is undertaken, I consider it would be essential for one full-time worker to live at New House Farm to provide the required levels of supervision and security." The application was approved, however, the relocation has not taken place and the consent has not been implemented and has since lapsed.

It is stated in paragraph 4.4 of Mr. Rhodes' report that "Permission was granted in 2008 for a new stock building and this has now been erected for the lambing ewes. In addition, a further new stock building has been applied for; this will be utilised for the seasonal rearing of turkeys." I understand from the Case Officer that the 2008 consent was for a storage building 18.3m x 15.3m (60' x 50') - i.e. a floor area of 280 square metres. If this building is to be utilised for the lambing of ewes it is only capable of housing approximately

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170 ewes and lambs. However, the holding is currently stocked with 820 breeding ewes all of which are to be held at the site according to Mr. Rhodes' report. Furthermore consent has recently be granted for a building to be utilised for the seasonal rearing of turkeys. The proposed building measures 11.9m x 6.5m i.e. with a total floor area of 77.35 square metres - I calculate that this building would only house between 170-800 birds dependant on size. The proposed turkey enterprise according to Mr. Rhodes' table in paragraph 6.4.2 is for 1000 turkeys and Mr. Rhodes states in paragraph 6.3.7 "it is proposed to bring a mobile 465 bird laying house to the New House Farm for the egg laying flock, and to erect a stock building to house turkeys and cockerels for the Christmas trade (outside the rearing periods for the turkeys and cockerels i.e. January to June, this building will be utilised for housing sheep and cattle). The turkeys and cockerels are bought in are day old chicks and reared under artificial heat sources." I calculate that this buildings will only house between 170-800 turkeys dependant on size. The Christmas poultry enterprise according to Mr. Rhodes is currently 5,000 turkeys and 2,500 cockerels. In 2003 and in 2009 and 2010 it was proposed to relocate the poultry enterprise in its entirety from Mulberry Farm to New House Farm. I therefore consider only approximately 10% of the poultry could be housed in the proposed new building. As a consequence of the proposed relocation of the housing and lambing of the ewe flock, and the housing of the Christmas poultry not having taken place over the last seven years, i.e. since the 2003 application I consider there is no functional need for the proposed dwelling at New House Farm at the present time. However, if applications are made and consents granted for sufficient buildings to be constructed on the site to allow for the relocation of the various enterprises I consider there will be a functional need for a full-time worker to be resident at New House Farm after the relocation has occurred. I therefore consider, that at present the application site is unable to comply with the criteria in paragraph 3 (i) of Annex A to PPS7.

Paragraph 3 (ii) states "The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;" - I consider the Applicant who it is proposed will occupy the new dwelling is a full-time worker, and therefore the criteria in paragraph 3 (ii) has and would be satisfied.

Paragraph 3 (iii) "The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so (see paragraph 8 below); - I have received (on 19th November, 2010) the accounts for the business for the years 31st March, 2008, 2009 and the draft

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accounts for 2010 and I have undertaken a financial test on these accounts in accordance with the guidance in paragraph 8 of the Annex and I consider that the profit shown in the draft accounts for the year ended 31st March, 2010 is able to pass the financial test and sustain a dwelling of the size and type proposed in the application. Therefore, the application is now able to comply with paragraph 3 (iii), and paragraphs 8 & 9 of the Annex.

Paragraph 3 (iv) states "The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;" - as I do not consider there is a functional requirement for a full-time person to be resident on the application site until there are sufficient buildings to allow for the relocation of the ewe flock, poultry enterprises, calf rearing, and the retention of the existing store cattle etc. I consider the functional needs of the enterprise at New House Farm are currently being provided by the Applicant living in Mulberry Farm House. The functional needs of the existing livestock kept at New House Farm has clearly been provided by the existing dwellings on the unit or in the locality over the last seven years since the previous consent was granted in 2003 as the consent was not implemented. I therefore, consider the criteria in paragraph 3 (iv) has not been satisfied.

Paragraph 3 (v) states "Other planning requirements e.g. in relation to access, or impact on the countryside, are satisfied." - I consider this criteria will be dealt with by the Case Officer for the application together with the Local Highway Authority and any conclusions would not affect the agricultural needs of the unit.

I consider the site of the proposed dwelling is able to comply with paragraph 11 of the Annex as it is well related to the existing and proposed new buildings.

In conclusion, I ADVISE that there is no agricultural support for the proposed new dwelling as the relocation which was proposed in 2003 has not taken place, and until the buildings have been constructed to enable that relocation to take place the application site is unable to pass the functional test as set out in Annex A to PPS7.

I trust the above will enable you to determine this application however should you require any further information or advice on the agricultural aspects of the application would you please contact myself on 01664 813706. Thank you for your instructions in this matter.

Yours sincerely,

A G Coombe MRICS FAAV
Sanham Agricultural Planning Limited