



AGRICULTURAL NEED APPRAISAL
RUDYARD HALL FARM, RUDYARD, LEEK, STAFFORDSHIRE

Relating to a Proposed New Permanent Agricultural Dwelling

June 2016

Prepared by The Brown Rural Partnership

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1. PRELIMINARY

1.1 Introduction

The Brown Rural Partnership is instructed by Robinson Partners of Rudyard Hall Farm, Rudyard, Leek, Staffordshire, to prepare an Agricultural Need Appraisal in respect of a planning application for a proposed new agricultural dwelling to house James Robinson, who is employed as an agricultural worker on the holding. As well as the Farmhouse on site, the farm business currently owns a separate cottage on Macclesfield Road however the application is for a second dwelling at the Farmstead.

Rudyard Hall Farm extends to approximately 70.14ha (173.32 acres) of which the farmstead, buildings and land are owned by Robinson Partners. A further 33.99ha (84 acres) near Thornccliffe are rented. All of the land is mowable grassland supporting silage production as well as rearing of cattle. The labour required for milking and rearing the cattle on Rudyard Hall Farm is provided solely by the family. Contractors are used for grass conservation operations and heavy field operations, such as ploughing and reseedling.

1.2 Surveyor

This appraisal has been prepared by Michael Statham BSc (Hons) MRICS FAAV, Associate at The Brown Rural Partnership. He qualified as a Chartered Surveyor in 2012 and as an Agricultural Valuer in 2013.

1.3 Sources of Information

- Inspection of the holding and discussions with Robinson Partners.
- Staffordshire Moorlands Planning Department.
- National Planning Policy Framework.
- Planning Policy Statement 7: Sustainable Development in Rural Areas.
- The Agricultural Budgeting and Costing Book (77th edition) published by Agro Business Consultants Ltd.
- John Nix Farm Management Pocketbook.
- Accounting information for Rudyard Hall Farm.
- HSE Agricultural Information Sheet No. 35 – Handling and housing cattle.

2. RUDYARD HALL FARM

2.1 General

Rudyard Hall Farm is located approximately 1.75 miles to the north east of the village of Rudyard and approximately 2.75 miles to the north west of Leek off the A523, Macclesfield Road. Access to the Farmstead is via a half-mile track off Macclesfield Road.

The agricultural unit is centred on the land owned at Rudyard Hall Farm with other land owned near to Rushton Spencer. The main farm unit occupies a block of land extending to approximately 55.33ha (135.72 acres) from the Macclesfield Road and heading up the slope of Gun hill. The slope faces westerly and ranges from approximately 185m (610 feet) above sea level adjacent to the road up to 273m (900 feet) above sea level on Gun. The farmstead itself is approximately 235m (775 feet) above sea level. The 14.81ha (36.6 acres) land at Rushton Spencer is approximately 230m (760 feet) above sea level.

The location is characterised by livestock farms with some dairy farms and mixed units.

In addition to the land owned at Rudyard Hall Farm and near to Rushton Spencer, 33.99ha (84 acres) of additional grazing land at Thorncliffe are rented from a local landowner on a short term agreement. In the event that this land became unavailable, there is other land in the locality that can be rented. The current blocks of land are as follows:

Owned

Land at Rudyard Hall Farm:	55.33 (135.72 acres)
Land at Rushton Spencer:	14.81ha (36.6 acres)

Short term agreements

Land at Thorncliffe	33.99ha (84 acres)
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All of the land is capable of grass conservation, however approximately 60ha (150 acres) of the holding are mown annually producing two cuts of silage.

All of the land utilised as part of the holding is shown as predominately Grade 4 on the Agricultural Land Classification Map with some areas of Grade 5.

2.2 The Farm Business

The chief enterprise on the holding is milk production. Robinson Partners currently milk 180 dairy cattle. In addition to the dairy cattle, Robinson Partners rear some of the calves produced, the Holstein Friesian heifer calves, as replacements and additions to the herd. All other calves are sold through Leek market. The current breakdown of livestock numbers is as follows:

- 180 dairy cattle
- 110 followers (calves through to heifers)
- 1 Simmental bull
- 1 Holstein Friesian bull

Although all of the land is capable of being cut for silage, approximately 60ha (150 acres) are used each year for grass conservation, with two cuts been taken annually. The conserved silage is then used as feed during for the animals on the farm. The remaining land is used annually for grazing, with the livestock being turned out generally from May through to September.

2.3 Family Structure, Labour and Ownership

Mr David Robinson, aged 68, farms in partnership with his wife Christina and his sons, James and Andrew. He has farmed all of his life having previously farmed the holding with his father since 1966 when it was purchased. He has owned and farmed Rudyard Hall Farm since 1985, living in the farmhouse on the holding.

David, James and Andrew all work full time on the holding, typically starting work each day at 6am and often are working well into the early evening and generally all in excess of 60 hours per week. A typical day will involve milking, animal husbandry and welfare tasks and general farm work with the livestock and on the land. Specific tasks are set out in 4.2.2.

As a result of the amount of work involved in running Rudyard Hall Farm, David, James and Andrew are full time agricultural employees, with Christina working part time. David is looking to reduce the amount of work he is carrying out on the farm.

2.4 Buildings

Rudyard Hall Farm has a well-planned layout of buildings suitable for modern agricultural purposes:

- Portal framed building with fibre cement roof providing housing for 102 cows (150' x 66')
- Concrete lintel and fibre cement building providing housing for 116 cows (45' x 135')
- Steel portal frame building providing housing for 55 cows (30' x 130')
- Milk parlour, collecting, covered yard and feed area
- Silage clamps each holding 700 tonnes
 - 1 no. 50' x 65' x 10' deep
 - 1 no. 45' x 90' x 10' deep
- Hay shed with metal sheeted roof (15' x 45')
- Silage shed currently storing straw (15' x 45')
- Traditional stone shippon used for calf rearing (16' x 30')
- Other traditional stone and brick buildings used for calf rearing
- Muck stores to catch parlour washing, dirty water and muck
 - 1 no. 116' x 60' x 10' deep
 - 1 no. 60' x 50' x 8' deep (with a weeping wall system)
 - 1 no. 30' x 40' x 8'
- Small catchment pit (30' x 15' x 10')

2.5 Machinery

Robinson Partners currently has the following farm machinery:

- 5 no. tractors including loading shovel
- 2000 gallon vacuum tanker
- 1000 gallon vacuum tanker
- 1600 gallon dual spreader
- 6 cubic meter rotor spreader
- 14 cubic meter Taruup mixer wagon
- 14 cubic meter Keenan mixer wagon
- 8.5 tonne silage trailer
- 8' roller
- 3m power harrow
- 15' tine harrow
- Post knocker

- Slurry stirrer (20')
- 12' Ifor Williams cattle trailer
- Cattle crush
- 500 litre sprayer
- Land Rover Discovery

2.6 Basic Payment Scheme

Rudyard Hall Farm is registered on the Basic Payment Scheme and entitlements are claimed on all of the land owned by Robinson Partners. Although the land is not restricted under a Nitrate Vulnerable Zone, the land is farmed as part of the Catchment Sensitive Farming initiative.

3. PLANNING CONTEXT

This Agricultural Need Appraisal is prepared in connection with a planning application to be made to Staffordshire Moorlands Council for a proposed permanent agricultural dwelling to be situated adjacent to the farmyard curtilage at Rudyard Hall Farm.

In the Staffordshire Moorlands Core Strategy (March 2014), rural housing is detailed under policy R2 which states that development would be allowed for 'a new dwelling that meets an essential local need for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere'. This policy expands on this further by requiring functional and financial tests need to be met to demonstrate the essential need for a rural worker to live permanently at or near their place of work in the countryside.

It also states that all applications must be thoroughly scrutinised to avoid new isolated new homes in the countryside unless there are special circumstances in accordance with Paragraph 55 of the National Planning Policy Framework, as stated below.

"local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside".

The NPPF, since its introduction, has replaced the bulk of previous relevant Planning Policy Statements, the most relevant of which for this application would have been Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas. This dealt with circumstances "in which isolated residential development may be justified" in the countryside.

Paragraph 3 of PPS7 Annex A stated that "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;
- (ii) 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;

- (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;
- (iv) 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;
- (v) Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

The criteria and often inflexible detail of Annex A is therefore no longer relevant when considering an application for a new dwelling in the countryside. It is considered that as the standards of PPS7 Annex A exceed those set out in the current planning guidance in the NPPF and also policy R2 of the Staffordshire Moorlands Core Strategy (March 2014), it is a good test of the agricultural need and satisfaction of the criteria provides a more robust appraisal above and beyond the actual requirements expected of the applicant.

4. APPRAISAL

4.1 Investment and viability

The farming enterprise at Rudyard Hall Farm is well established and the fixed equipment on the unit is mostly of modern construction and able to service the specific enterprises currently undertaken. Previous investment into this fixed equipment is in the region of £190,000 for buildings and muck storage facilities in order to meet the current regulations.

In recent years, Robinson Partners have expanded their dairy herd from 135 head of cattle being milked to 180 cattle. In conjunction with this they have also purchased additional land near to Rushton Spencer to further expand the holding.

All the recent investment into the holding has been in order to ensure the enterprise remains strong in an increasingly competitive market and also to adapt to the ongoing changes in agriculture during this time, particularly during the current difficult times within the dairy industry. The business is currently on a supermarket milk supply contract, which whilst the price received is in excess of many standard milk contracts there are increasingly more stringent welfare requirements and codes of practice relating to monitoring areas such as lameness, cleanliness, calving, mortality and cow health that must be met in order to remain of the contract and for the business to remain viable.

Accounting information shows that the holding has remained profitable. The profits for the last three available years of accounts are as follows:

2012: £90,244
2013: £94,098
2014: £78,214

4.2 Functional Need

The purpose of the functional test is to establish whether it is essential for the proper functioning of the enterprise for key workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night. This could be in case livestock or agricultural operations require essential care at short notice and dealing with emergencies that might otherwise result in serious losses of crops or livestock.

This is the case at Rudyard Hall Farm due to the number of livestock that require care and attention in order to satisfy welfare regulations as well as the additional monitoring requirements of the supermarket contract.

4.2.1 Labour Requirement

The business' labour requirement in accordance with standard man day figures has been assessed at 4.57 labour units. This is shown in Appendix 1.

As set out above, David, Andrew and James each work in excess of 60 hours per week. The Working Time Regulations 1998 state that "a worker's working time, including overtime, in any reference period which is applicable in his case shall not exceed an average of 48 hours for each seven days". If any of the key workers are forced to move from the farm even so far as to places such as Rudyard or Leek, the farm would not be able to satisfy the labour requirement to correctly tend for the livestock. This could leave the farm unable to deal with emergencies resulting in losses of crops or livestock.

Operating within the dairy industry, as with all of agriculture, brings with it a high level of regulations and best practice guidelines ranging from hygiene considerations during milking operations to complying with the required record keeping for medicines and movements of each animal. It is worth noting that all of these management requirements and general farming operations must carry on regardless of whether an emergency occurs, such as difficult calving or illness in an animal.

4.2.2 Key Worker Requirement

Key workers are defined as those required to live on the holding within close proximity (sight and sound) of livestock buildings. On a holding such as this, there can be no better definition of a key agricultural worker than one who is involved with the cattle, particularly given the demand in this case for attention to milking and calving.

The Welfare of Farmed Animals (England) Regulations 2007 states in Schedule 1 Paragraph 1 that "Animals must be cared for by a sufficient number of staff who possesses the appropriate ability, knowledge and professional competence".

'Sufficient number of staff' is interpreted as being at least two workers, a number required to carry out tasks effectively and safely in order to avoid causing distress to animals as well as injuries to workers themselves.

This is echoed in the Health & Safety Executives Agricultural Information Sheet No. 35 (Handling and housing cattle) which also goes on to state that whilst there is no legal upper or lower age limit for cattle handling, many incidents involving cattle happen to people beyond normal retirement age, when they are less agile.

Calvings can occur at any time during the day and night and all cows require regular monitoring for 3-7 days in advance of the calving date to be able to notice and deal with any complications that may arise. Generally a significant proportion of all calvings require assistance and the unavailability of sufficient key workers during these at times of difficult calving can lead to fatalities, unnecessary suffering to the animals and losses to the business.

Constant monitoring of herd in buildings and outside on the land is also required in order to maintain animal health and ensure boundaries are kept secure so that no livestock numbers are lost.

In addition to the daily milking operations there are a number of tasks that require the handling of cattle and necessitate more than one person in order for them to be carried out safely. Indeed the handling of cattle that are not used to being handled increases the potential for serious injury such as crushing, kicking, butting or goring. In terms of the type of work that takes place on the holding, the main duties include but are not restricted to:

- Milking
- Feeding livestock indoors and outdoors ensuring water is also provided at all times.
- Cleaning out pens and replacing with clean bedding.
- Attending and assisting with calving indoors and outdoors.
- Moving livestock between fields and buildings.
- Ear-tagging cattle.
- Catching and treating animals requiring medical attention.
- Foot-trimming and administering medicines.
- Regular weighing and assessment of animals.
- Artificial Insemination (AI) of the dairy cattle (when required).
- Loading animals into trailers for transportation between different parcels of land or market.
- Unloading purchases of feed, bedding etc.
- Checking livestock indoors and outdoors.
- Maintaining buildings and machinery.
- Turning out, bringing in, bedding, feeding and checking on horse liveryes

- Maintaining field boundaries.
- Administrative work.

Due to the competitiveness of the agricultural market, maximising output has become even more important. Costs have to be better managed and work that would once have been dealt with by a vet or farming contractor now has to be carried out by key workers.

With the 24/7 requirements for dealing with a dairy herd it is essential that proper cover is provided in the eventuality that a key worker takes a holiday or an evening away from the holding.

4.2.3 Requirement for Key Workers to be housed at Rudyard Hall Farm

Currently the main key workers, David, James and Andrew all live on the holding in order to deal with the farming operations.

David resides in Rudyard Hall Farmhouse with Christina, Andrew and James, with Andrew's family living in a Cottage at the end of the track to the farm adjacent to Macclesfield Road, approximately half a mile from the farm buildings. Due to the Farmhouse's listed status and the layout of the accommodation, it is not suitable for splitting into separate dwellings to provide further housing.

It is generally accepted by planning authorities and consultants that holdings with in excess of 90 dairy cattle require two key workers to be house on site. Given the number of cattle at Rudyard Hall Farm and combined with David getting to the stage in his life where he is too old to regularly check livestock and be able to safely deal with emergencies, it is essential that Andrew and James can both remain on the holding to maintain the primary key workers on site. Maintaining the number of key workers based on at the farmstead would allow for livestock to be checked more regularly and mean that there is always more than one worker available at short notice in case of any emergencies involving either livestock or indeed a key worker or visitor to the farm.

The current farming system relies on problems being dealt with by James and Andrew, with support from David, and requires both James and Andrew being on site at the same time. A prime example of this is with calvings at Rudyard Hall. The farming system has calvings throughout the year, which given the number of dairy cattle will result in multiple calvings every week at any time of the day or night. Maintaining the number of key workers on site by keeping James on the farm is essential for the safety of all of the Robinson's as well as that of the cattle.

It is our view that for the proper management of the farm business to continue, sufficient key workers are required to be housed within sight and sound of the farm buildings at Rudyard Hall Farm. Letters from the applicant's veterinary surgeons, Moorlands Veterinary Centre, and from the NFU (Leek Branch) Group Secretary can be found in appendix 2, both of which provide further information relating to the requirement to maintain the number of workers being housed on site.

4.3 Current / Other Accommodation

James Robinson and his long term partner Emma have recently had a baby and are looking to start 'building' their own family home. James' partner currently lives in Audley and as such James has to spend his time travelling up to 45mins each journey to and from work. This clearly makes it impossible to attend the farm during emergency situations as well as adding additional time to James' working day. It would not be suitable for James and Emma to live permanently in the existing farmhouse with David and Christina as they require more privacy and also space for their new family. Due to the Farmhouse's listed status and the layout of the accommodation, it is not suitable for splitting into separate dwellings to provide further housing.

The other Cottage owned by the farming enterprise is at the end of the track to the farm adjacent to Macclesfield Road, approximately half a mile from the farm buildings and is occupied by Andrew's wife and children. Due to recent family matters Andrew is not currently living in the property.

The existing agricultural buildings of the holding fall into two groups, buildings of modern construction and those of a traditional construction. The modern buildings are used for the daily farming activities and so are not available or suitable for conversion. Of the traditional buildings, one is listed and does not have sufficient openings to lend itself to conversion without major alterations and its location is adjacent to the cattle housing on the farm and the remaining range of stone buildings would also require significant alterations and are also located adjacent to the cattle housing.

The brick barn adjacent to the entrance to the farmstead is itself unsuitable for conversion as any alterations would have an impact upon the setting of the existing listed building of Rudyard Hall Farm. Aside from this, the barn is in close proximity to the slurry / muck store and it would not be suitable to move the store around the yard due to the remaining buildings and infrastructures location. Any alterations to the current setup would incur significant cost and so would not be feasible due.

At the time of this report there are two houses for sale for sale on Macclesfield Road in Rudyard at a cost of £675,000 and £395,000. However these would not comply with the animal welfare requirement to be at immediate hand to check on livestock and are not within sight and sound of the farm buildings. These houses are also too expensive for the business to be able to afford.

In addition to this there are no properties available to rent on Macclesfield Road in Rudyard. Accommodation rented on an Assured Shorthold Tenancy however would give insufficient security as if the tenancy was terminated, there would be no housing for the agricultural worker. This view is supported by Embleton Parish Council & Anor v Gaston [2013].

Since 2004, four properties have sold on Macclesfield Road at an average price of £543,750. In the last three years, one property has sold for £685,000. It is therefore unlikely that affordable accommodation will become available on Macclesfield Road, particularly in a location that would be within sight and sound of the farm buildings.

Housing is available at lower prices in Leek and the surrounding areas however these would not be suitable due to the need to have a key worker on site at all times with travel time from leek town centre to the holding taking 10 minutes by car not being practical for a key worker to deal with emergencies. There is therefore no affordable accommodation available in the locality and in particular none that would enable a key worker to provide the standard of care that is required in the position.

The above is largely academic however, as there is a clear requirement both in planning policy and practice to have the key worker housed on the farm within sight and sound of livestock and their housing. It would not be possible, in our view, for an agricultural worker to tend satisfactorily to all emergencies if living off the farm in Leek or the surrounding villages.

We therefore do not consider it possible that the need for an agricultural dwelling in this case can be met elsewhere.

5. CONCLUSION

Having considered the tests highlighted in the Staffordshire Moorlands Core Strategy (March 2014) policy R2 and in Paragraph 3 of Annex A of Planning Policy Statement 7 in detail, we find that Rudyard Hall Farm more than adequately satisfies the tests in respect of a new permanent agricultural dwelling. As stated previously, the contents of the above is also above and beyond what is required under the current National Planning Policy Framework guidance and has been prepared in such a way so as to ensure the application for the new agricultural dwelling is robust and fully informative for Staffordshire Moorlands District Council.



Michael Statham BSc (Hons) MRICS FAAV

For and on behalf of The Brown Rural Partnership LLP
29 Church Street
Macclesfield
Cheshire
SK11 6LB

June 2016

APPENDIX 1

Labour Requirement (For a standard year)

LABOUR REQUIREMENT (for a standard year)

	Number of Cattle	Standard Man Days (ABC)	Total
Milking	180	3.75	675
Followers (over 12months)	100	1.75	175
Calves (0-6 Months)	100	1.13	113
Calves (6-12 Months)	100	0.81	81
Simmental Bull	1	2.0	2
Holstein Friesian Bull	1	2.0	2
Sub Total			1048
Additional Annual Maintenance @ 20%			210
Total Standard Man Days			1,258
Total Labour Required (275 SMD per employee)			4.57

Please note that the numbers of cattle detailed above is the expected number throughout the entire 12 month period and not necessarily at any one given time.

APPENDIX 2

Letter from Moorlands Veterinary Centre and NFU (Leek Branch)



St Luke's House, Vicarage Road, Leek, Staffs ST13 6AS
Tel: 01538 382129 Fax: 01538 382285
Email: moorlandveterinarycentre@moorlandvet.co.uk



31st of May 2016.

re Planning application by Robinson Partners, Rudyard Hall Farm, Maccelsefield Road, Leek.

Dear Sir/Madam,

I write in reference to the above planning application. I understand that the Robinsons wish to apply for permission to erect a worker's bungalow on the farm.

The farm is a busy dairy farm with a herd of milk cows, young-stock and calves. Given the size of the herd, and the fact that it is an all year round calving system, it is reasonable to assume that cows are calving most nights of the year.

Having accommodation on farm for another member of staff would allow the night duties to be shared out resulting in less pressure on the current members of staff living on the farm, particularly Mr Robinson senior.

Having another person living on the farm would also help animal welfare by allowing for another person to be available at short notice, in the event of an emergency on the farm (Downer Cow, etc)

I therefore write to add my support to the above application.

Regards

A handwritten signature in black ink, appearing to read 'Stephen Clancy', written over a horizontal line.

Stephen Clancy MRCVS

smclancy@moorlandvet.co.uk



A M Dickinson & C E Evans
Newspaper House
Brook Street
Leek
Staffordshire
ST13 5JE

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nfumutual.co.uk

Robinson Partners
Rudyard Hall
Rudyard
Leek
ST13 8PT

7 June 2016

To whom it may concern,

Planning Application for Farm Workers Dwelling at Rudyard Hall, ST13 8PT

Robinson Partners are members of the National Farmers Union (NFU) and have made me aware of the above planning application being submitted.

On a farm of the Robinsons' size, with cattle numbers approaching nearly 300, it is now imperative that farm labour is to hand at all times of day and night due to the dangers in the workplace. In 2010 there were 8.2 fatalities per 100,000 agricultural workers, with the National average for all industries being 0.5, meaning that farmers are 16 times more likely to die at work than any other profession. In an agricultural related accident there were 160 deaths in the last 5 years, with major injuries up 40% from 2007-2010. The most common factor in these alarming statistics is the "Lone worker" syndrome, where people are working by themselves, with no one to provide assistance where necessary, or to reduce the risk of things going wrong.

This is why it is crucial that Rudyard Hall has a farm workers dwelling, with the current house not being able to accommodate two families and as Mr Robinson senior is now fast approaching 69 years of age, he is not as nimble as he once was and needs help with such things as calving of the cows, which frequently takes place through the night and is year round. Mr Robinson's son now has a young child of his own and needs to be at home with his family at the end of the working day, which would be so much better if it was on the farm. Affordable housing is not available locally and any severe snow storms in winter would make it impossible for Mr Robinson's son to be able to get to the farm if he had been living in Stoke-on-Trent, or Leek, as the lanes can be treacherous and impassable for many days on the way up to the farm off the main road.

Any new accommodation gaining acceptance would not be to make profit on in future years, but would hopefully provide for the next generation if they too want to work on the family farm. The business will be much more productive if workers live on the farm and are available as and when, with it now globally accepted that agricultural output needs to increase to feed a growing world population. The Robinsons, like all other farm businesses in this country, are heavily regulated by Cross Compliance rules for the Basic Payment Scheme and the code of Good Agricultural Practice, which means that they have to work long hours to comply with these standards and must be "at work" even when they are at home, with substantial amounts of paperwork to keep up to date.

I hope that this planning application will be considered on its true merits and that the Robinsons will be able to provide housing on the farm for their son who wants to carry on the business and do his job as best he can.

Do not hesitate to contact me if you have any further queries.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A M Dickinson', written in a cursive style.

Mr A M Dickinson
NFU Group Secretary.