50 Broad Street
Leek
Staffordshire
ST13 5JF
E: mail@dbdconsultants.co.uk
W: www.dbdconsultants.co.uk
T: 01538 383 118

DBD Architectural Consultancy

Agricultural Appraisal to Support

PLANNING APPLICATION FOR A NEW AGRICULTURAL WORKERS DWELLING AT MANOR HOUSE FARM, BAGNALL, ST9 9JW



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PLANNING APPLICATION FOR THE CONSTRUCTION OF A NEW TWO-STOREY ARGRICULTURAL WORKERS DWELLING AT MANOR HOUSE FARM, BAGNALL, ST9 9JW

Introduction/Context

This agricultural appraisal has been prepared to accompany the application for an agricultural workers dwelling at Manor House Farm, a dwelling which is required due to the on-site demands of the applicants occupation.

A permanent agricultural worker's dwelling is proposed to be developed on the farmstead known as Manor House Farm.

The application is for the owners Peter and Joan Lawley to build a farm workers dwelling on the farm for their Son and Daughter in Law, Robert and Emma Lawley to live with their daughter, Alice who is 4 years old. They are expecting a second child in June this year, so the need for the extra space, as well and the proximity to the farm/family is even more so now.

Their daughter, Alice, suffers from a rare gene deficiency disorder, CDKL5 which begins during infancy with epileptic seizures and follows to significantly delay many aspects of development. This means that she is not able to walk or sit and needs 24-hour care to be dressed and fed. She has a specialist chair/standing frame to hold her whilst sitting, which is a sizeable piece of equipment, that will need to be replaced with larger variants as Alice grows and gets older. This ensures her spine and pelvis remain inline and her weight is properly supported. It isn't confirmed as to whether Alice will be able to speak. Emma is a full-time carer for Alice. Alice is lucky to attend Horton Lodge school for Conductive Education, where they promote an educational approach to enable pupils to work with their motor disability, moving towards increased independence they develop to their full potential in their learning physical and social skills. Parents are encouraged to learn or develop skills that would be helpful to support their child and home. Alice is currently learning to communicate with teachers and her family through PODD (Pragmatic Organisation Dynamic Display) communication books. These are similar to flash cards in a book form or tablet type device with activity, symbols and word displays in picture form for communication in multiple environments with a range of messages across a range of topics.

Alice attends the Horton Lodge school for 2 ½ days per week, equating to 15 hours during which time, Emma take the opportunity to catch up with her weekly shopping, household chores, etc. This valuable time for Emma may be cut short once the new baby arrives in June.

The epileptic seizures that Alice suffers from are a key factor in her needing the 24-hour care. Emma's parents live over 30 miles away, so the only grandparents to assist with care whilst Emma is otherwise engaged with other appointment, such as baby scans etc will be Roberts parents. In the event of Peter and Joan not being able to assist, them Emma's parent must travel and stay over, hence the need for the spare bedroom. Depending on the type and severity of the seizure, an ambulance may be needed, and Robert must return home quickly to assist, so panicked driving to get home is not a practical or safe scenario to be in.

The dairy farm (Holding number 371020013) is farmed by the Lawley family as a partnership and has been the family home for around 35 years. It is their sole source of income.

Robert has been farming all his working life and is a partner in the family business. His father Peter is contemplating taking a step back from farming at the age of 72, requiring Robert to be on site more frequently and for longer hours. Currently Robert, Emma and Alice live in Light Oaks, which is too far away to meet the needs of the business. At present Robert completes three round trips to and from the farm to his home each day, including returning home for lunch, seven days per week.

In an ideal world they would look at converting an existing stone or brick built redundant farm building into a dwelling possibly under the relaxed permitted development legislation. Unfortunately, there are no suitable or unused buildings on the farmstead that could be converted into a new dwelling as they either have an important use for the farm or are unsuitable in terms of current design and the materials they have been

constructed with. The existing farmhouse is not suitable either to be extended to create effectively a secondary or ancillary dwelling. The personal circumstances of the two families justifies two dwellings.

The proposed dwelling would be located opposite the cluster of buildings forming the farmstead directly access from the farm track, opposite the entrance to the farmyard.

National Planning Policy

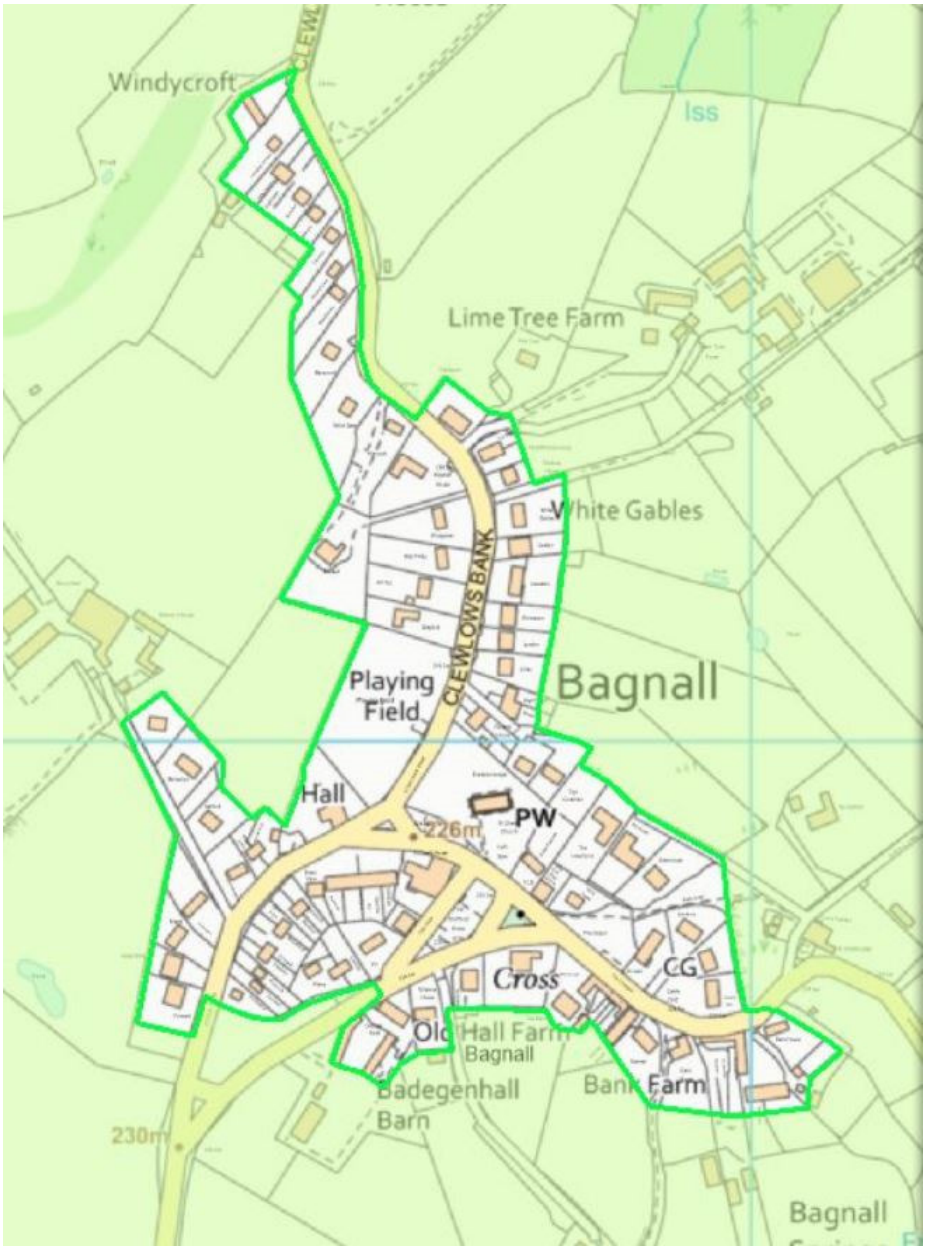


Image courtesy of SMDC Website

The above image shows that the development site is just outside of the town boundary of Bagnall and is in fact in the greenbelt. The following extract is from the National Planning Policy, published 2019, which support the proposed development.

The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 continues:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

***a) an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

***b) a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

***c) an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Paragraph 10 : *So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development*

Paragraph 77: *In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.*

Paragraph 78: *To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby*

Paragraph 79 of the National Planning Policy Framework 2019 is the most relevant to the planning application at Manor House farm which states that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential dwelling; or

e) the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in

rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The proposed application at Manor House Farm is to allow the current farmers' son and family to live permanently at their place of work, allowing the farmer to relax into semi-retirement without the need to give up their home to make way for the next generation.

Before the NPPF was introduced, national planning rules relating to this issue were set by PPS7, Annex A. This has now been withdrawn.

PPS7 set two tests to help planners decide whether or not to give permission: a **functional test** and a **financial test**.

The functional test would determine whether it is essential for someone to be on site at most times, for example to care for animals or deal quickly with emergencies.

The financial test determined the size of dwelling that the rural business could sustain. In other words, the more profitable the business, the bigger the house, in very general terms.

The decision making process under 'old system' involved:

Demonstrating a clearly established functional need for a full-time worker to live on site: This is related to animal welfare and having sufficient man-hours to equate to two full time employees of the business (this would be for a second house application)

Showing that the agricultural operation has been active for three years, profitable for at least one of them, and is likely to remain financially sound going forward: Profitability does not mean large sums of money, there is no stated figure for profitability

Establishing that there is no other suitable dwelling or accommodation on site or in the area: Not another house on the holding, a building that would covert, or a dwelling in the area with a suitable agricultural tie on occupation

Satisfying other planning requirements, for example relating to access, or environmental impact

Now that PPS7 has been replaced by the NPPF, Council planners and appeal inspectors often look to PPS7 Annex A for more detail, even though it has been withdrawn. A legal judgement suggests that they shouldn't always do so. This case is known as "Embleton" (R on the application of Embleton Parish Council and Anor v Gaston (2013)

In 2014 as part of the government's drive to ease pressure on housing in rural areas, new regulations where introduced, known as class Q permitted development which allows the conversion of redundant agricultural buildings without the need to go through the full planning permission process.

Class Q regulations can be applied to buildings which have been used for agriculture on or before 20th March 2013

The class Q regulations state that: You can create up to three dwellings when converting existing buildings using a total floor space of 450sqm

The new class Q legislation is ideal from farmsteads that have invested in large metal frame buildings for the storage of grain/hay and other feeds, or created shelters for the livestock, leaving the stone and brick built small agricultural building generally redundant. Where accommodation is required for a farmer worker and there are the redundant barns, they can be relatively easily approved for conversion without the need for any functional needs tests or demonstration of the essential needs of the worker to live on site. Moreover, there is

no requirement to demonstrate that the agricultural operation has been active for three years, and profitable for at least one of them and likely to remain so going forward.

The new class Q legislation is also ideal for farmsteads that cannot prove the agricultural operation has been active for three years or profitable, because they can quite easily apply to convert the barns into dwellings to be sold for profit to help support the farms income, or retain the dwelling and use rent to supplement the farms income, with the need to demonstrate the tenant is needed to work on the farm.

In the case of Manor House Farm, unfortunately they have no such redundant buildings. The stone barns are used for milking the dairy cows. To make the barns redundant, they would first of all need to apply to build a new steel frame building occupying more of the farmland than the proposed dwelling would require.

National Planning Policy has stated for some time that one of the special circumstances for granting permission for dwellings in the countryside is when there is an essential need for a rural worker to live permanently at or near place their place of work. Where an essential need exists, planning authorities also assess whether the need for a worker to live at their place of work could be met by any existing suitable and available dwelling, a retiring farmer should not be expected to vacate their home to make way for an incoming spare worker.

Furthermore, landmark case law directs that retired parents should not be expected to vacate the existing farmhouse in order to make it available for an active agricultural worker and that two families should not be expected to share an agricultural workers dwelling. See Keen v. SSE & Aylesbury Vale DC and JR Cussons and Son v Secretary of State for Communities and Local Government.

Suitable Alternative Accommodation

There are no affordable properties that are close to the farm. The only two properties within 0.5 miles of the farm that are currently for sale and fit the criteria required for the applicants are £499,950 and £350,000 which are both considerably out of their budget and two-storey houses which don't accommodate a downstairs bedroom required for Alice. The closest property within their budget is a bungalow at £230,000, but this is 2 miles away from the farm and so not viable for their essential need to be on-site.

Their current two bedroom property has an estimated value of £130,000 and is mortgage free. The property is unsuitable for adaptation to meet Alice's development. The net gain from the sale of this property would be used to pay for the construction of the proposed new dwelling.

Agricultural Business Description

The farm is a thriving business that focuses predominantly on dairy cows and milk production. The land attached to Manor House farm extends to 90 Acres and there is a further 60 acres on tenancies, so the total farmed area is 150 acres, with an additional 20 aces of maize which is grown away from the farm. The stock on the farm they have is roughly 120 dairy cows and 10-20 calves reared for beef.

The cows graze all the various land parcels, and hence there is a significant management burden each day in inspecting all of the animals, providing supplemental feed, and where necessary, medication. Twice a day the dairy herd must be taken across the fields into the milking parlour which in itself is a time-consuming task. This is usually undertaken early morning so the milk can be pasteurized and shipped out to be at the markets and again in the afternoon, so early morning starts create a need for Robert to be on site to reduce the burden of waking up with the prospect of then having to travel to the farm.

The Proposal

The proposal is for a two storey, 4-bedroom agricultural workers dwelling, situated on land adjacent to the existing farmhouse and dairy buildings. The dwelling will be constructed using rustic style red brick with stone cill and window head details to keep it in touch with the existing farmhouse and barns around it. Despite being a 4-bedroom house, it is more closely designed in the style of a dormer bungalow with a low eaves and ridge height which means a vaulted ceiling on the first floor with a dormer window which in turn reduces the impact on the surrounding landscape. The scale of the dwelling will not be out of sorts with the surrounding buildings, namely the existing farmhouse and neighbouring properties.

The internal layout has been designed to give a functional family home with the added convenience of a ground floor bedroom and bathroom for Alice, without the reliance upon a wheelchair lift. The proposed dwelling will provide easy access for her throughout the ground floor and easy manoeuvrability in her wheelchair. In addition to the suitably sized downstairs bedroom and en-suite, there is an open plan kitchen-diner and separate lounge all suitable for wheelchair access. Further ground floor accommodation includes a utility room, WC and office space. Upstairs there are three further bedrooms, one with an En-suite and a shared bathroom. Due to the nature of the low roof hight, there is eaves storage along the flat edge of the building and the ceiling along the opposite side will be sloping down to a sensible height of approximately 1 metre high. The bedroom accommodation includes for a guest bedroom for a carer for Alice to stay overnight, for example Emma's parents providing her parents with some respite.

This proposed new dwelling must be situated on the existing site, the applicants' occupation does not allow for it to be anywhere else, due to the 24 hour need for dealing with livestock. Commuting to work is not suitable and outweighs any issues regarding sustainability. The workload of the farm is in addition to the mounting care and attention that their daughter requires as she becomes older. It would be better if Robert was able to return home in the unfortunate case of an emergency and when Alice is being cared for by her Grandparents, they would be able to come over to the new property, instead of Alice needing to be driven to their house along with her belongings.

It is acknowledged that for any new agricultural dwelling to be approved that a functional requirement needs to exist, and that the business needs to operate on a sound financial basis.

The applicants have always lived on the farm, and with Peter now taking a back seat in the farm work whilst Robert is stepping up, it would not be in their best interest to have to move off the farm at their age in order to give the accommodation to the younger generation of the farming family.

Animal Welfare

Maintaining animal welfare standards creates a management burden, particularly during the winter months and periods of inclement weather when the animals are housed. The Farm Animal Welfare Council defines five ideals, known as 'The Five Freedoms' as the following freedoms from fear and distress; freedom from fear of pain, injury and disease; freedom from hunger and thirst; freedom from discomfort; and freedom to express normal behaviour.

Each animal has easy access to both food and water. The cows are housed in the winter months with bedding regularly replenished by the applicant to ensure the highest standards of hygiene and animal cleanliness, The cattle are kept in loose housing which are emptied once the cattle go out to grass in the spring. The farm yard manure and slurry is then cleared and spread onto the land farmed by the applicants, and this spreading is in accordance with the environmental cross-compliance regulations which the applicants are bound to comply with in order to be eligible for the Basic Payment Scheme.

Essential Care at Short Notice

Should the applicant have to live permanently away from the farm then this will consequently result in numerous trips to and from the farm each night to share the workload between key workers. This is considered to be wholly unsatisfactory and certainly not supportive of a sustainable business. Similarly, at times when harvesting is being undertaken and when farmers work excessively long hours, then there will be a requirement for someone to manage the animals whilst the other ensures that crops are appropriately harvested and to deal with emergencies that could otherwise cause serious loss. This is also a valid criterion which forms part of the functional requirement when considering the key workers on farms.

It is also important that someone is on hand at all times to ensure the protection of livestock from theft or injury by intruders. The farm is in an accessible position and it is therefore susceptible to potential thieves. With the increasing value of livestock over recent years, cases of theft have risen greatly, and it is therefore essential that there is someone at the farm at all times to prevent this.

Therefore based on the number of animals that are farmed and the nature of the enterprise then it can clearly be seen that there is a functional requirement for two keyworkers to live at the farm at all times for it to be able to operate as a sustainable business.

Jobs on the farm throughout the year:

Cows are milked twice a day throughout the year. Cows calve all year round.

Autumn/Winter

In the autumn the applicants attempt to do some reseeding of the grasslands if weather permits.

In the winter cows are housed 24 hours a day. They need to be milked, fed with a mixture of silage and corn, as well as being kept clean. The passageways must be scraped out and cubicles are bedded twice a day. At this time of year, a lot of foot paring and routine vaccinations are carried out as well as observing the cows behaviour and watching for cows coming on heat. Any spare time is spent on essential maintenance of the yard and buildings.

Spring/Summer

This is the time where the field work takes place. The early spring months are spent slurry spreading, sowing fertilisers, harrowing, rolling and weed control. Hedges have to be maintained and the grazing field are decided not paddocks which means moving electric fences to suit. Several cuts of silage are made and some round bales of haylage are made with the surplus grass.

Farm Business Administration

In addition to the physical workload, there is a significant amount of office work to manage including the administration and updating of livestock movement records; livestock passports for cattle moving on and off the farm; ordering feedstuffs and other consumables; ensuring payment of invoices; maintaining all records and financial accounts. This is generally undertaken by Robert and so there has been a dedicated office space on the ground floor where this necessary admin work can be conducted from

Manor house farm is on the Red Tractor food assurance scheme, covering animal welfare, food safety, traceability and environmental protection. They sell their milk to Tesco who have a more stringent regulations than the Red tractor scheme.

The trading accounts for Manor House Farm have been made available for the past 3 years, and a supporting letter from their Accountant will be supplied with the application.

Labour Requirements

A breakdown of the livestock typically farmed by the applicant is detailed below. In brackets (and based on labour requirements detailed within The Agricultural Budgeting and Costing Book 86th Edition published by Argo Business Consultants in May 2018) are the total number of man days required per animal: -

Standard Man Day (SMD) is a general estimate of the farm labour requirement per enterprise. A standard man year is 2,200 hours. This is 45 weeks' work of 39 hours (after holidays, illness, etc have been deducted, plus an average of 10 hours overtime per week (45 x 49 = 2205). These total hours are converted into 275 notional 8 hour standard man days.

Labour Requirements	**Per Unit**	**Unit**	**Total**
Dairy Herd	4.38	120	525.6
Beef Cattle	1.75	20	35.0
Maintenance and Management	(15%)		84.1
Total			644.7
Standard Man Hours	225		**2.34**

This therefore equates to 2.34 full time workers looking after the farm. With Robert taking a more active, full time role on the farm to allow for Peter to have less responsibility on the farm, it would make sense to assume the full working man would be performed by Robert and the remain half can be carried out by Peter.

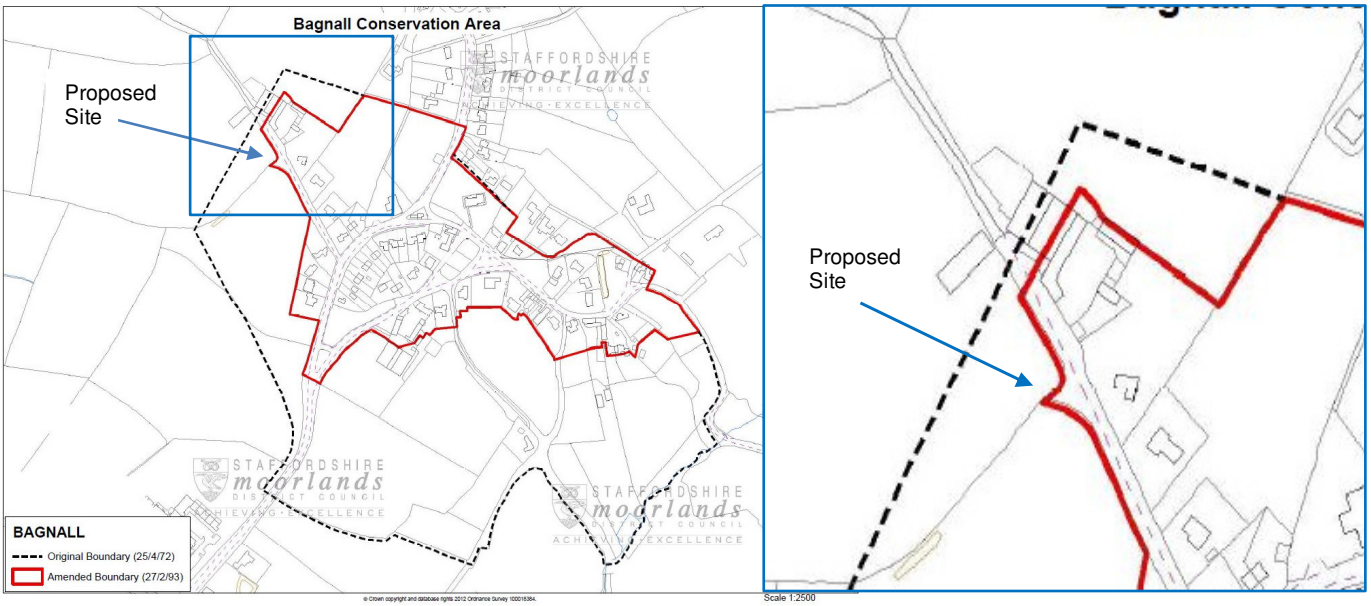
The additional work required to be carried out on the farm that Peter and Robert cannot undertake due to time constraints is generally carried out by specialist contractors, such as the foot paring, in much the same way a farrier would tend to horses when the need arises.

Application Site and its Setting.

The farm site is located up a shared access track off School Road, Bagnall. The site comprises of a tight cluster of buildings occupying approximately 0.8 hectares.

The site is quite rural, nearby towns are Leek (7 miles), Stoke-on-Trent (7 miles), Hanley (5.5 miles), and Tunstall (6.5 miles).

The map below denotes the Bagnall Conservation area boundary. The current boundary shows approximately half of the farmstead at Manor House Farm to be in the Conservation area, however the proposed site for the new dwelling now lies just outside.



The map below from Google Earth show the cluster of buildings comprising the farmstead, with the individual buildings noted, a brief description of the use of each building.



Building 1 is the main farmhouse where Peter and Joan Lawley have lived since 1988 (32 years). This is constructed using local stone with a plain clay tile roof.

Building 2 is a series of separate animal pens which are used a quarantine for sick or injured livestock, hence the close proximity to the dwelling as they often require immediate or 24-hour care. This is constructed using a red brick.

Building 3 is a workshop for farm machinery maintenance and alike. This is a timber clad structure with corrugated roofing.

Area 4 is the proposed development site which is a suitable area within the cluster of the other buildings across the farm.

Area 5 is where silage is stored.

Building 6 is used to house cows in the winter and to store grain and other farming materials. This is a metal clad structure.

Building 7 is also a metal clad structure and is the main shed to house cows in the winter.

Area 8 is the slurry pit

Building 9 is the main dairy building which is a metal frame structure built on to the side of the original stone barn which houses the milking parlour and bulk milk tank.

Siting, Design and Appearance

The proposal is for a single agricultural worker's dwelling, comprising 4 bedrooms, 3 bathrooms, Kitchen-diner, lounge, utility room, office and W.C.

The total gross internal floor area of the accommodation will be 99.4 m², measuring 14.1 m long and 6.7 m wide with a protruding gable of 5.3 m x 3 m and a porch that is 1.4 m x 2.4 m. The high to the eaves is 3.3 m and 6.3 m to the ridge. This modest sized dwelling is functional, proportionate with the agricultural operations going on at Manor House Farm, and sufficient to accommodate and meet the needs of a young farming family.

The proposed dwelling will not be visible from the roadside but will be from the farm entrance at the end of the shared access track. This would be seen in context with the surrounding buildings rather than being isolated elsewhere on the farm. There are three nearby dwellings that use the access track, but an existing line of mature trees along the South West boundary of the farm will provide screening from the nearby existing dwellings. Further screening in proposed down each side of the proposed dwelling to provide in with more privacy from the other farm buildings. The Applicants are of course willing to provide further screening if the Local Planning Authority thinks it would be better.

The design of the proposed dwelling will be constructed of a rustic style red brick, which will not stand out when viewed from the surrounding countryside and which will match the other building on the farm and dwellings in the locality. The dwelling will have a Staffordshire blue tile roof, light oak doors and window units and sandstone head and sills.

The proposed dwelling will be a functional farm dwelling with little hard surfacing except for the tarmac driveway access and parking, and a sandstone buff riven flagged path around the house for access, the remainder of the area would remain grassed.

Summary

Having reviewed the details of this farming operation it is considered vital that businesses like this are supported. In order to be able to continue to operate in a sustainable way it is considered essential that an agricultural worker is present on site and is available at all times. As Peter begins to take a less dominant role on the farm and Robert steps up into his position, his time spent on the farm will drastically increase as so will the need for him to be present and on call on a more permanent basis.

It is clear that there is a requirement for someone to be at this farm all times in order to appropriately manage it and ensure that the animals receive the appropriate care that they require, as well as allowing the business to move forward and grow. Robert and Emma will need to be able to manage the care of Alice with the growing responsibility of the farm, thus allowing his own parents to take a step back from the daily physical labour and let the next generation take over the running of the farm without feeling the need to move on themselves and live out their own retirement on the farm. The grandparent's proximity to their children's house will also make the care and welfare of Alice more manageable.

At a time when investment in agriculture is low, and uncertain times for farmers leaving the EU resulting in more and more farmers leaving the industry, it is considered that this application should be viewed positively. Essential modest residential development such as this which helps preserve an existing and expanding farming enterprise is considered to be the least obtrusive solution to ensure that the farm can continue to operate on a sustainable basis.

The proposed development is considered to be appropriate to the functional requirement. This proposal will bring economic and social benefits to an existing rural farm business, which in turn will help to preserve the landscape characteristics of his traditional local farm, while having minimal impact on the environment due to its sustainable location, design and small scale.

Agriculture has experienced considerable change in recent years and many farmers are looking to diversify their operation to generate addition income. The Lawley family are an example of farmers having to diversify to meet the challenges that farming enterprises have to face.

The proposed siting of the additional farm worker's dwelling would allow for an essential worker who has worked on the farm all his life to supervise the welfare requirements of the animals in the adjacent livestock buildings, be close to hand when required and oversee the access drive to the farmstead therefore reducing the risk of livestock, machinery and equipment theft, which can be common place within the farming community. Furthermore, proposed position of the dwelling has been conceived to maintain a sufficient degree of privacy whilst benefitting from a reasonable level of amenity for the applicant and his family.

The proposed dwelling is traditional in terms of its overall form, design and appearance and the use of good quality materials will ensure that it is in keeping with the character and appearance of the surrounding area and that it will be quickly assimilated into the area.