

Agricultural Appraisal to Support

**PLANNING APPLICATION FOR A NEW AGRICULTURAL WORKERS DWELLING AT
JACKSON'S NURSERIES, THORNEY EDGE ROAD, BAGNALL, ST9 9LE**



Photo courtesy of Google Maps

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PLANNING APPLICATION FOR THE CONSTRUCTION OF AN AGRICULTURAL WORKERS DWELLING AT JACKSONS NURSERIES, THORNEY EDGE ROAD, BAGNALL, ST9 9LE

Introduction/Context

This agricultural appraisal has been prepared to accompany the outline application for an agricultural workers dwelling at Jackson's Nurseries, Thorney Edge Road, a dwelling which is required due to the on-site demands of the applicants son's occupation as he takes a greater role in managing the family plant nursery business and animals on the site. The application is for Luke Jackson, son of the owners Roger and Ruth Jackson, to build a farm workers dwelling on the site to live in with wife Priya Shah and act as a family home as they plan for a family.

Roger and Ruth are the current owners of Jackson's Nurseries, a plant nursery, garden centre, tea room and farm shop business on Thorney Edge Road. The nursery prides itself on growing a large majority of stock on site including over 2,000 sq. metres of covered growing area comprising various heated and unheated polytunnels and another 2,000 sq. metres of net tunnels producing in excess of 300,000 plants per year. There is also an open ground growing area extending to over 10 acres and nursery beds for containerised plants.

Luke has been extensively involved in the business since age 13 (now 35), working across departments to build a rounded experience. Roger and Ruth (the current owners, aged 65) want to retire but keep an interest in the nursery, requiring Luke to be on site permanently.

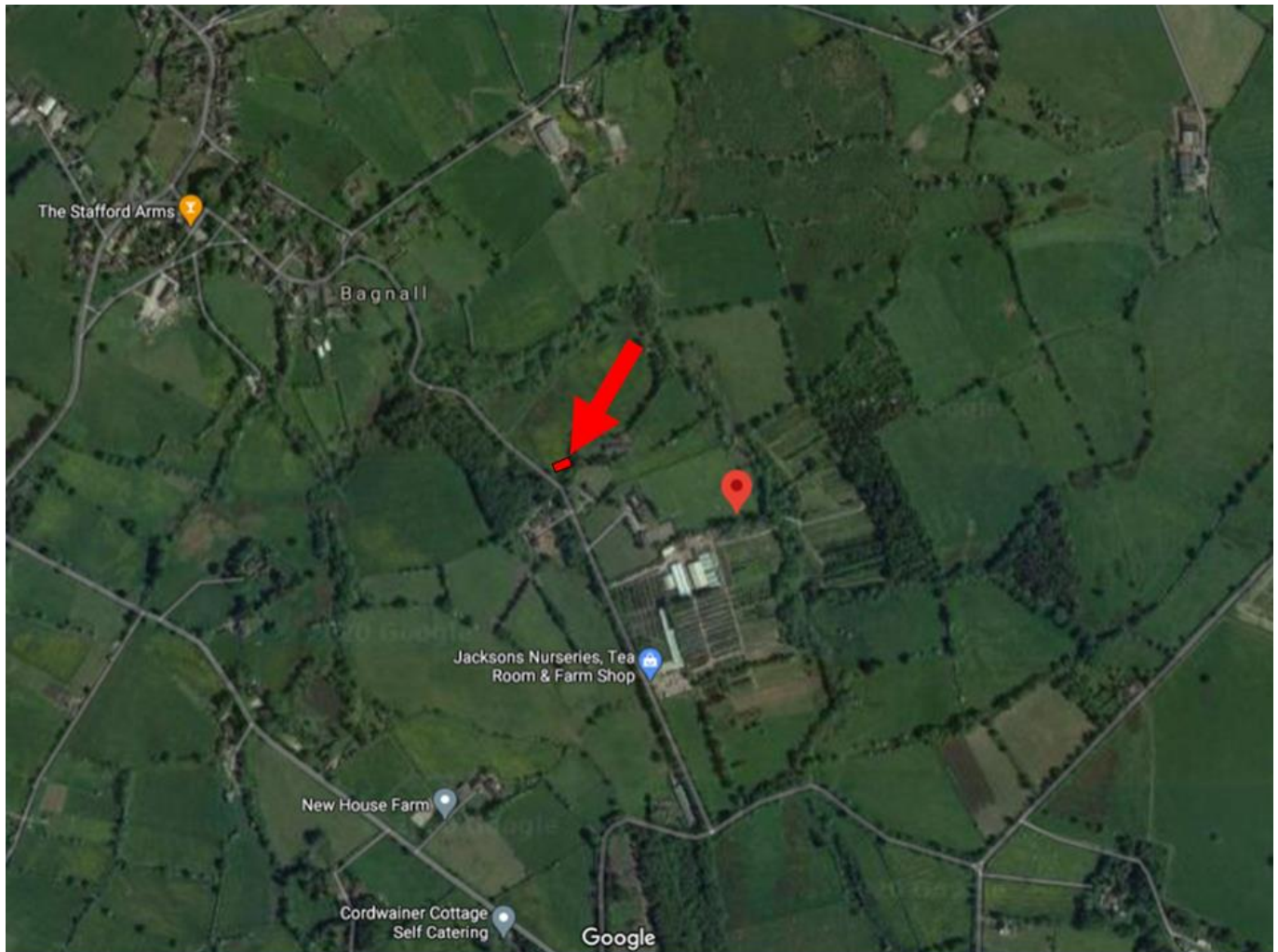
Living in close proximity is necessary for the effective management of the business for multiple reasons. Primarily, 24 hour on-site availability is required to effectively care for the plants on the nursery. During the colder months of the year, tender plants require frost protection when necessary. Whilst weather forecasts help, this cannot always be perfectly predicted, such that providing cover and/or fleece protection of plants is sometimes required late in the day when nursery staff have left the site. Large numbers of cold sensitive crops are grown which need to be heated and kept at a constant temperature. Regular temperature and performance checks are needed, at times, through the night.

In many ways, a successful transition of responsibility from Roger to Luke is essential to maintaining the employment opportunities the business provides for the rural area. Jackson's Nurseries currently provides local employment for 60 staff. Luke wishes to continue to develop the growing side of the business as plants form the bed rock of the company which will see additional land-based jobs created in the local area.

In an ideal world, Luke would look at converting an existing stone or brick built redundant farm building into a dwelling possibly under the relaxed permitting development legislation. Unfortunately, there are no suitable or unused buildings on the site that could be converted into a new dwelling. All buildings on the site have an important use for the business and would be unsuitable in terms of current design and materials that were used for their construction in any event. Roger and Ruth's existing house has three bedrooms, making it insufficient to accommodate Luke and Priya, especially as they plan for a family of their own. Priya is in fact currently pregnant and due to give birth to a boy in early June. The personal circumstances of the two families justifies two dwellings.

The proposed dwelling would be located adjacent to existing properties Lawn Farm (previously Luke's late grandads) and Thorney Edge House (Luke's mum & dad) in an area at a slightly lower elevation that is already screened from these existing properties by mature shrubs and trees to prevent intruding on the privacy of existing residents.

National Planning Policy



As indicated by the red arrow in the satellite map above, the development site is outside of the town boundary of Bagnall and is in fact in the greenbelt. The following extract is from the National Planning Policy, published December 2023, which support the proposed development.

The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving 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 82: *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 83: *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 84 of the National Planning Policy Framework ("NPPF") 2023 is the most relevant to the planning application at Jackson's Nurseries 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.

Specifically in relation to limb (a) of Paragraph 84 of the NPPF, the Government Planning Practice Guidance on Housing Needs of Different Groups¹, published 2019, further elaborates that:

Considerations that it may be relevant to take into account when applying paragraph 84a of the NPPF could include:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and

¹ <https://www.gov.uk/guidance/housing-needs-of-different-groups>

- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.

The proposed application at Jackson's Nurseries is to allow the current nursery owners' son and family to live permanently at their place of work, allowing the current owner 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 determines 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 the '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 were 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 for 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 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 Jackson's Nurseries, unfortunately the nursery has no such redundant buildings that would be suitable. Buildings on the nursery site are principally constructed with plastisol sheet as is common agricultural practice. They are not stone nor traditional barn style.

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 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 properties currently on the market within 0.5 miles of the nursery. Living beyond 0.5 miles would not be feasible given the requirement to live on the site of the business.

Business Description

The nursery is a thriving business that can be split into different divisions: wholesale & retail nursery production, plant sales, tea room, farm shop and web sales. The plant nursery, open 7 days a week, offers around 2,000 varieties of plants along with various garden sundries in the shop such as pots, compost, fertilisers and similar gardening sundries. The nursery prides itself on growing the majority of stock on site with an expansive open ground growing area extending to over 10 acres, as well as a further ~3 acres of outdoor container beds on a site of over 60 acres.

The nursery has up to 250,000 plants in stock or being grown at peak times of the gardening season between February and June. The site is freehold and owned in its entirety by Roger and Ruth Jackson.

On site there are two large multi span heated polytunnels extending to 884 m² that allow a 3 crop per annum rotation producing in excess of 95,000 plants that are particularly frost tender when young; a large twin span polytunnel providing 970 m² and a capacity to produce over 104,000 plants per annum that are half / semi hardy when young; two single span tunnels for semi hardy & hardening off plants 75 m² each handling over 32,000 pots per annum; and 15 net tunnels giving 2,226 m² producing over 81,500 plants per crop, minimum 2 crops per year that are adjusted every morning and evening dependent on how weather forecasts materialise as well as expansive open ground growing area extending to over 10 acres and nursery beds for containerised plants.

Summary of Covered Growing Area Production				
Covered Growing Area	Square metres	Crop Rotations	Plants produced p.a.	Type of Crop Produced
2 large multi span heated polytunnels	884	3	95,000	Plants which are particularly frost tender when young
Large twin span polytunnel	970	1	104,000	Plants which are half / semi-hardy when young
2 Single span polytunnels	150	1	32,000	Plants that are semi-hardy or hardening off
15 net tunnels	2,226	2+	81,500	Frost hardy plants
Total	4,230		312,500	



Above: Plant sales area on the nursery



Above: Twin span polytunnel used to shelter and protect frost tender plants



Above: Nursery beds covered with netting for frost protection in winter



Above: Single span polytunnel for hardening off and growing on

The Proposal

The proposal is for a two storey, 4-bedroom agricultural workers dwelling, situated on horticulturally poorer land within the curtilage of Jackson's Nurseries land. The proposed dwelling would be located adjacent to existing properties Lawn Farm and Thorney Edge House in an area at a slightly lower elevation and screened from these existing properties by mature shrubs and trees that are already in situ to prevent intruding on the privacy of existing residents.

The dwelling would be constructed in a traditional local stone and Staffordshire blue tiles to match the existing properties. Taken together with the lower elevation, this will result in the roof line being lower than surrounding properties. Proportions of the proposed dwelling would also pick up on the proportions of neighbouring buildings with a similar solid to void ratio.

The proposed site is already quite well screened from Thorney Edge Road by a combination of mixed native hedging and mature trees. These would be supplemented with additional native mature trees to make it as inconspicuous as possible. Soft landscaping to the front of the property would be carefully designed to give a traditional cottage garden feel.

The internal layout (kept as a reserved matter pending full planning application) would be designed to give a functional family home with space for Luke and Priya's family in future.

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

Essential Care at Short Notice

Young plants, particularly in their early root formative stages, are very susceptible to changes in temperature and moisture and can be lost very quickly should either be allowed to change to levels outside their tolerance. Additionally, the nursery stocks a large number of tender plants that would die if left outdoors in the frost without any cold protection. In these cases, the plants have to be moved indoors or horticultural fleece or similar cold protection materials placed over them, particularly overnight when temperatures are at their lowest. Whilst weather forecasts help, frost cannot always be perfectly predicted, such that providing cover and/or fleece protection of plants is sometimes required late in the day when nursery staff have left the site, even through the night. Such frost protection cannot be allowed to stay over stock any longer than is absolutely necessary, otherwise a perfect environment for the spread of disease ensues. Hence, late on in the day, it is necessary for its position to be carefully monitored and removed at the first opportunity when the criteria for growth resume.

The nursery prides itself on growing the majority of stock on site, including multi-span polytunnels used to produce frost tender plants, twin span tunnels to produce half / semi-hardy plants when young, single span tunnels for hardening off plants and net tunnels to provide frost protection to outdoor crops, which are adjusted every morning and evening dependent on how weather forecasts materialise.

Many plants both on the retail nursery and growing on areas (not accessible to the general public) are grown in containers, which remains a common way of supplying plants to the public. Typical sizes of such containers is between around half a litre and 10 litres, with 1, 2 and 3 litre pots being most common. At this size, particularly on hot summer's days, plants dry out and wilt very quickly, requiring regular watering, multiple times per day in some cases. Whilst the business has installed sprinkler systems, these are operated manually requiring multiple watering systems to be turned on and off in a particular order. Some parts of the nursery are also not covered by sprinklers and rely on manual watering with a hose, particularly with varieties that have specific moisture requirements.

It can be seen that there is a functional requirement for the proprietor to live in close proximity to the nursery at all times for it to be able to operate as a sustainable business as did his grandfather before him and his now retiring father.

Animal Welfare

Whilst a commercially secondary consideration, different animals are kept on the nursery site, including red deer. The red deer graze the field to the south-east side of the nursery premises. Plans are also underway to introduce Belted Galloway cattle in a dual role to provide land conservation and provenance.

Maintaining animal welfare standards creates a management burden, particularly during the winter months and periods of inclement weather. 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.

Operations of the Nursery Business

The normal operating hours for the production nursery are 8:00am-4:30pm, Monday to Friday for staff.

Outside the normal working hours, Roger undertakes regular checks at the site particularly during times of dry/wet/cold /snow/ice weather (plants) and fuller moons (theft) throughout the year.

Heat

The commercial production of the majority of young nursery stock is best achieved in a temperature-controlled environment, hence the use of heated polytunnels. In the early stages of production, whilst encouraging excellent root development, many plants are therefore 'soft' leaving them very susceptible to changes in temperature and moisture levels and the ability to respond very quickly to inclement temperature in particular is critical to ensure the crop is not lost leaving the operation commercially unviable. Weather forecasts are helpful for considering changes in weather conditions but are only a guide. It is therefore important to be on site to monitor heating and ventilation systems constantly. For bedding plants, it is necessary to act upon problems such as frost and water failure needs immediately to avoid risking a significant or total loss of crop.

Water

A fine balance between heat and water is required. When fan heating is on, crops dry out much more rapidly. If a irrigation nozzle fails, all plants controlled by that method can dry out or flood and die within hours. Whilst this doesn't tend to lead to as catastrophic outcomes as heat failure, it can still be very costly and often happens outside of normal working hours, e.g. in the evening or at weekends. Frost may freeze pipes, meaning constant vigilance is needed in the winter months.

Snow/wind

Heavy snowfall is not always predictable in the winter, and whether predicted or not, snow build up on polytunnels can cause their roofs to blow within a matter of hours. A few years ago, the alert of the security dogs allowed the owners to respond to the total collapse of one of the polytunnels overnight during very heavy snow. This would not have been possible unless the owners had lived on the site and were able to respond immediately during the night hence saving most of the crop. It is necessary for staff to be on site to monitor the situation and clear the snow as soon as safely possible. High winds, during the day or in the night can take off or tear the cover. Any tears that can be patched up need to be repaired immediately to prevent damage to frost tender plants. In the event a cover needs to be completely removed, crops need to be relocated to another suitable location. Any damage to the structure in times of production will be very costly.

Application Site and Setting

To set the background to the description of the site and setting, it is noteworthy that Ruth and Roger Jackson (Luke's mother and father) live at Thorney Edge House, as labelled on the satellite map below.

The proposed dwelling would be accessed via a new driveway that will meet the public highway immediately adjacent to the driveway to Lawn Farm. This will provide visibility down the bank towards the ford on the right and up Thorney Edge Road to the left when pulling out of the property. The new driveway will be constructed using the same materials and finish as adjacent property Lawn Farm to ensure it is in-keeping with the surroundings. There will be level access to both the front and side doors to ensure the dwelling is easily accessible.



As is typical of farmsteads and cottages in the North Staffordshire area, there is no set pattern of arrangements of the surroundings properties, which were historically designed to fit the lie of the land. Lawn Farm faces down the elevation, whilst Thorney Edge House faces and is close to parallel (slightly offset) to the direction of Thorney Edge Road. The proposed location and aspect of the new dwelling would be in-keeping with both slightly off parallel with Lawn Farm with the rear of the house facing down the elevation in a manner which does not intrude on the privacy of the occupants of Lawn Farm.

The proposed position of the new dwelling is also in keeping with the typical spacing between surrounding properties and is very much a part and in keeping with the existing cluster of residences along this part of Thorney Edge Road. The applicant believes there is sufficient justification under Paragraph 84 limb (a) of the National Planning Policy Framework to support the request on the basis of the essential need for a rural worker, as described above. Additionally, the proposed dwelling would sit at a lower elevation to existing properties, already screened on the Lawn Farm side with existing mature shrubs and trees such that there would be no intrusion on the privacy of Luke's Auntie, Uncle and Cousins who live at the adjacent property of Lawn Farm.

Another important consideration with respect to site and setting is the location of an electricity line secured above ground with single wooden posts which run through the field where the new dwelling is proposed to be sited. The applicants have been in contact with the Distribution Network Operator Western Power who have confirmed it is possible to move a short stretch of the electricity lines underground and slightly re-locate one of the wooden electricity posts, as explained in the annotated map below.

Building 1 is the main building from where the majority of the on-site business administrative functions are performed, hand tools kept and administrative/nursery welfare provided.

Building 2 is a plant preparation and packing shed for plants sold via the website.

Structure 3 is a twin-span polytunnel used to shelter and protect frost tender plants and plants which are being grown on.

Building 4 is the potting, agricultural tractors, implements and vehicles shed.

Structure 5 is two multi span heated polytunnels and two single span polytunnels for hardening off and growing on which similarly help shelter and protect frost tender plants and plants being grown on from cuttings and plugs.

Item 6 is the net tunnels for container plants requiring frost /wind/snow /sun protection as they further harden off for sale following development inside the heated / protected polytunnels.

Structure 7 is a covered walkway that forms part of the retail nursery that is open and accessible to the public, used to protect saleable plants from weather extremes whilst on sale.

Building 8 accommodates Garden Centre payment area, Farm Shop and Tea Room.

Buildings 1, 2 and 4 are constructed from plastisol agricultural sheet in Staffs Moorlands Green.

Structures 3, 5 and 7 are constructed with steel hoops, covered with polyethylene or horticultural windbreak fabric. Depending on weather conditions these may also be covered in protective fleece.

Building 8 is constructed from plastisol agricultural sheet in Staffs Moorlands Green.

Siting, Design & Appearance

The proposal is for a single two storey agricultural worker's dwelling, comprising 4 bedrooms, office, family bathroom, kitchen, dining room, lounge, utility room, downstairs W/C and vehicle shed / workshop. The dwelling will be sized to be functional, in keeping with surrounding properties, proportionate with the nursery operations of the Jackson's Nurseries business and sufficient to accommodate and meet the needs of a young family.

Whilst the property will be partially visible from the roadside, there is a pre-existing mixed native hedge with several mature trees that line this section of Thorney Edge Road. Additionally, the proposed dwelling is set back from the road at a lower elevation than adjacent properties, which further helps to minimise impact on the skyline. There are pre-existing mature shrubs and trees between the proposed dwelling and adjacent properties of Lawn Farm and Thorney Edge House, ensuring it would not impinge on the privacy of existing residents. The property would nestle amongst an existing grouping of dwellings in this part of Thorney Edge Road, whilst also maintaining a distance to adjacent properties similar to that which exists between existing dwellings.

A mixed native hedge is planned to delineate the garden from surrounding cattle grazing area and additional native trees would be added to the perimeter of the field that adjoins this section of Thorney Edge Road to make the proposed dwelling as inconspicuous as possible. The driveway and parking would be minimal. Soft landscaping to the front of the property would be carefully designed to give a traditional cottage garden feel and the remainder retained as grassland.

Summary

The applicant seeks planning permission for an agricultural workers dwelling to enable the continuance of a land based horticultural business that has taken more than two generations to grow to where it is now and supports 60 local employees.

The nature of the core plant growing process requires on site care and the ability to identify problems on site 24 hours a day to ensure catastrophic crop loss that would seriously impact the viability of the business and security of its employees is prevented.

The current owner has spent his adult life nurturing the nursery and at 65 years old wishes to retain a role in the nursery but step back from being the person responsible for responding to every issue that arises to ensure the overall security and economic viability of the business.

The owners/applicants son who started helping in the nursery from 13 years old (now 35) is continuously increasing his support but as the current owner and applicant steps back, an agricultural workers dwelling is needed to enable the son to carry out the fathers role to protect and nurture the business 24 hours a day. Without this, the risk to the growing plant crop that supports the business would quickly ensure its loss of commercial viability at a time when investment in rural land based business is low.

The alternative to planning request is to consider the conversion of existing buildings on the site but the business fully utilizes its buildings and neighbouring properties continue to be invested in by their owners with no sign of thoughts of selling, hence the present application.

It is hoped that the nature of the outline planning permission, its careful consideration of the surrounding valued land and environment and appropriateness of functional requirement may be recognised and in turn allow the current owner/applicant to remain in his family home whilst his son, wife and future children continue the stewardship of this land and its traditional nursery as it enters the third generation of family ownership in Bagnall.