



Electronic Version
Our Ref: KCC2720/se
10th April 2019

Ms Marianna Hall
St Edmundsbury Borough Council
West Suffolk House
Western Way
Bury Ts Edmunds
Suffolk
IP33 3YU

Dear Ms Hall

DC/18/2152/FUL – CONSTRUCTION OF PERMANENT AGRICULTURAL WORKER'S DWELLING

1. Thank you for your consultation instruction dated 2nd April 2019 to carry out an appraisal of the above application for a permanent agricultural worker's dwelling.
2. This is a desk-based assessment. It has been based on information provided with the planning application, in particular:
 - application form and plans;
 - Planning Statement prepared by Whitworth;
 - correspondence between the Agent and Planning Officer dating back to December 2018.
3. Google Earth imagery has also been studied as part of this appraisal.

The Development Proposed

4. Planning consent is sought for a permanent agricultural worker's dwelling at Thripskin Farm. An existing building will be converted to provide general storage, an office and utility area however the main bulk of the proposed dwelling will be new build. I will therefore assess the overall proposals in the same way as I would a completely new dwelling.
5. The proposed dwelling will replace an existing modern pole barn and will provide an open plan living/kitchen/dining area on the ground floor and four bedrooms on the first floor. An open fronted garage will also adjoin the dwelling and will be newly built. The Design and Access Statement sets out that the existing single storey wing to be converted extends to approximately 74 sqm of external floor space. It is also set out that the reinstatement of the historic barn to provide the new build worker's accommodation will have a footprint of 208 sqm. From measuring the plans it appears that the single storey

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wing will extend to approximately 60 sqm internally and the new build accommodation will extend to approximately 150 sqm internally.

Planning Policy and Requirements

6. At a local level, relevant planning policy is contained within the Joint Development Management Policies Document February 2015. Policy DM26 governs Agricultural and Essential Worker's Dwellings and states the following of relevance:

“New dwellings in the countryside, related to and located in the immediate vicinity of a rural enterprise, will only be permitted where:

- a. **evidence has been submitted to the satisfaction of the local planning authority that there is an existing agricultural, forestry or other commercial equine business-related functional need for a full time worker in that location;**
- b. **there are no suitable alternative dwellings available, or which could be made available, in the locality to serve the identified functional need;**
- c. **it can be demonstrated that the enterprise is, or will be in the case of new businesses, a viable business with secure future prospects;**
- d. **the size and nature of the proposed dwelling is commensurate with the needs of the enterprise concerned;**
- e. **the development is not intrusive in the countryside, is designed to have a satisfactory impact upon the character and appearance of the area, and is acceptable when considered against other planning requirements.”**

7. Planning policy relating to essential worker's dwellings is set out in the revised National Planning Policy Framework (NPPF) at paragraph 79. This states that new isolated homes in the countryside should be avoided unless certain circumstances apply. These include circumstances such as there being **“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”**.

8. Whilst this guidance is very brief, in the six years since the NPPF was first published (version 1, 2012) it has become generally well established that all applications need to be considered carefully against the following criteria:

- whether there is an essential need for a rural worker to live on site;
- whether that need can be met by existing accommodation;
- whether the enterprise is financially viable or sustainable;
- whether other relevant considerations, such as siting and size, are acceptable.

9. I set out below an assessment of whether a temporary rural worker's dwelling is justified having regard to the above criteria.

Summary of the Enterprise

10. Thripskin Farm extends to approximately 31.5 hectares (78 acres) of arable land which is used primarily for the production of fodder that is used to feed a suckler herd. However, a proportion of the land extending to 11.3 hectares (28 acres) is rented out and not therefore available to the farm at this time. It is understood that this land will be taken back by the Applicant to support the growth of the farming business.

11. It is set out in the report by Whitworth that the farm has a suckler herd of 15-20 adult cattle with usually 1-2 years of youngstock on the farm. At any one-time there is approximately 40 head of cattle including youngstock.
12. Budgets and a business plan were provided on the 12th March and this information sets out that the Applicant hopes to expand the herd to 21 suckler cows by 2026. The Applicant operates a closed herd which means all replacement heifers will be homebred.
13. It is understood that the farmstead benefits from a Grade II listed farmhouse which is currently occupied by the Applicant's parents. They have now retired from farming [REDACTED]
[REDACTED] It is understood that the day to day management of the farm is now undertaken by the Applicant who lives several miles from the farm.

Dwelling Assessment

14. **Functional Need?** In assessing whether or not there is an essential functional need it is necessary to assess the chances of things going wrong, the frequency of such problems occurring, the severity of any problems and the potential for a resident worker to be able to identify and deal with any such problems. Whenever livestock are kept there is some risk, as illness or injury can occur at any time. Where animals are giving birth the risk of problems is increased, and a stockperson should generally be making regular inspections in the run-up to and during the calving process so as to be able to assist or deal with problems swiftly.
15. With regards to suckler cows, the most intense need relates to the calving of cows. There needs to be very close observation in the run-up to and during the calving process. Calves can get stuck due to being twisted in the womb. Cows can start to calve in corners or spaces where delivery is restricted. Calves may be born too slowly and suffocate in the process, or need assistance to clear the foetal sac and get airways emptied so that they can breathe. A stockperson may not need to assist in many cases, but that only becomes evident as the calving progresses. The stockperson needs to observe the process each time if possible.
16. There is a need for close attention with young calves to ensure that they suckle, that they do not get stuck or crushed and that they do not develop coughs or diseases.
17. Older cattle too require supervision and attention as they can develop problems. These can include bloat (trapped food causing gas which can kill swiftly), picking up coughs or diseases, getting stuck in feeders, fighting and escape which all require swift attention.
18. Additional information submitted on the 26th March sets out a detailed explanation of the farming operations and explains the importance of someone being onsite to monitor the suckler cows as they come into heat. I agree with the Applicant that close supervision of the suckler cows is required to identify when best to artificially inseminate in order to avoid unsuccessful attempts at breeding. More successful breeding will of course benefit the enterprise economically.
19. However, the timing of artificial insemination does not, of itself, require someone to live onsite. If the farm worker were engaged in the farm full time, or making regular inspections as they should be, then they would be able to monitor the suckler cows

throughout the day. The process of animals giving birth is generally what gives greatest rise to the need to live onsite as this specifically concerns the welfare of the livestock. I understand the desire to live onsite, however the level of stocking at 15-20 suckler cows is not considered to be of a level that demonstrates an essential need to permanently live onsite at this stage. There may be occasions where the need for close attention extends into the night time, and when a worker would benefit from living nearby. However, the number and frequency of such events with just 15-20 calving cows is not enough to warrant a permanent dwelling. Typically, 50 – 60 suckler cows are required to generate a full-time need for a resident worker.

20. **Existing Dwellings?** Thripskin Farm benefits from an existing Grade II listed farmhouse. This is currently occupied by the Applicant's parents who have retired [REDACTED]. [REDACTED] It is understood that the Applicant's parents are no longer involved in the day to day management of the farm.
21. Generally speaking, if an existing farmhouse is occupied by those who previously ran the farm but have now retired it is not considered to be available. Furthermore, it is not reasonable in my opinion to suggest that the Applicant's parents should move out of the farmhouse as that is their family home and they have every right to stay.
22. If the enterprise were of a level that demonstrated a functional need to permanently live onsite then I would usually discount an existing dwelling if it is occupied by a retired farmer and their spouse. However, in instances such as this where a functional need has not been demonstrated then the farmhouse could be considered as a temporary option. Whilst not convenient, it would appear a viable option when the functional need to live onsite has not been provided at this stage. It is understood that the Applicant lives only several miles from the farm making it relatively easy to commute and he could presumably stay at the farmhouse when livestock are likely to give birth, or at least make use of their washrooms.
23. **Financial Sustainability?** In order to satisfy the financial test for a permanent agricultural worker's dwelling, the enterprise concerned must already be considered financially sustainable. In general terms, this means the business must be making a profit that is sufficient to pay a farm worker if the Applicant, for whatever reason, could not undertake the day to day management of the farm. Minimum agricultural wage is set out on the Government's website. A Grade 6 worker which is someone taking a management role in the daily operation of the farm would be expected to be paid £336.60 a week or approximately £17,500 a year. It is also important to note that the enterprise that demonstrates the need to live onsite must be the enterprise that is financially sustainable.
24. The supporting report produced by Whitworth sets out that the "**farm does not generate sufficient income to sustain a family**". Furthermore, budgets indicating the existing financial performance from 2018 along with projected financial performance of the business up to 2026 were provided on the 12th March 2019. [REDACTED] Unfortunately, at present the farm does not make a profit sufficient to satisfy the financial test. Regardless of the Applicant's other sources of income, the suckler enterprise must be making a profit of at least agricultural minimum wage to justify a dwelling to serve that enterprise.

25. In instances where an enterprise is not currently financially sustainable but has a clear prospect of becoming sustainable into the near future a three year temporary permission may be applied for. The budgets do not include all costs so further deductions are likely to be required. [REDACTED] Unfortunately the budgets indicate that the business does not have a clear prospect of becoming financially sustainable even after 8 years management. If a temporary permission were to be sought by the Applicant they would need to rethink how they can make the enterprise more financially sustainable in the short to medium term to justify a temporary worker's dwelling.
26. **Siting and Size etc.** There is limited guidance on what is considered reasonable in terms of size. Research carried out by Reading Agricultural Consultants in 1999 sets out that local authorities have permitted rural worker's dwellings with a floor space of anywhere between 100 sqm and 280sqm. The most common dwelling sizes permitted were 150 sqm. However, this research does not comment on how to assess whether a certain size is reasonable or not.
27. As this guidance is relatively limited, we take the view that economic performance of the enterprise should be the main factor in determining what size can be considered reasonable. The main other consideration is whether the number of bedrooms is necessary for the proposed occupier.
28. In terms of size, the Design and Access Statement sets out that the total foot print of the dwelling will cover approximately 282 sqm. From measuring the plans the proposed dwelling will utilise approximately 60 sqm of existing internal floor space and an additional 150 sqm of internal floor space is proposed when including the garage. 210 sqm of internal floor space is considered quite large in a farming context and in order to justify this size of dwelling, the business would need to be making a good level of profit over and above agricultural minimum wage. At present the business is not financially sustainable and the proposed dwelling is not considered to be commensurate with the financial performance of the farm enterprise.
29. It is understood that the Applicant would occupy the dwelling with his family. In these circumstances it is generally considered that 4 bedrooms is acceptable to allow for up to two children to have separate rooms whilst also having a spare room for extended family.
30. The proposed dwelling is sited in close proximity to the agricultural buildings and therefore within sight and sound of the cattle housing. The dwelling is well sited to meet the needs of the enterprise.

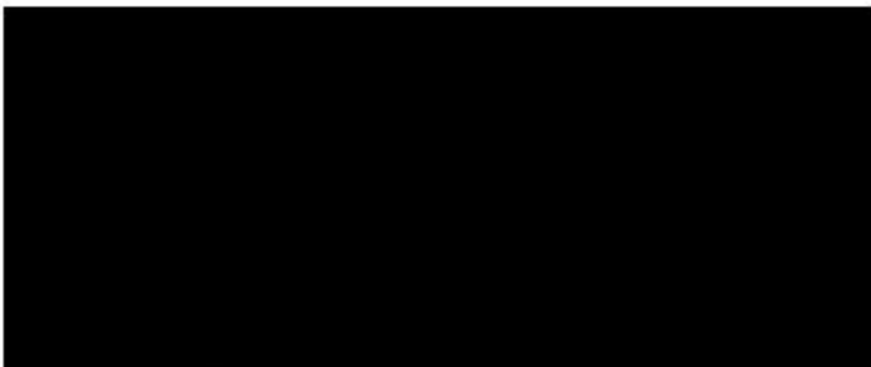
Conclusions

31. This application seeks consent for a permanent agricultural worker's dwelling to support an existing cattle breeding and rearing enterprise. In this case it is considered that the application for a permanent agricultural worker's dwelling cannot be supported as it fails to meet the relevant tests.
32. For a permanent agricultural dwelling to be acceptable in principle, there must be an existing functional need to live onsite, the farming enterprise must be financially sustainable and there must be no available dwellings that could meet the need. In this case it is not

considered that the enterprise is of a size that demonstrates a functional need. Whilst living on site is desirable to assist in identifying when suckler cows are coming into heat, it is not considered essential that someone live onsite as the cows can be carefully monitored during the day with occasional late night checks being possible when living only several miles from the site. Calving will create the greatest functional need however with only a maximum of 15-20 possible calvings at present, it is not considered that this is of a level that requires a permanent residential presence onsite.

33. It is clear from the application documents that the enterprise is not currently financially sustainable. Therefore, a permanent dwelling does not meet the sustainability test. A three year temporary permission could be applied for to assist the business in becoming financially sustainable however from the budgets provided this looks difficult to achieve without expanding the herd beyond the 21 breeding cows that the Applicant hopes to eventually farm by 2026.
34. Whilst there is an existing farmhouse at the site, this is occupied by the Applicant's parents who have retired from the farm. It is not therefore considered appropriate or available as a permanent agricultural worker's dwelling for the Applicant and his family. However, the farmhouse should not be totally discounted as it is likely that it could be used by the Applicant for occasional overnight accommodation when calving is taking place or, at the very least, provide washroom facilities.

Yours sincerely



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