

AGRICULTURAL ASSESSMENT OF PLANNING APPLICATION.

1.0	REFERENCE	APA/03/0165
1.1	Proposed Development	"To Support a Full-Application for the Erection of a Temporary Rural Workers Accommodation Unit and Stable Building, with associated vehicular access, for an Existing Equestrian Business and Rare Breeds Small Holding"
1.2	Planning Authority	Wiltshire Council Development Management Central
1.3	Planning Application No.	PL/2022/05092
1.4	Applicant	Mr L.Dunhill
1.5	Site Address	Land at Bradford Road, Trowbridge BA14 9AX (easting 384866, northing 158507)

2.0 DESCRIPTION

2.1 Location

The application site forms part of the applicant's freehold at the application site. The wider site is accessed off a weight restricted single track road from Bradford Road, leading to the water treatment works run by Wessex Water. The freehold land is afforested and adjoins a level area of agricultural land, part of which is in the floodplain of the river Biss.

2.2 Land

2.2.1 Area and tenure

The applicant's freehold ownership extends to approximately 0.46 ha (1.13 acres). The applicant also has the use of an adjoining 4ha (10 acres). The adjoining land is held under a Farm Business Tenancy on a rolling annual basis and subject to a rolling monthly break clause, operable by either Landlord or Tenant.

2.2. Soil Type and Characteristics

The soil at the application site is classified in the Wickham 3 association, which is described as slowly permeable seasonally waterlogged clay over coarse loamy soils.

3.0 FARMING PRACTICE

Existing and Proposed

3.1 The unit is run as a mixed enterprise smallholding. The enterprises currently identified by the applicant comprise:

- The production of lambs from a flock of 29 ewes
- The production of goats from nine Boer nanny goats
- 40 chickens
- 100 turkeys
- The production of pigs from seven sows and a boar
- The keeping of three rhea (the rhea are currently off site)
- The keeping and breeding of raptors, with a breeding pair and three individual raptors on site
- Two brood mares (currently off site).

3.2 The proposal is to expand the enterprises on site as follows:

The production of lambs from a flock of 115 ewes
The production of goats from 15 Boer nanny goats
The production of pigs from seven sows and a boar
The keeping of 10 rhea
The keeping and breeding of raptors, with two breeding pairs and three individual raptors.
The production of foals and young horses from three brood mares

3.3 The enterprises will be run to produce youngstock for sale either for meat or as breeding animals. The rhea will be kept to produce eggs and meat. The applicant has a particular speciality in the keeping and breeding of raptors (birds of prey). I understand Mr Dunhill has a waiting list for new raptors and he is able to command high values for his stock due to his reputation and achievements as a specialist breeder.

Comments

3.4 The proposal is to accommodate a significant amount of livestock on a very small, afforested, area of freehold land, together with an adjoining parcel of land on which the applicant only has security of tenure on a month to month basis. I explore those point further below.

Buildings

3.6 The largest building at the holding is a three-bay shed, currently in use for storage and livestock. There are a number of field shelters and cages for the raptors.

4.0 EXISTING ACCOMMODATION

Dwellings owned by applicant

4.1 There is no dwelling on site. I understand the applicant lives in Hilpertown Marina.

5.0 LABOUR REQUIREMENTS

Existing

5.1 The current stocking at the unit presents a requirement for a part time labour unit.

Anticipated if proposals undertaken

5.2 In the event the applicant's proposals are implemented in full then the labour requirement will rise to two units full time.

6.0 NPPF – ESSENTIAL REQUIREMENT

6.1 The planning application for the dwelling is associated with the proposed business. The National Planning Policy Framework (NPPF) was introduced in 2012 and was revised in 2021. The NPPF replaces all previous Planning Policy Statements (PPS). In the context of the application for the proposed dwelling, paragraph 80 (a) of the NPPF states:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless.....there is an essential need for a rural worker.....to live permanently at or near their place of work in the countryside."

6.2 Under the NPPF it is therefore relevant to consider the requirements of the current enterprise and whether those requirements present an essential need for a worker to live at or near the enterprises.

- 6.3 It is my view that essential need particularly pertains to the birth of livestock and care of neo-natal animals. The proposed expansion of the business will, in my view, significantly increase the number of kiddings, farrowings, foalings and lambings. As such the essential need will be significantly increased. It is also my view however that the proposed increase in livestock at the holding is highly unlikely to be sustainable, as set out in my comments at section seven, below.

7.0 BUSINESS ASSESSMENT

- 7.1 There is no express reference in the NPPF to an assessment of either an existing or proposed business which will operate in association with the proposed rural dwelling. It is my opinion that such an assessment is critical to forming an opinion on the continuation of the “essential need”. In this case the essential need described and recognised above will only continue through the operation of the business. If the business does not operate on a profitable and viable basis then it will fail and the authority would be left with a dwelling but no “essential need” for its presence.
- 7.2 Following the Government’s update to Planning Practice Guidance (PPG), published in July 2019, financial viability is now referenced as a consideration when determining the need for a rural worker’s dwelling.
- 7.3 The applicant has submitted a business plan which sets out budgets for the next five years of the enterprises to illustrate the profit and loss account for the proposed business. The P&L shows the overall business generating a profit in all years. The level of profit for year three onwards is at a level which, in my view, is higher than that needed to demonstrate viability.
- 7.4 It is clear that the business will require a significant amount of capital in order to purchase the proposed dwelling and to provide the additional buildings and field shelters identified in the submitted plans. The document contains no indication of the amount of capital that will be required, the source of funds or the level of return. During my site visit the applicant indicated that the source of funds would be from his private account, with no reliance of external borrowing, however, there remains no indication of the amount required or the funds available to meet it.
- 7.5 In my view the key problem with the proposal is the land available to the applicant and the proposed quantities of livestock. As noted above, the freehold land is afforested, which inherently reduces its flexibility for agricultural use and ability to produce forage. The grassland is held on a Farm Business Tenancy with rolling monthly termination by either party. There is no condition attached to the exercise of the break.
- 7.6 The overall area of the holding is 11.13 acres or 5.13ha, of which the applicant has freehold ownership of 0.46 ha or less than 10%. 90% of the land can be removed at one months’ notice. The livestock proposed by the applicant requires forage area, both to secure energy from grazing grass and to comply with welfare requirements. The amount of land required per unit of livestock is expressed as a “stocking rate”. Stocking rate is expressed in the quantity of livestock per unit area of land. Below I set out the proposed livestock and the associated stocking rate. Stocking rates are taken from the Agricultural Budgeting and Costing Book, 94th Edition (May 2022):

Stocking Rates from ABC 94th Edition 2022			
Livestock	Livestock Per acre	Quantity of Livestock at Year 3	Area Required (acres)
Goats per doe & Progeny	7	15	2
Sows plus progeny	7	7	1
Ewes and lambs	5	115	23
Rhea	Requires access to open land	10	Data not available
Brood mares ex progeny (additional area will be required for youngstock)	1	3	3
Total			29

- 7.7 It follows from the above that the proposed numbers and types of livestock have a requirement for approximately 30 acres, which is significantly in excess of the 11 acres in the applicant's control. Note that the above excludes the reha and any youngstock produced by the mares.
- 7.8 As noted above, the freehold land is afforested. Whilst livestock can be grazed in woodland, the nature of such land makes it less effective as pasture. Firstly, the trees shade the ground and compete for nutrients and water, making it fundamentally more difficult to produce grass. Secondly, the presence of trees reduces flexibility of use and the ability to mechanise operations.
- 7.9 The majority of the land is held on a Farm Business Tenancy (FBT). I have been supplied with a copy of the FBT. Under the terms of the document, dated December 2019 the land is let for a fixed term of one year, and subsequently periodically for an annual term until terminated. Under clause 19 of the document the lease can be terminated by either party on one month's notice. There is no conditionality to clause 19 so over 90% of the land in the applicant's control can be removed, without any reason, at one month's notice. The applicant has not indicated any alternative supply of land in proximity to the holding.
- 7.10 The freehold and leasehold land adjoins the river Biss. The Environment Agency flood risk map identifies a significant part of the land as in flood zone 3. The Environment Agency identifies such locations as "locations have a high probability of flooding". Clearly a threat of flood does not preclude agricultural use, however, livestock will need to be removed from land during flood and in my view the status of the land means its agricultural use is further reduced.

8.0 CONCLUSION AND OPINION

The proposed quantities and types of livestock will, in my view, meet the test of essential need. As indicated above, I do not consider that the proposed quantities and types of livestock can be accommodated at the site as there is insufficient land. Furthermore, the tenure of 90% of the land, subject to one month's notice of termination, means that in my view the business cannot be sustained.

I trust the above provides you with the information required. If you require any further information, or clarification on the any aspect of the above, please do not hesitate to contact the writer.

A.M Coke BSc (Hons) MRICS

Note: *This Report has been prepared on information provided by the Applicant and or the Applicant's Agent.*

APA/03/0165/AMC

/Users/tonycoke/Documents/APA/03 WWDC/Appraisals/0165
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