

**AGRICULTURAL BUILDINGS AND
AGRICULTURAL WORKER'S
DWELLING
AT
MOORSIDE FARM**

ESSENTIAL NEEDS APPRAISAL

July 2016





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*Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon SN5 4LL
T: 01793 771333 Email: info@kernon.co.uk Website: www.kernon.co.uk*

*Directors - **Tony Kernon** BSc(Hons), MRAC, MRICS, FBIAC **Sarah Kernon**
Chartered Surveyors - **Verity Drewett** BSc(Hons), MRICS, MBIAC, **Sara Compton** BA (Hons), MSc, MRICS, MBIAC,*

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KCC1 Reading Agricultural Consultants Appraisal March 2016

1 INTRODUCTION

- 1.1 Moorside Farm extends to 56.5 ha (140 acres) of land within a ring fence in one block situated mainly outside of the Peak District National Park. A small fraction of the land on the eastern boundary just lies within the National Park. The holding lies to the south west of the market town of Glossop, within the Borough of High Peak in Derbyshire. The land at Moorside Farm is run in conjunction with the main farm known as Ernocroft Farm, near the village of Marple Bridge, situated within the Metropolitan Borough of Stockport in Greater Manchester.
- 1.2 This appraisal considers a proposal to provide a stockman's dwelling for Mr David Sidebottom at Moorside Farm. A planning application is also being submitted simultaneously to erect a further livestock building for the keeping of cattle together with a hay barn for feed storage and handling pens for the management of sheep and cattle.
- 1.3 A planning application for a dwelling and buildings was made in November 2015. The Council commissioned a report from Reading Agricultural Consultants. They concluded that there was an essential need for the dwelling, see **Appendix KCC1**, and that the enterprise is financially sustainable.
- 1.4 The Council did not accept the siting, however. This report accompanies a planning application on a different siting as agreed between the Planning Officer and the Applicant.

The Author

- 1.5 This appraisal has been carried out by Tony Kernon. I am a Rural Faculty Chartered Surveyor and I have specialised in agricultural and rural consultancy for over 20 years. A colleague visited the farm on Tuesday 14th July 2015.

Structure of Report

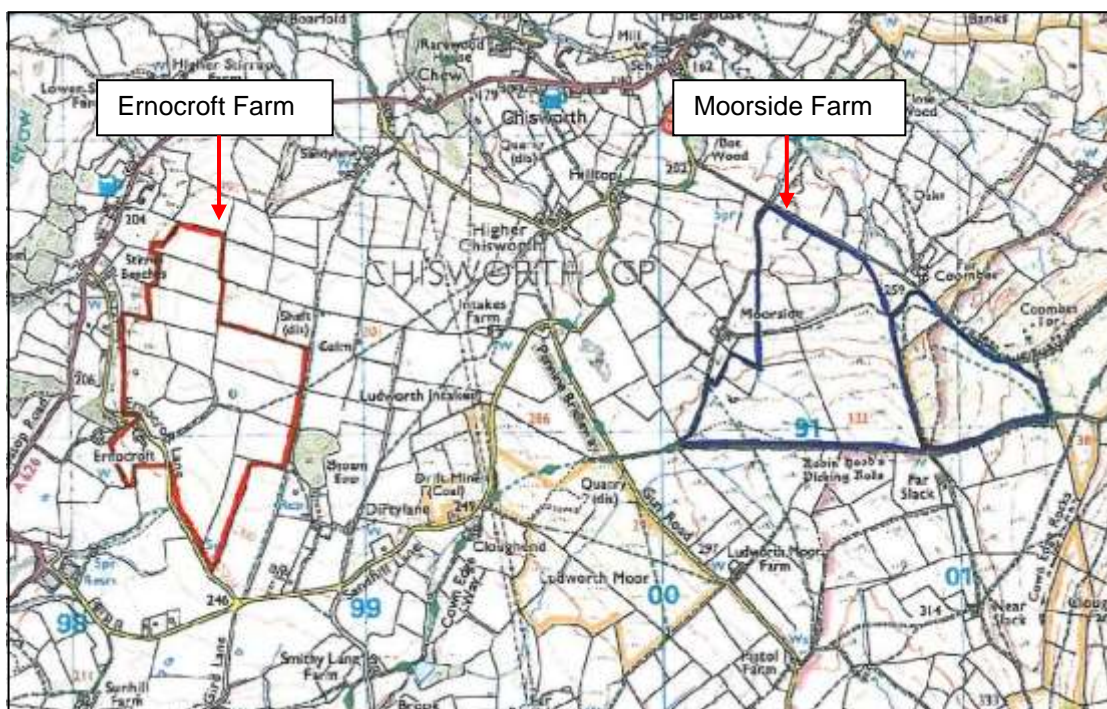
- 1.6 This report:
- describes the farm, the issues and the proposals in section 2;
 - describes the enterprises in section 3;
 - sets out the relevant policy in section 4;
 - appraises the dwelling proposals against the policy in section 5;
 - with conclusions in section 6.

2 THE FARM, THE ISSUES AND THE PROPOSALS

The Holding

- 2.1 The combined Ernecroft and Moorside holding extends to 93 hectares (230 acres) or thereabouts. This comprises:
- Ernecroft Farm (owned by the Applicant's Mr and Mrs Sidebottom), extending to approximately 36.5 ha (90 acres);
 - Moorside Farm extending to approximately 56.5 ha (140 acres).
- 2.2 The combined Farm boundaries are shown on the plan below showing the position of the two farms. Ernecroft Farm is shown edged red to the west and Moorside Farm is coloured blue to the east. Furthest east is the land owned by David Sidebottom in his own right also shown edged blue.

Insert 1: Ernecroft Farm and Moorside Farm Boundaries



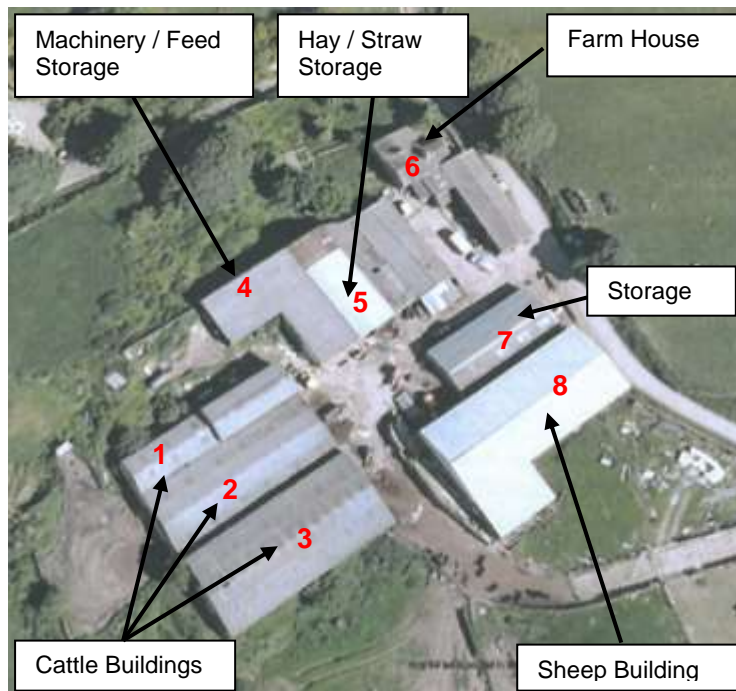
Reproduced under Ordnance Survey licence 100015226.

- 2.3 In addition to the core holding above, the Applicants farm additional land for the purposes of growing forage to feed the livestock during the winter months. An additional 28 Ha (70 acres) of grassland is held under a secure Agricultural Holdings Act Tenancy and a further 40 Ha (100 acres) is occupied as grasskeep on annual agreements.

Ernecroft Farm

- 2.4 The main established farmyard at Ernecroft Farm is shown below:

Insert 2: Aerial Photograph of the Farmyard



- 2.5 The buildings and structures are used to support the beef and sheep enterprises. The core buildings for each enterprise are set out in the aerial photograph above and table below.

Table 1: Building Description and Use

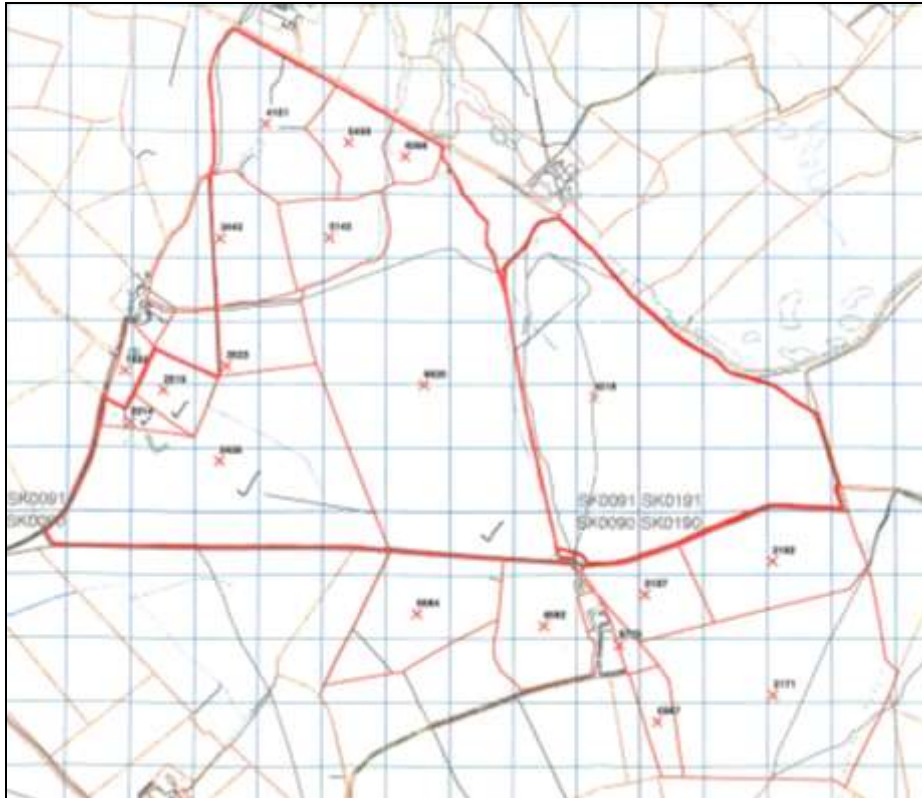
| Building | Description | Use |
|----------|--|--------------------------|
| 1 | Portal framed cattle building | Winter cattle housing |
| 2 | Portal framed cattle building | Winter cattle housing |
| 3 | Portal framed cattle building | Winter cattle housing |
| 4 | L Shaped general purpose building | Machinery / Feed storage |
| 5 | Dutch barn with mono-pitch side extensions | Hay/straw storage |
| 6 | Farmhouse | |
| 7 | Former dairy/parlour | Storage |
| 8 | General purpose building | Sheep housing |

- 2.6 The remaining buildings are generally of traditional construction closer to the house.

Moorside Farm

- 2.7 The farm boundary of the land at Moorside Farm is shown below edged with the thicker red boundary. The land shown within the thicker red boundary to the east of the main block of land is the land owned by David Sidebottom in his own right.

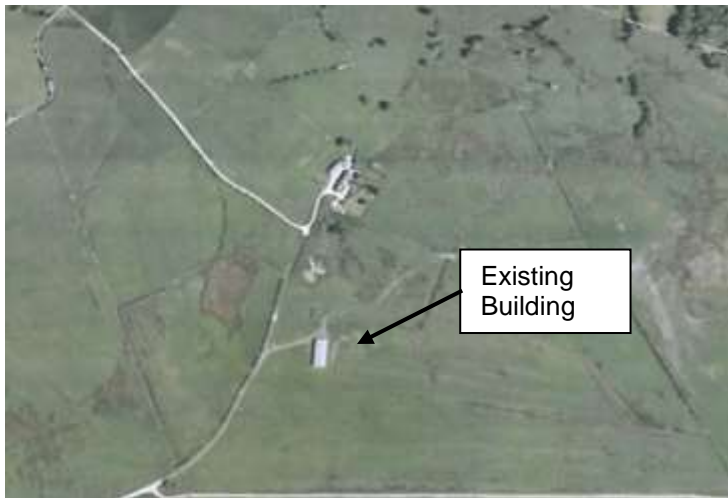
Insert 3: Moorside Farm Boundary



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- 2.8 Some of the other land farmed is also shown on the above extract. This is important to note as part of the essential need as the Applicant has been able to secure the farm land adjacent to Moorside Farm for many years without interruption.
- 2.9 The land at Moorside farm is dependent upon the existence of a good quality general purpose building shown in the images below. The 5 bay steel portal framed building is fully enclosed on three sides by double height concrete panels at lower level with traditional timber Yorkshire vertical space boarding above under a corrugated sheet roof. Access to the building is via the end gable elevation to the north of the building. The Building obtained Planning Consent under the prior determination procedure (DET2006/0007) on 20th July 2006. An aerial photograph of the building is shown below.

Insert 4: Aerial Photo



- 2.10 On the day of inspection, the building had recently been used for shearing the sheep under cover. Some of the wool can be seen in the foreground. The building is used throughout the year and provides essential cover for livestock. During the winter months, it cannot be used to full potential as there is no dwelling on site from which to manage the animals.

Photos 1 and 2: Moorside Farm



Ernocroft Farm House

- 2.11 The existing farmhouse at Encroft Farm is shown in the photographs below.

Photos 3 and 4: Encroft Farm House



- 2.12 For the reasons outlined within this report, the 4 bedroom dwelling does not meet the essential needs of the efficient running of the existing farm business. Further as explained within the report, the lack of a dwelling at Moorside Farm is significantly curtailing the daily management of the business and prevents David from being located on site at Moorside Farm where the essential need is proven to be on hand to tend to sheep and cattle on the holding.

The Proposals

- 2.13 The main focus of this appraisal is the proposal to erect a farm worker's dwelling at Moorside Farm.
- 2.14 The Applicant is seeking to erect two livestock buildings and a secure storage building similar to the existing satellite building utilising the same materials.

| | Building 1 | Building 2 |
|--------------|-------------------|-------------------|
| Length | 22.86 m | 22.86 m |
| Width | 12.19 m | 12.19 m |
| Eaves Height | 3.66 m | 3.66 m |
| Ridge Height | 5.2 m | 5.2 m |

- 2.15 The standard portal framed buildings are to be enclosed with concrete wall panels and timber Yorkshire boarding above, under a corrugated sheet roof.
- 2.16 As part of the application, the Applicant is also seeking to erect a secure building in which to store machinery and dry feeds.

| | Building 3 |
|--------------|-------------------|
| Length | 18.29 m |
| Width | 9.14 m |
| Eaves Height | 3.66 m |
| Ridge Height | 5.2 m |

3 THE EXISTING AND PROPOSED ENTERPRISES

Existing Enterprises

- 3.1 Ernocroft Farm is owned and has been farmed by Mr Norman Sidebottom since 1963. The land at Moorside Farm was purchased on 14th February 1996 and has been actively farmed and managed since then as part of the overall combined holding as one unit.

Sheep

- 3.2 The current sheep enterprises comprise:
- 640 commercial Mule / Texel cross breeding ewes, sired by approximately 30 Texel, Charollais and Blue Faced Leicester Tups are kept on the holding. A further 160 Swaledale breeding ewes are kept on the holding adding additional hardiness to the flock. Current total breeding ewe numbers total 800 head;
 - all of these ewes are scanned after accepting the tup to determine whether they are barren and to allow the flock to be efficiently managed to maximise returns;
 - any ewes scanned with single lambs are sent out to the land at Moorside Farm. These ewes then lamb at Moorside Farm and thereafter the ewes and lambs are rotated around the in by land at Moorside Farm and the pasture at Ernocroft Farm;
 - all ewes after scanning expecting twin lambs or triplets are housed and lamb at Ernocroft Farm. All ewes and lambs are turned out after lambing across the entire farm including the land at Moorside Farm;
 - the lambing pattern is spread across two months with all 800 ewes lambing at both sites simultaneously in the Ernocroft Farm buildings and at Moorside Farm in the months of March, April and May. In practice, the peak lambing period is centred around the month of April and May to avoid the worst of the cold and wet weather and to take advantage of the first spring flush of grass;
 - the ewes are kept at grass for the balance of the year and the lambs are all finished on the farm and sold as stores;
 - the sheep are shorn and fed within the building at Moorside Farm. The building is used to feed the hay to the sheep and the cattle during the winter to prevent the hay from being blown away in the strong blustery weather;
 - all of the lambs are reared on the farm and sold as stores;
 - the last lambs leave the holding in November each year;
 - approximately 30 tups are retained throughout the year on the farm to cross with the sheep flocks;
 - approximately 1200 Lambs from the 800 commercial ewes are reared on the holding from April through to November based on a lambing percentage of 150 lambs per 100 ewes put to the Ram allowing for losses and 92% of ewes holding to the Ram.

- 3.3 Accordingly, the total Stock Numbers on the holding currently exceed 2000 head at peak numbers during the spring, summer and autumn months before the lambs are sold as stores.
- 3.4 All of the land at Moorside Farm is improved hill ground, ideally suited for the keeping of sheep and cattle. The land is all permanent pasture. The lower moorland area closest to the building has been mole drained. Drainages grips and ditches have been regularly dug out and maintained.
- 3.5 The balance of the land at Ernocroft is mostly pasture used for the conservation of grass for winter fodder and for the grazing of sheep and cattle throughout the year.
- 3.6 Some turnips are grown under rotation to provide an opportunity to fatten lambs as the grass quality declines in the early autumn. This allows the grass ley pastures to be rejuvenated on a regular basis and re-seeded back to grass to maintain the productivity and longevity of the swards as well as providing a ready source of cheaper feed to finish the lambs before sale.
- 3.7 All of the land at Ernocroft provides the area for winter forage. The land is dressed with fertiliser to improve yield for the conservation of grass. Baled hay and bagged silage / haylage from the land is fed during the winter.

Cattle

- 3.8 The current cattle enterprise consists of:
- 40 Aberdeen Angus Suckler Cows;
 - 50 – 60 Heifers and yearlings / progeny on the holding at any one time.
- 3.9 All of the cows calve as a spring calving herd in May each year. The calves are all reared on the holding. The bull calves are sold entire at about 12 months of age. The heifers are reared to about 24 months of age before sale or they are sold as breeding heifers to other herds.
- 3.10 The herd is a closed herd to preserve high health status. No other animals are purchased in.
- 3.11 The cattle with calves at foot currently all return to Ernocroft in November each year. The cows and calves at foot are walked between the two farms along the road via Sandhill Lane and via an old track through neighbouring farmland which is not owned and on over

the Pennine Bridleway to the Gun Road and on to Moorside Farm. This requires the co-operation of the neighbouring farmer and involves the nightmare scenario of trying to move cattle and calves on foot on public roads over large distances. All cattle are currently housed, not through choice, in the buildings at Ernocroft Farm over winter. The calves are weaned from their mothers in December each year.

- 3.12 The cattle are kept on the moorland at Moorside Farm from May through to November. They would not all need to be walked home if there was a dwelling at Moorside Farm and further buildings to support the cattle over winter.
- 3.13 The farm is registered to receive the Basic Payment annually and the entire farm is entered into the Entry Level Environmental Stewardship Scheme.
- 3.14 The farm is well equipped and the Applicants own all their machinery. All of the field operations are undertaken by the Applicants without reliance on external contractors.
- 3.15 The Applicants carry out routine maintenance on the dry stone walls and cut hedges under rotation.
- 3.16 Field work is required to be undertaken throughout the year to manage and control the grassland through harrowing, rolling, the application of fertiliser, mowing, turning and rowing up the cut grass for baling into hay / haylage and clearing the bales off the fields to the barns and repairing the fences and emptying the farm buildings of farmyard manure.
- 3.17 In summary, sheep are kept at Moorside Farm all year round currently. Cattle are kept at Moorside Farm from May through to November each year.

Proposed Enterprises

- 3.18 The sheep flock continues as at present. Numbers within the flock are set to remain at 800 breeding ewes and resulting progeny currently totalling 1200 lambs. The new dwelling is urgently required at Moorside Farm to look after the sheep and cattle throughout the year. All ewes scanned with single lambs will be lambbed inside the building at Moorside Farm. Sheep graze the land at Moorside for 12 months of the year.
- 3.19 The heifers would remain at Moorside Farm to be kept over winter within the new building. Cattle will thus be housed at Moorside from November to April and would remain at Moorside to graze from May to November. Cattle would therefore remain at Moorside for 12 months of the year. Maiden heifers would calve down at Moorside.

Management and Staffing

- 3.20 The majority of the work on the farm is shared by Mr Norman Sidebottom and his son David, with some assistance from David's brother and sister.
- 3.21 The farm is well established as a fully commercial agricultural unit.
- 3.22 The daily farming of the sheep and cattle and all of the fieldwork is carried out, as it has been for many years by Mr Norman Sidebottom. More recently, his son David is more involved with the farming activities on the holding. Mr Sidebottom senior has kept sheep and cattle for over 40 years during the time he has lived at Ernocroft Farm.
- 3.23 Messrs Sidebottom senior and junior operate their own machinery on the farm for all farming operations. The farm machinery was evident on site on the day of inspection. There is little reliance on external contractors as the tending of the sheep and cattle is shared within the family together with the field work operations. This is typical of upland units of this nature where self-sufficiency is essential (repairing and mending machinery on site etc) particularly during harsh winters or inclement weather when road conditions restrict access on and off the farm.
- 3.24 Key professional consultancy input is bought in as necessary from nutritionists, veterinary and other management advisors.

4 THE POLICY FRAMEWORK

National Policy

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012. It notes in paragraph 28 that local planning authorities should take a positive approach to sustainable new development in rural areas in order to create jobs and prosperity.
- 4.2 The second bullet of paragraph 28 goes further and advises that local plans (and, it must follow, development control decisions) should “**promote the development and diversification of agricultural and other rural businesses**” (my emphasis).
- 4.3 In respect of new dwellings in the countryside, paragraph 55 advises that these should be avoided in the countryside unless there are special circumstances such as “**the essential need for a rural worker to live permanently at or near their place of work in the countryside**”.

Local Planning Policy

- 4.4 Several saved Policies in the High Peak Local Plan adopted on 31st March 2005 remain in force to form part of the development plan.
- 4.5 Certain forms of development are acceptable in the countryside and in many cases such development is actively encouraged. Appropriate development will often be related to agriculture and other acceptable developments may include farm diversification projects.

Policy 9

OC1 – Countryside Development

- 4.6 Within the Countryside (defined as all land beyond the Built-Up Area Boundaries defined on the proposals map, including the Green Belt and Special Landscape Area) Planning Permission will be granted for development which is an integral part of the rural economy and which can only be carried out in the Countryside provided that individually or cumulatively:
- the development will not detract from an area where the open character of the countryside is particularly vulnerable because of its prominence or the existence of a narrow gap between settlements; and
 - the development will not generate significant numbers of people or traffic to the detriment of residential amenity, highway safety, landscape or air quality or otherwise have an unacceptable urbanising influence; and

- the development will not have a significant adverse impact on the character and distinctiveness of the countryside.

Policy 12 - OC4 – Landscape Character and Design

- 4.7 Planning Permission will be granted for development considered appropriate in the Countryside provided that its design is appropriate to the character of the landscape.
- 4.8 Appropriate design of development shall accord with the characteristics of the type of landscape:
- the landform and natural patterns of drainage;
 - the pattern and composition of trees and woodland;
 - the type and distribution of wildlife habitats;
 - the pattern and composition of field boundaries
 - the pattern and distribution of settlements and roads;
 - the presence and pattern of historic landscape features;
 - the scale, layout, design and detailing of vernacular buildings and other traditions man made features.

Policy 14 - OC6 – Agricultural Development in the Countryside

- 4.9 Planning permissions will be granted in the countryside for development required for agricultural purposes, provided that:
- the scale of development is appropriate to the agricultural need; and
 - the development is designated and sited such that it does not cause significant harm to visual or residential amenity, or local landscape character; and
 - buildings will be demolished if no longer required for agricultural purposes in prominent or isolated locations and in other locations if an acceptable alternative use cannot be found.

Policy 17 - BC1 – External Materials

- 4.10 Planning Permission will be granted for development, provided that:
- the type, colour and specification of all external materials and the way they are applied will be sympathetic to the character and appearance of the immediate surroundings and the wider area.
- 4.11 In particular, natural facing materials will be required in locations conspicuous from public viewpoints within:
- areas conspicuous from the peak district national park and in conservation areas and their settings;

- other areas where natural materials predominate.

Policy 23 - BC8 –Settings of Listed Buildings

- 4.12 Planning Permission will not be granted for development which would materially harm the setting of a Listed Building in terms of its special architectural or historic character due to its use, scale, size, siting, detailed design, external appearance or illumination.

Policy 25 - BC10 – Archaeological and Other Heritage Features

- 4.13 Planning Permission will not be granted for development which is likely to result in harm to a Scheduled Ancient Monument or other nationally important site, its setting or amenity value.

Commentary

- 4.14 Based on policy in the NPPF and the Local Plan, any assessment needs to consider:
- (i) whether there is an essential need for a resident worker;
 - (ii) whether other dwellings can meet that need;
 - (iii) whether conversion possibilities exist;
 - (iv) whether the enterprise is financially sustainable;
 - (v) whether siting, access etc are acceptable;
 - (vi) whether there is a need for two key workers;
 - (vii) whether there is a need for two key workers on site;
 - (viii) and whether the accommodation is suitable for the need.
- 4.15 A recent High Court case, being Embleton Parish Council and Ainsley v Northumberland County Council and Gaston, 6 December 2013 (case No CO/7590/2012) has made clear that there is no financial test within the NPPF, in that it is not necessary to assess whether the enterprise is economically viable. See paragraph 44.

5 ESSENTIAL NEEDS APPRAISAL

Preamble

- 5.1 As noted earlier, the NPPF requires only that there be an essential need for a resident worker. Local Plan policy has added greater requirements, and this appraisal therefore follows the local plan criteria.

Essential Need – Sheep

- 5.2 There is an existing essential need. Over 2000 sheep are kept on the holding at peak months during the summer, with the 800 breeding ewes kept year-round and lambed down each spring, mainly indoors.
- 5.3 The existing essential need arises throughout the calendar year at Moorside and Ernecroft Farms. The composition of the flock requires additional labour input and considerable management expertise. As a result, the intensive lambing period is split between the two farms, requiring shepherding husbandry on both units simultaneously. An extended lambing period adopted on lowland sheep units is not possible in this case due to the weather and the risk of losses of young lambs in cold or wet weather and poor grass growth preventing early turn out until May. These two factors have the effect of condensing a more usual extended lambing pattern into May. The agricultural need for a dwelling is set out below.

During the Lead up to Lambing

- 5.4 Prior to lambing, the ewes are brought in to the sheds at Ernecroft Farm to be closely monitored. All of the ewes are scanned to determine the number of lambs to be born. This allows the ewes expecting one lamb to be moved up to Moorside Farm to be managed separately from the main flock and fed accordingly. The ewes in the main flock are fed daily and are checked at least twice daily. Supplemental forage (hay / haylage) is administered and additional feed is distributed as necessary. Bedding within the covered areas needs to be replaced regularly. Soiled bedding is often removed from the penned areas either by hand or by tractor to avoid an accumulation of waste material and to lessen the risk of disease organisms spreading within the sheds. A stockman needs to be on hand at this critical time as ewes in the latter stages of pregnancy can become cast on their sides, unable to get up and also often suffer prolapsed wombs which need to be secured and monitored and the bindings removed before lambing commences. There is currently no one present full time at Moorside Farm to attend to the sheep stationed up on this farm in this crucial period in the lead up to lambing.

Lambing

- 5.5 A stockman is needed to observe and note when each ewe starts to lamb and then to monitor the lambing in order to assist if the ewe gets into difficulties, prolapses or is injured. Currently, this work is shared between Mr Sidebottom and his son David. As soon as the ewes start to give birth, a shepherd needs to be on hand to monitor the health of the ewes and the new born lambs and importantly to be on hand to assist in case of emergency. Once lambs have been born, the ewe must then stimulate breathing and clear away the sac. Assuming a non-complicated, intervention free birth, work is required to manually and physically move the ewe and the lambs from the main group holding pens into an individual pen to reduce the risk of the flock trampling the new lambs and to encourage the mother to suckle and bond with her lambs without risk of rejection which can happen, particularly with a young inexperienced ewe, lambing for the first time.
- 5.6 Further work is required as soon as the lambs have been dried off by the ewe to check that the lambs get up on their feet and suckle the colostrum and that they take to the ewe. It is essential a shepherd is on hand to ensure that the lambs obtain the initial colostrum milk containing important anti bodies required to protect the young lambs for the optimal chances of survival.
- 5.7 During complicated births, where lambs are not correctly presented head first and for larger lambs, the shepherd needs to be on hand to immediately offer assistance with the birthing process and to call for veterinary assistance if necessary. A shepherd needs to be on hand to remove weaker and smaller triplet lambs to set aside and hand rear until a suitable replacement surrogate ewe with a single lamb can be paired up with a triplet or orphan lamb. The hand rearing of orphan and weak lambs takes considerable shepherding skill during the initial stages until the surrogate ewe accepts the lamb and thereafter considerable time and resources to mix milk replacement powder and hand rear all orphan lambs until such time as they are old enough to return to the fields to eat grass. At present, there is no one at Moorside Farm on hand to attend to any of the above issues arising around lambing.

The 24/48 Hour Period Post Lambing

- 5.8 This is one of the most intensive periods in the year requiring 24 hour attention from the shepherd/stockman. Individual pens need cleaning out and disinfecting and bedding up with fresh straw after each ewe passes through. The lambs and the ewes are all numbered by the shepherd to help identification visually in the field and essential routine treatments are administered to the lambs whilst they are held in the individual pens.

- 5.9 Water buckets need to be filled and replenished within the individual pens whilst the ewes are isolated from the larger group sized water troughs in the larger pens. Again, there is no one at Moorside Farm on hand to attend to any of the above issues arising around lambing. At Moorside Farm extra work is required to distribute water from the moor which would be eliminated once the dwelling is built as a piped water supply will be laid to the farm.

The Grazing Period

- 5.10 After lambing, as soon as the lambs have been inoculated and are strong enough to be moved are sent directly out to grass. This is a labour intensive period requiring the ewes and lambs being collected up in batches and moved to the fields by tractor and trailer before being reunited and paired up again at grass.
- 5.11 During the summer months, the ewes together with the lambs are collected up together and at times separately to undertake routine operations such as foot trimming, crutching, inoculating, dipping / fly treatment and shearing. Such operations require significant attention from the stockman / shepherd to tend to the sheep and to collect them safely and process them through the handling pens.
- 5.12 During this time, the sheep need to be checked regularly to identify sick, weak or injured animals and to isolate them as necessary and administer assistance with or without veterinary assistance. The fences and dry stone walls need to be checked to ensure animals are not trapped or injured and to make sure that animals have not escaped.
- 5.13 This is more labour intensive as larger distances are involved to travel between the two holdings. If more sheep are lambed at Moorside, then this will significantly reduce the effort involved in transporting some of the ewes and lambs by tractor between the holdings. David will be able to monitor any lambing directly himself at Moorside and will then be able to monitor all sheep grazing on land at Moorside Farm. David will be able to inspect the boundary walls and ditches and undertake all field work directly from Moorside Farm. As the name implies, Moorside Farm rises to 332m above sea level (1089ft) and consists of improved moorland parcels enclosed by drystone walls. The terrain is more challenging than units at lower levels and requires more frequent inspections to ensure the stock do not lie injured for long periods without assistance.

Weaning

- 5.14 As soon as the lambs are noted to be less reliant on milk and are grazing grass freely the lambs are removed from the ewes. Thereafter, the shepherd is stretched further as the

ewes at grass need to be checked regularly together with the lambs which have been separated and are grazed separately. In this case, the sheep are spread out across the two holdings over greater distances with some ewes and lambs at Moorside and other lambs grazing out on the turnips at Ernocroft before sale off the farm as stores.

Lamb Sales

- 5.15 Further work is required to collect the lambs into pens to be weighed before onward sale and to load the finished lambs into transport to be moved off the farm.

Tupping

- 5.16 At the start of the lambing cycle, the rams need to be prepared for fitness and harnesses need to be fitted together with coloured crayons to allow the shepherd/stockman to identify when the ewe has been served. Throughout the process, the crayons need to be replaced as they are used, requiring the whole flock to be rounded up and penned so as to separate the rams and replace the crayons as the batches are created. With a condensed intensive lambing period and the large numbers of breeding ewes, there is the need for significant input from the shepherd/stockman to prepare the ewes for the next season as well as tending to the weaned lambs remaining on the farm grazing at grass or on the turnips. The lambs are on the farm all the way through to October / November. The following general comments apply to sheep kept in the buildings and out at grass.

- 5.17 With large numbers of sheep there is always a risk of illness and injuries. For example:
- (i) sheep may suffer bloat, which can kill rapidly. Bloat is a trapping of gas in the rumen part of the stomach (similar to colic in horses), and if not recognised or treated causes a painful death. It can be caused by trapped feed or by a frothy build up in the gullet, and is identified by distortion and signs of discomfort. Sheep often cast (roll over on their backs) as a result of bloat and if not righted the animals will die a long and prolonged death. It needs urgent identification and treatment;
 - (ii) sheep may catch diseases which, if not treated, will spread to others rapidly through nose-to-nose contact. Such diseases do not always kill, but they can seriously affect growth rates for the rest of the animal's life, if not identified and subsequently treated. Prompt attention by the shepherd and early recognition and diagnosis is essential to isolate any sick or weak animals from the remainder of the flock and administer attention or call for veterinary assistance;
 - (iii) sheep can and will get stuck in feeders, gates and otherwise get injured. This is another problem where the indications for a stockman living on site are either audible (banging and disturbed sounds), or as a result of a frequent inspection;

- (iv) escape can occur. Only a stockman living on site is likely to be able to detect escape.

5.18 On an upland unit such as Moorside, some of the above problems are more acute and are prone to occur more frequently requiring greater vigilance and husbandry from the stockman and more frequent inspections at certain times in the year. In particular:

- flystrike is more prevalent on the upper elevations of the Moorside unit during the summer months when the weather is generally warmer and wetter. This is a debilitating condition if left unchecked and requires urgent attention and swift treatment;
- sheep are more liable to cast on their sides on the upland slopes compared to the sheep kept on the lower in-bye land. This is prevalent at all times of the year and peaks before lambing when the ewes are generally heavier and are less likely to right themselves when stuck. A second peak occurs in the build up to shearing when the ewes are burdened with heavy and thick fleeces;
- upland sheep kept on the higher moorland ground are more likely to experience uneven ground and compared to flat, level lowland pastures are more prone to sheep casting;
- snow is still a significant factor in the Peak District at higher altitudes and can wreak havoc to daily shepherding chores. At present, sheep can be potentially stranded when weather forecasts do not predict snow or when the severity of snow is greater than expected. Either way, it is impossible to react to changing weather conditions from the farm at Ernocroft Farm whereas an onsite presence at Moorside Farm would provide a base for an instant response.

5.19 Mr Sidebottom and his son David currently look after in excess of 2000 sheep at the peak each year.

5.20 There is therefore an existing and essential need for a resident worker on the sheep enterprise alone, which will continue as the sheep operation consolidates.

5.21 It can be seen that there is the need for full time on site labour throughout all months of the year. There are extended peak labour requirements in each season and particularly during lambing. At other times in the year, when animals are at grass or in the buildings the sheep need to be fed, checked and watered and the fences and gates inspected and the bedding removed and replenished as necessary. In addition there will be multiple inspections and action to deal with any illnesses and emergencies. On an upland unit, such as this additional challenges are involved in keeping sheep at higher altitudes often

in extreme weather conditions (prolonged intensity wet or cold weather). Grass growth is reduced at higher level and requires additional input and management and feeding regimes are often hampered by the weather. Simple jobs on lowland units require additional input and labour to undertake on upland units

Essential Need – Cattle

- 5.22 There is an existing essential need.
- 5.23 The existing covered shed space is already at capacity at Ernocroft Farm as evidenced by the separate application to erect a new cattle building at Moorside Farm. Between the two holdings there is the need to house all of the suckler cows together with the calves and the older cattle before they are either sold off the holding or enter the herd as replacement heifers.
- 5.24 As stated previously, the existing buildings at Ernocroft Farm were constructed for use as a dairy unit. Whilst the buildings provide the shelter from the elements for general cattle use and they are perfectly serviceable for this purpose, there is a real opportunity to provide new modern purpose built facilities at Moorside to 2015 standards to provide a light, airy and well ventilated building for the keeping of cattle.
- 5.25 The farm rears cattle of all ages from birth and rears them on to finished weights at about 12-24 months. The Applicants are forced to devote considerable extra effort in running the two blocks of land and are forced to move cows and calves at foot between the two holdings. Much of this movement, which is stressful for all concerned, involves considerable extra labour and management in planning the movement of animals along the highway.
- the movement affects the high health status of the herd as the animals potentially come into contact with other livestock in surrounding fields;
 - TB is already a major issue as the cattle require pre movement and post movement testing to limit the spread of the disease. All cattle over 42 days old are subject to testing and require to have been tested by a vet and tested negative to a TB test within 60 days before movement. All of the cattle have to be rounded up and collected into the yards to be tested twice before they can be moved. This is time consuming and stressful and involves additional vet charges;
 - cattle remaining at Moorside Farm would not need to be tested as the movement is eliminated;
 - the young calves require additional high levels of husbandry and attention particularly during feeding regimes and in efforts to prevent the risk of pneumonia. There is a

need for a stockman to be onsite all year round to attend to the cows and calves during pregnancy and beyond.

5.26 In my opinion this farm gives rise to an essential need for a resident stockman to deal with emergencies and unexpected events related to breeding cows and rearing cattle, as well as to deal with the daily inspections and management of the enterprise, plus to deter theft.

5.27 With large numbers of rearing cattle, there is always a risk of illness and injuries. For example:

- (i) cattle may suffer bloat, which can kill rapidly. Bloat is a trapping of gas in the rumen part of the stomach (similar to colic in horses), and if not recognised or treated causes a painful death. It can be caused by trapped feed or by a frothy build up in the gullet, and is identified by distortion, bellowing and signs of discomfort. It needs urgent identification and treatment;
- (ii) cattle may catch viral pneumonia or other diseases which, if not treated, will spread to others rapidly through nose-to-nose contact. Cattle pneumonia does not always kill, but it can seriously affect growth rates for the rest of the animal's life. It is also easily transmitted between animals through droplets, and so must be identified and eliminated rapidly. Signs are many but include coughing and lack of feeding, both, necessitating stockman supervision and attention;
- (iii) fighting and bullying can and will occur in some groups and needs to be identified and stopped. This problem will be identified by regular inspection (for example if one animal is detached from the rest or is losing condition then the stockman is aware of a problem), but mostly will require an alert stockman hearing the sounds of cattle moving in the pens and he will then need to separate the animal or split the groups;
- (iv) cattle can and will get stuck in feeders, gates and otherwise get injured. This is another problem where the indications for a stockman living on site are either audible (banging and disturbed sounds), or as a result of a frequent inspection;
- (v) escape can occur. Only a stockman living on site is likely to be able to detect escape.
- (vi) with suckler cows the stockman needs to be present during the build up to calving and the period thereafter. Many things can go wrong and the essential need relates to animal welfare factors summarised as follows:
 - **the run-up to and calving process.** Calving is a time of danger (as the birthing process is for almost all species of animal). The stockman must be vigilant in the run-up to and during the calving process. He cannot predict with accuracy when a cow will calve, although by frequent inspection a good stockman will be able to detect the signs. If needed, as happens in a significant proportion of

cases, the stockman will need to intervene to assist the smooth delivery of the calf;

- **post calving** the stockman needs to monitor both the calf's wellbeing (to check it suckles the colostrum and takes to the cow, to check for infections or injury) and the cow (to check for signs of milk fever etc), and treat if necessary;
- **to check for illness of all cows and calves**, including from mastitis, infection, bullying etc;
- **at weaning of the calves**, usually taken off the cow at about 8-9 months of age, which is a stressful (and noisy!) time for both cows and calves for several days;
- **and for the welfare of the older cattle**, which can still suffer illness (eg bloat) or injury.

5.28 Post weaning is a time for increased vigilance as the 6–8 month old weaned cattle and the cows get used to separation.

5.29 A stockman needs to be on hand day and night to attend to the cattle.

5.30 These evening, night-time and weekend activities cannot take place easily if the stockman is living off site. Notwithstanding the inability of a stockman to be able to identify noises or activity when living off site, it also means that fewer checks are inevitably carried out. For example, the worker can simply pop out to check on potential calving if he lives on site, frequently, as it is a 3-4 minute check. If he lives off site it is a 15+ minute visit to drive out to the farm, unlock gates, check and then return home, or more depending upon where he is living and the weather conditions on the road between Ernocroft Farm and Moorside Farm.

5.31 During the winter, the stockman will have multiple daily tasks to complete in the morning and afternoon. This will include moving silage bales wrapped in plastic from the external stacks by tractor and the labour intensive process of removing the plastic and rolling out the bale(s) along the feed face or in the mangers thereafter. The cattle are fed a mix of grass based conserved forage requiring one operation by tractor and separate grain/protein based concentrates fed either by hand manually over the top of the forage or separately as required.

5.32 In addition there will be multiple inspections to deal with any illnesses and emergencies. Any sick or injured cattle will need to be isolated and separated from the main herd and treated individually until they return to full health. Fresh straw needs to be added regularly to litter the cows to keep them clean using straw dispensed by tractor and any

soiled dung on concrete feed passages, cow standings and external concrete aprons needs to be scraped away from the cows on a daily basis to a temporary holding area. Feed needs to be pushed up for the cows during the day. Water supplies gates and fences need to be checked daily.

- 5.33 The cattle are all housed in separate groups during the winter requiring separate management and husbandry regimes to be adopted by the onsite resident stockman.
- 5.34 The cattle are retained on the holding to finish traditionally off grass at about 12-24 months. Whilst the animals are at grass, they still need to be checked at least twice daily to make sure animals are not displaced, sick or injured or caught up in fence lines/dry stone walls and the boundaries remain secure.
- 5.35 There is therefore an existing and essential need for a resident worker, which will continue as the beef unit consolidates.
- 5.36 There is no defined threshold of enterprise size at which an essential need is triggered. In my opinion, the mix of suckler cows and progeny far exceeds the notional threshold.

Essential Need – Other Issues

Water Supply

- 5.37 All of the land at Moorside Farm is fed by natural streams. During the summer the natural streams can dry out and a resident stockman is required to pick up on the signs before water runs dry to ensure the cattle and the sheep have a regular supply of drinking water. There is a reserve supply from a well on the adjoining holding (not owned by the Applicants under a private arrangement) but again a stockman needs to be on hand to ensure that the supply is effective and serviceable.

Public Access

- 5.38 Both Ernocroft Farm and Moorside Farm are plagued by unauthorised public access throughout the year. A public footpath crosses through the land at Ernocroft Farm from Ernocroft Lane running thereafter towards Higher Chisworth.
- 5.39 A national trail (the Cown Edge Way) follows the southern boundary of the land at Moorside Farm before leading on to connect into a wider network of paths and trails towards the Pennine Way National Trail.

- 5.40 A footpath crosses the land at Moorside Farm and is shown to pass through the existing farm building. A second footpath runs in an east west direction through the land bisecting the land as it passes through the farm.
- 5.41 Any impact on the rights of way network is examined in the landscape assessment appended as a separate document.
- 5.42 As a result of the above there is the inevitable conflict between the farming activities and the cyclists, horses, motorcycles and pedestrians that use the right of way network. Gates are routinely left open causing livestock to stray out on to the road or on to neighbouring farmers land.
- 5.43 From a biosecurity perspective this increases the chances for the spread of disease and at certain times of the year causes distress by separating ewes from lambs or cows from calves, not least adding to management stress by muddling animals up with neighbouring flocks/herds.
- 5.44 An onsite presence at Moorside Farm will help to monitor passing traffic using the rights of way network and to be onsite to attend to any such issues arising.
- 5.45 Dogs are a constant concern and livestock farms in the uplands suffer from uncontrollable dogs worrying livestock and potentially maiming or injuring sheep. An on-site presence can only deal with this, as all too often it is too late when travelling 15+ minutes from Ernocroft Farm as the dog has long since gone and the affected animal(s) will already be severely injured or dead. This is distressing for all concerned and an additional needless cost in the loss of livestock which is completely avoidable with an on-site presence.
- 5.46 Litter and fly tipping are a serious problem in the area and only vigilance and regular inspections help to deter those who spoil the countryside in this way. In extreme cases livestock can eat discarded packaging left behind by careless visitors or can be injured through discarded sharp edges on drinks cans.

Other Dwellings and Conversion Possibilities

- 5.47 Ernocroft Farmhouse is not suitable for a farm worker as it stands and it is unable to meet the needs of the Applicant as:
- it is not situated at Moorside Farm;
 - the dwelling is situated 15+ minutes from the sheep and the cattle operations at Moorside Farm and necessitates travel by tractor or 4 wheel drive pick-up for any

operation to inspect the livestock or work the land. The Applicants have to travel out of the farm, up and along the road and have to unlock and re-secure gates at the existing roadside entrance to Moorside Farm once passing through and open and close yet another internal gate before moving on to the farm before repeating the procedure on return;

- this is laborious and unreasonable to undertake for each and every visit to Moorside Farm, even for the most simple task;
- it is not possible for the two generations of the family to live in the restricted environment of the farmhouse;
- the farmhouse is physically incapable of conversion;
- it is unreasonable to expect an external farmworker employee and his family to share an existing dwelling with his employer and his wife and family and it is not possible to subdivide the farmhouse physically to do this;
- the farmhouse regardless, is situated at Ernocroft Farm and cannot meet the needs at Moorside Farm;
- it is also unreasonable to expect David to continue to live with his parents indefinitely, particularly when there is a proven need for him to be resident on site at Moorside Farm in order to progress the farming business;
- an extension to the farmhouse does not satisfy the needs of the holding as it cannot meet the needs of the cattle and sheep at Moorside Farm, some 15+ minutes away.

5.48 A dwelling at Moorside Farm would provide the optimum position to provide line of sight to the livestock sheds and close proximity to hear audible sounds from the buildings from agitated or disturbed livestock. The dwelling would be ideally suited to react to any issues described above arising from the keeping of sheep and cattle in the buildings and out on the surrounding moorland.

5.49 Ernocroft House is not ideally suited as an essential dwelling in its own right as:

- as it stands it is not ideally situated at Ernocroft Farm to be in close proximity to the cattle and sheep buildings;
- there is no line of sight to the buildings;
- the house is too far to see or hear animals in distress;
- the property is situated on the far extent of the farmyard at the furthest point from the buildings housing the valuable cattle and the sheep;

5.50 There are no other dwellings on the farms.

- 5.51 Several of the traditional buildings at Ernecroft Farm may provide the potential for conversion for alternative use, subject to planning. These buildings do not help in providing essential farm worker accommodation, as a dwelling is urgently required at Moorside Farm to tend to the cattle and sheep all year round and not another dwelling at Ernecroft Farm. The dwelling at Moorside Farm is required specifically to service the need to look after livestock all year round. Further, there is an opportunity to further improve the existing building infrastructure at Moorside farm to ensure the continued survival of the combined upland livestock unit at Moorside and Ernecroft Farms.

Can an Existing Dwelling Meet the Need?

- 5.52 There are no other dwellings on the farm that could meet the essential need to be on site to look after the cattle and the sheep. There are no other dwellings in the locality which could meet the need in the locality as they are not situated physically on the holding.
- 5.53 There are no buildings suitable for conversion, and no other dwellings could meet the need.

The Former Farmstead at Moorside Farm

- 5.54 The former buildings at Moorside Farm are not owned by the Applicants and are situated approximately 200m to the north of the existing farm building on the Applicants land at Moorside Farm.
- 5.55 The former buildings are constructed of traditional stone and have been converted to dwellings and at least two dwellings can be seen from freely available aerial photograph images.
- 5.56 The buildings are not available for agricultural use and are not capable of conversion.

Financial Considerations

- 5.57 The farm under the control of the Applicant has been established for in excess of forty years.
- 5.58 In respect of farm profitability, the Applicant has provided account summaries from the profit and loss accounts and the balance sheets for the four years from 1st April 2011 to 31st March 2014. The accounts for the year ending 31st March 2015 are not yet available, but it is possible to draw conclusions from the accounts provided.

- 5.59 The accounts are unaudited profit and loss accounts and balance sheets. The farm has fixed assets comprising freehold land, property, buildings and livestock and the figures demonstrate the business is healthy and financially sound.
- 5.60 Sheep and cattle form the mainstay of the farming business. Subsidies and other income provide additional revenues from the receipt of the Basic Payment and incidental income from environmental grants.
- 5.61 In terms of profitability, the farm has sustained solid profits over 2 of the last 4 years with one year showing a lesser profit. A loss was sustained in 2014. This is attributable wholly to increased feed costs which spiked significantly in 2014 by almost £15,000. The availability of good quality feed at the right price is key to overall profitability of such units but margins are volatile and dependant on external factors far outside of the control of the Applicant (fuel prices, demand on a world scale, quality and quantity of harvest etc). Over this period, it is clear that income from the cattle and sheep has remained constant over the years 2013-2014 with only £162 difference in income between the 2 years. In the preceding years, income peaked in 2011 and dropped by approximately £10,000 in 2012. It is evident that the combined sheep and cattle enterprises make a positive contribution to the overall performance of the business. It is clear that the Applicants continue to maintain land and property and continue to invest in the business.
- 5.62 Analysing other key headings under purchases in the profit and loss accounts and under overhead expenses, shows little variance between the years worthy of comment and is what we would usually expect on a farm of this nature.
- 5.63 Accordingly it is possible to conclude that the local plan policy test, which is more prescriptive than that set out in the NPPF is met:
- (i) the enterprise is established, and has been for four decades;
 - (ii) the enterprise is currently financially sound;
 - (iii) and it has a clear prospect of remaining so.

Other Considerations

- 5.64 The size of the dwelling is modest and commensurate with a farm worker's accommodation. The functional dwelling will provide a boot room / utility room to keep farm boots and clothes separate from the main house. A separate farm office will allow the cattle and sheep management records to be kept secure. On the first floor, the layout is simple but practical for the stated purpose including a bathroom and 4 bedrooms. The

proposed building is to be faced with natural stone, prevalent in the area. The building will use natural materials to blend into the style of existing buildings in the locality.

- 5.65 Family labour is a key component in ensuring the continued survival and profitability of the combined farming unit. Upland farms of this nature will undoubtedly decline if it is not possible to attract the next generation with core livestock husbandry skills to want to stay living and working with livestock in the countryside, often for lesser returns than living in the city.

RAC Conclusions

- 5.66 Having appraised the proposals, RAC (on behalf of the Council) concluded, as set out in **Appendix KCC1**, that:

- (i) subject to the erection of additional buildings **“there would be a functional case for an improved supervisory presence of a worker consistent with national planning policy”** (5.04);
- (ii) the enterprise has been and is financially sustainable. RAC concluded that **“it would be difficult to argue that this was not a sustainable base”**.

6 SUMMARY AND CONCLUSIONS

- 6.1 Ernocroft Farm and Moorside Farm extend to 93 hectares, some 230 acres. Other land has been able to be secured on a grass keep basis in addition, as more units in the local area cease active farming and diversify away from the land.
- 6.2 The Farm has been occupied by Mr Norman Sidebottom for over 40 years. The farm is well established and sheep and cattle have been kept on the holding in large numbers within manageable stocking densities that the land and buildings can carry for many years.
- 6.3 The addition of the extra land at Moorside Farm has helped to support the overall farming business and provides the additional land required to keep sheep and cattle throughout the year. The farm experiences losses from livestock kept on the land as it is not possible for a stockman / shepherd to live on site currently to properly tend to the livestock and to deal with any daily issues which arise from high levels of public access and the daily needs of the livestock.
- 6.4 This unit is already highly labour efficient and will continue to be run by Norman Sidebottom as the current Shepherd / farm worker and his son David. For the reasons outlined within this report, there is an essential need for both father and son to continue to work on the holding. It has been proven that a dwelling is needed at Moorside Farm to allow David to be on site permanently to look after the sheep and cattle.
- 6.5 A dwelling at Moorside Farm is urgently needed and now prevents the farm from utilising existing assets and stifles the business from moving forwards as a profitable mixed upland livestock unit.
- 6.6 There is already an existing building on site at Moorside Farm. A dwelling and further buildings are essential to sustain the livelihood of an existing well managed family run livestock unit and to preserve the ongoing management of the moorland and support the vitality of upland farms in the area.
- 6.7 Security of high value livestock is paramount. The rustling of sheep is a nationwide concern and the perpetrators are becoming more brazen with recorded incidents rising during daylight hours as well as by night. A shepherd/Stockman is needed on site at Moorside Farm to maintain security to reduce the risk of theft of high value livestock.

- 6.8 The numbers of sheep justify the need alone. The need is further amplified with the existing suckler cow herd and supporting progeny.
- 6.9 The new farm worker's dwelling will enable the current farm worker to be housed in a modern dwelling, ideally located for the sheep and beef unit's supervision and providing excellent security benefits.
- 6.10 The new dwelling meets the local plan tests, which go beyond those in the National Planning Policy Framework, as it:
- (i) will house a worker for which there is an essential need;
 - (ii) no other dwellings can meet that need;
 - (iii) the size and scale, will be commensurate;
 - (iv) and the enterprise is established, currently is financially sound, and has a clear prospect of remaining so.
- 6.11 The Council has accepted the essential need in an earlier application, but did not accept that the siting was acceptable in the landscape.
- 6.12 An alternative site was discussed and agreed between the planning officer and the Applicants following an inspection of the farm. That is the siting now proposed.
- 6.13 The proposal accords with National Policy and the development plan, and should be permitted.

APPENDIX KCC1
Reading Agricultural Consultants
Appraisal March 2016

Reading Agricultural Consultants

High Peak Borough Council

Proposed Agricultural Worker's Dwelling

Moorside Farm, Higher Chisworth

Appraisal

March 2016



This appraisal was prepared by:

A.H.Elliott BA(Hons). MSc

Independent Consultant in Rural Land Use and Planning

Associate, Reading Agricultural Consultants

Fellow, British Institute of Agricultural Consultants

Associate, Institute of Environmental Management and Assessment

6th March 2016

Reading Agricultural Consultants
Beechwood Court, Long Toll, Woodcote, Reading, RG8 0RR
Tel: (01491) 684233 Fax; (01235) 680800 E-mail: rac@readingagricultural.co.uk

High Peak Borough Council

Proposed Agricultural Worker's Dwelling

Moorside Farm, Higher Chisworth

Appraisal

March 2016

1. Introduction

1.01 Reading Agricultural Consultants Ltd (RAC) is instructed by High Peak Borough Council (HPBC) to undertake an independent appraisal of a proposal by Mrs P. Sidebottom for an agricultural worker's dwelling at Moorside Farm, Higher Chisworth (Application Ref: HPK/2015/0604).

1.02 In responding to its instructions, RAC has had regard to:

- (i) the application forms and associated drawings;
- (ii) an Essential Needs Appraisal (Kernon Countryside Consulting November 2015);
- (iii) farm accounts for the period 2012-15 (received in confidence)
- (iv) the forms, associated drawings and supporting material for parallel applications for farm buildings at Moorside Farm (HPK/2015/0602 and 0603) ;
- (v) sources of published information relevant to the agricultural activities being undertaken by the applicant; and
- (vi) recent appeal decisions relevant to the interpretation of national planning policy.

- 1.03 RAC has a working knowledge of the application site and its environs, and has viewed the site and other sites relevant to the application from public vantage points. Telephone contact has been had with the applicant and her agent and there has been an exchange of e-mailed information.
- 1.04 The material drawn from these sources has been appraised in the context of relevant national and local planning policies concerning agricultural development.

2. Background

- 2.01 The background circumstances to the planning application are set out in the extensive material supporting the planning application. It is not proposed to repeat these circumstances in full in this appraisal, merely to identify the salient points as an introduction to it.
- 2.02 The planning application for a dwelling relates to a landholding referred to as Moorside Farm. This extends to 56.5 ha and is part of a more extensive family farming enterprise which extends in total to some 161 ha of owned and rented land. The main operational centre is Ernocroft Farm (36.5 ha) which was purchased in 1963. There is an extensive range of livestock and general purpose buildings at the farmstead and a dwelling occupied by the Sidebottom family (the applicant and her husband and son, David).
- 2.03 The farm business is engaged in the breeding and rearing of sheep and cattle. Currently, there are 800 ewes and a herd of 40 suckler cows and 50-60 young stock.
- 2.04 The sheep flock graze across the whole farm, but for lambing purposes are split between those ewes expecting twins and those single lambs. The former are lambed in a building at Ernocroft Farm and the latter (c 200 ewes) utilising a single building present at Moorcroft Farm. Shearing takes place at Moorside Farm. All lambing takes place between March and May at both farm sites and lambs reared are sold as stores in November. During the summer and early autumn total sheep numbers are in excess of 2000.

- 2.05 The suckler cow herd is spring calving (May) with calving taking place at Ernocroft Farm. Male progeny is sold at 12 months and female progeny reared to about 24 months prior to sale. Over the summer all the cattle are grazed at Moorside Farm, and then returned to Ernocroft in November for overwintering in the buildings there.
- 2.06 The farm is principally managed by the applicant's husband and son, David, who both reside at Ernocroft Farm. This farm centre is located 3 kms from the current subsidiary centre at Moorside Farm. It is stated that this is a source of significant management difficulties and an animal welfare risk. The application documentation assesses the demands that the current farm enterprise makes on the labour complement of two full-time workers, and argues that one of these units of labour, namely David, should reside at Moorside Farm in order to address the difficulties and risks identified on-site.
- 2.07 In discussion with the applicant it became clear that there is wider family involvement in the running of the farm, not least because the applicant's husband has recently been in poor health. David has a brother and sister who also contribute labour to the farming enterprise. All the family members, other than the applicant's husband, also have some off-farm employment.
- 2.08 Concurrent with the planning application for a worker's dwelling at Moorside Farm are applications for two additional agricultural buildings at that location; one to provide livestock housing and another for hay and general storage. These buildings would not reflect a change in the scale of the farming enterprise, but a change in the management of the livestock. In particular, heifers in the suckler cow system would be overwintered in association with the proposed building at Moorside Farm and maiden heifers calved there. There would, therefore, be grazed animals throughout the summer months at Moorside Farm, and overwintered sheep and cattle associated with the buildings.
- 2.09 The intended that the applicant's son David reside in the proposed dwelling at Moorside Farm. Irrespective of the argued functional justification for the dwelling, it is contended that it is unreasonable for two generations to live in the restricted environment of the main farm farmhouse, which it is said to be incapable of conversion to two separate units of accommodation, and there are no other dwellings

on the farm. There is potential to convert buildings at Ernocroft Farm for residential use, but it is contended that this would not address the argued need for an available worker at Moorside Farm.

3. Appraisal Framework

- 3.01 The framework against which to examine the proposed worker's dwelling at Moorside Farm is primarily provided by relevant policies in the National Planning Policy Framework (NPPF) (2012).
- 3.02 The basic premise of national planning policy is that new sporadic residential development in the countryside should be avoided unless there are special circumstances. One such circumstance is identified in paragraph 55 of the NPPF: *"the essential need for a rural worker to live permanently at or near their place of work in the countryside."*
- 3.03 The Government is concerned to promote sustainable development in rural areas, and it is a core element of the NPPF that all necessary development should be sustainable and viewed favourably by the planning process in the context of nationally and locally determined planning objectives. With regard to rural areas, the NPPF indicates that planning policies should support economic growth by taking a positive approach to sustainable new development, including the development and diversification of agricultural and other land-based rural businesses (paragraph 28).
- 3.06 The policy framework, therefore, provides for the accommodation of agricultural workers in the countryside as an exception to general restraint on residential development, providing that it is demonstrated that:
- (i) there is an essential need for a worker to reside at or close to his place of work;
 - (ii) the need for accommodation cannot be otherwise met in existing settlements;
 - (iii) meeting the need represents sustainable development.
- 3.07 Essential need relates to the functional requirements of the relevant enterprise, and not the personal requirements or preferences of individuals involved.
- 3.08 The concept of sustainability has three elements; social, environmental and economic. The third element is particularly relevant in relation to the provision of agricultural worker's accommodation. Since the need must derive from the requirements of the

farm business, and the policy exception reflects support for agriculture as an economic activity, it would be perverse to provide workers' accommodation in circumstances in which a relevant farming enterprise was not economically sustainable.

- 3.09 The most significant difference between the NPPF and previous policy guidance on agricultural workers' dwellings is the absence of any specific reference to the financial testing of proposals. In the case of *Embleton Parish Council et al v Northumberland County Council* (2013), the High Court determined that the NPPF test required only a judgement in respect of essential need. Although the case related to a proposal for temporary accommodation, the decision has also been interpreted as applicable to permanent dwelling proposals. However, most practitioners and Planning Inspectors have accepted that the financial sustainability of enterprises giving rise to a need for a **permanent** dwelling continues to be a material consideration. This was confirmed by the Secretary of State in a decision on a recovered appeal in the case of *Fidler v Reigate and Banstead Borough Council* (2015) in which the Inspector's conclusion, reached in the expressed recognition of the *Embleton* decision, that a demonstration of economic sustainability was necessary was accepted. Furthermore, it was accepted that the weight to be attached to that test was greater in Green Belt areas than in the countryside generally.
- 3.10 Consequently, RAC considers that the assessment of economic sustainability in the circumstances of proposals for agricultural workers' accommodation is within a business context. Here the consideration is one of the ability of a business to utilise its resources in a way which allows it to function profitably over time, and which is not prejudicial to the wider social and environmental objectives. Economic sustainability is essentially about the ability to stay in business. This is the approach which has consistently underpinned the national planning policy approach to the assessment of accommodation for agricultural workers, and RAC interprets the NPPF in this light.

4. **The Appraisal**

- 4.01 The existing and proposed circumstances of the applicants' agricultural interests are now examined in the context of the planning framework described.

Essential functional need

- 4.02 The consideration of whether an enterprise has an essential need for the ready availability of a worker at most times has a number of aspects:
- (i) the scale and nature of the operational risks which need to be managed; and
 - (ii) the demonstrable presence of those risks;
- 4.03 Functional need is primarily concerned with the management of risk within the operations of an enterprise such that, without the ready attention of a worker(s), any particular event or combination of events could lead to adverse animal welfare, crop or product quality, or health and safety consequences which might threaten the stability and economic well-being of an enterprise. In all cases, these would be circumstances which could not properly be managed within normal working hours.
- 4.04 Examples of the circumstances which might give rise to an essential functional need for a readily available worker are where immediate, regular and often unpredictable care over much of the year is required to safeguard the specific welfare of livestock and offspring in breeding programmes, for example in lambing and calving conditions, or the more general welfare of animals housed in buildings either permanently or for protracted periods. Rarely occurring (though predictable) events/circumstances or situations or short seasonal ‘need’ can usually be met through the exemption for temporary accommodation offered by the General Permitted Development Order.
- 4.05 The Agricultural Needs Appraisal supporting the application identifies the primary functional basis for the proposed dwelling as being the practical management difficulties arising from operating on two sites with simultaneous routine husbandry requirements, the need to move stock between the two farms, and specific livestock welfare demands particularly in relation to lambing and calving animals. The latter demands are increased where housed animals are concerned. There is a secondary concern relating to the exposure of Moorside Farm to interference from third parties accessing the farm either legitimately using popular rights of way or by means of trespass. There is a history of threat to animal wellbeing and damage arising from both poor countryside behaviour and malicious intent.
- 4.06 All livestock generate welfare demands which can only be met through the application of appropriate levels of stockmanship. The larger the number of animals involved, the greater those demands on particular workers. The Defra Code of Recommendations for the Welfare of Livestock recognises this fact, and cautions against enterprises

establishing or making changes to husbandry or production systems without due consideration of the animal welfare implications.

- 4.07 At the present time, the greatest requirement for the on-site presence of a worker at Moorside Farm is during the lambing period, including the pre and post lambing attention to pregnant ewes and lambs. At this time those ewes (numbers unspecified) carrying single lambs are transferred from Ernocroft Farm to Moorside Farm and use made when necessary of the existing building to house the relevant animals. During this period, there will be animal welfare events requiring the ready attention of the stockman some of which will occur outside normal working hours. RAC accepts that there is, therefore, an identifiable risk to be managed. Outside the lambing period, stock is grazing on the land. The stock and the land require routine management attention and it would be appropriate for stock to be checked on a daily basis for any signs of ill-health or other problems. This activity would be undertaken during normal working hours.
- 4.08 At the present time, therefore, there is a short period of enhanced risk to be managed, and a predominant part of the year when normal land and animal husbandry tasks prevail. While a worker based at Moorside Farm would be well placed to address the short period of risk, the question arises as to whether this would reflect a major improvement over current circumstances in which over the same period the remainder of the sheep flock are being lambled at Ernocroft Farm and calving cattle housed at that site. Given the available labour, there will be times when both workers are required at Ernocroft Farm, and to a lesser extent at Moorside Farm. In terms of livestock numbers the greater risks to be managed are currently at Ernocroft Farm.
- 4.09 Moorcroft Farm is in a relatively remote location from Ernocroft Farm and accessible by single track roads characterised by steep gradients, sharp bends and in places poor trafficability. RAC's practical experience of these roads would indicate that, during winter months, snow and/or ice will present difficulties, as will periods of poor visibility, for a stockman seeking to access the Moorside Farm site quickly; with a potential failure to deal effectively with issues affecting the housed animals. Never the less, this was the situation when it was decided to split the higher risk circumstances between the two sites and which has been managed since the erection of the existing building. The inconvenience of moving between sites for routine activities has persisted for a longer period, but is not unique to this farming enterprise.

- 4.10 RAC accepts that current circumstances may present occasional management difficulties and inconvenience, but the scale and nature of livestock activities present circumstances are not such that animal welfare obligations can only be met through the permanent ready availability of a key worker.
- 4.11 It is considered that the above assessment is reflected in the proposed alteration to the farming system, whereby a transfer of a greater concentration of livestock activity to Moorside Farm is proposed. What is proposed is essentially the establishment of a new farmstead with some 740 sq m of existing and proposed livestock housing, a support building and a worker's dwelling. The overwintering of the cattle and some calving would now take place at Moorside Farm, where all summer grazing of cattle would occur. Sheep management would remain unchanged. The work force would continue to be split between the two farms, but the need for one worker to be in two places simultaneously would be reduced. The enhanced level of risk management, combined with the more effective handling of routine livestock management activity at Moorside Farm would move substantively towards meeting a functional need for the ready availability of a stockman at that site.
- 4.12 The above conclusion is predicated on the additional buildings being in place and the transfer of livestock management occurring. There is, therefore, an element of 'chicken and egg' in this scenario.

Alternative accommodation

- 4.13 The farming enterprise as currently structured has been developed and managed from the farm centre at Ernocroft Farm. Where investment has been, and is proposed to be, made in new buildings reflects no certainty that associated residential accommodation would be permitted. There is, therefore, a risk attached to those decisions if on site supervision is a desirable or essential factor. Were consent not to be forthcoming for the two additional buildings at Moorside Farm, it may be that the investment and management strategy would be revisited. It is, for example, accepted that buildings at Ernocroft Farm are in need of upgrading and that there is potential to convert buildings at Ernocroft Farm for residential use. However, RAC has been advised that one of the drivers for the investment decisions at Moorcroft Farm has been a reduction in the area of land available at Ernocroft Farm arising from the settlement of the estate of a recently deceased family member, such that the balance of the farm has been substantially changed.

4.14 Nevertheless, RAC accepts two premises:

- (i) the management of housed livestock at Moorside Farm, particularly those about and having just given birth to young is unsafe given the distance from Ernocroft Farm and the difficulties presented by the interconnecting road network (restricted widths and visibility, parlous surface conditions, and susceptibility to seasonal snow and ice hazards); and
- (ii) in the event that an additional livestock building is permitted, it would be unwise to increase the number of housed livestock and to extend the period over which livestock are housed without the adequate supervision of a stockman. To do otherwise would be contrary to the advice in the Defra Animal Welfare Code.

4.15 In the light of the above, the question to be addressed is whether a more ready availability of the stockman can be delivered from existing housing closer to Moorside Farm than Ernocroft Farm. The locality of Moorside Farm is remote from the nearest settlements and characterised by a scatter of properties, many of which were previously associated with farming activity but are now general market properties. An Internet search failed to identify any properties for sale, whether or not at valuations affordable to the farming enterprise. At the present time, therefore, the existing stock of dwellings does not provide any opportunity to meet any perceived existing or prospective supervisory requirements for Moorside Farm.

Sustainability

4.16 The Agricultural Need Appraisal concludes that the sustainability of the farming enterprise is demonstrated by the fact that it has persisted for some 40 years, is currently financially sound and has the prospect to continue to be so.

4.17 There is no longer any directly applicable policy guidance as to what constitutes economic sustainability. By any conventional assessment, it would be difficult to conclude that an enterprise which did not appropriately remunerate the labour employed in it and provide a sufficient return on the investment made in it was sustainable. Anything less would be sustained by inputs of outside resources as in the case of a hobby, or would be some form of subsistence activity. The submitted

Agricultural Need Appraisal makes no suggestion that the enterprise at the application site is anything other than a commercial operation.

- 4.18 The remuneration of two units of labour at the equivalent of the minimum wage is in the region of £28,000 to £30,000. In two of the last four financial years, including the last, the farming enterprise has achieved profits in excess of this amount, but in an intervening two years profit has been minimal (less than £2000) or the enterprise has made no profit.
- 4.19 Standard economic data indicates that upland livestock farms continually underperform relative to other farming sectors in terms of farm income; c 50 % of national average. Although performance is variable from year to year, there has been a general decline over the last ten years, despite a recent slight upturn. In this context the performance of Moorside Farm has been one of maintaining a fairly consistent level of income, but profitability has been affected by significant shifts in variable costs, particular relevant to the cost of feed stuffs. The sectoral difficulties facing Moorside Farm have not changed substantively over the period of its establishment and the fact that it remains in business is probably the most important measure of sustainability over a significant period.
- 4.20 Nevertheless over a period the unpaid labour has only periodically been remunerated realistically, as is evidenced by the very low level of drawings. It is clear that the availability of unpaid family labour is a fundamental feature in the sustainability farm business and this is available as a result of incomes earned off-farm. This is not a unique situation in the farming sector generally and particularly amongst family farms. It has been a longstanding feature of national and European agricultural policy that farms diversify the use of their resources to strengthened the bases of their business, and such diversification is not restricted to on-farm or agricultural activity.
- 4.21 Conversely the farm has a strong asset base and will shortly receive a major injection of capital arising from the finalisation of the recently deceased relative's estate. This will substantively offset the effect of a large loan taken out in 2013, and which created a major negative imbalance between current assets and liabilities.
- 4.22 The strength of the asset base is relevant to the consideration of the level of investment intended in the two additional buildings and a dwelling at Moorside Farm. This will be

of the order of £200,000. The contribution made by the proposed dwelling is not excessive, and its size falls well within the range of 150-200 sq m which is typical for farm dwellings.

5. Conclusions

- 5.01 The proposal for a dwelling at Moorside Farm relates to an established livestock enterprise. The enterprise is currently managed from a farm dwelling at Ernocroft Farm which currently houses both key workers. This is some distance from the application site connected by challenging road conditions.
- 5.02 There has been investment in a modern building at the application site. The livestock activities involve the breeding and rearing of sheep and cattle. These activities have a labour requirement of at least two full-time workers.
- 5.03 The scale and nature of the current and proposed livestock activities carry animal welfare responsibilities which warrant the ready availability of key workers, particularly to meet identified and unforeseen out of hours demands in relation to lambing and calving events, to care for young animals, and to the security of housed stock. The majority of these demands and associated risks currently take place at the Ernocroft Farm site, with those at Moorside Farm limited to the spring lambing period. Although the split of activity between the two sites is undoubtedly a source of management difficulty and inconvenience, the scale and nature of the current activity at Moorside Farm is insufficient to provide an essential functional need for the permanent supervisory presence of a worker.
- 5.04 Concurrent with the application for a dwelling at Moorside Farm are applications for additional buildings. These would enable a transfer of livestock activity, particularly in respect of breeding and rearing of young animals and providing increased overwintering opportunities. It would be unwise, and contrary to animal welfare guidance, to make the proposed changes in livestock management without providing appropriate supervisory cover given the restricted characteristics of the access to the application site, especially in winter, and the exposure of the site to security risks. In the event that planning permission is granted for the additional buildings, and they are erected and occupied as planned, there would be a functional case for an improved supervisory presence of a worker consistent with national planning policy.

5.05 The financial evidence is that the farm business is not sustainable in terms of any conventional economic assessment. The practical evidence is, however, that as a family farming unit it has been sustained over a long period and there is no reason why it could not continue to do so. The business has been profitable in three of the last four years of available accounts and able to meet its labour costs in two of those years. Over the whole period, the unpaid labour of family members has been supported by incomes generated off-farm. The overall situation of the farm business is, therefore, one of family coeciveness and commitment supported by a strong capital base. It would be difficult to argue that this was not a sustainable base, unless there was to be a serious further decline in the fortunes of the upland livestock sector.



Greenacres Barn, Stoke Common Lane, Purton Stoke, Swindon, Wiltshire SN5 4LL
Telephone: 01793 771333 • Email: info@kernon.co.uk • Website: www.kernon.co.uk