

APPRAISAL OF A PLANNING APPLICATION
FOR A PERMANENT AGRICULTURAL WORKER'S DWELLING
JERSEY MANOR FARM, SOMERTON, BICESTER
FOR CHERWELL DISTRICT COUNCIL
Application Reference 12/01390
NOVEMBER 2012

Rhodes Rural Planning



Rhodes Rural Planning & Land Management
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1.0 Introduction

- 1.1 Rhodes Rural Planning and Land Management has been commissioned by Cherwell District Council to carry out an independent appraisal of a planning application by Mr I Corner for a permanent agricultural worker's dwelling at Jersey Manor Farm, Somerton, Bicester.
- 1.2 In accordance with our standard practice we would state that this appraisal is confidential to the party to whom it is addressed and no responsibility is accepted to any third party for the whole or any part of its contents.
- 1.3 This appraisal is by Paul Rhodes MRICS. I am a rural faculty chartered surveyor with thirty five years experience in the agricultural industry, including 15 years as the County Land Agent for Warwickshire County Council managing a 6,000 acre farm estate and carrying out agricultural, equine and other countryside appraisals for District and Borough Councils. I am a consultant in rural planning and land management providing advice to a wide range of rural clients.
- 1.4 This appraisal has been written using information supplied by Cherwell District Council (CDC) together with information gathered during a site visit to Jersey Manor Farm on the 26th November 2012 at which I met the applicant, Mr Ian Corner, his daughter, Victoria Corner and his agent, Mr Simon Douglas of Simon Associates.

2.0 Background

- 2.1 The applicant used to farm in partnership with his mother and father and his brother, Mr A Corner. The family partnership ran a mixed farming enterprise comprising a closed milking herd of pedigree Jersey cows with all calves reared and an arable enterprise. The dairy herd was run and managed by the applicant's father and brother with the applicant responsible predominantly for the arable enterprise. The partnership's enterprises were all based at Jersey Manor Farm.
- 2.2 In 2006 the applicant's brother decided to finish with the dairy herd. Rather than see it sold, with his father's backing the applicant took on the running of the herd whose numbers had dropped to 75 cows, with the intention of increasing numbers back to where they were in the early 1990s, i.e. around 100 cows.
- 2.3 The applicant's father died in 2007 and his mother decided that it would be sensible to dissolve the partnership. The dissolution of the farm partnership resulted in Jersey Manor Farm being broken up with Mr A Corner being given Manor Farmhouse where the brothers' father used to live, a farm cottage known as Aston View and 61 hectares (150 acres) of bare land (in addition his mother purchased a smallholding on the edge of Somerton village as a base for Mr A Corner's farming business). The applicant, Mr Ian Corner, was given

121.41 hectares (300 acres), the farm buildings housing the milking herd and the agriculturally conditioned bungalow granted in 1991.

- 2.4 The applicant resides with his family in his own house in Somerton village. In addition he owns another dwelling in the village which is let out on an assured shorthold agreement.
- 2.5 Since the dissolution of the farm partnership the applicant has gradually built up the milking herd to the present number of around 95 cows in milk with all followers reared and a proportion of the beef calves reared to weaning weight. In addition, the applicant manages his own and rented arable acreages and carries out contracting work as required on his brothers 61 hectares.
- 2.6 The applicant has recently installed a Lely Astronaut automatic milking unit for a proportion of the herd and plans to install a second unit next year with the intention of increasing cows in milk to 120 utilising reared heifers from the herd.
- 2.7 The applicant is applying for an additional dwelling at Jersey Manor Farm to allow him to better manage the herd and followers.

3.0 Farm Acreage, Stocking, Cropping, Buildings & Labour

3.1 Farm Acreage

Owned:

- 121.41 hectares (300 acres)

Rented

- 74 hectares (183 acres) of which 40.41 hectares is in a gentleman's agreement and farmed in an arable rotation

Other land

- The applicant used to have a contract farming agreement on his brother's 61 hectares. This ended recently however work is still being carried out, but not under any formal contracting arrangement.

3.2 Stocking

- 95 cows in milk at any one time
- 10 dry cows
- 75 heifers a number of which are in calf
- 75 younger heifers including calves
- 30 bull calves for sale once weaned

3.3 Cropping

- Of the land farmed normally some 131 hectares (323 acres) is in grass of which 20.23 hectares (50 acres) is permanent pasture.
- The arable land, which includes 28.32 hectares (70 acres) of forage maize for the dairy herd, amounts to 190 hectares (484 acres) in combinable crops, being predominantly wheat with some barley and oats.
- All straw is conserved for bedding down the herd and followers.

3.4 Buildings

- range of loose housing cow yards and lean-tos
- young stock and calving yard,
- Fullwood 12:12 direct to line milking parlour with office over and collecting yard
- workshop
- 3 grain bins
- straw stores
- lower yard comprising housing for older and in-calf heifers
- range of predominantly traditional buildings housing young calves.

3.5 Labour

- the applicant, full time, resident in Somerton village
- herdsman, resident in the bungalow at Jersey Manor Farm
- the applicant's son, nearly full-time, resident with his father in Somerton village, relief milking and calving duties, etc, when required and arable work in season
- the applicant's daughter, part-time, mainly at week-ends

(The applicant, his family and staff carry out the majority of the work on the land holding with contractors employed only when necessary.)

4.0 Proposed Farm Business

- 4.1 The applicant informed me that it is his intention to increase milking cow numbers to 120 by next year to coincide with the installation of the second robotic milking unit. At this point he may consider pedigree sales. He is also considering rearing a number of bull calves to either store or finishing weight, however this likely to be a fairly small enterprise as he is using sexed semen for cows and heifers.

5.0 Relevant Planning Considerations

- 5.1 On the 27th March 2012 the National Planning Policy Framework (NPPF) superseded all previous planning guidelines including PPS7. NPPF paragraph 55 contains the guidance for local planning authorities in relation to housing in rural areas and sets out that, with a few exceptions, housing should be located where it will enhance or maintain the vitality of rural communities:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes 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; ...”*

NPPF paragraph 214 it advises local planning authorities that during the 12 month period allowed for a new local plan to be adopted *“decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework”*.

- 5.2 It is clear in the new NPPF that rural worker's dwellings are only to be permitted if the need for the rural worker to live on-site is essential. Local planning authorities will no doubt reflect this guidance in the formulation of their new local plans. The guidance in NPPF paragraph 214 is that in the interim existing local plan policies will continue to be accorded weight providing there is no great conflict with the NPPF.
- 5.3 The Cherwell Local Plan was adopted in 1996. Policy H18 of the Local Plan relates to exception dwellings in the countryside and sets out the information that CDC will require from applicants in support of their applications for rural worker's dwellings. Policy H18 was one of the saved policies prior to and during the period when CDC were formulating their Non-Statutory Plan in 2011. Policy H20 of the Non-Statutory Plan also sets out guidelines for rural workers' dwellings and states that there must be an essential need based on the proper functioning of the holding and that adequate financial information should be supplied to demonstrate that the proposals are soundly based and meet the financial tests set out in PPS7.
- 5.4 CDC will no doubt wish to give the weight it feels necessary to existing policies on rural worker's dwellings and will in due course formulate new policy in relation to the guidance set out in NPPF paragraph 55. In my opinion, and following recent case law, it is not unreasonable at the present time and until the new local plan is in place, to continue to assess applications such as this utilising the guidance in PPS7 Annex A.

6.0 Assessment of the Application

6.1 There is a clearly established *existing* functional need

- 6.1.1 The dairy unit at Jersey Manor Farm is managed from the agriculturally restricted bungalow. The bungalow is occupied by the applicant's herdsman who has been employed at the farm for the last four years. He is currently responsible for milking the older cows through the conventional milking parlour, i.e. roughly a third of the herd. The rest of the cows are milked by the robotic milker. He is also responsible for calving, AI work and attending to the young calves. In due course, during 2013, the replacement heifers for the older cows will be milked through the second robotic milker, the herdsman will then be able to perform a more flexible role in the applicant's dairy business whilst attending to, monitoring and maintaining the robotic milkers and dealing with the IT element as necessary.
- 6.1.2 At present, on the herdsman's days off and during his holidays, the direct milking is carried out by the applicant's son or occasionally by the applicant, who also undertake any calving duties during such periods. When the second robotic milker is installed in 2013, the applicant and his son's duties in relation to direct milking will cease.
- 6.1.3 Paragraph 2.4 of the report accompanying the application states that the enterprise has grown by 50% since 1991. However, this statement is at odds with the facts. The applicant is currently milking 95 cows with the aim of reaching a level of 120 cows in 2013. These numbers are the same as those envisaged in 1991 when permission for the agriculturally conditioned bungalow was granted. In my view nothing has changed. The report stresses the installation of the robotic milkers; however, while these machines are not completely trouble free, they do not impact to any great degree on the herdsman's or the farmer's time, and not at night if regular daytime maintenance is carried out. These robotic systems have been in place for many years and design flaws and snagging issues have largely been ironed out to give potential purchasers the confidence to install such systems. In the case of a problem at Jersey Manor Farm, there is a telephone alert to the herdsman with a default or defaults set up to the applicant and/or his son, both resident in their house in Somerton village just a few minutes away.
- 6.1.4 Having analysed the applicant's business I see little difference from the situation in the early 1990s, when the applicant's father living in Manor Farmhouse in Somerton village managed the farm assisted by the farm worker resident in the agricultural dwelling at Jersey Manor Farm. Indeed, there is now greater flexibility as the labour pool has increased with the applicant, his son and his daughter all minutes from the farm and able to manage and assist with the stock held there. In my opinion, there is no essential functional need for another dwelling at Jersey Manor Farm.

6.2 The need relates to a *full time worker*, or one who is primarily employed in agriculture and does not relate to a part-time requirement;

6.2.1 I have examined the labour profile set out at paragraph 4.2 of the report accompanying the application. The figures attributed for dairy cows is as per Nix's Farm Management Pocketbook 43rd edition, but the figure shown for the followers is not from Nix and is, in my opinion, an over-estimation of the standard man day (SMD) time these animals require. Followers should, in my opinion, be assessed at 1.10 SMDs per annum, thus reducing the figure for the followers to 170 SMDs rather than 465. Therefore, the total labour for the stock equates to 630 SMDs or 2.29 full time equivalents based on 275 SMDs worked per worker per annum. This better reflects the actual labour input for the farm. Whilst the stock element gives rise to just over two full time worker's labour per annum, thus satisfying this test, it is the practical management of the farm, as set out above in relation to the functional test, that is the key issue in this application.

6.3 Annex A paragraph 3(iii) "the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so"

6.3.1 I would assume that the business is trading profitably, particularly given the significant investment in the robotic milkers. However, CDC may wish to consider inspecting the applicant's last three years' trading accounts.

6.3.2 In terms of the dwelling envisaged, the proposal is to erect a significantly large dwelling, one of over 450m². One of the key issues in both national and local planning policy in relation to agriculturally restricted dwellings is that they should be of a size commensurate with their established functional requirement. In my opinion, there is no functional requirement for an additional dwelling at Jersey Manor Farm, but should CDC consider that there is, then the dwelling envisaged would be of a size and value that would preclude future satisfiers of its occupancy condition affording its purchase.

6.4 The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned

6.4.1 In my opinion, the stock held at Jersey Manor Farm can easily be managed from the existing dwelling at the farm, supported by the applicant's own dwelling in the village. Indeed, the applicant's other dwelling, which is currently let out, is also relevant to this application.

6.5 Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

6.5.1 I have no comments in relation to this aspect of the guidance.

7.0 Conclusion

7.1 In my opinion, there is no essential functional need for an additional dwelling at Jersey Manor Farm.