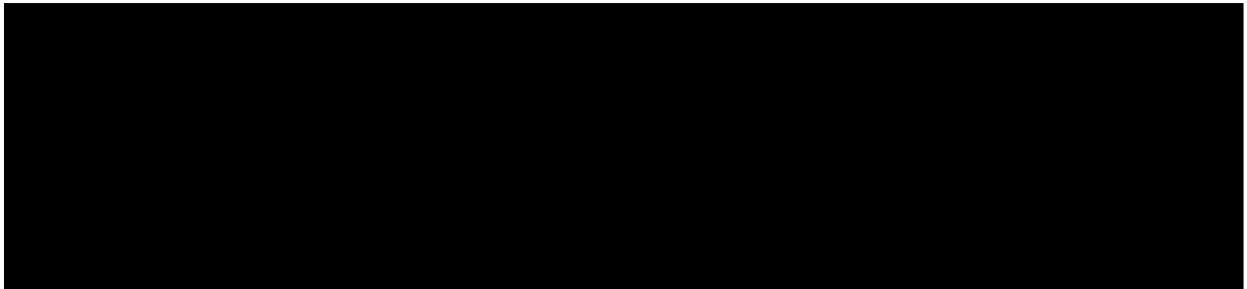


WOODFOLD PARK STUD, WOODFOLD PARK, MELLOR.

**REPORT ON THE PROPOSED REMOVAL OF OCCUPANCY AND
RESIDENTIAL CONDITIONS.**

APPLICATION NUMBER 3/2021/1086



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WOODFOLD PARK STUD, WOODFOLD PARK, MELLOR.

**REPORT ON THE PROPOSED REMOVAL OF OCCUPANCY AND
RESIDENTIAL CONDITIONS.**

1. Introduction

- 1.1. On the 9 November 2021 Ribble Valley Borough Council asked if I would report on an application to remove occupancy and residential conditions in relation to Woodfold Park Stud, Woodfold Park near Mellor.
- 1.2. These conditions were imposed on the grant of consent for a stud farm at Woodfold Park in 2007 [application 3/2007/0252 refers]
- 1.3. The National Planning Policy Framework [NPPF] last revised in July 2021 makes no mention of removing occupancy conditions but under the section “supporting a prosperous rural economy”, states at paragraph 84 that planning policies and decisions should enable:
 - 1.4. a) the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings:
 - 1.5. b) the development and diversification of agricultural and other land-based rural businesses.
- 1.6. However, paragraph 80 of the revised NPPF states “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- 1.7. a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;”
- 1.8. I understand that Ribble Valley Borough Council’s own policies will also apply to this application and that the site lies within the Green Belt.
- 1.9. [REDACTED] the applicant, on the 16 November 2021 and inspected the stabling complex at Woodfold Park Stud. At my site visit [REDACTED] pointed out the boundaries of his land holdings and showed me the approved accommodation to be occupied by visitors to the property. The following information was provided by [REDACTED]

Part 1 – The Existing Situation

2. Land Occupied

- 2.1. The applicant occupies 63 ha [156 acres] of land which includes [REDACTED]
[REDACTED]. Most of the land is down to grass with much of it in a parkland setting, with individual or clumps of trees and the land running down to a brook. Within these land holdings and included in the overall area is about 14 ha [35 acres] of woodland.
- 2.2. [REDACTED]
- 2.3. I understand the land including the dwelling and stable complex were purchased by the applicant in December 2010 as a newly completed equestrian complex.

Since them [REDACTED] has provided extensive post and rail fencing to provide suitable paddocks for the horses.

3. Livestock

3.1. The following livestock are currently kept on these land holdings:-

- 5 breeding mares and 1 foal.
- These horses are Knabstruppers and originate from Denmark. The horses were acquired to breed, rear and train foals until they were about 4 to 5 years old. The foals were then sold on as a general riding horse or for equestrian sports such as dressage, eventing and show jumping.
- [REDACTED] stated that the last foals from these mares were sold in 2020 and breeding has now ceased.

- [REDACTED]

4. Cropping

4.1. Apart from the woodland all the land is in grass. The current numbers of livestock graze on the pastures and are only stabled when weather conditions are unsuitable.

4.2. A proportion of the land is mown each summer to provide sufficient hay to feed the horses over the winter months.

4.3. Clearly 6 horses will only require a relative small proportion of the 63 ha [156 acres] of the land available, probably less than 10%. I understand the applicant

has an arrangement with an adjacent dairy farm to utilise land that is not required for the horse enterprise.

5. Equine Buildings

- 5.1. At Woodfold Park Stud there are 13 purpose built stables, a feed store, a foaling stable and a tack room.
- 5.2. These buildings are all as the plans included with application number 3/2006/0302 and the later 3/2007/0252.
- 5.3. The buildings are constructed of block walls which have rendered and painted external elevations. The roofs have slate finishes.
- 5.4. [REDACTED] advised that he bought the property as a new build. Since his purchase he has fitted out the stables with rubber matting to the floors and installed watering and feeding facilities.
- 5.5. There is a metal clad hay barn to the immediate east of the stable complex provided by [REDACTED] after his purchase of Woodfold Park Stud.

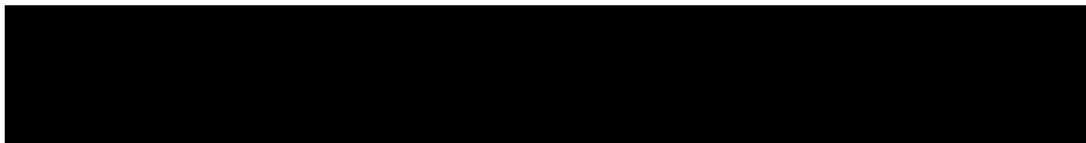
6. Existing dwellings on the holding

- 6.1. There is a stone faced modern dwelling under a slate roof. On the ground floor the accommodation includes, hall, lounge, family room, kitchen, dining room, morning room and office.

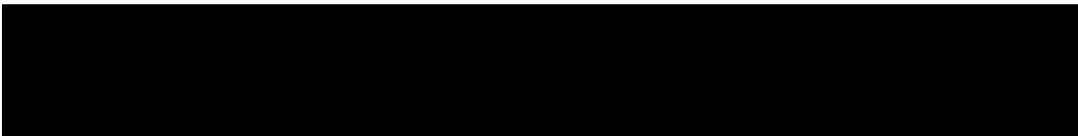
- 6.2. At the eastern end of the ground floor there is an en-suite bedroom used for visitors. This is referred to as the “overnight” accommodation in the planning consent for the dwelling. Access is only from the main house. It does not have a separate access/egress point.
- 6.3. On the first floor there are 2 ensuite bedrooms, 2 further bedrooms and a bathroom.
- 6.4. There is a detached double garage to the immediate west of the house and a double garage/workshop to the immediate east. These are of the same construction as the stables.
- 6.5. The layout of the house is shown on the original location plan submitted with the application.

7. Labour and Residence

7.1.



7.2.



7.3. Contractors are used to bale the hay.

7.4. At the time of my visit the “overnight” accommodation was occupied on a

[REDACTED]

8. Other Information

8.1. [REDACTED] they set up their horse breeding enterprise importing 5 Knabstrupper brood mares from Denmark. At that time they anticipated that the 5 foals they would have each year would be retained on the holding for 4 to 5 years and then realise a sale price of

[REDACTED]

8.2. He advised that shortly after they set up their stud enterprise, the price for foals

[REDACTED]

8.3. He went on to say that by [REDACTED]

[REDACTED] No further breeding has taken place since that date but the 5 mares and 1 foal have been retained on the holding.

8.4. [REDACTED] advised that in his view, bearing in mind the cost of feeding and looking after the brood mares and getting them in to foal, it remains uneconomic to continue with the stud enterprise.

8.5. The current application therefore proposes the removal of the occupancy and residential conditions of the existing planning consent for Woodfold Park Stud.

Part 2 - Guidance in Relation to the proposals to remove the occupancy and residential conditions.

9. The conditions

- 9.1. The conditions that the Council is being asked to remove are set out in the planning permission relating to application number 3/2007/0252 which was approved on the 8 May 2007. [the 2007 approval]
- 9.2. These conditions are a repeat of the original approval for application number 3/2006/0302 which was approved on the 22 December 2006. [the 2006 approval]
- 9.3. I understand the 2007 approval only involved the addition of a basement to the dwelling to house a ground source heat pump and associated equipment.
- 9.4. Condition 5 of the 2006 and 2007 approvals states “The detached dwelling hereby approved shall be occupied only by the manager of the proposed stud farm and his/her family, and shall not be occupied by any other person or persons except with the prior written permission of the Local Planning Authority”
- 9.5. The reason given for condition 5 is “to comply with the terms of the application, and because the construction of a dwelling not relating to the associated stud farm business, would, in this Green Belt location, be contrary to Policies G5 and ENV5 of the Ribble Valley Districtwide Local Plan, the Council’s adopted Supplementary Planning Guidance: Housing and Policies 5 and 12 of the Joint Lancashire Structure Plan

9.6. Condition 6 of the 2006 and 2007 approvals states “The “overnight” accommodation hereby permitted shall only be used by the owners of individual horses (or other legitimate visitors to the business) as sleeping accommodation on a temporary basis. This accommodation shall not be used as a permanent residence either by an employee or employees of the stud farm business or by any other person or persons except with the prior written permission of the Local Planning Authority.

10. The former stud business.

10.1. [REDACTED] maintains that his operation of the stud business has ceased due to a

[REDACTED]

10.2.

[REDACTED]

10.3. [REDACTED] genuine in his submission, I advise that you should seek evidence of this situation by requesting the applicant to produce copies of correspondence/instructions he has received

[REDACTED]

11. The need to live on site.

11.1. [REDACTED] that purchase would be subject to the existing planning consents including the occupancy and residential restrictions.

11.2. As the application is to remove a condition requiring only the manager of the stud farm and his/her family to live on site, I have looked at some aspects in relation to the existing situation to consider if there currently is an essential need for a worker to live on site. These aspects are:-

12. Aspect one –Functional Need.

i) There is a clearly established existing functional need.

12.1. When consent was originally granted for the dwelling at Woodfold Park Stud it was granted on the basis that there was a functional need for an essential rural worker to live on site to meet that functional need. A functional need on a farm or equestrian premises is the need for a worker to be on hand to deal with instances that need to be dealt with reasonably quickly, particularly those instances that occur outside of normal working hours. Examples of high functional need are livestock giving birth, in this case horses.

12.2. Consideration of this aspect is reinforced by the planning guidance issued by the Government on the 22 July 2019 under “Rural Housing. How can the need for isolated homes in the countryside for essential rural workers be assessed?”

[Paragraph: 010 Reference ID: 67-010-20190722]

- This guidance states that considerations that it may be relevant to take into account when applying 79a [now paragraph 80 of the July 2021 revision] of the NPPF could include:- “ Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);

12.3. In the current situation, breeding from the existing 5 mares on the property has ceased and therefore livestock will not be giving birth. However, the 5 horses and foal are still on the holding and there will still be a functional need to care for these animals, although it will be much reduced from when the property was operated as a stud farm with a succession of foals produced annually being cared for.

12.4. Therefore, I am satisfied that there is a clearly established existing functional need on these land holdings however, it is now minimal due to the reduced number of horses on the holding and the cessation of breeding.

13. Aspect two – Full Time Worker

ii) The need relates to a full time worker or one who is primarily employed in a rural enterprise and does not relate to a part time requirement.

13.1. I have calculated the labour requirement on the land holdings that are made up of Woodfold Park Stud and can confirm that, in my opinion and based on the current enterprises, it has a calculated labour requirement of considerably less than 1 full time worker.

13.2. This is currently met by the applicant and his family and by the use of contractors for specialist tasks.

14. Aspect 3 – Financial Viability

iii) The unit and the activity concerned have been established for at least 3 years, have been profitable for at least 1 of them, are currently financially sound and have a clear prospect of remaining so.

14.1. This aspect is again reinforced by the planning guidance issued on the 22 July 2019 under “Rural Housing, How can the need for isolated homes in the countryside for essential rural workers be assessed”

- This states that considerations that it may be relevant to take into account when applying paragraph 79a [now paragraph 80 of the July 2021 revision] of the NPPF could include
- “The degree to which there is confidence that the enterprise will remain viable for the foreseeable future”

14.2. I understand that this existing current family business was established around 2010.

14.3. The applicant has stated that the stud farm business has ceased trading. Therefore the horse breeding enterprise operated by the applicant is now unviable.

15. Aspect 4 – Suitability and availability of existing dwellings on the holding.

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

15.1. Today it is only really necessary for specialist workers to live on or immediately adjacent to rural holdings. This is to be available at most times, in case animals or processes require essential care at short notice and to deal quickly with emergencies that could otherwise cause serious loss of crop or products, or in this case losses of livestock, particularly in relation to the care of the horses on the holding.

15.2. At the present time the existing dwelling at Woodfold Park Stud is suitable and available to house a worker on these land holdings.

16. Conclusion in relation to these aspects.

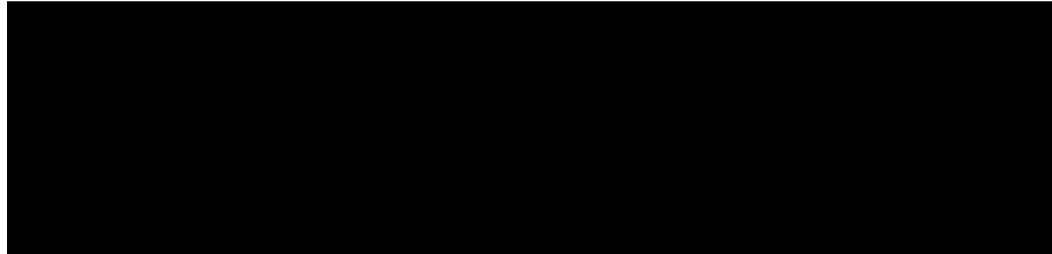
16.1. As there is insufficient functional need, the labour requirement is less than 1 full time worker and the enterprise is financially unviable, I conclude that based on [REDACTED] [REDACTED] horse breeding enterprise, it is not essential for a worker to live on site.

17. Future use of the Woodfold Park Stud premises.

17.1. At the time of my site visit to Woodfold Park Stud premises, the equine buildings were empty and not in use with the 5 mares and 1 foal being retained on the

pastures. The applicant advised that these horses will remain outside until the weather deteriorates and they have to be brought inside.

17.2.



17.3. There may well be another horse breeder that is prepared to acquire Woodfold Park Stud either by way of purchase or lease and be able to comply with conditions 5 & 6. As far as I am aware no evidence has been submitted by the applicant considering or discounting this option.

17.4. An alternative use to stud facilities will be to utilise the stables etc for another equine purpose eg either full, part or DIY livery where other owners of horses stable their horses at the premises.

17.5. Full livery will involve the owners/occupiers of Woodfold Park Stud arranging the total care of the horses including feeding, mucking out, grooming, exercising, veterinary care etc. DIY livery is where the owners of the premises provide the facilities eg stables and exercise area and usually hay and bedding with the horse owners undertaking the feeding, grooming, mucking out exercise etc. Part livery lies some-where between the two.

17.6. Again there appears to have been no evidence submitted to show that use of the existing equine accommodation for livery as an alternative enterprise has been

considered and investigated. I understand that there is a demand for livery in the area.

17.7. There may well be other potential land based future uses. The parkland setting with appropriate fencing provided may be appropriate for farming Red Deer for venison. The keeping and breeding of Camelids including Alpaca is increasing and may be suited to this property. Such enterprises, if at scale, usually require a worker to live on site.

17.8. The existing stables etc may provide opportunities for use as rural craft type workshops where live/work units are appropriate.

17.9. There will be a demand from local farmers to utilise the grassland areas.

17.10. Therefore, in my view, it does not appear that possible alternative uses that require a worker to continue to live on site, have been adequately explored.

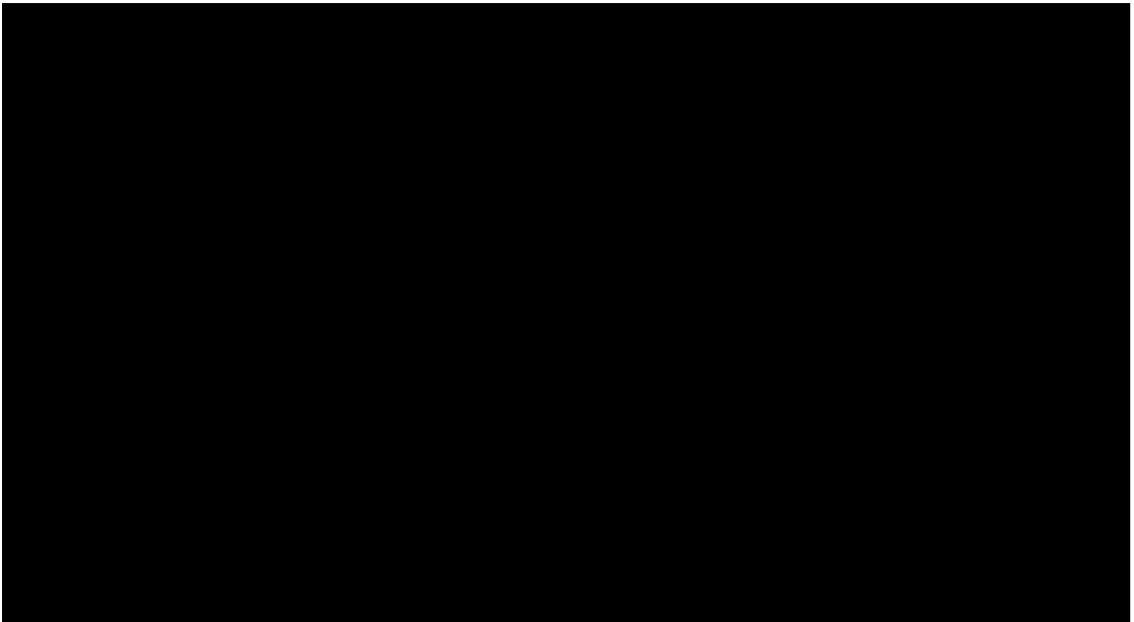
18. Removal of occupancy conditions.

18.1. The NPPF makes no mention of the removal of occupancy conditions.

18.2. It has been my understanding that where it has been accepted that there is an essential need for a worker to live at or near his/her place of work in the countryside, it is necessary to ensure dwellings are kept available for meeting that need for as long as it exists. That is usually achieved through occupancy conditions.

- 18.3. I also understand that changes in the scale and character of rural enterprises may affect the longer-term requirement for dwellings with occupancy conditions. In the past, Government guidance has been that such dwellings should not be kept vacant, nor should their present occupants be unnecessarily obliged to remain in occupation simply by virtue of planning conditions restricting occupancy which have outlived their usefulness.
- 18.4. That guidance stated that the need should relate to the area as a whole and not just to the particular holding.
- 18.5. Therefore, in relation to condition 5 and 6 you may wish to consider an alternative wording to allow the applicant to seek an alternative use for the existing stabling and other facilities on the holding, for example horse livery, deer or alpaca farming.

18.6.



19. Conclusions

19.1. I therefore conclude by advising as follows:-

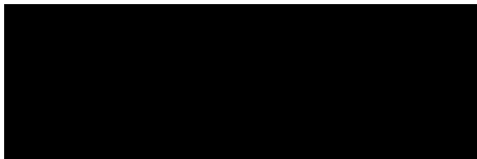
19.2. At the present time there is a clearly established *existing* functional need in relation to the landholdings but it is now minimal, the labour requirement is considerably less than 1 full time worker and the stud business is unviable.

Therefore, in my view, it is not essential for a worker to live on these land holdings based on the existing stud enterprise.

19.3. It appears that full consideration has not been given to finding alternative land based uses for the equine facilities on the holding and that will require a worker to live on site.

19.4. It is, in my view, in order to potentially remove occupancy conditions before a possible sale of the property, to advertise the property in an agreed manner and over an appropriate period of time and at a discounted price to reflect the occupancy conditions to see if a sale can be achieved subject to those conditions.

19.5. If a sale is not achieved, then the Planning Authority should request an independent report on the appropriateness of the sale procedure and price.



A G Jackson BSc FRICS FAAV

7 December 2021

Disclaimer

The information provided in this report has been obtained from the applicant and published sources. In particular the figures relating to areas of land and livestock numbers are the applicant's figures and have not been verified.

