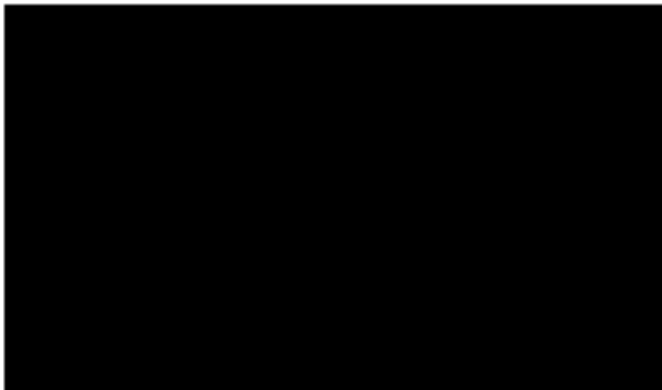


**THORNLEY HALL FARM, LONGRIDGE PR3 2TN.**

**REPORT ON A PROPOSED PERMANENT AGRICULTURAL WORKER'S  
DWELLING.**

**APPLICATION NUMBER 3/2022/0265**



April 2022

**THORNLEY HALL FARM, LONGRIDGE PR3 2TN.**

**REPORT ON A PROPOSED PERMANENT AGRICULTURAL WORKER'S  
DWELLING.**

**1. Introduction**

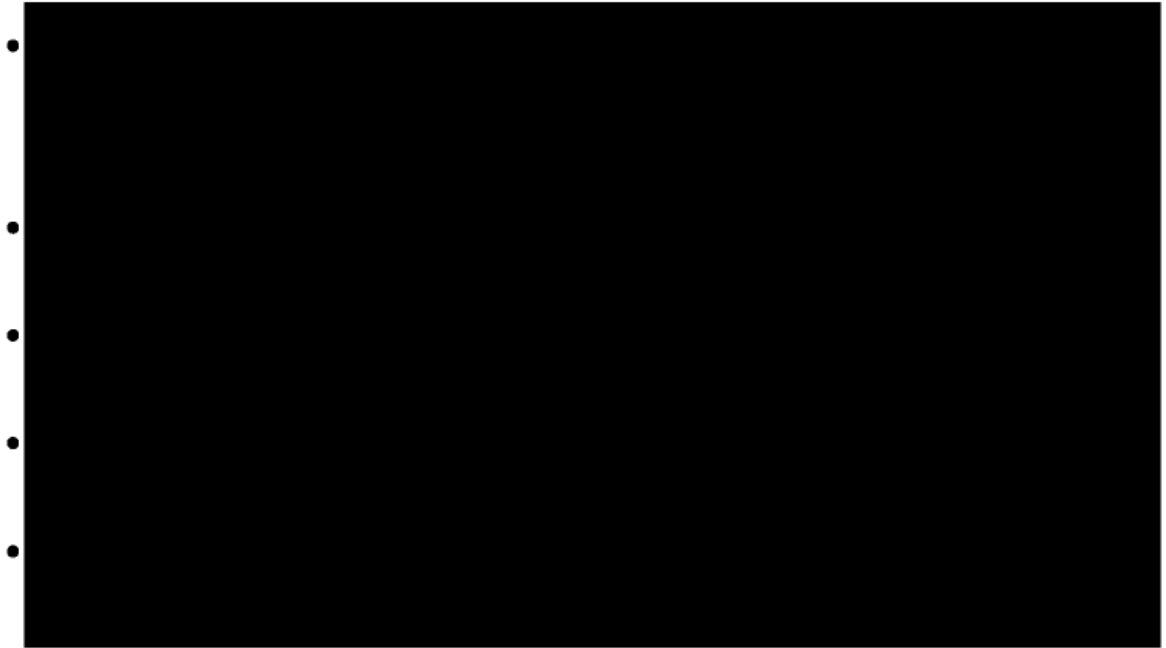
- 1.1. Ribble Valley Borough Council asked on the 6 April 2022 if I would report on the need for a proposed permanent agricultural worker's dwelling at Thornley Hall Farm, Longridge.
- 1.2. The National Planning Policy Framework [NPPF] last revised in July 2021, under the section "supporting a prosperous rural economy", states at paragraph 84 that planning policies and decisions should enable:
  - 1.3. 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:
  - 1.4. b) the development and diversification of agricultural and other land-based rural businesses.
- 1.5. However, paragraph 80 of the revised NPPF will also apply to this application.ie "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- 1.6. 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;”
- 1.7. I understand that Ribble Valley Borough Council’s own policies will also apply to this application.
- 1.8. I also understand that the application site is within the boundary of an AONB and therefore paragraph 176 of the NPPF will apply. It reads “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- 1.9. I will therefore base my report on the advice contained within the revised NPPF. I will consider the following aspects to establish if there is an essential need for a new permanent dwelling on these land holdings in relation to the existing enterprises i.e. 1) Existing functional need 2) Labour requirement 3) Financial viability and 4) The availability and suitability of existing dwellings to meet the existing functional need.
- 1.10. I met with the applicant Mr Graham Airey on the 14 April 2022 and inspected the farm steading at Thornley Hall Farm. [REDACTED]  
[REDACTED] for the applicant. The following information was provided on behalf of the applicant:-

## **Part 1 – The Existing Situation**

### **2. Land Occupied**

2.1. The applicant occupies the following areas of land:-



### **3. Livestock**

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

- 170 Holstein x Friesian dairy cows. These cows calve all year round. Sexed semen is used to obtain heifers from the better quality cows. The cows produce about 10,000 litres of milk each per year which is a high yield and are therefore milked 3 times per day. The first milking starts at 6.00am and the last finishes around midnight. Dry cows are grazed outside in the summer months but in milk cows are housed throughout the year.
- The female calves from the better quality cows are reared on the farm to provide replacements for the older cows.

- The male calves are sold off the holding at about 2 months of age for rearing by others.
- There were about 120 replacement heifers on the farm at the time of my site visit.
- 170 store lambs are bought each autumn to eat off surplus grass over the winter months.

#### **4. Cropping**

- 4.1. This is an all grass farm with about 63ha [155 acres] of grassland cut up to three times each year for silage for winter feed for the livestock.
- 4.2. The remainder of the farm is in grass for grazing the livestock.

#### **5. Farm Buildings**

- 5.1. At the Thornley Hall Farm steading there are the following buildings:-
- 5.2. A range of traditional stone built farm buildings situated adjacent to the entrance to the farm off the public road. These are used for housing young cattle and general storage.
- 5.3. An extensive range of modern portal steel framed farm buildings including:-
- 5.4. Cow cubicle accommodation for the 170 dairy cows and in calf heifers.
- 5.5. A dairy, collecting yard and milking parlour.

5.6. Covered and open silage pits.

5.7. Slurry storage facilities.

5.8. I understand the applicant farmed in [REDACTED] [REDACTED] [REDACTED] [REDACTED] Mr Airey retained the buildings described above with [REDACTED] constructing a new set of farm buildings to [REDACTED] I also understand that there is sufficient capacity within the above buildings to expand cow numbers to 200 and proportionately increase the young stock.

## **6. Existing dwellings on the holding**

6.1. At the Thornley Hall Farm steading there is a 5 bedroom detached farm house which has rendered stone elevations under a slate roof.

6.2. I understand this farm house is of sufficient capacity to accommodate 2 families but it is not physically divided. Mr Airey believes it to be a listed building.

6.3. [REDACTED] lies to the immediate east of Thornley Hall Farmhouse and is now part [REDACTED] so is not available to the applicant's business.

**7. Labour and Residence**

7.1. Mr Graham Airey works full time on his land holdings. [REDACTED]  
[REDACTED] he occupies the eastern part of Thornley Hall farm house.

7.2. The applicant's [REDACTED] work full time on the land holding [REDACTED]  
[REDACTED]

7.3. I understand part time help is employed at busy times.

7.4. Contractors are used sparingly for specialist tasks.

**8. Other Information**

8.1. Mr Airey advised [REDACTED]  
[REDACTED] He will remain living in Thornley Hall Farm house after his [REDACTED]

8.2. He advised the proposed dwelling is [REDACTED]

## **Part 2 - Guidance in Relation to the NPPF and the test for essential need.**

### **9. Instructions**

9.1. I am to consider four aspects to establish if there is an essential need for a new permanent dwelling on Thornley Hall Farm to enable a rural worker to live at or near his/her place of work in the countryside as per the guidance in paragraph 80 of the revised NPPF. These aspects are 1) to assess if there is a functional need for a worker/s to be resident on the holding, 2) to assess how many workers are needed to operate the holding and of those workers, how many need to be resident on the holding 3) to assess if the business is financially sound and has a clear prospect of remaining so and 4) to assess the suitability and availability of existing dwellings to house those workers that need to be resident on the holding. I have therefore considered these four aspects and set out below under each heading the requirements to be met and my assessments.

### **10. ASPECT ONE – FUNCTIONAL NEED**

#### ***i) There is a clearly established existing functional need.***

10.1. A functional need on a farm 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. An example of high functional need is dairy cows giving birth. 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);

- 10.2. The 170 dairy cows will calve each year. They calve throughout the year. A number of these calvings will occur outside of normal working hours and may require a worker/s to be present. Some cows can be difficult to handle in such situations and for health and safety reasons it is often wise to have 2 workers present at such calvings.
- 10.3. All the animals on the farm will require regular health checks and some may need treatment, possibly outside of normal working hours.
- 10.4. The young calves on the holding usually require hand rearing in their first few weeks of life and need particular care and attention.
- 10.5. The over wintered store lambs will need to be checked on a regular basis.

10.6. Therefore, I am satisfied that there is a clearly established existing functional need on these land holdings with the intensity of need being in relation to the periods when animals are giving birth and throughout the year for the younger stock. Most of the functional need is located at the Thornley Hall Farm steading particularly during the times of year when the livestock are housed.

**11. 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.*

11.1. I have calculated the labour requirement on the land holdings that are made up of Thornley Hall Farm from information provided by The Scottish Agricultural Colleges and can confirm that, in my opinion and based upon the current enterprises, it has a calculated labour requirement of around 4 full time workers, with the majority of the labour requirement being applicable to the dairy cattle enterprise.

11.2. This is currently met by the applicant [REDACTED] working full time with part time help at busy times and the use of contractors for specialist tasks.

**12. ASPECT 3 – FINANCIAL VIABILITY**

*iii) The unit and the activity concerned have been established for at least 3 years, have been profitable for* [REDACTED]

12.1. 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”

12.2. I understand that this existing current family business has been established at Thornley Hall Farm for very many years with the current arrangements. [REDACTED]

[REDACTED] being a continuation of the previous business utilising the same farm house, the same buildings and a proportion of the land and livestock. It is therefore not a newly established enterprise.

12.3. Financial viability can be defined as offering a competent person the prospect of a sufficient livelihood. For many years, to establish financial viability, I have required that a net farm income after all expenses such as feed, fertiliser and property maintenance, be at least equivalent to an average agricultural workers

minimum wage. However, in October 2013 The Agricultural Wages Board was disbanded and therefore minimum wages are no longer set for the industry. As an alternative source of evidence, figures are produced giving the current gross earnings of agricultural workers at approaching £24,000 per annum. [Source – Annual Survey of Hours and Earnings (ASHE) published online by the Office for National Statistics November 2020]

12.4. I am aware that the NPPF requires an essential need to be demonstrated but does not specifically require a financial test. It is my understanding that the decision in the judicial review of Northumberland County Council and Embleton Parish Council considered this aspect. In essence this decision stated that the NPPF is less onerous than the former PPS7 and a financial test is no longer relevant, the only formal test being that of essential need. I have therefore been of the view that a Planning Authority may have regard to the financial position to establish if it is a sustainable business but needs to decide how much weight to attach to those financial aspects.

12.5. However, in my view, the recent guidance referred to in paragraph 12.1 above amends this position and requires consideration of the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.

12.6. My calculations indicate that this is a viable and sustainable business. The applicant has provided details of the farm accounts for the [REDACTED]. These accounts confirm my assessment that this is a viable and sustainable business.

12.7. Your Council should therefore have confidence that this family operated business based on Thornley Hall Farm, will remain viable for the foreseeable future.

**13. 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.*

13.1. 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 cattle and sheep on the holding.

13.2. Therefore, I am of the opinion, that in the interests of the wellbeing of the livestock, the efficient running of the holding and for overall security at the land holdings centred on Thornley Hall Farm, that of the total calculated labour requirement of about 4 full time workers, it is essential that 2 of those full time workers, actively involved in the management of this farming unit, should be resident on this farm.

13.3. At the present time, the existing farm house at Thornley Hall Farm is suitable and available to house those 2 full time workers.

13.4. However, as the applicant [REDACTED] but remains in the farm house, then although part of that farm house will remain suitable and available to house 1 full time worker, the other part currently occupied by the applicant, whereas it may remain suitable, will not be available to house the second full time worker on this farm.

**14. Other advice**

14.1. 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” also states that considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF [now paragraph 80 of the revision] could include:- “ whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;”

14.2. I understand that the applicant [REDACTED]

[REDACTED]

**15. Other advice.**

15.1. If and when Mr Airey [REDACTED] remains in part of the farm house at Thornley Hall Farm, part of that dwelling will then be unavailable to the farm business. There have of course been a number of cases where it has been found

unreasonable to [REDACTED] to provide accommodation for another worker on the farm.


- 15.2. However, in time, that part of the farm house at Thornley Hall Farm may well become available again to house a worker on the farm. Therefore, if your Council is prepared to support this application, but feel it is necessary to ensure that dwelling is retained for future use solely by the farm, you may wish to consider adding an occupancy condition to that dwelling as well as an occupancy condition on the proposed dwelling.

## **16. Conclusions**

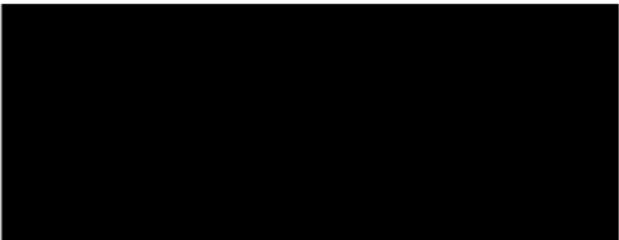
- 16.1. I therefore conclude by advising as follows:-
- 16.2. At the present time there is a clearly established *existing* functional need in relation to the landholdings that are based on Thornley Hall Farm.
- 16.3. I have calculated the labour requirement on these landholdings and can advise that they have a total calculated labour requirement of about 4 full time workers which includes the use of part time help at busy times and the use of contractors for specialist tasks.
- 16.4. I have confidence that the overall business will remain financially viable for the foreseeable future.

16.5. I am of the view that it is essential that 2 full time workers actively involved in the management of the unit should be resident on this farm to meet the existing functional need.

16.6. The existing farm house at Thornley Hall Farm is currently suitable and available to house those 2 full time workers. However, as the applicant withdraws from physical work on the farm and retires, but continues to reside in part of the farm house, that part of the farm house will become unavailable to the farming business to house a full time worker.

16.7. In my view the provision of an additional dwelling on this holding will assist in  process on this farm.

16.8. If your Council is prepared to support the provision of another dwelling on this farm but has concerns about the future availability of the existing farm house at Thornley Hall Farm, it should consider attaching an occupancy condition to that dwelling as well as to the proposed dwelling

  
18 April 2022

**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.**

