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PLANNING STATEMENT AND AGRICULTURAL APPRAISAL

**TO SUPPORT THE PERMANENT RETENTION OF A
STATIC CARAVAN ON LAND AT DEMESNE FARM,
SETTLE ROAD, NEWSHOLME, CLITHEROE, BB7 4JF
FOR USE AS A FARM WORKERS DWELLING.**

Appellants: Messrs W & M Oldfield
Prepared by: Gary Hoerty BSc (Hons) MRICS FAAV
Date: March 2022
Our ref: Old/661/2960/GH



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents
Valuers ■■■ Property Agency ■■■ Property Management



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1. INTRODUCTION AND BACKGROUND INFORMATION

- 1.1 Gary Hoerty Associates have been instructed by William and Michael Oldfield to submit a planning application on their behalf for permission to site a static caravan on land at Demesne Farm for use as a permanent farm worker's dwelling. This Planning Statement and Agricultural Appraisal has been prepared to support the application.
- 1.2 This application follows the granting upon appeal of planning permission for the siting of a mobile home at the farm for a temporary three year period, appeal reference APP/T2350/C/17/3180028, which was decided on 5 June 2018. The inspector who determined the appeal decided that the scale and nature of the applicants farming business gave rise to a functional need for at least two people to be resident in very close proximity to the group of buildings at Demesne Farm and that this need could not be met by other dwellings nearby. He clearly stated that dwellings in the nearest settlement of Gisburn would be too far from the farm to be able to meet the functional needs of the business.
- 1.3 This report sets out in detail the extent of the farming operations that the appellants undertake at and from Demesne Farm; the nature and scale of the livestock enterprises and the work that these enterprises generate; the extent of the applicant's land holding and buildings and fixed equipment to support the enterprises and the level of investment that has been made in recent years expanding the scale of their operations and the impact that this has on the need for experienced full time workers to reside at the farm. The circumstances that gave rise to the above-mentioned appeal being allowed have not changed, there has been no reduction in the scale of farming activity and no other suitable dwellings are available.
- 1.4 The applicants, William and Michael Oldfield, are brothers who are in their early thirties and they farm in partnership they farm approximately 371 acres or thereabouts which comprises land and buildings at Demesne Farm and land only at Painley Farm. William Oldfield and his family live at Newsholme, namely Whinhill House, Settle Road, Newsholme, Clitheroe, BB7 4JE.
- 1.5 William Oldfield and his family resided in the farmhouse at Painley Farm until early 2017 when following the death of his grandmother in December 2016 they moved into the property that she had owned and occupied
- 1.6 Michael Oldfield has lived at Demesne Farm in a static caravan since 8 April 2012
- 1.7 This report sets out quite clearly why there is a functional need for at least two full time workers to reside permanently at Demesne Farm.

2. PLANNING HISTORY

- 2.1 We set out below details of the recent planning history of the farm.
- 2.2 Planning application 3/2015/0372 was a full planning application for the erection of a large steel portal frame agricultural building measuring approximately 50m x 40m which was approved with conditions on 28 September 2015. The building has recently been constructed and now houses 152 dairy cows (capacity is 200 cows) and three Lely robotic milking machines.

- 2.3 Planning application 3/2013/0821 was a full planning application for the construction of an earth banked slurry lagoon which was approved with conditions on the 14 November 2013.
- 2.4 As a consequence of an enforcement notice appeal planning, reference APP/T2350/C/17/3180028, permission was granted for a temporary three year period for the siting of a mobile home on land at Demesne Farm for use as a farm workers dwelling.

3. THE DEVELOPMENT

- 3.1 The development that is proposed is the siting of a static caravan on land forming part of Demesne Farm for use as a permanent farm worker's dwelling.

4. THE AGRICULTURAL HOLDING

4.1 Description

- 4.1.1 The appeal holding which comprises two farms, Demesne Farm and Painley Farm, extends to approximately 371 acres (150 hectares) or thereabouts of grassland all of which is owner occupied. Demesne Farm comprises approximately 178 acres (72 hectares) of land and a large range of modern and traditional farm buildings and Painley Farm comprises approximately 193 acres (78 hectares) of land and no buildings. William Oldfield owns a dwelling which is situated in close proximity to Demesne Farm which is Whinhill House, Settle Road, Newsholme.
- 4.1.2 The holdings main group of farm buildings at Demesne Farm are described in more detail in Section 4.2 below.
- 4.1.3 The applicant's farming enterprises comprise a dairy herd and a large flock of breeding sheep. The dairy herd comprises 347 cows of which 290 are currently in milk and 57 are dry and there are approximately 74 in calf heifers and a further 175 head of youngstock of varying ages on the farm. The replacement heifers calve at twenty four months old.
- 4.1.4 The appellants keep approximately 400 breeding ewes and produce 640 lambs from Mules and Texels. They lamb indoors between April and May. In addition to the ewes there are currently 300 shearlings and 430 fat lambs on the farm.

4.2 The Farm Buildings

- 4.2.1 We describe below the range of farm buildings located at Demesne Farm using number referencing which corresponds with the plan attached at Appendix 1 for identification purposes.

Building 1 – Storage Building 10m x 7m

- 4.2.2 This is a steel portal frame building with part concrete block and part corrugated asbestos cement sheet clad walls under a corrugated asbestos cement sheet roof. The building is used for general agricultural storage.

Building 2 – Livestock Building 11m x 27m

- 4.2.3 This is a brick built building under a corrugated asbestos cement sheet roof which is used for housing calves and dairy youngstock and at lambing time for lambing sheep.

Building 3 – Livestock Building 18m x 27m

- 4.2.4 This is a steel portal frame building with part concrete block walls and part box profile cladding with corrugated fibre cement roof cladding which is used for housing calves and dairy youngstock and at lambing time for lambing sheep.

Building 4 – A traditional single storey range of buildings.

- 4.2.5 This is a traditionally built range of brick buildings under predominantly tin sheet roofs. The range is used for calf housing and lambing.

Building 5 – Feed Store 12m x 18m

- 4.2.6 A steel portal frame building with part shuttered concrete and part corrugated asbestos cement sheet clad walls under a corrugated asbestos cement sheet roof. The building is used for storing animal feed.

Building 6 – Cubicle Shed 18m x 36m

- 4.2.7 A steel portal frame building with part concrete block and part corrugated asbestos cement sheet clad walls under a corrugated asbestos cement sheet roof. The building is used to house the dry cows and has 68 cubicles.

Building 7 – Workshop 9m x 10m

- 4.2.8 A steel portal frame building with rendered concrete block walls and a roller shutter door with a corrugated asbestos cement sheet roof

Building 8 – a covered Silage Clamp 14m x 27m

- 4.2.9 A steel portal frame building with part shuttered concrete and part corrugated asbestos cement sheet clad walls under a corrugated asbestos cement sheet roof.

Building 9 – an uncovered Silage Clamp 14m x 27m

- 4.2.10 This clamp is adjacent to the covered clamp utilising one of its walls with the other sides being earth banks.

Buildings 10, 11 & 12 – Dairy cow housing and dairy.

- 4.2.11 This range of steel portal frame buildings provide the accommodation for 120 dairy cows, two robotic milking machines and the dairy.

Building 13 – Dairy cow housing 40m x 50m

- 4.2.12 This is a steel portal frame building which provides cubicle accommodation for 200 cows, feed passages and three robotic milking machines for part of the dairy herd.

4.3 The Land

- 4.3.1 The holding extends to approximately 371 acres (150Ha) or thereabouts all of which is down to grass and 270 acres (109Ha) is mown for 3 cuts of silage the remaining 100 acres (40.5Ha) being pasture.
- 4.3.2 The land is all well fenced and well maintained and it is all located in reasonably close proximity to the main farmstead at Demesne Farm, where the buildings are located. We attach at Appendix 2 copies of the applicant's Rural Land Register Maps for both Demesne and Painley Farms.

4.4 The Farming System

- 4.4.1 The appellants operate a dairy enterprise and currently have a herd of 347 Holstein-Friesian dairy cows and they also rear their own replacements and currently have approximately 250 head of youngstock approximately 90 from 0 - 10 months and 85 from 11 months to 14 months to go to the bull and 74 in calf heifers. The applicant's also have approximately 400 breeding ewes which produce 640 lambs and 300 shearlings.
- 4.4.2 The appellants have made very significant investments in respect of the farming business over recent years which has included the construction of a large new slurry store, the construction of a large cattle building and the installation of three new robotic milking machines, the increase in the dairy herd from 140 cows to 347 and the purchase of approximately 193 acres (78 hectares) of agricultural land. The level of investment will be in the region of £1.5 million which has been partly funded from profits within the existing business but largely through bank funding. The funding for the building work and the robots was taken out over a ten year period and there are now only four years remaining until this borrowing is fully repaid and the borrowing for the land was over a twenty year period and six years has elapsed in respect of this. The fact that the business is servicing this debt and continuing to increase livestock numbers clearly indicates that it is a viable business.
- 4.4.3 The applicants run two dairy bulls with the cows and some cows are artificially inseminated and presently a higher number of cows are being served to dairy bulls than would normally be the case so that they can increase the size of the herd from home bred cattle.
- 4.4.4 The cows are high yielding and need close and effective management and supervision to maintain their health and productivity. The cows calve all year round and frequently cows will require assistance calving, particularly heifers calving for the first time. The cows are currently milked by 5 Lely robotic milking machines.
- 4.4.5 In addition to the dairy enterprise the applicants lamb approximately 400 breeding ewes producing approximately 640 lambs.

4.5 Labour Requirements

- 4.5.1 We have calculated the labour requirement at the holding using the two usual methods of standard man days (Nix Farm Management Pocketbook 2022) and Standard Labour Requirement based on hours per annum (SAC Farm

Management Handbook 2020/21). The calculation using both methods are detailed below.

- 4.5.2 We have calculated the labour requirements of the holding using standard figures from the Farm Management Pocketbook by John Nix as follows:

347 dairy cows @ 4 days/head	=	1,388
249 cattle @ 1.1 days/head	=	273.9
2 bulls @ 3.5 days/head	=	7
400 ewes @ 0.50 days/head	=	200
300 shearlings 0.50 days/head	=	150
10 tups @ 0.50 days/head	=	5
Grazing land 40.5ha @ 0.4 days/Ha	=	16.2
Meadow Land 109ha @ 2.8 days/Ha 2 cuts	=	305.2
Total		2,345.30 days

- 4.5.3 We have calculated the labour requirements of the holding using standard figures from the SAC Farm Management Handbook 2013/14 as follows:

347 dairy cows @ 28 hours/head/annum	=	9,716
249 cattle @ 12 hours/head/annum	=	2,988
2 bulls @ 12 hours/head/annum	=	18
400 ewes @ 5.2 hours/head/annum	=	2,080
300 shearlings @ 5.2 hours/head/annum	=	1,560
10 tups @ 5.2 hours/head/annum	=	52
Grazing land 40.5ha @ 3.1 hours/annum	=	162
Meadow Land 109ha @ 22 hours/annum	=	2,398
Total		18,974 hrs/annum
Equivalent to		2,372 days

- 4.5.4 ADAS defines full time work as 275 days/year there is a clear labour requirement on the basis of employees working standard hours for nearly 8.5 full time workers on the holding according to both the Farm Management Pocketbook by John Nix and the SAC Farm Management Handbook.

- 4.5.5 These figures are only a guide and will differ from holding to holding, part of the labour requirement can in some instances be met by the use of contractors and modern buildings are generally less labour intensive than older buildings. Often on family farms the family members involved in the farming enterprises work extremely long hours for six or seven days a week and take very few holidays and as a consequence the actual number of full time workers is in practice less than these calculations suggest.

- 4.5.6 The figures above do not make any allowance for the fact that all of the silaging operations are carried out by contractors or for the fact that the cows are milked by robots and not in a traditional parlour both of these factors will reduce the overall labour. However, the fact that the farm has robots which milk the cows does not reduce the need for out of normal hours work, on the contrary the fact that the cows can present themselves for milking at any time of day or night means that there is more frequently a need for the workers to attend to work out of hours. This is because as with any machine the robots do not always function correctly and when faults occur, which can be frequent at least a couple of

nights a week, the machines need to be attended to by the farm workers at short notice to avoid harm being caused to either the cows or the robots.

- 4.5.7 When a fault occurs with one of the robots a message is sent to whoever's mobile phone is programmed into the robots to receive the notification and they are alerted to the problem whenever it occurs and have to be available to attend at whatever time of day or night when they are alerted. On average the appellants get a couple of call outs during the night each week.
- 4.5.8 The appellant's farming activities are currently undertaken by two full time workers William Oldfield who resides nearby in Whinfell and Michael Oldfield who lives in the farm in a static caravan which is the subject of an enforcement notice.
- 4.5.9 It would be completely unreasonable to expect one worker to be available to attend to all of the out of hours work that is generated at this extensive livestock farm. We have absolutely no doubt that two full time workers need to live at or very close to Demesne Farm in order to meet the functional need that is generated by the extensive livestock enterprises that are being operated. The planned and ongoing expansion of the dairy enterprise will only increase the requirement. The farm has had the benefit of a house at Painley Farm until recently and this has now been replaced by Whinfell to accommodate William and his family and Michael has lived on Demesne Farm for approximately five and a half years and in order to adequately meet the welfare requirements of their livestock it is imperative that he continues to do so.
- 4.5.10 The continued occupation of the new static caravan at Demesne Farm by Michael represents a far more sustainable solution to him living away from the farm and having to make frequent journeys to and from the farm from a dwelling located many miles away.
- 4.5.11 As a consequence of the appellant more than doubling the number of dairy cows and followers they will need to employ a shepherd at lambing time to deal with the majority of the out of hours work associated with lambing their 400 breeding ewes and it is their intention to use the caravan that Michael has vacated on a seasonal basis to provide temporary accommodation during this period of peak activity.

5. REASONS WHY THE DEVELOPMENT IS REQUIRED

- 5.1 When the enforcement notice appeal was dealt with there was in our opinion without doubt a functional need as a consequence of the scale and nature of the applicant's agricultural enterprises for at least two full time workers to be readily available at all times of day and night to care for the welfare of the livestock that are kept on the holding and in order to respond at short notice to emergencies. This matter was thoroughly discussed at the informal hearing that took place to consider the enforcement notice appeal and the inspector agreed with our assessment and granted a temporary three year permission for the use of a mobile home on the site to be used as a farm workers dwelling. There have been no material changes to the nature and scale of the agricultural enterprises that existed at the time of the appeal which would alter this assessment. Notwithstanding the fact that the agricultural need should not be a matter of dispute given the appeal decision I have restated the type of issues that give rise to the need for the dwelling below.

- 5.2 The cows can calve at any time of day or night and they calve all year round which means that frequently there will be cows calving at night and this will involve them being checked at intervals through the night and assistance with calving being provided as and when required. Post calving it is also important to make sure that the newly born calves are suckling properly so that they get colostrum, which is essential for their health, within six hours of being born and in order to ensure that the calves get the required colostrum the cows are milked shortly after they have calved and the calves are bottle fed.
- 5.3 As was established at the hearing the robot milking machines regularly call the applicant's mobile phones at all times of day and night requiring their attention to deal with breakdowns, cows being stuck in the machines etc.
- 5.4 At lambing time the workload is increased significantly with round the clock supervision required.
- 5.4 At present there is only one permanent dwelling available to the applicants that is appropriately located to meet the functional need, which is Whinfell the property occupied by William. Michael has been able to meet the functional need for the last eight and a half years by living on site in a static caravan, only three of these years was with the benefit of planning permission, which has now expired. While it was anticipated that after the temporary three-year period the applicant would submit an application for a permanent dwelling, Michael Oldfield would prefer to continue living in a mobile home on the site rather than constructing a traditional dwelling. Therefore, this application seeks permission for the siting of a static caravan on land at Demesne Farm for use as a permanent farm workers dwelling. It is possible that at some point in the future Michael might prefer to build a traditional house, however this is not something that he wants to do now. If permission is granted for the siting of a static caravan on the application site with a restricted occupancy, the applicant would be free to replace the current mobile home with another static caravan as and when required.
- 5.5 Demesne Farm is situated on the edge of the hamlet of Newsholme which comprises of a handful of dwellings one of which is owned and occupied by William Oldfield. There are currently no dwellings for sale in the immediate area which would be suitable and affordable that would meet the functional need generated by the farming enterprises undertaken at Demesne Farm. In this respect the situation is the same as it was when the appeal was determined.

6. PLANNING CONSIDERATIONS

6.1 General

- 6.1.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. In order for this planning application to be approved it must satisfy as far as possible the guidance contained within the National Planning Policy Framework (NPPF) 2021 and the relevant policies of the Council's Core Strategy 2008/2028 – A Local Plan for Ribble Valley, which was adopted on 16th December 2014.

6.1.2 The Council's Core Strategy contains a number of key statements and policies of which the following are relevant to this application; DS1 Development Strategy; DS2 Sustainable Development; EN3 Sustainable Development and Climate Change; H1 Housing Provision; H2 Housing Balance; H3 Affordable Housing; DMG1 General Considerations.

6.1.3 We set out below extracts from the relevant documents to assess the planning application against all of the appropriate policies and guidance.

6.2 National Planning Policy

6.2.1 The main national planning policy guidance of relevance to the consideration of residential development proposals is set out in the National Planning Policy Framework (NPPF) 2012.

National Planning Policy Framework (NPPF)

6.2.2 The adoption of the National Planning Policy Framework in March 2012 means that it is now the main national planning policy guidance influencing planning decision making and replaces a substantial number of documents previously in place of particular relevance to this application PPS7 - Sustainable Development in Rural Areas. *"The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied, it sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so."*

6.2.3 The National Planning Policy Framework (The Framework) says, in Paragraph 8, that there are 3 dimensions to sustainable development. These are an economic role (contributing to the economy), a social role (supporting communities) and an environmental role (protecting and enhancing the natural and built environment).

6.2.4 Paragraph 11 says that proposals that accord with the development plan should be approved without delay. It states:

*At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; and

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.2.5 Paragraph 11 of the NPPF clearly spells out the Government's presumption in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. There are no such adverse impacts in respect of the development that is proposed in this case.

6.2.6 Section 5 of the NPPF deals with delivering a sufficient supply of homes and it contains guidance with regard to rural housing. Paragraph 78 states:

In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

6.2.7 Paragraph 80 states that planning policies should avoid the development of isolated homes in the countryside unless one or more of a limited number of circumstances apply. One of these circumstances is:

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;

6.2.8 Paragraph 80 clearly supports the approval of this application.

6.2.9 Section 6 of the NPPF deals with building a strong, competitive economy and paragraph 84 states that planning policies should enable the sustainable growth and expansion of all types of business in rural areas.

6.2.10 Paragraph 85 states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist

6.2.11 The policies of the NPPF clearly support the approval of the application that we have submitted on William and Michael Oldfield's behalf.

6.3 Local Planning Policy

Core Strategy Policy

6.3.1 The Council's Core Strategy 2008 – 2028 A Local Plan for Ribble Valley was adopted on 16th December 2014 and we set out below our assessment of the proposed development against the relevant adopted policies.

Key Statement: DS1 Development Strategy

- 6.3.2 Key Statement DS1 identifies where the majority of new housing, employment and retail development will be located within the Borough, which will be in the principal settlements, two enterprise zones and the Tier 1 Villages. There will inevitably be forms of development that can take place outside of these areas and exceptions to the general principle of locating development in them and the erection of a farm workers dwelling is such an exception that is covered by other policies of the Core Strategy.

Key Statement DS2: Presumption in favour of Sustainable Development.

- 6.3.3 Key Statement DS2 identifies states:

“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and it will always work proactively with applicant’s jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area”.

- 6.3.4 Clearly the approval of the application that we have submitted on behalf of Messrs Oldfield will improve the economic and social conditions in the area by supporting the needs of a long established rural business.

- 6.3.5 The policy also states:

“Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.”

- 6.3.6 The proposed development does accord with the relevant policies of the Local Plan and therefore the application should be approved without delay.

Key Statement EN3: Sustainable Development and Climate Change.

- 6.3.7 Key Statement EN3 “sustainable development and climate change” identifies that construction methods and building design will address both the causes and consequences of climate change and contribute to reducing the Borough’s carbon footprint. The retention of the existing structure means that there will be no use of resources as a consequence of the approval of the application. The development satisfies the requirements of EN3.

Key Statement H1: Housing Provision, Key Statement H2: Housing Balance and Key Statement H3: Affordable Housing

- 6.3.8 These three key statements principally relate to large scale residential development within the Borough and while the planning application that we have submitted relates to residential development these policies are not really relevant to the determination of the application.

Policy DMG1: General considerations

- 6.3.9 Policy DMG1 sets out various criteria which all development must conform to under a series of headings which are design, access, amenity, environment,

infrastructure and other. The proposed development comprises the retention of a static caravan on the application site, the existing caravan is located in an area where it has very little visual impact upon the surrounding countryside because it is screened from views from the west, south and east by existing development and in views from the north it is seen against the backdrop of a range of farm buildings. There is a safe access, no adverse environmental impact and no adverse impact upon local infrastructure. Finally the development does not have any adverse impact upon the amenity of neighbouring properties in the hamlet.

Policy DMH3: Dwellings in the Open Countryside & the AONB

- 6.3.10 Policy DMH3 sets out a limited number of circumstances under which residential development in the open countryside or AONB's will be allowed and the first of these is set out below:

1. Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.

- 6.3.11 It was clearly demonstrated during the Enforcement Notice Appeal that there was a functional need for at least two full time workers to be resident at Demesne Farm as a consequence of the scale and nature of the enterprises undertaken by the applicants. The circumstances that gave rise to this need have not altered and no alternative accommodation has become available on the open market. Therefore, we do not consider that there can be any doubt about the functional test having been satisfied and the test that remained to be satisfied was the financial test.

- 6.3.12 We note that the inspector stated that

"during the three year temporary period the financial basis of the operation could be properly demonstrated through submission of annual accounts, and it would be open for the appellant to make an application for permanent planning permission for siting a residential caravan, or as is the stated intention, for a permanent dwelling."

- 6.3.13 However the applicants do not want to put their accounts into the public domain and do not consider that it should be necessary in order to secure the planning permission that is sought. In this regard, while we consider that it might have been helpful for the accounts to be provided on the basis that they are treated as confidential information and not available for members of the general public to access, there can be no real question as to the viability of this substantial farming business and we will set out why we consider this to be the case.

- 6.3.14 The principal reason for the financial test is so that a business that might not be viable does not have the benefit of the ability to construct a dwelling in the open countryside which might at a future date have the occupancy condition removed resulting in significant financial reward for the applicant. The risk is most pronounced when the application relates to a new unproven farming business and potentially with individuals who are new to farming. However, in this case the applicants are experienced farmers who have inherited the farm from their family and who have grown and expanded the business to take advantage of economies of scale to remain profitable and viable, they have been servicing

the borrowing they secured for the expansion for the last three and a half years since the temporary permission was granted and continue to farm at the same level of stocking. Furthermore, the applicants are at this time not looking to erect a traditional dwelling which would give them the maximum financial benefit from the application rather they are happy at the present time to secure permission based on a static caravan.

- 6.3.15 Unless the Council can provide an explanation as to why they consider the business to be unviable then we do not consider there to be any legitimate requirement for the applicants to provide their accounts to the Council. The applicants would not have been able to secure bank funding from a commercial lender if the business was not viable.

7. OTHER RELEVANT DECISIONS MADE BY THE LPA

- 7.1 We refer below to a recent planning decision that has been made in respect of another farm within the borough where planning permission has been granted for second farm workers dwellings to support a large stock rearing farm, we refer to this application in connection with the financial test.

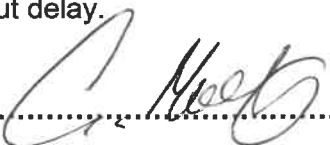
Application 3/2020/0681 – A full planning application for a second farm workers dwelling at Rileys Farm, Chapel Lane, Langho, Blackburn, BB6 8AG.

- 7.2 Rileys Farm was a tenanted farm which extended to approximately 460 acres of land and the livestock enterprises comprised 25 suckler cows, 154 beef cattle, a small flock of breeding sheep and 100 store lambs. In addition to their own livestock the applicants agisted 400 ewes over winter. This application was submitted on 17 August 2020 and approved with conditions on 4 December 2020. We have made reference to this application because we note that ADAS who were consulted on the application and that the delegated report states *“ADAS do not consider that adequate information has been supplied to assess the application, namely that which relates to the financial tests that need to be met”*.
- 7.3 Having obtained the ADAS report it is clear that they did not consider the applicant to have satisfied the functional test or the financial test and in respect of the latter they stated that *“the applicant has not supplied evidence of the profitability of the enterprise, notably for at least one year, as described by this test.”* It is clear from the fact that the application was subsequently approved that the Council were satisfied that it is not always necessary to provide accounts in order for them to be able to determine that a business is financially sound and viable and we are very firmly of the opinion that there can be no doubt as to the viability of the applicants farming business in respect of the application at Demesne Farm.

8 SUMMARY & CONCLUSION

- 8.1 This report has been prepared to support a planning application for a permanent farm workers dwelling on land at Demesne Farm to accommodate a full time worker at the farm, Michael Oldfield.

- 8.2 It was accepted on appeal that the scale and nature of the livestock enterprises that are undertaken at Demesne Farm generate a functional need for at least two full time workers to be readily available at any time of day or night to deal with emergencies at short notice, to enable safe working with livestock, for animal welfare grounds and for the welfare and well being of the workers themselves. Having accepted this temporary permission was granted for the siting of a static caravan at Demesne Farm for a three year period. The three year period has now expired, however the nature and extent of the farming activities that gave rise to the accepted functional need have not altered and therefore permission is now required for permanent permission for the siting of a residential caravan at the farm.
- 8.3 The farming business based at Demesne Farm is a long established business which has expanded significantly in recent years and this expansion which has relied upon bank funding would not have been possible if the farming business was not financially viable and likely to remain so. The expansion has continued over the last three years with a significant increase in the number of livestock on the farm, which would not be the case if the applicants were in financial difficulty.
- 8.4 The application is for sustainable development and it should be approved without delay.

Signed..........Date.....10/3/2022

Gary Hoerty BSc (Hons), MRICS FAAV

APPENDIX 1

Plan of Farm Buildings

APPENDIX 2

Rural Land Register Maps

