



Suite 9
Grindleton Business Centre
The Spinney
Grindleton
Clitheroe
Lancashire
BB7 4DH

Tel: 01200 449700
www.ghaonline.co.uk
email: info@ghaonline.co.uk

PLANNING STATEMENT AND AGRICULTURAL APPRAISAL

**TO SUPPORT A PLANNING APPLICATION FOR
THE ERECTION OF AN AGRICULTURAL WORKERS
DWELLING ON LAND AT LOWER STANDEN HEY,
WHALLEY ROAD, PENDLETON, CLITHEROE, BB7 1PP.**

Applicants: Mr R Haworth
Prepared by: Gary Hoerty BSc (Hons) MRICS FAAV
Date: June 2025
Our ref: Haw/391/2541/GH



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



CONTENTS

1.	INTRODUCTION	page 3
2.	PLANNING HISTORY	page 4
3.	PROPOSED DEVELOPMENT	page 4
4.	THE AGRICULTURAL HOLDING	
4.1	Description	page 5
4.2	The Farm Buildings	page 5
4.3	The Land	page 6
4.4	The Farming System	page 7
4.5	Labour Requirements	page 8
4.6	Functional Need	page 9
5.	REASONS FOR THE APPLICATION	page 11
6.	PLANNING CONSIDERATIONS	
6.1	General	page 12
6.2	National Planning Policy	page 12
6.3	Local Planning Policy	page 14
7.	RELEVANT APPEAL DECISIONS	page 16
8.	SUMMARY & CONCLUSION	page 19

APPENDICES

APPENDIX 1	Plan of Farm Buildings
APPENDIX 2	Maps of the Land Holding
APPENDIX 3	Planning Appeal Decisions
APPENDIX 4	HSE Guidance: Handling and Housing Cattle

1. INTRODUCTION

- 1.1 This Planning Statement and Agricultural Appraisal has been prepared to support an outline planning application that we have submitted on behalf of Mr Robert Haworth for the erection of a permanent agricultural workers dwelling on land at Lower Standen Hey, Whalley Road, Pendleton, BB7 1PP.
- 1.2 The land at Lower Standen Hey is the only location where the applicant owns land and farm buildings and consequently it is from here that Mr Haworth with the help of his grandson Sean Haworth operates his farming business which covers approximately 280 acres or thereabouts of agricultural land all of which is down to grass. Full details of the applicant's agricultural enterprises and activities are set out within this report, however, by way of a brief introduction, Mr Haworth operates sheep and beef enterprises and while stock numbers vary throughout the year, he currently has approximately 750 breeding sheep, 120 store lambs and 140 head of beef cattle.
- 1.3 Mr Haworth owns approximately 20 acres of land at Lower Standen Hey where in recent years he has developed a farmstead after obtaining planning permission for the first building, which was a modern steel portal frame agricultural building measuring 60' x 100' for storage and livestock housing, in 2009. Following the erection of the first building shortly after permission was granted a small Farmplus storage building was erected and planning permission was obtained in 2019 for a polytunnel for housing sheep at lambing time and the erection of a 60' extension to the portal frame building.
- 1.3 There isn't a dwelling on the land at Lower Standen Hey, however a residential caravan has been sited on the land since 2020, and Mr Haworth and his grandson Sean Haworth have lived in the caravan for the last five years. Mr Haworth works full time on the farm and has for all of his adult life been employed full time in agriculture and his son Sean works with him on a part time basis. Mr Haworth owns a dwelling at Haslingden, and the sale of this property will fund the construction of the proposed dwelling if it is approved and further agricultural buildings.
- 1.4 Due to the type and number of livestock that the applicant farms there is, in our professional opinion, a need for permanent on-site residential accommodation to properly house a full-time worker to be readily available at all hours of day and night at the application site. The dwelling is required so that out of hours work and emergencies that are generated by the enterprises are dealt with without delay and to provide the proper care and welfare that the livestock that are housed at the property require. This requirement has been met for the last five years by way of a static caravan located at the property; however, this is not a sustainable long-term solution, and in any event the applicant doesn't have planning permission for the residential use of the caravan.
- 1.5 This application seeks outline permission for a dwelling to accommodate Mr Haworth, who works full time on the holding, so that he can tend to the needs of his livestock and be resident within "sight and sound" of them.
- 1.6 We set out within this report full details of the agricultural enterprises undertaken by the applicant and demonstrate that the proposed development is justified and acceptable in terms of both local and national planning policy.

2. PLANNING HISTORY

- 2.1 We set out below details of the planning history shown on the Council's website for the application site:
- 2.2 Application number 3/2009/0563 was a full planning application for a proposed mixed-use agricultural storage and livestock building (Phase one). This was granted consent on 11 September 2009. The approved building was erected and is in use.
- 2.3 Application number 3/2009/0564 was a full planning application for a proposed mixed-use agricultural storage and livestock building (Phase two). This application was granted consent on 11 September 2009. The approved building was erected and is in use.
- 2.4 Application number 3/2019/1109 was a full planning application for the proposed erection of an agricultural polytunnel to house and lamb pregnant ewes. This application was granted consent on 28 January 2020. The polytunnel was erected and is in use.
- 2.5 Application number 3/2019/1110 was a full planning application for the proposed extension of an existing steel portal frame agricultural building by 60ft (three 20ft bays) to provide further accommodation for livestock including cattle. This application was granted consent on 28 January 2020 and work was commenced on the building shortly after it was approved and was completed in November 2024.

3. PROPOSED DEVELOPMENT

- 3.1 The planning application seeks outline planning permission for the erection of a two storey farm workers dwelling with access being the only issue to be approved at this stage with the size of the proposed dwelling and its design being matters reserved for future determination.
- 3.2 For the last five years the applicant has lived on site in a static caravan which is currently sited on the property to the south east of the existing steel portal frame agricultural building, being in such close proximity to the farm buildings has meant that it has been well placed to meet the functional needs of the farming enterprise and is within sight and sound of the livestock that are housed in the buildings. It is proposed to site the dwelling to the north west of the polytunnel as shown on the site and location plans that have been submitted with the application. The location that has been chosen for the proposed dwelling is still in close proximity to the farm buildings and is well placed to meet the needs of the holding.
- 3.3 The proposed location also has the benefit that the proposed dwelling will be seen as part of the group of existing buildings and will not appear in isolation and it will be screened from the road that leads to Lower Standen Hey Farm by an existing mature hedge and from some views by the existing range of buildings. The proposed development will not give rise to any unacceptable visual incursion into the surrounding open countryside furthermore it will not result in any adverse impact on the nearby properties

4. THE AGRICULTURAL HOLDING

4.1 Description

- 4.1.1 The application holding extends to approximately 280 acres (113ha) or thereabouts, full details of all the land that is occupied by the applicant is set out in Section 4.3 below.
- 4.1.2 The farm buildings are located on land off Whalley Road, Pendleton (formerly part of Lower Standen Hey Farm) which is where the applicant is proposing to erect the farm workers dwelling that is the subject of this application. The farm buildings are of modern construction, and they are described in more detail in Section 4.2 below.
- 4.1.3 All the land is down to grass and the applicant's farming enterprises comprise of between 120 and 150 head of beef cattle (this fluctuates during the course of the year), together with approximately 700 breeding ewes plus followers, tups and store lambs. Full information about the livestock enterprises is set out in Section 4.4 below.

4.2 The Farm Buildings

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

Building 1 – 48.8m (160ft) x 18.3m (60ft)

- 4.2.2 This is a steel portal frame building which is clad with pre-cast concrete panels to a height of 2m with 1.5m of Yorkshire boarding above to the eaves and it has a natural grey fibre cement sheet roof. This building provides winter housing for the applicant's cattle and a covered manure store. During the summer months bulls are purchased and housed in part of this building and are fed on a mixture of concentrates and haylage until they have reached their target weight when they are sold and some of the bullocks and heifers are also housed and fattened through the summer.
- 4.2.3 Most of the building was constructed shortly after planning permission was granted in 2009 for a building measuring 30.5m (100ft) x 18.3m (60ft). Planning permission was granted in 2019 for the erection of an extension, of similar width and 18.3m (60ft) in length, to the original building and the erection of the extension was completed in November 2024 and it is now in use. The end bay of the extension is a covered manure store with the other two bays being used for livestock housing.

Building 2 - 6.1m (20ft) x 6.1m (20ft)

- 4.2.4 This timber frame building provides general storage space for the farm. The building is clad with timber from ground level to eaves on three sides. The front facing elevation is left open and the building has a tin sheeted roof.

Building 3 – 18.3m (60ft) x 9.1m (20ft)

- 4.2.5 This is a polytunnel which is used for the housing and lambing of pregnant ewes on the holding. This tends to be the ones situated in the Clitheroe area as the

sheep that are sited at Crawshawbooth are hardier and they lamb outside. Lambing starts at the beginning of March for the Clitheroe stock and runs for 5/6 weeks; lambing for Crawshawbooth stock begins in the middle of April and again lasts for 5/6 weeks. Having this staggered lambing period allows the flock to be managed in batches. This building typically houses about 120 ewes at a time but at a push can house a maximum of 150 ewes.

4.3 The Land

- 4.3.1 The application holding extends to approximately 280acres (113ha) or thereabouts of grassland, which comprises 20acres (8ha) of owner-occupied land and 260acres (105ha) of rented land. All of the owned and rented land is available to the applicant all year round and in addition to this land the applicant has access to summer grazing at Banks Marsh, Southport where he currently sends 70 head of cattle a year from early May until early October, there is additional capacity if required. All of the land is laid down to grass.
- 4.3.2 There are 50acres of land at Standen Hey, 20acres are owner occupied and 30acres are rented on a farm business tenancy which Mr Haworth has held since 2001. Mr Haworth has owned the owner-occupied parcel of land at Standen Hey Farm since 1985/6.
- 4.3.3 Mr Haworth has 200acres of land at Swinshaw Farm, Crawshawbooth. This is held on an annual agreement which he has had this for in excess of 40 years.
- 4.3.4 A further 30acres at Whiteacre Lane, Wiswell is rented. He has had this land for the last 25 years on an annual agreement.
- 4.3.5 Mr Haworth has put some of his cattle onto Banks Marsh for the last three years and started making use of the marsh in the knowledge that he would be losing access to 90acres of summer grazing that he had had at Moreton Hall Farm for the previous eight years. The family who owned Moreton Hall Farm had experienced several deaths in the family and once the issue of probate was resolved Mr Haworth knew that the farm would be put on the market for sale.

ID No.	Location	Area	Tenure
1	Standen Hey	20 ac/8 ha	Owner Occupied
2	Standen Hey	30 ac/12 ha	Rented - Farm Business Tenancy
3	Banks Marsh, Southport	70 head of cattle (capacity for more as required)	Summer grazing from early May to early October each year
4	Swinshaw Farm, Crawshawbooth	200ac/81ha	Rented – annual agreement
5	Whiteacre Lane, Wiswell	30ac/12ha	Rented - 12-month grazing licence

Table 1: Land forming the Agricultural Holding

- 4.3.6 In an average year 30acres of land at Standen Hey, 30acres at Wiswell and approximately 20acres at Crawshawbooth are cut for silage or haylage. For the last two years the grass harvested from the land at Standen Hey and Wiswell has been stored in an earth banked silage clamp at the farmstead. The grass that is

harvested at Crawshawbooth is made into haylage, in the form of big round bales which are brought to the application site off Whalley Road as they are required. Mr Haworth tends to take one cut of grass off the land per year (but at varying times), and the aftermath is grazed by the cattle and sheep.

4.3.7 Plans of the land are attached at Appendix 2.

4.4 The Farming System

Beef cattle

4.4.1 Mr Haworth keeps approximately 140 beef cattle on average during the winter and approximately 150 beef cattle during the summer.

4.4.2 The beef enterprise involves the rearing and fattening of bullocks, heifers and bulls. During winter there are approximately 150 cattle housed in the large modern livestock building at the application site, following its recent extension. The cattle are bullocks and heifers which are being reared for sale as finished animals, being sold mainly to Woodcocks for Morrisons supermarkets.

4.4.3 The cattle that are housed at the farm will range mainly be between 18months and 24months old and will be sold throughout the year when they are at the appropriate weight for the market. As some animals are sold fat others are purchased to finish. Between February and May Mr Haworth acquires seventy head of cattle to send to the marsh these are typically aged between 12 and 15 months and will spend five months at the marsh and then be brought back to the farmstead in the autumn and housed until they are finished and ready for sale.

4.4.4 Not all of the cattle that are housed through the winter are turned out to graze in the spring, between 25 and 30 are kept in the building through the summer and finished on silage and concentrates and between 25 and 30 are grazed on the land at Standen Hey and Wiswell. In addition, each year between 25 and 30 bulls aged 9-12 months are purchased and finished in the building through the summer with them all having been finished and sold before the building is re-occupied by the heifers and bullocks returning from the marsh and from grazing in the autumn.

4.4.5 The system is managed so that there is a regular monthly throughput of cattle to be sold at auction.

4.4.6 Mr Haworth has run a suckler cow enterprise in the recent past and does intend now that the livestock building has been extended to reestablish a small herd of suckler cows but does not want to commit to this until such time as a permanent dwelling has been approved and developed. The sale of his existing dwelling will provide the capital required to acquire some suckler cows with claves at foot.

Sheep

4.4.7 The applicant's other enterprise is his sheep enterprise. He has approximately 750 breeding ewes on the farm, which consists of Texel cross Beltex, Gritstone and Cheviot. Mr Haworth is a registered Gritstone breeder and produces around 300 pure bred Gritstones per annum. In an average year 300 Gritstone ewes are put to Gritstone tups, 225 Cheviot ewes are put to Cheviot or Blue Faced Leicester tup and 225 Texel/Beltex ewes are put to Texel or Beltex tups.

- 4.4.8 The lambing percentage of the sheep varies with the Gritstones at 120%, the Cheviot/Texel crosses at 1.8% and the Cheviots at 1.5%. The farm produces circa 1,000 lambs each year. The lambs are sold as either stores or fat, depending upon the year and the market conditions, approximately 100 lambs are kept as replacements and 120 are kept as store lambs.
- 4.4.9 Lambing takes place both inside and outside as previously mentioned and occurs in two main phases, one starting in early March and the other starting in mid-April, both running for a period of 5-6 weeks. This is a particularly labour-intensive time of year with the sheep needing to be checked regularly throughout the day and night and assisted as necessary. Very long days are required in order to attend to all the requirements of the livestock on the holding.

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 (John Nix Farm Management Pocketbook 2022) and Standard Labour Requirement based on hours per annum (SAC Farm Management Handbook 2018/19). 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 John Nix Farm pocketbook for Farm Management 2022 as follows:

<u>Cattle</u>		
140 store cattle	@ 1.10 days/head	= 154
25 finishing bulls	@ 1.90 days/head	= 47.5
<u>Sheep</u>		
750 breeding ewes	@ 0.45 days/head	= 337.5
16 rams	@ 0.5 days/head	= 8
120 store lambs	@ 0.3 days/head	= 36
<u>Grassland</u>		
Grazing land - 81 Ha	@ 0.4 days/Ha	= 32.4
Meadow land - 32 Ha	@ 1.6 days/Ha	= 51.2
total		666.6 days

- 4.5.3 We have calculated the labour requirements of the holding using standard figures from the SAC Farm Management Handbook 2018/19 as follows:

<u>Cattle</u>		
140 store cattle	@ 4 hours/head per annum	= 560
25 finishing bulls	@ 12 hours/head per annum	= 300
<u>Sheep</u>		
750 breeding ewes	@ 3.7 hours/head per annum	= 2,775
120 store lambs	@ 3.1 hours/head per annum	= 372
15 rams	@ 3.7 hours/head per annum	= 55.5
<u>Grassland</u>		
Grazing land - 81Ha	@ 3.1 hours/Ha per annum	= 251
Meadow land - 32Ha	@ 12 hours/Ha per annum	= 384

**total 4,697.50 hours/annum
@ 8 hours/day equates to: 587 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 2.42 full time workers on the holding according to the John Nix Farm Management Pocketbook and 2.13 full time workers according to the SAC Farm Management Handbook.
- 4.5.5 These figures are only a guide and will differ from holding to holding; 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. Part of the labour requirement can, in some instances, be met by using contractors and modern buildings are generally less labour intensive than older buildings. However, we consider that as the applicant only makes occasional use of contractors and as he has modern buildings the figures should be quite accurate.
- 4.5.6 The applicant's farming activities are currently undertaken by one full time worker, the applicant, and a part time worker his grandson.

4.6 Functional Need

- 4.6.1 Livestock enterprises require a high level of supervision, often through a twenty-four-hour period to ensure that the welfare needs of the livestock are properly catered for and that the business can continue functioning viably. A high standard of animal welfare, stockmanship and supervision is required to ensure that farming businesses operate effectively from both a financial viability perspective and in terms of health and safety. This is particularly the case where there are breeding livestock and there is a need for at least one full time worker to be readily available throughout a twenty-four-hour period to administer treatment to ill or injured animals, to deal with animals that are calving/lambing and to ensure proper management of livestock. Examples of the supervision that can be required are as follows:
- Supervision and monitoring of breeding cattle leading up to and during calving. It is vital that the cattle are regularly inspected during this time. Failure to do so may result in the cows and first-time calving heifers having difficulties giving birth and essential human intervention may be required to avoid unnecessary loss of the calf and/or the cow/heifer. The applicant has in the past had a small suckler herd, and following the completion of the extension to the livestock building now has accommodation to house a new herd but in the short term there are ten in calf heifers that will need to be calved.
 - After giving birth cattle require very close supervision as they have the tendency to suffer from "milk fever" (calcium deficiency) which can result in death unless the symptoms are recognised early and treatment administered quickly. It is also essential to ensure that the calf has colostrum (milk) which contains high concentrations of leukocytes, protective white cells which can destroy disease-causing bacteria and viruses. AHDB recommends that suckled calves should have drunk three litres of colostrum within two hours of birth. If not, they should be given some via a nipple bottle or stomach tube. The calf's ability to absorb the immunoglobulins (antibodies - that will act as a passive immune system for the calf until their own immune system matures

and produces antibodies itself) in colostrum reduces significantly from about six hours after birth and has gone completely by 24 hours.

- The sheep graze all the various land parcels across the holding, hence there is a significant management burden on the applicant each day in inspecting all the animals, providing supplemental feed, and where necessary, medication. Sheep during the lambing period (March to May) need virtually constant monitoring and attention, this is to check on the wellbeing of the ewe/lambs and to help with delivery of the lambs should assistance be required, thus essential care can be and is often required at short notice. This creates a significant management and labour requirement.
- Prior to lambing the ewe's feed requirements almost double, but her appetite can fall. This is due to the pressure on the rumen from the growing lamb. This means the nutrient density of the diet must increase to meet her nutritional requirements (i.e. concentrates) and this requires the applicant to control and monitor the ewe's diet carefully. Outside of the lambing period, additional duties include foot-trimming, worming, drenching, and shearing, amongst others.
- Any problems with the ewes and lambs that are normally located on the land at Crawshawbooth result in those animals being brought back to the farmstead where 24-hour supervision is available.
- Ill livestock often require isolating from other livestock to avoid the spread of disease. Once isolated the animal must be regularly monitored and many require treatment around-the-clock.
- Regular inspections need to be carried out to detect illness and provide essential care for the livestock. The importance of this has been highlighted with the foot and mouth and blue tongue outbreaks that have occurred in Britain in relatively recent years. Guidance provided by DEFRA states that vigilance and good stockmanship are vital in the fight against animal disease. This is reiterated by the legislation and regulations contained within the Animal Welfare Act 2006 (as amended) and by the Farm Animal Welfare Committee.
- It is essential that 24-hour supervision is in place to protect livestock against theft, predators and intruders. Likewise, if livestock escape from the farm buildings or fields, someone needs to be on hand to gather the livestock up and return them to the buildings or fields;
- The animal's welfare in terms of the "five freedoms" is considered. The five freedoms as provided by the Farm Animal Welfare Committee (FAWC) comprise:
 - i. Freedom from Hunger and Thirst – by ready access to fresh water and a diet to maintain full health and vigour.
 - ii. Freedom from Discomfort – by providing an appropriate environment including shelter and a comfortable resting area.
 - iii. Freedom from Pain, Injury or Disease – by prevention or rapid diagnosis and treatment.
 - iv. Freedom to Express Normal Behaviour – by providing sufficient space, proper facilities and company of the animal's own kind.

- v. Freedom from Fear and Distress – by ensuring conditions and treatment which avoid mental suffering.

- 4.6.2 The examples set out above of the type of things that give rise to a functional need to be present on site demonstrate just some of the reasons why it is essential for Mr Haworth to reside at the farmstead and any one of the examples given above can occur during a 24-hour period. Furthermore, it is essential for the health and safety of those looking after the livestock to be kept safe and we attach at Appendix 4 guidance from the Health and Safety Executive regarding the handling and housing of cattle.
- 4.6.3 The proper functioning of the livestock enterprises on the holding requires Mr Haworth to reside on the farmstead so that he is able to provide the 24 hour, 7 days a week, supervision that is essential to ensure that appropriate welfare standards are maintained.

5. REASONS FOR THE APPLICATION

- 5.1 The reason for the application is that a dwelling is required at the holding to enable Mr Haworth to reside on the holding in order for him to be able to meet the functional need for a full-time worker to be readily available at all times of day and night to deal with any out of hours work. The functional need has existed for a number of years, however during this period Mr Haworth has resided on site in a static caravan while expanding the enterprise and increasing the profitability of the business. It is our professional opinion that the business is profitable and has a clear prospect of remaining so and that now is an appropriate time to submit an application for a permanent dwelling as we consider the appropriate tests are satisfied and that permission should be granted for the proposed development.
- 5.2 The application site immediately adjoins the farmyard and as a consequence the proposed dwelling, if approved, will be well located to meet the functional need for the full-time worker to live at their place of work, within 'sight and sound' of the buildings.
- 5.3 There is a functional need as a consequence of the scale and nature of the applicant's existing agricultural enterprises for a full-time worker 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. We do not consider that the functional need could be fulfilled by another dwelling on the unit (there aren't any) or any other accommodation in the area which is suitable and available for occupation by Mr Haworth.
- 5.4 The farmstead is situated approximately two miles to the south of Clitheroe where there are a number of dwellings of varying styles and value, however there are very few properties in the immediate vicinity of the farmstead and those that there are would be far too expensive for Mr Haworth to purchase. The more affordable properties in Clitheroe are too far from the farmstead to adequately enable them to meet the identified functional need at the farmstead and in this regard, we refer to an appeal decision in respect of Park Brook Farm, Copster Green, (full details in Section 7 below, which supports this opinion. The inspector stated:

The settlements of Copster Green and Salesbury are relatively close. However, there is no evidence before me as to the availability of suitable dwellings in those locations and, for the Appellants and their family to live there, would involve a

considerable number of vehicular trips on a daily basis. In the light of my later conclusions on the question of functional need, I am not satisfied that the provision of accommodation off-site would be appropriate.

- 5.5 The cost of renting a dwelling in the immediate locality would also be high; if there were any such properties available close enough to satisfy the functional need, but we are not aware that there are any. We are firmly of the opinion that the only practical way of meeting the functional need is to construct a new dwelling on the holding to be within 'sight and sound' of the livestock housed at the farmstead.
- 5.6 The issue of the affordability of dwellings in the rural areas of Ribble Valley was the subject of consideration in respect of an appeal that we dealt with for a farm worker's dwelling at Old Dairy Farm, Chipping Road, Chaigley which is referred to in more detail in Section 7 of this report.

6. PLANNING CONSIDERATIONS

6.1 General

- 6.1.1 Local planning authorities are required to determine planning applications in accordance with the 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) updated December 2024 and the relevant policies of the Council's Core Strategy 2008/2028 - A Local Plan for Ribble Valley, which was adopted on 16 December 2014.
- 6.1.2 The Council's Core Strategy contains several 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 and DMH3 Dwellings in the Open Countryside and the AONB.
- 6.1.3 We set out below extracts from the relevant documents and assess the planning application against all of the appropriate policies and guidance.

6.2 National Planning Policy

National Planning Policy Framework (NPPF)

- 6.2.1 The National Planning Policy Framework 2025 (The Framework) is the main national planning policy guidance influencing planning decision making in England. It sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally-prepared plans for housing and other development can be produced. When the NPPF was published in 2012 it replaced a substantial number of documents previously in place, of particular relevance to this application, PPS7 - Sustainable Development in Rural Areas, which contained specific guidance on farm workers dwellings.
- 6.2.2 Paragraph 11 of the NPPF says that proposals that accord with the development plan should be approved without delay. It states:

Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

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

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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.2.3 Paragraph 11 - 14 of the NPPF highlight the presumption in favour of sustainable development. The presumption in favour of sustainable development does not change the statutory powers of the Development Plan as a starting point for decision making and therefore proposed development which accords with an up-to-date Development Plan should be approved. unless other material considerations indicate the Plan should not be followed.

6.2.4 Section 5 of the NPPF contains policies for the delivery of a sufficient supply of homes and paragraphs 82 to 84 deal with rural housing. Paragraphs 82 and 83 deal with the general provision of housing in rural areas while paragraph 84 provides guidance in respect of the circumstances when isolated homes in the countryside are acceptable. There are five circumstances set out at paragraph 84 when isolated homes in the countryside are acceptable and one of them 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;*

Therefore, once an essential need has been established the principle of constructing a new dwelling in the countryside to meet that need is acceptable.

6.2.5 The policies of the NPPF clearly support the approval of this application.

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 16 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:

“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 Mr Haworth 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. If the development is approved, then there will be an obligation on the development to provide a certain level of its power requirements through sustainable sources and the dwelling will be built to modern building regulation standards which will restrict heat loss and promote efficient heating sources within it. The development will adequately be able to satisfy the requirements of EN3.

Policy DMG1: General Considerations

6.3.8 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 current application is an outline application with only access being established at this time and the principle of the development and its location and in this regard we consider that the criteria of the policy can be satisfied.

Policy DMH3: Dwellings in the Open Countryside & the AONB

6.3.9 Policy DMH3 sets out a limited number of circumstances under which residential development in the open countryside or the AONB 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.

6.3.10 It is our professional opinion that the proposed development is required to meet an identified local need and the proposal satisfies, as we have demonstrated already in this report, the functional test referred to above. The applicant requires the Council to approve the application so that he can maintain his farming business and move from the caravan that has been located at the site for the last five and a half years into a permanent dwelling.

6.3.11 It is important to note that the imposition of a financial test is not consistent with the NPPF which does not impose such a test. However, the applicant has operated a farming business all his working life and during this time he has expanded his business through the occupation of additional land and the erection of modern agricultural buildings at the farmstead. This application follows a five-year period when there has been a temporary dwelling on site in the form of a static caravan which has allowed the applicant to develop the farming business that exists today. The business is profitable and has no debt either long term in the form of mortgages or loans or short term in the form of an overdraft and therefore given the extent of land, buildings and livestock that the applicant owns the business is not under any external financial pressure which would lead to it not being profitable going forward. The erection of the buildings at the application site has been funded from the cash flow of the business and the applicant has a property to sell to fund the development of the proposed dwelling and additional farm buildings.

6.3.12 It also has to be acknowledged that most farmers do not farm to make huge profits if they did then there would be a lot of abandoned land, farming is a way of life and one that continues largely because of the support of the Government and previously the EU. Farming has to put up with volatility in the world market and the seasons and this results in profits in some years and losses in others which is also recognised by the Government in the concession that farmers have to average their profits and losses over several years.

7. RELEVANT APPEAL DECISIONS

7.1 We attach at Appendix 3 five planning appeal decisions which we consider support the approval of the planning application for the erection of an agricultural workers dwelling at the farmstead and we set out below why we consider this to be the case.

Appeal Reference: APP/T2350/A/06/2011048
Address: Land at Park Brook Farm, Copster Green, Clayton-le-Dale, BB1 9ES.
Appellant: Mr & Mrs S Eddleston
Local Authority: Ribble Valley Borough Council

7.2 This appeal relates to a planning application for a temporary dwelling on an agricultural holding that extended to 100 acres of owner/occupier land and a further 50 acres of rented land. The activities undertaken on the holding were similar to those at the application site namely a beef and a sheep enterprise. The appeal examined issues to do with the scale of the enterprise and whether there was a functional requirement as a consequence of the activities undertaken for somebody to reside on the holding. It examined the level of investment of the appellants, and it also considered the appropriateness of alternative accommodation off the holding in the settlements of Copster Green and Salesbury which were relatively close to the appeal site.

7.3 The Inspector acknowledged that living off site would involve a considerable number of vehicle trips on a daily basis and that he was not satisfied that the provision of accommodation off site would be appropriate, due to the same reasons and because there is a need to be within sight and sound of the livestock we are firmly of the opinion that the same conclusion must be drawn in respect of this application. We believe that the conclusions of the Inspector in this case apply equally to the current application.

Appeal Reference: T/APP/W1850/A/99/1024863/P9
Address: Orchards Farm, Pontrilas, Hereford, HR2 9DB.
Appellant: Mr G A Preece
Local Authority: Herefordshire Council

7.4 This appeal involved a planning application for the construction of an agricultural dwelling. The appeal holding comprised 107 acres of which the appellant owned approximately 23 acres and rented around 56.83 acres on a full agricultural tenancy and a further 27.18 acres on annual licence. The holding had in the past included two dwellings; an unrestricted farmhouse, and a bungalow built approximately 15 years ago subject to an agricultural occupancy condition which had been severed from the original holding. The appellant owned and rented most of the original holding. The farm was run as a mixed arable and livestock enterprise. The inspector noted that the draft Welfare of Farmed Animals Regulations contained advice that required there to be continuous presence of a farm worker within sight and sound of the livestock, especially during lambing and calving, and as these events extend over a period of six months he felt that provision for temporary shelter for a stock person on the site is impractical. The appellant undertook agricultural contracting work as well as farming and at the time of the application he had 100 ewes to lamb and 28 cows to calve. Both parties to the appeal referred to standard labour requirement data and the inspector concluded that there was a theoretical need for over 80% of a worker and that in practice this demonstrates the need for a fulltime worker to be readily available at most times to enable the proper functioning of the holding. In his opinion this meant a person residing within sight and sound of where the livestock are held.

7.5 We consider that this appeal decision is again, supportive of this application, in terms of the need for a farm worker to reside within sight and sound of the livestock, in order to ensure satisfactory animal welfare. The stock that the applicant has on his holding significantly exceed the stock numbers on the appeal holding.

Appeal Reference: APP/T6850w/A/99/513335
Address: Waen Farm, Llidiartywaen, Llanidloes
Appellant: Mr & Mrs C J Sheen
Local Authority: Powys County Council

7.6 This appeal involved a planning application for a temporary dwelling on a holding that extended to 112 acres or thereabouts, 3.5 miles from Llanidloes. The appellants kept 450 breeding ewes. They had sold a nearby dwelling in 1998 to reduce their borrowing but significantly, this did not prevent the planning inspector allowing the appeal. The Inspector considered that; although the lambing period at Waen Farm when the need for around the clock presence is most pressing, is confined to April and May, he was satisfied that during other times of the year the welfare needs of the animals on the holding was such that an on the spot presence to enable monitoring and care of sick animals and to provide quick response to emergencies, is required. In addition, he acknowledged that the demands of the farming operation required long hours of work on the holding and that the operational efficiency of the holding was significantly impaired by the requirement for repeated return trips to and from a place of residence away from the holding and that seasonal temporary accommodation that was allowed under the GPDO would not meet this need. Given all these factors he considered that there was an essential need for residential accommodation to support the farming activity at Waen Farm.

7.7 We consider the Inspector's comments in this appeal case to be extremely pertinent and relevant to this application.

Appeal Reference: APP/T2350/A/06/2078133
Address: Land at Brookside Farm, Moss Side Lane, Thornley, Longridge, PR3 2ND
Appellant: Mr & Mrs K Sanderson
Local Authority: Ribble Valley Borough Council

7.8 This appeal relates to an application for a temporary dwelling to support a free range poultry enterprise and it has been included connection with the functional requirement to reside on a holding rather than in a nearby settlement and the comments that the Inspector made at paragraph 13 regarding what is considered to be an acceptable level of profit.

7.9 At paragraph 12 the Inspector states: *"Taken together the various elements of the business would involve working long hours during a substantial part of the year, and a need to be on hand to deal with the birth of new stock. I consider that this range and extent of work can only be satisfactorily dealt with by someone living on or close to the farm."*

7.10 In this case the County Land Agent argued that any functional requirement at Brookside Farm could be dealt with by somebody living in Longridge where there was affordable accommodation. In paragraph 14 of the Inspector's decision he states:

"I have found that there is a functional need for a worker to be readily available at Brookside Farm at most times. This requirement would not be met if the worker concerned had to travel out to the site from Longridge. Although the site is not remote from the town, I do not consider that it is sufficiently close to enable the essential care to be provided to livestock at short notice when calving, lambing and farrowing occur or to deal quickly with any urgent matters concerning the

operation of the poultry unit. I do not consider that there is any suitable and available alternative accommodation to the mobile home on the appeal site, which would fulfil the functional need of Brookside Farm.”

- 7.11 Having established that there is a functional need for a full-time worker to be readily available at most times of day or night in respect of Mr Haworth’s application we do not see how this need could be fulfilled by a dwelling off site given the lack of affordable property in immediate proximity to the farm.

Appeal Reference: APP/T2350/A/10/2131469

Address: Old Dairy Farm, Chipping Road, Chaigley, Clitheroe, BB7 3LS.

Appellant: Chaigley Farms Ltd.

Local Authority: Ribble Valley Borough Council

- 7.12 This appeal involved a planning application for the construction of a second agricultural workers dwelling on a large beef and sheep unit in Chaigley and we have included it principally because it is in the same local authority area as the applicant’s holding and it deals with the provision of a dwelling (second one in this case) on an agricultural holding to support extensive livestock enterprises.

- 7.13 Chaigley Farms Ltd at the time of their application and appeal actively farmed 274 hectares which equates to 677 acres of land and on this land they kept 400 beef cattle of which 100 were suckler cows and around 1,050 breeding sheep. The activities generated a labour requirement of approximately three full time workers. The Inspector stated at paragraph 9:

“In my experience the breeding and finishing of cattle, lambing, and calving all require experienced workers to be on site or in very close proximity. Prompt attention is often required to avoid animals suffering unnecessarily and to avoid the loss of valuable stock. I recognise there is a frequent need for on-site presence outside normal working hours, particularly during lambing and calving periods, and to attend to the daily needs of the stock. Therefore, and taking into account the significant scale and nature of this enterprise, I am satisfied that there is a functional need for more than one experienced worker to live within sight and sound of the livestock buildings.”

- 7.14 In terms of other available accommodation the County Council land agent, whilst accepting that there was a functional need for two workers to be available and present in close proximity to the farm to meet the functional need considered that the need could be met by a dwelling off the holding. The Inspector noted in paragraph 11 of the decision notice that there were no buildings on the holding that might be suitable for conversion to residential use and he considered that the only available properties in the area sufficiently close to meet the functional need were at Chaigley Court, opposite the farm entrance and buildings. He identified that the two properties here that were for sale at the time of the appeal were priced at £300,000 and £375,000 and he accepted that these were not easily affordable on an agricultural wage.

- 7.15 Also of relevance are comments made by the Inspector at paragraph 15 concerning the financial viability of the business. He stated that he had no doubt the enterprise was well established as the family had been farming in the area since the 1930s and at Old Dairy Farm for about 30 years. The county land agent had sought to suggest that due to the level of profit the business was showing that there were some questions over the financial viability of the business and its

ability to fund the development of the dwelling, however this was dismissed by the Inspector who could see that the business was expanding and there had been significant investment over recent years in the expansion of the farming enterprises. The level of profit was similar to that for the applicant's business in the last set of accounts and the inspector's comments are relevant to the current application.

8. SUMMARY & CONCLUSION

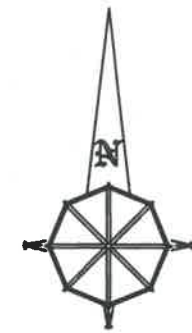
- 8.1 This report has been prepared to support a planning application for a permanent farm worker's dwelling on land at Lower Standen Hey to accommodate Mr Robert Haworth, who is a full-time worker at the farm, and his grandson. By separate correspondence we have provided the Council with accounts for Mr Haworth's business which cover the last four years, they show through the increased level of turnover the growth of the business and that it has been in profit during the last three years with a higher level of profit having been achieved during the year to 5 April 2024 than in the earlier years.
- 8.2 We have demonstrated quite clearly and in our opinion beyond doubt that the scale and nature of the agricultural enterprises that are undertaken generate a functional need for at least one full time worker to be readily available at any time of day or night. The applicant will be required to deal with emergencies at short notice, to enable safe working with livestock, for animal welfare grounds and for the welfare and wellbeing of the applicant himself and his grandson.
- 8.3 The farming business is long established and has been developed over many years and continues to expand, encouraged by the interest and involvement of the applicant's grandson. The applicant has been able to expand his farming enterprises through the presence of temporary on-site accommodation in the short term, but the business has reached a scale of activity and a level of profit that supports the development of a permanent farm workers dwelling.
- 8.4 We have in support of the application referred to several planning appeal decisions which we consider provide compelling support for the approval of the application that we have submitted, notwithstanding the fact that each application will be determined on its own merits.
- 8.5 We believe that the Council should support this application and allow the proposed development.

G Hoerty

G Hoerty BSc (Hons) MRICS FAAV

APPENDIX 1

Plan of Farm Buildings



Gary Hoerty Associates
 Gary Hoerty Associates Chartered Surveyors
 Suite 9 - Grindleton Business Centre
 The Spinney
 Grindleton
 Clitheroe
 Lancashire BB7 4DH

T: 01200 449700
 Email: info@ghaonline.co.uk

Project: (No: How.391.2541.GH)
 Outline planning application for a farm workers dwelling on land at Lower Standen Hey Farm, Whalley Road, Clitheroe. BB7 1PP

Title: Site Plan

Drawing No: How/391/2541/02

Drawn: EP
Edited: LI

Client: Mr B. Howarth

Date: 20.06.25

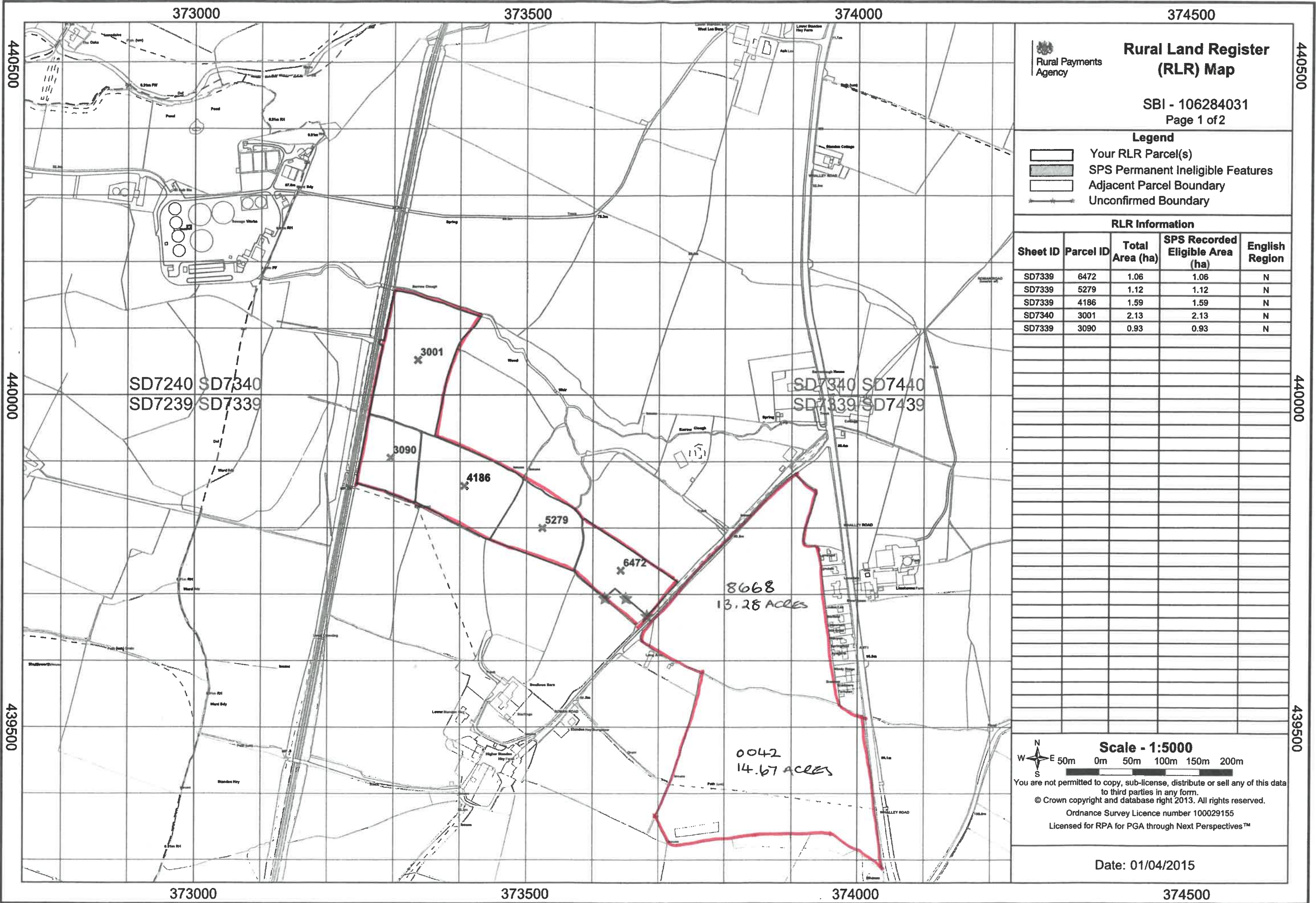
Scale: 1:500@ A3

Amendments:

--	--	--	--	--	--	--	--

APPENDIX 2

Maps of Land



Rural Land Register (RLR) Map

SBI - 106284031
Page 1 of 2

Legend

- Your RLR Parcel(s)
- SPS Permanent Ineligible Features
- Adjacent Parcel Boundary
- Unconfirmed Boundary

RLR Information

Sheet ID	Parcel ID	Total Area (ha)	SPS Recorded Eligible Area (ha)	English Region
SD7339	6472	1.06	1.06	N
SD7339	5279	1.12	1.12	N
SD7339	4186	1.59	1.59	N
SD7340	3001	2.13	2.13	N
SD7339	3090	0.93	0.93	N

Scale - 1:5000

W E 50m 0m 50m 100m 150m 200m S

You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.
© Crown copyright and database right 2013. All rights reserved.
Ordnance Survey Licence number 100029155
Licensed for RPA for PGA through Next Perspectives™

Date: 01/04/2015

374000

374500

375000

375500



Rural Land Register (RLR) Map

SBI - 106284031
Page 2 of 2

Legend

- Your RLR Parcel(s)
- SPS Permanent Ineligible Features
- Adjacent Parcel Boundary
- Unconfirmed Boundary

RLR Information

Sheet ID	Parcel ID	Total Area (ha)	SPS Recorded Eligible Area (ha)	English Region
SD7437	2599	1.26	1.25	N
SD7437	3195	1.64	1.64	N
SD7437	4588	5.47	5.47	N
SD7438	3809	0.86	0.86	N
SD7437	6867	1.19	1.19	N
SD7437	0785	0.70	0.70	N
SD7437	4762	1.03	1.03	N
SD7438	1503	1.07	1.07	N

438000

438000

437500

437500

374000

374500

375000

375500



You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.
 © Crown copyright and database right 2013. All rights reserved.
 Ordnance Survey Licence number 100029155
 Licensed for RPA for PGA through Next Perspectives™

Date: 01/04/2015

APPENDIX 3

Planning Appeal Decisions



Appeal Decision

Hearing held, and site visit made, on 21st November 2006

By **R E Watson BA (Hons)**

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date: 4 December 2006

Appeal Ref: APP/T2350/A/06/2011048

Land at Park Brook Farm, Copster Green, Clayton-le-Dale, BB1 9ES.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs S Eddleston against the decision of Ribble Valley Borough Council.
- The application (Ref: 3/2005/0985), dated 9th November 2005, was refused by notice dated 16th January 2006.
- The development proposed is the temporary siting of two mobile homes for a three year period for use as a farm workers dwelling.

Summary of Decision: The appeal is allowed subject to conditions set out in the Formal Decision below.

Development Plan Policy Background and National Guidance

1. The Ribble Valley Districtwide Local Plan was adopted in 1998. Policies G5, H2 and ENV3 have been drawn to my attention. They concern requirements for the location of housing development and the design of development in the countryside. Development essential for the purposes of agriculture is identified as an exception to the strict control of development exercised outside settlement boundaries, an approach designed to protect the character of the rural areas. The thrust of these policies reflects the strategic imperative set by Policy 5 of the Joint Lancashire Structure Plan, adopted in 2005. National guidance on the provision of temporary agricultural dwellings is set out in paragraph 12 of Annex A to PPS 7. If a new dwelling is considered essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, for the first three years it should normally be provided by a caravan or other temporary accommodation which can be easily dismantled.

Issue

2. I consider that the principal issue in this case is whether the agricultural need justifies the siting of the mobile homes in the light of the prevailing Development Plan policies designed to protect the countryside. In assessing this issue, and following the approach adopted by both parties, I have carefully considered the proposal in the context of the advice in Annex A of PPS 7.
-

Reasons

Introduction

3. At certain points during the Hearing, some confusion arose in terms of the tests to be applied to this proposal. The tests set out in paragraph 3 (i) to (v) of the Annex relate to proposals for permanent agricultural dwellings in support of existing agricultural activities on well established agricultural units. Although the Appellants have been actively developing the farming operations here since their purchase of the unit some 3 years ago, in my view, it cannot be considered a well established enterprise. As the development is for the siting of temporary mobile homes, the proper tests to be satisfied are those set out in the 5 criteria listed in paragraph 12 (i) to (v) of Annex A. These are aimed at testing the Appellants' ability and commitment to developing a new enterprise successfully.

Assessment in terms of the Paragraph 12 Criteria

4. The Council do not dispute the Appellants' intentions or ability to develop the enterprise. The Appellants are farmers of considerable experience in stock rearing enterprises. The land at Park Brook Farm was purchased in October 2003. The purchase included land, livestock, machinery and a recently erected farm building. Since then, they have implemented improvements to the numbers and quality of the stock, the condition of the land and the structure of the building. They have secured a 5-year business tenancy on a further 20ha, bringing the total area of the holding to 60.7ha, of which 40ha is owner-occupied. This year they cropped a further 32ha elsewhere for silage. They have received permission for the erection of a further building. They have already invested over £230,000 in the unit. All of the land on the holding is down to grass. They keep some 25 suckler cows and at present have a total of 210 breeding ewes, above the normal level of around 150, from which they expect to obtain in excess of 300 lambs. They propose to double the number of cows and, in addition, to purchase and rear some 20 calves. The Appellants consider that the erection of the permitted second building is an essential requirement if this further development is to be successfully achieved. It is clear to me that they have fulfilled the requirements of criterion (i).
5. In the context of criterion (iv), the holding does not contain a dwelling. The settlements of Copster Green and Salesbury are relatively close. However, there is no evidence before me as to the availability of suitable dwellings in those locations and, for the Appellants and their family to live there, would involve a considerable number of vehicular trips on a daily basis. In the light of my later conclusions on the question of functional need, I am not satisfied that the provision of accommodation off-site would be appropriate.
6. The Council's first reason for refusal explicitly accepts that the proposed agricultural enterprise has been planned on a sound financial basis, in accordance with criterion (iii) of paragraph 12. Certainly, the documentation before me and the information provided at the Hearing provide clear evidence that the Appellants have been giving careful thought to the financial planning of their enterprise. Moreover, the evidence is that they have no bank borrowings at present and that they would be able to undertake the additional investment required without recourse to any borrowing facility. On this basis, I take the view that they have met the test set by this criterion.
7. I acknowledge the Council's concerns about the long-term profitability of the operation and I have noted the contents of the Appellants' financial forecast budget and the farm

business analysis prepared for the Council. A comparison of the two submissions is not straightforward, as there are differences in the respective approaches. Both result in a potential profit, although the final figure shown in the Council's analysis is relatively small. However, the Council accept that the operation is a commercial enterprise. I recognise that the Appellants are experienced farmers who will be aware of the risks involved. I am satisfied from the evidence that their plans are based on developing an operation which has a reasonable prospect of providing a viable farming livelihood.

8. In paragraph 12 of the Annex the functional need criterion cross-refers to paragraph 4 of the Annex. The purpose of the functional test is whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Of the two examples quoted in the guidance one relates to where workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice. The farming activities at the appeal site involve lambing sheep, calving suckler cows and rearing calves. The calving period extends from November to July, with the more intensive lambing season extending between February and May. I also recognise that the need for careful supervision of the newly born stock extends beyond the limits of those time frames. At the Hearing the Appellants explained in some detail the timing and extent of the essential farming tasks undertaken throughout the farming year. It is clear to me that the supervisory and welfare responsibilities are onerous. I have carefully considered the Council's reservations as to the ultimate scale of the enterprise, giving the potential stocking levels on this size of holding. Nevertheless, my judgement is that, on the basis of the evidence, the type of enterprise involved and in order to ensure that the Appellants are able to effectively test their ability to develop a viable farming operation, a temporary residential presence is required.
9. In reaching this conclusion I have carefully considered the respective arguments surrounding the calculations focused on the standard labour requirement. I acknowledge that this process is, to a degree, theoretical and that the application of the standard data only gives general guidance. In practice, as the Council's evidence demonstrates, family farms in particular operate with a number of workers below the level arising from the requirement calculations due to the long hours worked by the farmer and the contributions from family members. Nevertheless, this does not invalidate the value of the exercise which is the only useful tool to hand. The details of the Appellants' calculation, based on the proposed scale of the farming operation, have not been disputed by the Council. These demonstrate a labour requirement for at least one full-time worker. In my view, this provides a further element of support for the arguments made in support of a functional need.
10. In terms of the final criterion (v), the Council have not raised any objections on the issue of siting. Because of its valley setting, the appeal site is not conspicuous in the wider landscape. The mobile homes would be placed close to the existing building and, in my view, would not cause serious detriment to the character and appearance of the countryside. However, the Highway Authority has expressed concern at the highway safety implications of the development. The farm access track leads directly to the A59 which is a busy highway. The track serves two other dwellings and, apart from the wider bell-mouth as the access joins the main road, is of single-track width. The junction lies close to a bend where the A59 is turning to the south west as it enters Copster Green. To the east, however, the carriageway is long and straight. I agree that the proposed

residential development would lead to an increase in the number of traffic movements entering and leaving the farm track.

11. However, there are a number of mitigating factors to be set against this consideration. The junction lies within the 40mph speed restriction zone on the A59 through Copster Green. As the track serves other dwellings, it is regularly used by some service vehicles, such as postal deliveries, and the addition of one family unit would make little difference to those movements. Notwithstanding the caravan currently on site which provides shelter and amenity accommodation, the absence of a full-time residential presence means that, currently, daily movements for farming purposes are likely to be considerable. In my view, the proposed development would assist in moderating this level of movement for those purposes. The approach to the junction along the farm track, because of its initial elevation above the surrounding land, provides good visibility to and from the A59 and along the track and gives motorists the time and opportunity to take sensible decisions in the event of vehicles travelling in the opposite direction. For these reasons, I do not consider that the highway safety implications are decisive. Accordingly, in my view, the requirements of criterion (v) of paragraph 12 are also met.

Conclusions and Other Matters

12. I conclude, therefore, that there is an essential agricultural need for the temporary siting of two mobile homes which overrides the policy imperatives in respect of the strict control of residential developments in the countryside. In reaching this conclusion I have taken account of all other matters placed before me in evidence and raised in the representations, including the various appeal decisions. I accept that these can highlight certain points of interest in dealing with proposals of a similar nature. However, I have assessed this scheme on its own merits in terms of the current and proposed farming operations on this holding. None of these other matters has caused me to alter my conclusions on the principal issue.

Conditions

13. I have carefully considered the conditions suggested by the Council and taken account of the representations made on this matter at the Hearing. Given the exceptional reasons for the siting of the mobile homes, there is a need for an agricultural occupancy condition to ensure that the accommodation is available for meeting the identified need. Notwithstanding the particular circumstances relating to the farming practices on this holding, planning controls are concerned with the use of the land and not the identity of the user. I intend to attach the model condition 45 set out in Appendix A of Circular 11/95. Although the proposal is seeking permission for a temporary period, it is a full application. Consequently, the relevant standard time-limit for the commencement of development must be attached. As the planning permission sought is for a temporary period of 3 years, in accordance with the advice in paragraph 12 of Annex A to PPS 7, in my view, the presence of the mobile homes must be restricted to that timeframe. However, that period must commence from the date when the mobile homes were first sited on the holding. From what I was told at the Hearing, beyond a right of access, the Appellants have no control over the farm track close to its junction with the A59 and are not in a position to effect any physical widening. However, bearing in mind my conclusions on the highway safety implications of the development, I take the view that, in any event, such works are not necessary.

Formal Decision

14. I allow the appeal and grant planning permission for the temporary siting of two mobile homes for a three year period on land at Park Brook Farm, Copster Green, Clayton-le-Dale, BB1 9ES, in accordance with the terms of the application (Ref: 3/2005/0985), dated 9th November 2005, and the plan submitted therewith, subject to the following conditions:-
1. The siting of the two mobile homes shall be begun not later than 3 years from the date of this permission.
 2. The occupation of the two mobile homes shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents.
 3. The two mobile homes shall be removed on or before the expiry of 3 years from the date of their first siting on the land and the site shall be restored to its former condition, unless a renewal of the permission has first been granted.

R E Watson

Inspector

APPEARANCES

FOR THE APPELLANT

Mr G Hoerty – BSc: MRICS; FAAV – Agent

Mr & Mrs S Eddleston – Appellants

Mr J Walton – Gary Hoerty Associates

FOR THE LOCAL PLANNING AUTHORITY

Mr C Sharpe – Planning Officer – Ribble Valley Borough Council

Mr I N Bower – MRICS; FAAV; - Lancashire County Council Resources Directorate, roperty Group

DOCUMENT SUBMITTED AT THE HEARING

1. Schedule of comparison between Standard Labour Requirement and actual numbers of workers required to operate an agricultural unit based on examples in Lancashire – submitted by Mr Bower.



Appeal Decision

hearing held on Wednesday 6th October 1999

by Shelagh C Bussey DipTP DipEM MA PhD MRTPI

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

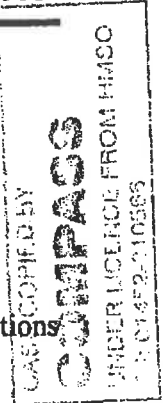
The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

10 NOV 1999

Appeal : T/APP/W1850/A/99/1024863/P9

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr G A Preece against Herefordshire Council.
- The site is located at Orchard Farm, Pontrilas, Hereford, HR2 9DB.
- The application (ref: SS990363P0), dated 3rd March 1999, was refused on 2nd June 1999.
- The development proposed is the erection of an agricultural dwelling.

Decision: The appeal is allowed and outline planning permission granted subject to conditions set out in the attached schedule.



Procedural matters

1. The planning application is made in outline with all matters reserved for subsequent approval.
2. At the hearing the plan showing the composition of the farm holding was amended to show the land owned by Mr G A Preece crosshatched.
3. A unilateral undertaking under Section 106(1) of the Town and Country Planning Act 1990 was offered at the hearing on behalf of the appellant. This agreement would tie the dwelling to the farm holding.
4. At the hearing it was agreed between the main parties that the siting of a dwelling on the appeal site would not be harmful to the character and appearance of the surrounding countryside having particular regard to its status within an Area of Great Landscape Value.

The main issue

5. The main issue is whether the agricultural arguments in support of the proposed dwelling are sufficient in this case to justify an exception to policies designed to protect the countryside.

Inspector's reasons

The Development Plan and other policy considerations.

6. The Development Plan for the locality includes the Hereford and Worcester Structure Plan 1986-2001 that became operative in 1985 and the South Herefordshire District Local Plan that was adopted by Herefordshire Council in February 1999. Together, these plans provide a framework of policies that generally seek to restrict development in the open countryside in order to preserve it for its own sake and to protect the quality of the landscape. Dwellings that are essential for agriculture may be permitted as exceptions to these policies.
7. Policy H20(b) states that residential development in the open countryside outside the Green Belt may be permitted if it is clearly necessary for the purpose of agriculture. Policy 16A

APPEAL DECISION

sets out criteria that must be met by any new development in rural areas. Policy A4 includes locational preferences for agricultural dwellings and Policy CTC2 seeks to protect the landscape quality of Areas of Great Landscape Value.

8. Several policies of the Local Plan were also brought to my attention as being relevant. Policy SH.11(ii) states that a new dwelling required for an essential agricultural worker may be permissible in the open countryside where this conforms with Policy SH.17 and GD.1. Policy SH.17 sets out criteria concerning the functional need and financial viability of a proposed agricultural worker's dwelling. Policy SH.16 advises on the siting of such new dwellings in close proximity to other agricultural and livestock buildings. Policy GD1 sets out general development criteria to ensure that new development contributes to the quality of the built environment of the surrounding area. Policies C1 and C8 seek to conserve the natural beauty and amenity of the countryside and to protect the landscape in Areas of Great Landscape Value.
9. In addition to these local planning policies, national planning policy contained in Annex I of Planning Policy Guidance: The Countryside-Environmental Quality and Economic and Social Development (PPG7) is a material consideration.

Background

10. The appeal site comprises an area of land on the eastern side of the C1230. It is situated in attractive, undulating, open countryside. It includes part of the site of a mobile home and caravan that have temporary planning permission until May 2001 and form the home of the appellant and his family. There is a complex of agricultural buildings in close proximity, to the south. The farm holding comprises 43.3 hectares, most of which is located on the western side of the road, opposite the appeal site. The appellant owns approximately 9.3 hectares and rents around 23 hectares that are subject of a lifelong tenancy agreement with his mother. In addition, he rents a further 11 hectares, on an annual license, on land to the south that is separate from the main holding. The appellant has farmed this combined holding, with livestock and crops, for over twelve years. Both the original Orchard farmhouse, which is not restricted by an agricultural occupancy condition and the bungalow to the south that was built about 15 years ago and which is the subject of an occupancy condition, have been severed from the original farm holding. The appellant now owns or rents most of the original holding.

The functional need for the development.

11. At the hearing I was told that in order to run this mixed arable and livestock enterprise efficiently and in compliance with advice contained in the draft Welfare of Farmed Animals Regulations 1999, it is essential for the well-being and security of the animals that there is a continuous presence of a farm worker, who is within sight and sound of the livestock especially, during lambing and calving. As these events typically extend over a period of six months provision for temporary shelter for a stock person on the site is impractical. A main point of dispute between the parties is that this functional need was intended to be met by the bungalow that has now been severed from the farm holding. In the Council's opinion, the facts that both the original farmhouse and the bungalow have been severed from the holding, throws the functional need for the proposed dwelling into question. However, I am satisfied that there is a functional need for an agricultural dwelling associated with the current farm holding in order to care for the livestock. I am also convinced that the reasons which led to these two other dwellings being detached and occupied separately from the appellant's farm

APPEAL DECISION

holding resulted from genuine personal circumstances of the former occupiers and do not reflect a lack of functional need. Given the considerable period of time that has elapsed since these events occurred, they do not, in my opinion, indicate that there is not an agricultural need for the development.

12. Another point of dispute between the parties is whether there is a need for at least one full time worker to be readily available for most of the time, so as to satisfy the functional test of need set out at paragraph 15 (c) of Annex I of PPG7. The appellant's agricultural contracting work was fundamental to the Council's decision that there is not a functional need for a full time worker at the holding. However, the appellant explained that over the years the number of livestock kept has increased to the current level of 100 ewes to lamb and 28 cows to calf. The appellant's direct involvement in his agricultural contracting business has correspondingly declined. He now employs two assistants to carry out much of the contracting work.
13. Using the Welsh Office Allowance for calculating standard man-days the Council estimates the need for 1,600 hours (200 days @ 8 hours per day) to operate the farm holding. An appraisal carried out on behalf of the appellant using the John Nox Pocket Book Data shows that 1,928 hours (241 days @ 8 hours per day) are required. The inclusion of work for a potato crop and an allowance of 31 days for farm maintenance explain the difference between these two sets of figures. At the hearing the Council agreed that since the appellant is responsible for maintenance of the farmland and buildings, it is reasonable to include an allowance for farm maintenance. ADAS defines full time work as 275 days. I am satisfied from the information provided that there is a theoretical need for over 80% of a worker. I conclude that in practise this demonstrates the need for a full time worker to be readily available at most times to enable the proper functioning of the holding. This means a person residing within sight and sound of where the livestock are housed.
14. I turn now to consider other existing and available accommodation in the locality that could meet the functional need. I am satisfied that neither the original farmhouse nor the bungalow is available. From what I have seen and heard there are no other available dwellings in the immediate locality. Although the stone barn to the south is physically capable of being converted to a dwelling, it is not redundant. It is used for housing livestock. Furthermore, it is within a group of other buildings that house livestock. In my opinion this close proximity makes it unsuitable for conversion to a dwelling and it would be in conflict with Policy SH.16 of the Local Plan. I have heard that there is a requirement for someone to be within sight and sound of the livestock and that attending to emergencies concerning the health and welfare of the livestock frequently takes place during anti-social hours. Separation of the home from the farmholding would result in frequent vehicle journeys being made between the two, often in the early hours. These are likely to give rise to disturbance to neighbours. I am convinced by these arguments that for practical and social reasons, provision of temporary shelter on the holding or taking accommodation in one of the small settlements to the north-east or to the south-west are not feasible alternatives.
15. As to other planning requirements, the Council considers that the development would have an adequate access and that there are no other infrastructure requirements that would affect its siting. I agree with this assessment. I have been told that a bus to the local school, shop and doctor's surgery passes the site. I therefore consider that the site would be acceptable in terms of sustainable development.

APPEAL DECISION

16. Taking into account all of these considerations, it is my opinion that there is an essential need for a dwelling at the site to enable the proper functioning of the appellant's holding, which is well established. Other normal planning requirements, for example on siting and access would be satisfied. Moreover, there is no other suitable accommodation available to meet the long-term needs of the holding.

The financial viability of the farm holding.

17. The revised financial appraisal prepared on the appellant's behalf shows a net farm income of over £20,000 for the period 1st May 1998 - 30th April 1999. I was told that flexible animal husbandry is undertaken to take account of fluctuating profitability for the sale of livestock. The Council is concerned that the information provided gives only a snapshot of the financial viability of the holding and that a financial appraisal covering a three-year period is normally required. But in my opinion, the amended financial appraisal together with consideration of the considerable financial commitment to the holding made by the appellant, by for example the recent financing of a new barn and the appellant's bank manager's support, indicate that the farm holding is financially viable. Furthermore, the appellant stated at the hearing that the purchase of the land comprising the appeal site and the construction of the dwelling would be funded from his personal savings. Although the application is in outline, an indicative plan produced at the hearing indicates a modest dwelling with a footprint of around 115 m². For these reasons, I am satisfied that the enterprise is capable of sustained viability and that the dwelling proposed would be commensurate with the established functional requirement of the farm holding.

18. In view of the information that has been provided to demonstrate the functional need and to satisfy the financial test, I conclude that there is a proven agricultural need for an agricultural worker's dwelling at this site. I conclude that the development falls within a category of development that may be permitted in the countryside by the local planning policies and that it would accord with criteria set out in Annex I of PPG7. As a consequence, I conclude also that the development would accord with local planning policies designed to protect the countryside and that it would satisfy general planning requirements set out in Policies SH.17 and GD1 of the Local Plan.

Other material considerations.

19. I have taken into account all other matters raised in the written representations and at the hearing. I have taken into consideration that the site is within a designated Rural Development Area and that it is in an area that has been selected as a pilot for a Countryside Employment Project. I have noted that the site lies within the Welsh Marches that have been awarded European Structure Fund 5b status. I have also taken into consideration the views of people who have spoken and written in support of the development.
20. I have taken account of the Council's explanation that the temporary planning permission for the mobile home and caravan was granted for social reasons rather than as an acknowledgement of a functional need for a dwelling on the site. I have also considered the Council's concern that allowing this development could set a precedent for other similar proposals in the locality. However, it would be up to the Council to determine any such application on the merits of the specific proposal and in the light of local and national planning policies. None of these or any of the other matters that have been raised are sufficient to outweigh the considerations that have led to my conclusions on the main issue.

APPEAL DECISION

Conditions and agreements.

21. I have reviewed the conditions suggested by the local planning authority, as discussed at the hearing. I note that they accord with model conditions set out in Circular 11/95 and I agree that they are necessary. I consider that an occupancy condition is necessary to ensure that the development remains available to meet the needs of farm workers in the locality. However, I consider that the appellant's second suggested condition is unduly restrictive and unnecessary. Following discussion at the hearing I intend to impose a condition removing permitted development rights for extensions to the dwelling and for the erection of ancillary domestic buildings, other than a garage, in order that the size of the dwelling remains commensurate with the size of the holding. Regarding the appellant's suggested unilateral undertaking, in accordance with advice given in paragraph 18 of Annex I of PPG7, I consider this to be unnecessary.

Conclusions

22. For the reasons given above I conclude that the appeal should succeed and I shall exercise the powers transferred to me accordingly.

Informatives

23. The conditions contained in the attached schedule require further matters to be agreed by the local planning authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.
24. This decision does not convey any approval or consent that may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

S. C. Bussey

Schedule:

Appeal : T/APP/W1850/A/99/1024863/P9

The appeal is allowed and outline planning permission granted for the erection of an agricultural dwelling in accordance with the terms of the application No: SS990363P0 dated 3rd March 1999, and the plans submitted therewith, subject to the following conditions:

- (i) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
- (ii) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- (iii) Approval of the details of the siting, design and external appearance of the dwelling, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
- (iv) Plans and particulars of the reserved matters referred to in condition (iii) above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
- (v) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.
- (vi) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargement shall be made to the dwelling house nor shall there be erected any building incidental to the enjoyment of the dwelling house, other than for a domestic garage.

APPEARANCES AND DOCUMENTS

FOR THE APPELLANT:

Mr G A Preece	Orchard Farm, Pontrilas, Hereford, HR2 OBW.
Mrs J Preece	Orchard Farm, Pontrilas, Hereford, HR2 OBW.
Mr D Cave, Inter TPI	Sychar Cottage, The Downs, Norton, Bromyard, Herefordshire.
Mr I Howie, OBE, NDA, FRAgS, FIAGRm.	Ryefield, Wormbridge, Hereford, HR2 9DB.
Councillor M T Dover	Old House Farm, Pontrilas, Hereford, HR2 OBL.
Councillor J B Williams	Rowlestone Villa, Pontrilas, Hereford, HR2 ODW.
Councillor CC Powell	Herefordshire Council
Mrs E Godding	Shirley Cottage, Little Birch, Hereford HR2 8BD.

FOR THE LOCAL PLANNING AUTHORITY:

Mr A N Prior, MRTPI	Herefordshire Council
---------------------	-----------------------

DOCUMENTS:

Document 1	List of persons present at the hearing
Document 2	Notification letter
Document 3	Statement of the appellant
Document 4	Statement of Herefordshire Council
Document 5	Third party representations
Document 6	Agenda 21 meeting
Document 7	Policy SH16 South Herefordshire District Local Plan
Document 8	Indicative layout of the development
Document 9	Closing address of behalf of the appellant
Document 10	Letter dated 4/10/99 from Mrs M G J Preece
Document 11	Draft Welfare of Farmed Animals Regulations 1999

APPEAL DECISION

Document 12	Codes of recommendations for the welfare of livestock - Cattle
Document 13	Codes of recommendations for the welfare of livestock - Sheep
Document 14	Hereford and Worcester Structure Plan policies
Document 15	South Herefordshire District Local Plan policies
Document 16	Draft unilateral undertaking

PLANS:

Plan A	Site location plan 1:50000
Plan B	Plan showing appeal site and the farm holding (as amended at the hearing).



Penderfyniad ar yr apêl

Appeal Decision

gwrandawriad cynhaliwyd ar 16/11/1999

hearing held on 16/11/1999

gan/by Alwyn B Nixon BSc(Hons) MRTPI

Arolygydd penodwyd gan Cynulliad Cenedlaethol Cymru

an Inspector appointed by the National Assembly for Wales

Dyddiad/Date 06-12-1999

Appeal 1: APP/T6850w/A/99/513335

- The appeal is made under Section 78 of the Town and Country Planning Act 1990.
- The appeal is brought by Mr & Mrs C J Sheen against a refusal to grant planning permission by the Powys County Council.
- The site is located at Waen Farm, Llidiartywaen, Llanidloes.
- The application (ref: M1999 0233), dated 2 February 1999, was refused on 13 April 1999.
- The development proposed is the temporary siting of a static caravan and the installation of a septic tank and soakaway.

Summary of decision: The appeal is allowed and planning permission granted subject to conditions, as set out below.

Background and procedural matters

1. Waen Farm is a holding of about 112 acres some 6 km/3.5 miles south-east of Llanidloes. Mr and Mrs Sheen bought the holding in 1991 and have maintained a flock of about 450 breeding ewes on the land since that time. There is a variety of agricultural buildings, comprising a modern livestock building measuring about 27m x 15m; a large implement shed/barn/store; and 4 smaller buildings serving various purposes. A nearby dwelling previously formed part of the holding; however this was sold in October 1998 in order to reduce bank repayments.
2. Since selling the dwelling Mr and Mrs Sheen have occupied rented accommodation in Llanidloes whilst continuing to farm the holding. The caravan is sought to provide residential accommodation on a year-round basis in connection with the farming operation. Permission for the caravan is sought for a five year period; the accommodation is viewed as an interim step towards the eventual provision, subject to planning permission, of a permanent dwelling.
3. The caravan has already been placed on site and occupied for about two months. Notwithstanding the information on the application plan, the caravan is sited at the north-west end of the site, occupying a north-east/south-west axis alongside one of the agricultural buildings. The septic tank and soakaway system has also been installed, but in different positions to those on the submitted plan. I have therefore considered the appeal on the basis that retrospective permission is sought for the development as already carried out.

Relevant policies and the main issues

4. The development plan background to this appeal is provided by the Powys County Structure Plan (Replacement) 1996 and the emerging Montgomeryshire Local Plan. A public inquiry was held into the local plan in 1996. Structure Plan Policy H14 resists the development of caravan sites for year round residential use; but allows in principle for the temporary residential use of individual caravans in connection with the development of permanent accommodation. Structure Plan Policy TR10 seeks to prevent the proliferation of static

caravan plots and sites for permanent residential use. Other policies concerning housing in the countryside (Structure Plan Policy H9, emerging Local Plan Policy HD10) resist the erection of new dwellings in the countryside except where essential to meet the needs of persons in agriculture, forestry or other appropriate rural employment.

5. Government guidance, contained in Planning Guidance (Wales) Planning Policy (first revision) establishes the general principles that the countryside's resources should be protected; that development should benefit the rural economy and maintain or enhance the environment; and that new building in the open countryside should be strictly controlled. It gives guidance on the consideration of agricultural dwelling proposals in the countryside; and on the circumstances where temporary residential accommodation might be appropriate. Annex E to Planning Policy Guidance 7 "The Countryside and the Rural Economy" (1992) provides advice on tests to establish whether it is essential for agricultural workers to live at or very close to the site of their work.
6. From the foregoing, the matters put to me at the hearing and in writing, and from my inspection of the site and its surroundings, I consider that the main issues in this appeal are whether an essential agricultural need exists for residential accommodation in this location, as required to overcome the normal presumption against new dwellings in the countryside; and the effect of the proposal on the character and appearance of the surrounding area.

Reasoning

7. Mr and Mrs Sheen are both engaged in the operation of Waen Farm. Standard data figures, which the Council does not dispute, give a labour requirement for the holding of 2055 hours a year; this does not take into account the additional requirement arising from Waen Farm's elevated location and climatic factors and business administration. Although Mr Sheen supplements work at Waen Farm with casual work for other farmers, I consider that the scale of the agricultural operation at the holding is sufficient to support a full-time worker.
8. Although the lambing period at Waen Farm, when the need for a round-the-clock presence is most pressing, is confined to April and May, I am satisfied that during other times of the year the welfare needs of the animals on the holding are such that an on-the-spot presence, to enable monitoring and care of sick animals or at other critical times, and to provide quick response to emergencies, is required. In addition, the demands of the farming operation require long hours of work on the holding; and I consider that the operational efficiency of the holding is significantly impaired by the requirement for repeated return trips to and from a place of residence away from the holding. Seasonal temporary accommodation, as allowed under the General Permitted Development Order, would not meet this need. Given all of these factors I consider that there is an essential need for residential accommodation to support the farming activity at Waen Farm.
9. In arriving at this conclusion I have had regard to the fact that a nearby dwelling has recently been sold. Whilst the Council says this demonstrates that there is no essential need for a dwelling, it is evident that this step was reluctantly taken through financial necessity, as the only available means of reducing borrowings in order to maintain overall viability. Although Mr and Mrs Sheen have managed to continue with the farming operation at Waen Farm for almost 12 months without on-site residential accommodation, I consider that it would be unreasonable to expect the existing farm operation to continue on this basis in the long term.
10. Although a permanent dwelling is not sought at this stage, it is evident that this is envisaged in the future. Given the circumstances of sale of the previous dwelling I have had regard to the economic viability of the farming operation. Although the Council has not applied a

financial test, the holding has an annual operating margin of around £9,000 in current market conditions. This compares with a margin of around £20,000 two or three years ago. Future profitability will depend largely on the extent to which market conditions recover from their present depressed state. Despite the recent difficulties and future uncertainties the indications are that this is a viable agricultural enterprise capable of being sustained in the long term. However, since development plan policies discourage caravans as permanent living accommodation permission for a temporary period only is necessary. Given the current depressed economic climate in agriculture I consider that a period of five years should allow the case for permanent residential accommodation to be determined one way or another.

11. On the second issue, the farm holding is set back from neighbouring roads. Although footpaths give public access to the site and its surroundings, the caravan is adjacent to farm buildings which screen it on two sides; and is screened on other sides by a small plantation and mature hedgerow trees. The caravan is therefore not generally visible in the landscape, and relates closely to the group of farm buildings. Although residential caravans are not easily assimilated into the rural scene, generally appearing as alien elements in the landscape, I consider that this location is unobtrusive. In my view the character and appearance of the countryside would only be marginally affected, and only in the short term, by the presence of the caravan for the period of time sought.
12. I have considered all other matters raised. I acknowledge the Council's concern that adequate foul drainage facilities are provided for the residential unit, to safeguard against pollution. Although the facilities have already been installed, a condition can be imposed requiring inspection of the drainage works and the carrying out of any necessary modifications. Although the occupiers of Waen Old Farmhouse object to the closeness of the caravan to their house, the caravan is separated from this dwelling by an intervening agricultural building and has no significant implications in terms of privacy or visual impact. Neither these matters, therefore, nor anything else raised at the hearing or in writing is sufficient to outweigh the conclusions on the main issues which have led me to my decision.

Conditions

13. In reaching my decision I have considered what conditions would be necessary. Since the development has already been carried out, a time limit for commencement would not apply. However, given the temporary nature of the accommodation sought and the thrust of policies against residential caravans in the countryside, a condition limiting the permission to a period of five years and requiring removal of the caravan and reinstatement of the site would be necessary. As the accommodation is acceptable only by virtue of its agricultural justification an agricultural occupancy restriction would also be appropriate. As indicated above a condition relating to inspection and modification if necessary of the drainage works would also be needed. However, in view of the unobtrusive siting of the caravan and the temporary period for which it would be in place, I consider that a colouring condition is unnecessary.

Conclusions

14. Having considered all of the evidence, I have concluded that there is an essential agricultural need for the residential accommodation sought, and that the development would not significantly harm the character and appearance of the locality. As such, the proposal satisfies the criteria of relevant policies in these respects. Although development plan policies generally resist the use of caravans for year-round residential purposes, government guidance clearly indicates that such forms of temporary residential accommodation may be appropriate

in cases where the long-term viability of an agricultural enterprise is uncertain. Overall, I have decided that the development is thereby acceptable.

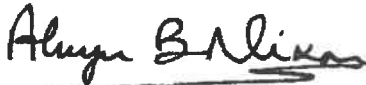
Informatives

15. The conditions imposed require further matters to be agreed by the local planning authority. There is a right of appeal if it refuses any such application, fails to give a decision within the prescribed period, or grants a conditional approval.
16. This decision only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Formal decision

17. For the above reasons, and in exercise of the powers transferred to me, I hereby allow the appeal and grant retrospective planning permission for the temporary siting of a static caravan for residential use and the installation of a septic tank and soakaway at Waen Farm, Llidiartywaen, Llanidloes, in accordance with the terms of the application [No: M1999 0233] dated 2 February 1999, subject to the following conditions:

- (i) The residential use hereby permitted shall be discontinued and the land restored to its former condition on or before the expiration of 5 years from the date of this decision, in accordance with a scheme of work first submitted to and approved in writing by the local planning authority.
- (ii) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.
- (iii) The foul drainage works shall be inspected by the local planning authority, and any modifications required to ensure proper drainage shall be carried out within such timescale as may be specified by the local planning authority.



Inspector



Appeal Decision

Hearing conducted on 3 February 2009

Site visit made on 3 February 2009

by **Richard Clegg** BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
30 April 2009

Appeal Ref: APP/T2350/A/08/2078133

Land at Brookside Farm, Moss Side Lane, Thornley, Longridge, PR3 2ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs K Sanderson against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2007/0911, dated 13 September 2007, was refused by notice dated 19 December 2007.
 - The development proposed is the siting of a mobile home for a three year period for use as a temporary farm worker's dwelling.
-

Decision

1. I allow the appeal, and grant planning permission for the siting of a mobile home for use as a temporary farm worker's dwelling on land at Brookside Farm, Moss Side Lane, Thornley, Longridge, PR3 2ND, in accordance with the terms of the application, Ref 3/2007/0911, dated 13 September 2007, and the plans submitted with it, subject to the following conditions:
 - 1) The mobile home hereby permitted shall be removed no later than three years from the date of this permission, and the land shall be restored in accordance with a scheme of work and programme to be submitted to and approved in writing by the local planning authority.
 - 2) The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, in agriculture on Brookside Farm, a partner, widow or widower of such a person, and to any resident dependants.

Main issues

2. I consider that the main issues in this appeal are:
 - (i) The effect of the proposal on the character and appearance of the area.
 - (ii) Whether the agricultural arguments outweigh any harm arising from the proposal.

Background

3. The appellants acquired the 4ha of land at Moss Side Lane, on which a portal frame building had already been erected, in 2005. A mobile home was moved onto the land and this is now the appellants' home. In 2006 an outline planning application for a permanent agricultural worker's dwelling at Brookside Farm was refused. At this time, the enterprises at Brookside Farm had only been established for a short time, and national policy in Annex A of Planning
-

Policy Statement 7 (PPS7) - Sustainable Development in Rural Areas makes it clear that where a dwelling is required for a new farming activity, it should normally be provided by means of temporary accommodation for the first three years.

Reasons

Character and appearance

4. In this countryside location beyond settlement boundaries, Policy G5 of the Ribble Valley Districtwide Local Plan limits new development to a few categories, including proposals needed for the purposes of agriculture. The site is also within the Forest of Bowland Area of Outstanding Natural Beauty (AONB), where Policy ENV1 makes it clear that the protection, conservation and enhancement of the natural environment will be the most important considerations in assessing development.
5. Brookside Farm is set in an area of attractive countryside, which lies below the fells and moors to the north. The appellants' land rises from the stream on the southern boundary to Back Lane, and on this higher part of the site the mobile home is positioned on the east side of a portal frame agricultural building. The mobile home is screened from the west by the adjacent building, but it is visible through gaps in the tree and hedgerow cover on the road side from Moss Side Lane and Back Lane, and in more distant views from the public footpath which runs across the land to the south-west. Although not unduly large, the structure encroaches to an extent into the open countryside, and its angular form and contemporary appearance are not in keeping with the surrounding rural landscape of the AONB. I conclude that the proposal would impinge to a limited extent on the character and appearance of the area, and it would thereby conflict with Policy ENV1 of the Local Plan.

The agricultural arguments

6. Policy H2 of the Local Plan reflects Policy G5, and limits residential development outside settlements to that which is essential for agriculture or other rural uses, conversions to dwellings, and that intended to meet a proven local need. Insofar as agricultural workers' dwellings are concerned, Policy H5 explains that the recent history of the holding will be taken into account. The previous proposal for a permanent dwelling in relation to a newly established agricultural activity did not comply with national policy in PPS7. Criteria for assessing temporary agricultural workers' dwellings are set out separately in the policy statement.
7. The first criterion concerning temporary agricultural dwellings in Annex A of PPS7 requires clear evidence concerning development of the enterprise. The land at Brookside Farm with its building was acquired for £105,000, and the appellants have since invested over £50,000, including the cost of services, machinery and equipment, pig arcs and hen cabins. They have developed a number of small-scale livestock operations involving cattle, pigs, sheep and poultry, and meat and some of the eggs produced are sold on a retail basis from the holding. The number of cattle and pigs kept has increased from those recorded in the County agricultural consultation response on the application for the permanent dwelling. Two other areas of land near Whitechapel and Inglewhite are used to provide grazing for sheep and young cattle during the

summer. This land is not subject to farm business tenancies, but I have no reason to doubt the appellants' evidence that they are able to continue with these arrangements.

8. It is intended to expand the poultry side of the business, and this represents a significant change in circumstance since the proposal for a permanent agricultural workers dwelling was refused. Planning permission was granted in January 2008 for a poultry building to accommodate 3,000 free-range hens and a packing room, and three feed hoppers. This would replace the existing much smaller poultry operation involving 150 free-range hens. I saw that the land immediately to the south-west of the existing portal frame building was being prepared for the erection of the new building. This work will involve a further investment of about £70,000, which can be financed without the need for borrowing. The appellants' market free-range eggs through the Lion Mark scheme, and at the hearing their representative explained that external stocking rates had doubled from 400 birds per acre (1,000 per ha) to 800 birds per acre (2,000 per ha) from 1 January 2009. This would enable the number of birds kept at Brookside Farm to be increased from 3,000 to 6,000, and a planning application for an extension to the permitted poultry building had been submitted shortly before the date of the hearing. In the event that planning permission was not granted for the extension, it was suggested that poultry capacity could be increased by the use of a mobile unit, which would not require a specific planning permission, but which would accommodate the same number of birds. However, little information on the type of unit envisaged was available, and it is insufficient to demonstrate that a unit of the size required to hold a further 3,000 birds would not be operational development. Accordingly, on the information before me, I do not consider that there is any certainty that the poultry enterprise would necessarily be able to expand to 6,000 birds to take advantage of the increased external stocking rates.
9. The Council referred to the greater extent of buildings associated with a proposal for a temporary agricultural dwelling in Pilling, but the appellants are nevertheless preparing to make significant investment in a new farm building, which PPS7 explains is often a good indication of intentions concerning the enterprise. Setting aside the possibility of an extension to the permitted poultry building, I consider that the establishment of the livestock enterprises since the acquisition of the site, and, in particular, the proposal to substantially expand the poultry operation in accordance with the extant planning permission, provide clear evidence of a firm intention and ability to develop the agricultural business at Brookside Farm.
10. Of fundamental importance is whether there is a functional need for one or more workers to be readily available at most times. Both main parties assessed the labour requirements of the operation at Brookside Farm taking into account the permitted poultry building. A figure of 275 standard man days (SMDs) has been identified by the Agricultural Development & Advisory Service as equating to the annual labour of a full-time worker. The appellants' calculation resulted in a requirement for 261.75 SMDs¹, whereas the Council's

¹ The table at para 5.4.1 of the appellants' statement gave a figure of 270.25 SMDs, but, although the existing poultry stock would be replaced by the 3,000 hens in the new unit, they were included in the calculation. It was

amounted to 247.25 SMDs. The principal difference in the calculations concerns the figures for pigs, and in this respect the appellants' figures relate more accurately to the numbers of stock that I have read are kept and bred. Overall, therefore, I consider that the appellants' calculation is to be preferred.

11. For the Council, the County Land Agent argued that the use of SMDs over-estimates the labour need, as they are based upon less efficient farming practices undertaken in previous years. He also referred to proposals for a agricultural dwelling at a farm in Pilling, where a significant increase in operations, resulting in a requirement for 577.25 SMDs in 2008 compared with 211.25 SMDs in 2005, had led to a move to full-time work but not to an increase in the number of people employed. It was suggested that the operation at Brookside Farm would be a part-time unit. The appellants' representative referred to a tendency for people employed in agriculture to work long hours, resulting in a difference between calculated figures and practice in cases such as that at Pilling. I have taken into account the various views expressed about the use of SMDs. They do not represent a precise means of calculating the labour requirement for a specific holding, but they are nevertheless a useful means of assessing the extent of labour likely to be required. I do not regard the level of 261.75 SMDs in the appellants' calculation as significantly below the level of 275 SMDs accepted as indicating a need for full-time labour, and I have reached the view that there is a need for a full-time worker at Brookside Farm.
12. I turn now to consider the requirement for the ready availability of a worker at the holding. Examples in Annex A of PPS7 refer to the need to be on hand day and night in case animals or processes require essential care at short notice, or to deal quickly with emergencies such as the failure of automatic systems. Lambing occurs over a period of about two weeks at the end of March, calving takes place from July, and half of the sows farrow about every three months. I acknowledge that a high level of care will extend beyond these times to attend to the young stock, although the numbers involved in these aspects of the business are not high. It is clear from the assessments of both main parties that the main labour requirement would be associated with the new poultry unit. I heard that the birds would need to be shut in at the end of the day, involving an extended presence on the site during the longer hours of daylight in the summer. I have read that free-range hens can be very nervous and that disturbances can cause them to congregate together and smother each other. They would require checking at regular intervals, and this would be particularly important following the arrival of the new pullets each year. Taken together, the various elements of the business would involve working long hours during a substantial part of the year, and a need to be on hand to deal with the birth of new stock. I consider that this range and extent of work can only be satisfactorily dealt with by someone living on or close to the farm.
13. Both main parties submitted calculations of the profitability of the business. The appellants' initial calculation gave a net annual profit in the region of £26,500. Following adjustments to exclude the profit from the existing poultry,

agreed that the figure for poultry should be 180 and not 189 SMDs, reducing the total labour requirement to 261.25 SMDs.

this figure reduces to about £23,300². The Council calculated a lower figure of £15,106.50. The Land Agent had acknowledged, in commenting on the planning application, that a healthy net profit could be achieved, but he disputed the approach used which took account of retail sales. He argued that the budget figures should be based on wholesale prices, since most enterprises traded in this way. However, this business directly markets the retail sale of meat from its cattle, sheep and pigs. This is how it operates, and inclusion of the retail premium in the calculation is appropriate as it assists in providing a realistic assessment of the financial situation which relates to the appeal proposal. No return on capital is included in the figures, but equally no borrowing repayments are required for construction of the new poultry unit. The level of profit is markedly above the minimum agricultural salary of about £15,000, and I am satisfied that it indicates that the business is viable. I consider that it has been planned on a sound financial basis.

14. The appellants had previously lived in Longridge, which is about 3.2km from the appeal site. Local residents suggested that there had been opportunities to acquire accommodation closer to the site, but no properties of sufficient size for the appellants' family (which includes three children) were identified as available in the vicinity. The Council submitted examples of dwellings available to buy and to rent in Longridge, and the appellants agreed that properties which were more affordable were available there. I have found that there is a functional need for a worker to be readily available at Brookside Farm at most times. This requirement would not be met if the worker concerned had to travel out to the site from Longridge. Although the site is not remote from the town, I do not consider that it is sufficiently close to enable essential care to be provided to livestock at short notice when calving, lambing and farrowing occur, or to deal quickly with any urgent matters concerning the operation of the poultry unit. I do not consider that there is any suitable and available alternative accommodation to the mobile home on the appeal site, which would fulfil the functional need at Brookside Farm.
15. I conclude that agricultural arguments provide clear support for the appeal proposal, which would be consistent with Policy H2 of the Local Plan and, in this respect, with national policy in PPS7.

Conclusions

16. Paragraph 12 of PPS7 requires that other normal planning requirements, such as those concerning siting and access, are satisfied. I have referred to the siting of the mobile home under the first main issue, and the Council has not objected to the proposal on highway grounds. Retention of the mobile home would impinge to a degree on the character and appearance of the countryside, and the site lies within the Forest of Bowland AONB. However, in its position adjacent to the much larger agricultural building, the mobile home is not a particularly prominent feature in the landscape. The harm caused by its retention for a period of only three years would be limited.
17. I have found that there is a functional need for a worker to be readily available at most times at Brookside Farm, that there is clear evidence of a firm

² Eggs are sold both retail and wholesale at present. The appellants pointed out that if retail sales are retained at their existing level following the establishment of the new poultry unit, an additional £1,400 in respect of the premium would be generated annually.

intention and ability to develop the enterprise, and that it has been planned on a sound financial basis. No suitable alternative accommodation is available. The proposal is consistent with the requirements for temporary agricultural dwellings set out in PPS7. Agricultural arguments provide clear support for the appeal proposal, and I conclude that they outweigh the limited harm arising in this case.

18. In considering the proposal, I have taken into account the human rights of the appellants and their family. Whilst it is intended that a temporary permission would be followed by a proposal for a permanent dwelling, such a proposal would have to be assessed in its own right, including functional and financial tests. Consequently there is a possibility that planning permission may not be forthcoming and that the residential use of the site would be required to cease. In this situation, the eventual loss of their home would represent an interference with the rights of the occupants under Article 8 of the European Convention on Human Rights. However this interference must be weighed against the wider public interest. PPS7 makes it clear that a new farming activity should normally be supported by temporary accommodation for the first three years, and the legitimate aim of protecting the countryside, and in particular the AONB, can only be adequately safeguarded by restricting the use of the land to a temporary period. The protection of the public interest cannot be achieved by means which are less interfering of the rights of the occupants of the site. Restriction of planning permission to a temporary period is necessary and proportionate, and it would not result in a violation of the human rights of the occupants of the site.
19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Conditions

20. As the mobile home has already been occupied by the appellants for a period of time, the Council suggested that the length of the temporary permission should be limited to 18 months. However, a major part of the business for which the temporary accommodation is sought is the new poultry unit, which had not been built at the date of the hearing. Consequently, I consider that the period of three years sought is appropriate to accord with the policy set out in PPS7. As planning permission is granted on the basis of the agricultural arguments in an area where new development is restricted, an occupancy condition is important. Circular 11/95 advises that it should not be necessary to tie the occupation of agricultural dwellings to workers engaged in one particular business, but given the intention of providing the temporary accommodation to support the appellants' newly established enterprise, and the limited period of the permission, I consider that it is important to ensure that the mobile home is only occupied in connection with agricultural activity at Brookside Farm.

Richard Clegg

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Mr G Hoerty BSc MRICS FAAV	Gary Hoerty Associates, 34 Wellgate, Clitheroe, Lancashire, BB7 2DP.
Mr K Sanderson	Joint appellant of Brookside Farm, Moss Side Lane, Thornley, Preston, PR3 2ND.
Mrs H Sanderson	Joint appellant of Brookside Farm.

FOR THE LOCAL PLANNING AUTHORITY:

Mr J Macholc BSc(Hons) DipTP DMS MRTPI	Planning Officer, Ribble Valley BC.
Mr I N Bower MRICS FAAV	Land Agent, Lancashire County Council.

INTERESTED PERSONS:

Mrs P Clayton	Local resident of Holwood, Back Lane, Goosnargh, Preston, PR3 2WD.
Mr J Rycroft	Local resident of Holwood House, Goosnargh, Preston, PR3 2WD.
Mrs R Rycroft	Local resident of Holwood House.

DOCUMENTS

- 1 News release concerning stocking rates for free-range egg production. Submitted by Mr Hoerty.
- 2 Article referring to mobile poultry units from Poultry World, June 2008. Submitted by Mr Hoerty.
- 3 Planning permission and plans relating to the erection of a poultry building at Brookside Farm. Submitted by Mr Hoerty.
- 4 Planning application and attached plans relating to the erection of a poultry building as an extension to that referred to in Document 3. Submitted by Mr Hoerty.
- 5 Plan showing land at Whitechapel and Inglewhite used by Brookside Farm. Submitted by Mr Hoerty.



Appeal Decision

Hearing held on 23 November 2010

Site visit made on 23 November 2010

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 December 2010

Appeal Ref: APP/T2350/A/10/2131469

Old Dairy Farm, Chipping Road, Chaigley, Clitheroe, BB7 3LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Chaigley Farms Limited against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2009/0261 dated 1 April 2009, was refused by notice dated 19 May 2010.
 - The development proposed is a farm worker's dwelling (outline).
-

Decision

1. I allow the appeal, and grant planning permission for a farm worker's dwelling (outline) at Old Dairy Farm, Chipping Road, Chaigley, Clitheroe, BB7 3LS in accordance with the terms of the application Ref: 3/2009/0261, dated 1 April 2009, subject to the conditions set out in the schedule to this decision.

Procedural Matters

2. The application was made in outline with all matters except appearance and landscaping reserved for subsequent approval. Permission is sought at this stage for access, layout and scale, and this was confirmed at the Hearing.
3. Calvert and Norah Thwaite are the sole carers of their disabled daughter and are finding it increasingly difficult to look after her effectively in the existing two-storey farmhouse. Therefore they intend to occupy the proposed single-storey dwelling, with their son William and family moving into the farmhouse. For this reason, the accompanying Design and Access Statement indicates that the proposed dwelling would be single-storey (eaves height 2.5m/ridge height 5m), with a footprint of 120sqm. I have taken these factors into account insofar as they relate to the single-storey form of the proposed dwelling. However, I have considered the appeal on the basis of whether an additional dwelling is essential for the needs of the enterprise, rather than the personal preferences or circumstances of any of the individuals involved.

Main Issues

4. I consider there are two main issues in this case. The first is whether the proposed dwelling is justified for the proper running of the agricultural enterprise, sufficient to outweigh the aims of local and national policy to restrict new residential development in the countryside. The second is the effect of the proposal on the character and appearance of the surrounding countryside, a designated Area of Outstanding Natural Beauty (AONB).

Reasons

5. The development plan includes the Ribble Valley District Wide Local Plan (LP). Policy G5 seeks to restrict new development outside settlements, with one exception being where it is needed for agriculture or forestry purposes. This is reflected in Policy H2 covering residential development in the countryside, which sets out the circumstances where the need for agricultural dwellings can be justified. LP Policy H3 adds that any dwelling approved under Policy H2 must be subject to an agricultural occupancy condition.

Whether the proposed dwelling is justified

6. Annex A to PPS7: *Sustainable Development in Rural Areas* contains advice on when occupational dwellings for agricultural workers may be justified. The farm enterprise is well established, and the 274ha holding is large for the area. Of this total about 161ha is owned land at The Old Dairy Farm and Higher Side Beet Farm, the remainder is held under tenancies and annual grazing licences. The existing farmhouse occupied by Calvert and Norah Thwaite and their daughter was built about 1990, and is subject to an agricultural occupancy condition. The livestock buildings are all located close to the farmhouse.
7. The agricultural appraisal identifies a labour requirement in excess of three full time workers, and this is not disputed by the Council. Despite this, apart from some seasonal help with lambing, all the farm work is carried out by Calvert and William Thwaite. On this basis there appears to be no dispute between the parties that there is a functional need for two workers to be readily available at most times. However the County Land Agent, acting for the Council, says that this need could more appropriately be met by other suitable accommodation in the area, rather than by a new dwelling on the holding.
8. The farming system involves three enterprises: the fattening of beef cattle, a suckler herd and a sheep flock. The beef enterprise is based on a continuous calving system and bought-in stock for finishing, and at any time of year there is typically about 400 beef cattle on the holding. The suckler cow herd comprises approximately 100 cows and a similar number of calves. Calving takes place mainly in the spring, although to some extent all year round. Since the date of the agricultural appraisal the number of ewes has increased from 600 to 1050. Lambing takes place between February and April with all lambs being sold fat from July onwards.
9. In my experience the breeding and finishing of cattle, lambing, and calving all require experienced workers to be on site or in very close proximity. Prompt attention is often required to avoid animals suffering unnecessarily and to avoid the loss of valuable stock. I recognise there is a frequent need for an on-site presence outside normal working hours, particularly during lambing and calving periods, and to attend to the daily needs of the stock. Therefore, and taking into account the significant scale and nature of this enterprise, I am satisfied that there is a functional need for more than one experienced worker to live within sight and sound of the livestock buildings.
10. Paragraph 3(iv) of PPS7 says a new permanent dwelling can only be justified providing the functional need could not be fulfilled by another existing dwelling on the holding, or any other accommodation in the area which is suitable and available for occupation.

11. There are no suitable buildings on the holding that might be suitable for conversion to residential use, and I consider the only available properties in the area sufficiently close to meet the functional need are at Chaigley Court, opposite the farm entrance and buildings. Two properties here are currently for sale, at prices of £300,000 and £375,000, although I accept the submissions by the appellant company that these are not easily affordable on an agricultural wage.
12. William Thwaite was living in a rented property at Chaigley Court until early 2009. However, following a drainage dispute with the landlord, notice to quit was served and the family moved into a mobile home in the farmyard where they were living at the time of my visit. Although another dwelling at Chaigley Court is currently available to rent, it is owned by the same landlord, and I am advised that he is not prepared to let property to the Thwaites. The Council has raised concerns regarding the background circumstances of the drainage dispute and timing of the notice to quit. However, based on the information given to me, I am satisfied that no possible abuse, as described in paragraph 5 of PPS7, Annex A has occurred.
13. The Council has also raised concerns that the proposed dwelling would, in effect, become a retirement home for Calvert Thwaite. However, despite being 74 years old he remains a valued key worker on the enterprise. Although his working hours and daily involvement may reduce in the future, I understand he has no imminent plans to retire, and I have no reason to doubt this intention. Consequently I find no conflict with Paragraph 6 of Annex A, which advises that agricultural needs cannot justify the provision of isolated new dwellings as retirement homes for farmers.
14. In addition to satisfying the functional test, new permanent accommodation cannot be justified unless the farming enterprise is economically viable. Paragraphs 3 (iii) and 8 of PPS7 Annex A require the enterprise to have been established for at least three years, to have been profitable for at least one of them, to be financially sound, and have a clear prospect of remaining so.
15. I have no doubt that the enterprise is well established, as the family has been farming in the area since the 1930's and at Old Dairy Farm for about 30 years. However, the County Land Agent is concerned that the profit shown is modest given the substantial turnover stock and the size of the holding, and questions the financial standing of the business. It is true that the level of borrowing is high, although I understand the assets comprising the farm house, owned land and buildings are available as security to meet the liabilities of the farm enterprise. In any event, the submitted accounts demonstrate to my satisfaction that the enterprise has been in profit for each of the past three trading years from 2007/8, and the retained profit has increased year on year over that period. I also note that significant investment in new buildings and extra stock has taken place recently, and from the information available to me, I have no reason to doubt that there is a clear prospect that the enterprise will continue to remain profitable.
16. Overall I conclude that a need for an additional dwelling to serve the needs of this enterprise is justified, and that the functional and financial tests set out in PPS7 Annex A are satisfied. Nor do I find any conflict with the relevant criteria of LP Policies G5 and H2.

Effect on the character and appearance of the surrounding countryside

17. The site lies within the Forest of Bowland AONB, and LP Policy ENV1 says that the landscape and character of the AONB will be protected, conserved and enhanced. However, I do not consider the site to be particularly prominent within its landscape setting, and any new dwelling would be seen against a background of the existing farm buildings and be well screened by dense hedgerow planting along the road.
18. The supporting text to LP Policy H2 says that new agricultural dwellings should normally be of two-storey form. However, this is not prescriptive, and I am satisfied that subject to careful design, landscaping, and use of natural materials a single-storey dwelling adjacent to the existing farmhouse would be in keeping with its surroundings and would not have a materially harmful impact on the landscape character of this part of the AONB. As such, I find no conflict with LP Policies ENV1 and H2.

Conditions

19. I have considered the conditions put forward by the Council in the light of the advice in Circular 11/95. In addition to the standard conditions relating to the approval of reserved matters, a condition is needed to secure compliance with the submitted plans, for the avoidance of doubt and in the interests of proper planning. The suggested condition withdrawing normal permitted development rights for enlargements and other alterations to the proposed dwelling is reasonable in order to ensure that the size of the dwelling remains appropriate to the established functional requirement. A standard agricultural occupancy condition is necessary to ensure that the dwelling is occupied for the intended purpose in accordance with LP Policy H3.

Conclusion

20. Therefore, for the reasons given above, and having regard to all other matters raised in representations, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR

Appeal Ref: APP/T2350/A/10/2131469

Old Dairy Farm, Chipping Road, Chaigley, Clitheroe, Lancashire, BB7 3LS

Schedule of Conditions:

- 1) Details of the appearance of the dwelling and landscaping of the site, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The details of the reserved matters referred to in condition 1) above shall include plans indicating the design, external appearance and facing materials of the dwelling hereby approved, landscaping of the site, boundary treatment, and parking and turning arrangements for vehicles.
- 5) The development shall be carried out in accordance with the following approved plans: Cha/243/651/02 and Cha/243/651/03 insofar as they relate to matters of layout, scale and access.
- 6) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the provisions of Schedule 2 Part 1 Class A relating to the enlargement, improvement, or other alteration to a dwelling house, shall not apply to the dwelling to which this permission relates.

APPEARANCES

FOR THE APPELLANT:

Gary Hoerty	The appellant company's agent
Norah Thwaite	Chaigley Farms Limited

FOR THE LOCAL PLANNING AUTHORITY:

Sarah Westwood BA (HONS) MA MRTPI	Planning Officer, Ribble Valley Borough Council
Wayne Selway BSc (HONS) MSc MRICS FAAV	Land Agent, Property Group of Lancashire County Council

INTERESTED PERSONS:

Jan Alcock	Ward Councillor, Ribble Valley Borough Council
------------	--

DOCUMENTS

- 1 Council's letter dated 3 November 2010 notifying interested parties of the date and venue for the Hearing.
- 2 Directors' report and financial statements 31 July 2010 (supplied by the appellant company)
- 3 Particulars of properties for sale or rent in the area (supplied by the Council)

APPENDIX 4

HSE Guidance: Handling and Housing Cattle

Handling and housing cattle

HSE information sheet

Agriculture Information Sheet No 35 (Revision 1)

Introduction

This information sheet provides general advice for farmers on safe handling of adult cattle, including stock bulls, bull beef, suckler and dairy cattle, and on housing stock bulls and bull beef safely. It also gives advice on preparing cattle for slaughter. It does not include the precautions necessary to protect the public when keeping cattle in fields with public access, which the Agriculture Information Sheet AIS17 *Keeping cattle in fields with public access* covers.

Every year there are deaths and injuries to farmers and other workers while handling cattle. These are often caused by using poor equipment, ineffective methods of moving cattle and an underestimation of the strength, speed or behaviour of cattle.

The risks

Handling cattle always involves a risk of injury from crushing, kicking, butting or goring. The risk is increased if the work involves animals that have not been handled frequently, such as those from hills or moorland, sucklers or newly calved cattle. Certain jobs, such as veterinary work, may increase the risk further. However, proper handling systems, trained and competent staff, and a rigorous culling policy can help make sure cattle handling can be carried out in relative safety. You should never underestimate the risk from cattle, even with good precautions in place.

Familiarity with individual cattle can lead to complacency, especially when handling bulls. A number of accidents, some fatal, happen every year because stockpeople fail to treat bulls with respect. A playful bull can kill you just as easily as an angry one.

General principles of cattle handling

You need to consider the following:

- the person – including their mental and physical abilities, training and experience;

- the equipment available – including races, crushes, loading facilities and bull-handling equipment; and
- the animal – including its health and familiarity with being handled.

The person

Everyone handling cattle should be:

- able to use the handling and other safety equipment provided;
- aware of the dangers when handling cattle and be supervised until they are competent;
- able to work calmly with the cattle, with a minimum of shouting, impatience or unnecessary force; and
- in good health and properly trained in safe work methods. Training in livestock handling is available from training groups, colleges and individual training providers.

Some work with cattle will need two people. Always assess the need for help before beginning the task.

There is no legal upper or lower age limit for cattle handling, as individuals' capabilities vary widely, but children under 13 should not normally be allowed to enter cattle housing or handle cattle. Many incidents involving cattle happen to people beyond normal retirement age, when they are less agile. Consider the risks carefully before anyone over 65 works with cattle, and if so, what they can safely do.

The equipment

Every farm that handles cattle should have proper handling facilities. These should be well-maintained and in good working order. A race and a crush suitable for the animals to be handled are essential. Makeshift gates and hurdles are not sufficient, and will result in less efficient handling as well as risking injury. Never attempt to treat or work on any animal that is held by gates alone, or that is otherwise free to move at will. If you have to attend to 'downer' cattle, or animals in loose boxes or isolation pens, and it is not possible to secure them, make sure you have an adequate escape route and will not be crushed if the animal rolls or stands suddenly. Special equipment is needed for handling stock bulls out of the pen.

The race

Check that:

- animals can readily enter the race, which should have a funnel end, and there is enough room in the collecting pen for them to feed into the funnel easily. A circular collecting pen allows staff to stand safely behind a forcing gate as they move animals into the race, and keeps the animals moving;
- animals can see clearly to the crush and beyond, so they will readily move along the race, which may be curved, but should not include tight turns. Animals will be more prepared to move towards a light area than into the dark;
- the sides of the race are high enough to prevent animals from jumping over them, and they are properly secured to the ground and to each other – sheeting the sides of the race helps to keep cattle moving by reducing visual disturbances such as shadows and shields them from other animals; and
- you can contain the lead animal in the race while it waits its turn in the crush. Hinged or sliding doors are suitable, but be sure they are operated from the working side of the race so the operator does not have to reach across it to close the gate. No one should work on an animal in the crush with an unsecured animal waiting in the race behind.

The crush

A crush which will allow most straightforward tasks to be carried out in safety (including oral treatments and work from the rear end, **but not** belly or foot trimming) will:

- have a locking front gate and yoke (ideally self-locking) to allow the animal's head to be firmly held. Additional head bars will prevent the animal tossing its head up and injuring people;
- have a rump rail, chain or bar to minimise forward and backward movement of the animal. Make sure this is always used;
- be secured to the ground or, if mobile, to a vehicle;
- be positioned to allow you to work safely around it, without the risk of contact with other animals, and have good natural or artificial lighting;
- allow gates etc to open smoothly with the minimum of effort and noise. Regular maintenance will help; and
- have a slip-resistant floor, made of sound hardwood bolted into place (nails are not suitable), metal chequer-plate, or with a rubber mat over the base.

Consider the need for shedder gates after the crush to allow animals to be sorted into groups. Work around the crush will be more convenient if it is under cover with a workbench nearby (for documentation, veterinary medicines, instruments etc).

Belly clipping

While some abattoirs offer a post-slaughter clipping service, cattle are usually required to be presented to an abattoir in a clean condition. Research has shown that the dirtier the hide, the greater the potential for carcase contamination with bacteria such as *E coli* O157. To achieve the standards needed, farmers may need to:

- change their cattle production practices to keep cattle clean and reduce the need for clipping;
- improve housing and transport arrangements;
- clip the lower parts of the animals before sending them to the abattoir.

The Food Standards Agency has produced advice on husbandry systems farmers can adopt to keep animals clean, *Clean beef cattle for slaughter: A guide for producers* (see 'Further reading').

The husbandry aspects discussed include; finishing cattle at grass, diet, housing, the general health of cattle and the use of a marketing yard. Putting these systems in place will reduce the need to clean cattle before they leave the farm.

Even with good husbandry practices it may be necessary from time-to-time to clip parts of your cattle before presenting them for slaughter. If you do, you will need to take precautions to help control the risk of injury.

The main hazards are from crushing when you move the animal from the pen to the crush and kicking when you access the underside of the animal to clip it. Clipping should only be carried out using properly designed handling equipment and safe working techniques. It is therefore essential that you assess the suitability of your cattle handling facilities and whether you need to modify their design, and to working methods or tools.

Remember that:

- some cattle will be semi-wild and not used to being handled;
- you cannot safely clip the belly of an animal in a crush with enclosed and fixed bottom sides, or which has permanently fixed vertical or horizontal bars close to the belly area of the animal;
- the flanks and legs can be clipped in relative safety standing up and behind the animal, but belly clipping will always involve work forward of, and close to, the rear legs.

In addition to the general guidance on the use of crushes, check that:

- you can fully open the bottom half of the sides of the crush;
- there are no permanent vertical bars when the doors are open which could allow the operator's hand to be trapped if the animals kicks;
- both sides of the crush open and that you have enough room along each side of the crush to work safely. If not, you will have to reach underneath the animal – this is **not** safe practice;
- you can avoid stretching too far from one position during clipping, as this will result in your head moving down and in towards the animal;
- you can work facing the front of the animal, as this will prevent you leaning into the direction of any kick;
- the animal will be adequately restrained from kicking – consider whether you should use an anti-kicking device.

Anti-kicking devices

There are a number of devices on the market designed to minimise an animal's freedom to kick. These include horizontal anti-kicking bars, which can typically be swung and locked into position and anti-kicking aprons, which are tensioned in front of the back legs. The experience of farmers who have used these devices suggests they can work well. However, whatever devices are used, the animal should always be fully restrained at the head and rear.

Artificial insemination (AI) stalls

To prevent injuries to inseminators, use a crush, or some other means of keeping the animal tightly restrained in an area small enough to prevent movement during insemination. Loose stalls in which the animal can move freely are not suitable. Ideally, position the AI facility by the parlour so that animals can move straight into it after milking. If necessary, check that adequate staff are available to help the inseminator move the cattle into the crush safely.

Other equipment

Sticks and prods should never be used to strike an animal – this may breach animal welfare legislation as well as agitating it. Before beginning work on any animal, check it will be adequately restrained from kicking – consider whether you should use an anti-kicking device. For specialist tasks such as foot trimming, use a purpose-designed crush, eg with foot restraints, belly winches and adequate space, especially at the rear end. Check that there are a minimum of trapping points so that if the animal kicks out, parts of your body will not be trapped against the crush.

Halters and ropes may be useful but will normally require specially instructed users. Always use suitable ropes – do not improvise with bale string or similar.

The animal

Many cattle being handled will be familiar with the process – dairy cattle, for instance, will normally be handled daily. Make sure that heifers new to the milking herd, which may be less familiar with the noises, activity and people involved, are allowed to become accustomed to them before they are first milked. Suckler cattle, or fattening cattle kept on hills or moors, may be handled very infrequently and so the risks may be greater. Newly calved cows are very protective of their calves and should be treated with caution.

Bull-beef animals may not have developed all the aggressive traits accompanying maturity, but they can never be regarded as safe. Ensure safe management practices are in place from the start so that you are not put at risk when the low-risk calf becomes a potentially dangerous semi-adult.

If you have an animal that is habitually aggressive or difficult to handle, consider whether you should cull it from the herd. If this is not an option, you should ensure your equipment and systems of work are capable of dealing with it, and that staff, and other people such as vets, are aware of the potential difficulties. Dehorning cattle can temporarily quieten them, but may have welfare implications. Consult a vet before doing this.

Working with cattle in the field

Some tasks may have to be carried out in the field without adequate handling facilities. If you have to separate an animal from the herd, or carry out any work on an animal in the field, make sure you can do so safely. Ear-tagging may pose particular problems as it may arouse the dam's protective instincts, resulting in risks to the stockperson.

Always make sure that:

- there are at least two people present if you have to separate an animal from the herd in the field, or during ear tagging with the dam unsecured;
- you have a vehicle close to where the task is to be carried out;
- the second person acts to dissuade other animals or the dam from approaching too close to the task, and warns when it is necessary to take avoiding action, eg entering the cab of the vehicle.

If you use portable or fixed field tethers for bulls in fields, make sure that:

- the tether allows free movement with a minimal risk of entangling the bull;
- the connection with the tether passes through the nose-ring regardless of whether or not a head collar or chain is used;

- you never make any connection direct to the nose-ring;
- the tether is secured to the ground;
- the bull's temperament is such that you can approach in safety to attach the handling ropes and poles before leading him back to the pen.

Stock bulls

Stock bulls, which are often kept separately from other cattle, may be frustrated by the lack of contact and so be more aggressive. Bulls are more likely to be amenable to handling if, from an early age, they learn to associate the presence of people with pleasant things, such as feeding, grooming and exercise. If you buy, hire or borrow an adult bull, find out how he was handled and the kind of equipment used, and take time to get to know him – remembering to be especially cautious at this stage. Consider whether you should have your bulls ringed at about ten months old – this provides a convenient way of handling them, especially if they are polled. Check nose-rings regularly for wear or damage.

Dairy bulls

All stock bulls of a dairy breed should be kept in a purpose-made bull pen. It is not acceptable to allow these bulls to run through the parlour at milking time, to tether them by neck chains in cow stalls or cubicles, or allow them to run free in yards in which stockpeople may work. The bullpen should:

- be sited where the bull can see other cattle and farm activity, and be large enough and strong enough to contain the animal. A 215-mm-thick wall of reinforced concrete blocks, topped with railings or bars so that he can see what is going on, is suitable. Railings or bars should have a minimum outside diameter of 48 mm;
- have outer walls, fences and gates at least 1.5 m high and be designed to prevent children passing through or over into the bull pen. The bars in gates and partitions should be vertical with spaces between them of no more than 100 mm;
- allow all external doors and gates to be kept locked or otherwise secured to prevent unauthorised access. Catches should be stockproof;
- allow the bull to be fed and watered from outside the pen, eg through a feeding hatch. The feeding area should incorporate a yoke (or a chain and spring hook if the bull is ringed) so that he may be secured without the need to enter the pen;
- include an exercise yard to which entry is controlled by a gate operated from the outside. This will allow bedding up or cleaning the inside or outside area while the bull is contained in the other area;
- have a refuge or emergency escape route which is free of obstruction and impassable to children and

dogs from the outside, eg by fencing a small area on the outside so that a person can escape but nothing else can enter;

- have free-draining and slip-resistant floors, and adequate natural and artificial lighting (you may need to work around the bull at night);
- incorporate a service pen, accessible by the cow from the outside. Provide a yoke or something similar to allow the cow's head to be secured, and also provide good footing for the bull, such as a grooved floor surface. Consider providing service ramps for the bull's front legs. Collecting semen for AI etc should be done outside the service pen, controlling the bull using a bull pole or with a handler on each side using ropes;
- have safety signs warning of the presence of a bull at the entrance to any building where the bull is kept. Use a triangular sign with a bull's head in black on a yellow background with a black border.

Never enter the enclosure when the bull is loose.

Controlling the bull out of the pen

When a stock bull has to leave the pen, you must use suitable equipment to secure and lead him. Consider breed, past handling and temperament to decide which of the following methods to use:

- two people, one using a bullpole attached to the bull's nose-ring and the other using a rope or chain attached to the halter or head chain via the nose-ring;
- two people both using ropes or chains, one rope or chain attached to a halter, the other either attached directly to the nose-ring or via the nose-ring to the halter;
- one person using a bullpole attached to the bull's nose-ring and a rope or chain attached to a halter, or head chain, via the nose-ring. Make sure there is a competent person standing by to help control the bull if necessary.

If the bull has not been ringed, ensure you have another equally effective means of handling, eg a halter and a rope around the base of the bull's horns.

Bull handlers should:

- hold the bullpole, rope or chain firmly without exerting unnecessary pressure;
- keep the bull under observation;
- walk at a steady, slow pace slightly ahead of the bull; and
- keep the bull's head up at all times.

Beef-type stock bulls

If you keep a beef-type stock bull in a bullpen it should meet the standard described for dairy bulls. If you run such a bull, or a dual-purpose bull, with the milking

herd he should, wherever possible, be safely excluded from the cows at milking time and not allowed to pass through the parlour. But, if you do not have adequate handling facilities or enough staff at all milking times to allow this, the bull may be allowed into the parlour, as long as it is large enough, he can be kept quiet during the milking period (eg by feeding) and shows no sign of distress. Alternatively, let the bull into the parlour as you let milked cattle out, so that he can pass straight through. Make sure that you have a safe system of work for this activity and that it is known to everyone likely to be involved.

If the bull runs loose in the cattle housing, make sure other people, such as visitors or casual workers, know he is loose and the precautions they should take.

Bull beef

Although bull-beef animals are often sent to slaughter before full sexual maturity, they can still present a risk to those working with them. Make sure you:

- keep animals in groups of no more than 15–20; and can carry out all feeding, bedding and other routine husbandry tasks without entering the pen. You should be able to open and close internal pen division gates from outside the pen. By making sure you have an empty pen in any arrangement of adjacent pens, you will always be able to move animals out of any pen you need to enter;
- check that pen divisions and gates are strong enough, securely fastened in place and can be kept at a height of around 1.5 m above the floor or bedding. Suitable materials would include tubular steel rails with a minimum outside diameter of 48 mm;
- check that the lower 1 m of the pen divisions fronting on to passageways etc will deter access by children (eg by using mesh or sheet metal, but make sure that ear tags will not be pulled off if cattle rub their heads on the divisions);
- keep the outside doors of any building used for bull beef secured except when access is needed, and put up prominent signs warning of the presence of bulls;
- check that handling, weighing, veterinary treatment and shedding arrangements are safe – and designed for the often greater strength and volatility of a group of young bulls;
- arrange your race, crush and loading areas so that no one ever needs to be in them with the animals. A properly designed loading area will allow you to keep parts of the fixed handling system or the lorry tailboard gates between you and the animals at all times. Keep yard or farm perimeter gates closed when loading bulls to contain an escaped animal within the yard or farm.

Never enter a pen containing, and never allow a lone person to handle, bull-beef animals.

Further reading

Clean beef cattle for slaughter: A guide for producers which is available to download at <http://www.food.gov.uk/multimedia/pdfs/publication/cleanbeefsaf1007.pdf>

BS 5502: Part 40: 2005 *Buildings and structures for agriculture: Code of practice for design and construction of cattle buildings* British Standards Institution

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

British Standards can be obtained in PDF or hard copy formats from BSI: <http://shop.bsigroup.com> or by contacting BSI Customer Services for hard copies only Tel: 020 8996 9001 email: cservices@bsigroup.com.

DEFRA and SAC produce a range of publications on cattle handling and housing, which are available to download from the DEFRA website: www.defra.gov.uk and the SAC website: www.sac.ac.uk. DEFRA publications are also available in hard copy from TSO, The Stationery Office, PO Box 29, Norwich NR3 1GN Tel: 0870 600 5522 Fax: 0870 600 5533 email: customer.services@tso.co.uk Website: www.tsoshop.co.uk/.

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.

This document is available at www.hse.gov.uk/pubns/ais35.htm.

© Crown copyright If you wish to reuse this information visit www.hse.gov.uk/copyright.htm for details. First published 10/12.