



Mr Adam Murray
South Kesteven District Council
Council Offices
St Peter's Hill
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NG31 6PZ

Electronic Version
Our Ref: KCC3136/Ig
23rd November 2022

Dear Mr Murray

**S22/1828: PROPOSED AGRICULTURAL WORKERS DWELLING AT TINY STEPS
PETTING FARM, THURLBY**

1. Thank you for your consultation request in relation to the above development.
2. This is a desk-based assessment. It is based on information provided with the planning applications, in particular:
 - application forms and plans
 - Design and Access Statement
 - Addendum to Planning Statement
 - Monthly outgoings and monthly sales
3. Additional information was received on 17th November. This information included a business plan and additional information in relation to breeding, admission prices and refreshment sales.
4. Kernon Countryside Consultants previously assessed the site in 2021. It is understood that this application is a resubmission, for a proposed agricultural worker dwelling at Tiny Steps Petting Farm.

The Development Proposed

5. It is understood that the Applicant is seeking permission for the siting of a timber log cabin to be occupied in connection with the operation of a petting farm. It is understood that this proposal is for a temporary three year period however it is not entirely clear.
6. The proposed dwelling will have 4 bedrooms, one of which will have an en-suite, a separate bathroom, a utility room, an open plan kitchen-dining area and a separate lounge area. The log cabin will be single-storey and will measure 19.6m in length and 6.62m in width. The gross internal floorspace will extend to approximately 120m².

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Policy Basis for this Appraisal

7. Planning policy relating to essential worker's dwellings is set out in the NPPF (2021) at paragraph 80. Paragraph 80 states that **“planning policies and decisions should avoid the development of new isolated homes in the countryside unless . . . 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”**.
8. Whilst this guidance is very brief, since the original NPPF was published it has become clear that all applications need to be considered carefully against the following criteria:
 - i) whether there is an essential need for a rural worker to live on site;
 - ii) whether that need can be met by existing accommodation;
 - iii) whether the enterprise is financially viable or sustainable; and
 - iv) whether other relevant considerations, such as siting and size, are acceptable.
9. There has also been guidance issued on the online Planning Practice Guidance resource in Paragraph: 010 Reference ID: 67-010-20190722.
10. The guidance states that:

“Considerations that it may be relevant to take into account when applying paragraph 79 a) [now paragraph 80] of the NPPF could include:

- **evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);**
- **the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;**
- **whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;**
- **whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and**
- **in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.**

Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.”

11. The South Kesteven Adopted Local Plan, Policy SP5 states that **“Development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement. In such instances, the following types of development will be supported:**

- a) agriculture, forestry or equine development;
- b) rural diversification projects;
- c) replacement dwellings (on a one for one basis) or;
- d) conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and
- e) are in sound structural condition; and
- f) are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting.

12. An assessment of the proposed development is set out below.

Summary of the Enterprise

13. Based on the information provided it is understood that Tiny Steps Petting Farm is a relatively new venture for the Applicants, with the business gaining consent in January 2022. The enterprise is in full operation, but with the opening hours limited and generally by prior appointment.

14. Based on Google Earth measurements and the blue line of the location plan, the site benefits from approximately 3.5 acres of which approximately 3 acres is available for grazing. The site currently benefits from a mobile timber structure used as a baby changing facility, a mobile refreshment van, static caravan, an agricultural building used for the housing of some animals and is the main area used for animal petting, stables and mobile field shelters.

15. The farm has a wide array of animals and at the date of submission, the Design and Access Statement sets out that the following animals are kept at the site:

- 4 donkeys (2 of which are miniature)
- 2 miniature Shetland ponies including 1 breeding female
- 15 goats, 8 of which are breeding females
- 4 sheep (2 breeding females)
- 3 geese (2 breeding females)
- 3 ducks (2 breeding females)
- 30 chickens and 4 cockerels
- 2 alpacas
- 2 wallabies

16. It is also stated that the Applicants are in the process of purchasing 2 Golden Guernsey nanny kids for the breeding programme.

17. At the time of the previous submission in August 2021, the following animals were being kept onsite:

- 4 donkeys (2 miniature dinkeys and 1 breeding female)
- 4 ponies
- 7 goats
- 4 sheep
- 4 geese
- 30 chickens and 4 cockerels

- 5 turkeys
 - 3 guinea pigs
18. The total number of animals kept onsite has not significantly increased since the previous application. The Applicant has, however highlighted that a small number of animals are now breeding. Following the receipt of additional information from the Applicant, it is understood that the number of breeding goats is increasing further.
19. It is understood that the Applicants intend to increase the number of animals on site as the breeding develops. Surplus males are to be sold, allowing for the purchase of new animals. However, the land associated with the holding is very limited, so it is unclear how they intend to do this without putting significant pressure on the land to sustain the stocking.

Dwelling assessment

20. **Functional Need.**
When considering whether there is a functional need to live onsite, consideration should be had to the likelihood of something going wrong, out of hours emergencies and the ability for someone to respond to emergencies.
21. Typically, the main rationale for farm businesses to have an essential need to live on site relates primarily to the animal's welfare needs and whether the only way the needs can be met are by living on site. Whilst security is a relevant consideration, it is not the primary reason to justify the essential need to live on site.
22. Since the previous application the types of animals kept onsite are relatively similar to those previously considered by Kernon Countryside Consultants, albeit an increase in the number of goats and the addition of 2 alpacas and 2 wallabies.
23. It is evidenced in the information provided that the rarer breeds of animals attract unwanted attention by members of the public which have led to several incidences which has jeopardised the animal's welfare. Living on site will act as a deterrent, however, as stated previously security is not a primary consideration when justifying the need to live onsite.
24. Whilst no longer in force, the old Planning Policy 7, Annex A guidance confirmed that **"The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one."**
25. In terms of breeding operations at the site, this has increased slightly since our last assessment. Additional information provided by the Applicants detailed that 3 nanny goats are to go to a pigmy billy goat this year, with the billy goat to return to another 4 female goats in February of next year. With a gestation period of around 150days this will therefore lead to 3 goats giving birth in April next year and another 4 to give birth around July of 2023. The relatively condensed breeding period will only give rise to a need to live onsite for a few weeks of the year as ideally someone should be onsite to closely monitor the animals and call for veterinary assistance if required.

26. However, with breeding occurring over a relatively condensed period of time and the small number of animals living onsite, it remains our view that the need to live onsite is very marginal. Whilst it has been argued within the information provided that a number of incidences have occurred at the farm that could have been prevented if there was an onsite presence, it is not entirely clear that this is the case. Breeding requires a site worker to be on hand at most times, however, injuries at night are more difficult to prevent. Regular checks could still be made when living a short distance away.
27. **Existing Dwellings.**
It is understood that the site does not currently benefit from any residential accommodation. If there were a strong need to live onsite, it is my opinion that only a dwelling within sight and sound of the enterprises will satisfy this need. A search on Rightmove dated 21st November showed one available property located approximately 0.6miles from Tiny Steps Petting Farm. However, this property is not located within site or sound of the farm and as such is not considered to meet the need to live onsite.
28. We are satisfied from the information provided that there are no existing buildings that can be occupied. Given the proposals to increase the breeding enterprise and stock numbers this suggests that the buildings are to be in use for the foreseeable future.
29. Based on the application form, it is understood that the Applicant lives just a 5 minute drive from the site. Whilst not within sight and sound of the livestock, this makes it relatively easy to undertake checks of livestock in the early morning and late evening.
30. **Financial Sustainability.**
Financial information has been provided to accompany this application. This includes receipts and updated figures set out within the Applicants business plan dated November 2022.
31. Based on the two years of financial information provided, it is understood that the business has made a net income (i.e. profit before tax) of £1,073 in the year ending 1st January 2021 and £13,180 in the year ending 1st January 2022. No forward projections appear to have been provided however it is not entirely clear as to whether the financial information for 2022 is for the year ending January 1st 2023. We also note that no costs of sales have been included which is unusual. Presumably there are costs associated with feed, bedding, veterinary costs and so on.
32. In any event, for a business to be considered viable, it must be capable of providing a reasonable return on labour in the event that the site manager/applicant cannot undertake the work. Whilst we understand that the Applicant relies on volunteers, and operates a not-for-profit style operation, financial viability is one of the tests that needs to be satisfied.
33. In exceptional cases, where profits are limited, personally worded conditions have been imposed on the occupancy of rural workers dwellings. This is to acknowledge that not all people require high levels of income that reflect a typical living wage.
34. That said, based on the information provided, we remain concerned that considerable costs have been excluded from the business plan meaning the level of net income is

likely to be less than shown. Concerns are therefore raised regarding the long-term viability of the enterprise.

35. **Siting and Size.**

The proposed dwelling is to be sited centrally, offering good surveillance of the entrance and the adjoining barn and paddock areas. The proposed dwelling will be within sight and sound of the animals and therefore can be considered a suitable location to meet a potential need to live onsite.

36. The proposed log cabin will fall within the definition of a caravan. However, given the limited levels of income associated with the business, it is unclear how the cost of the temporary dwelling will be funded. Often the cost of a temporary dwelling would be paid for out of the living wage of a farm manager however the funds are quite limited and would potentially not allow this for a caravan of up to 120m² in size.

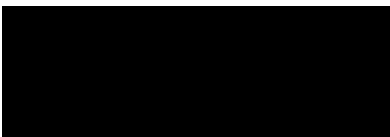
Conclusion

37. In summary, the need to live onsite remains marginal. The number of animals kept onsite is, in our opinion, not significant and the management of the enterprise is not considered to be overly complex in terms of welfare needs. The addition of breeding marginally increases the need to live onsite but given that breeding is set to occur over a condensed period of time, periods of a stronger need to live onsite are limited. On this scale, the protection of livestock from theft or injury is not great enough to enable us to conclude otherwise.

38. The financial information provided does not show the levels of profit we would expect to conclude that the business is viable or likely to become viable. The business would not be capable of providing a reasonable return on labour for a single site manager, regardless of whether other employees are volunteers. We are also concerned over missing costs which have the potential to reduce income considerably. This in turn raises concerns as to the affordability of a temporary dwelling.

With kind regards.

Yours sincerely



Lauren Gaunt
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