
Further Justification V2

Erection of rural enterprise
dwelling and associated works

Torriad Farm
Bowling Bank
Wrexham
LL13 9RT

P/2021/0729

Prepared for Hoseley Farms

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The logo for Roger Parry & Partners is located in the bottom left corner. It consists of a dark blue square with a white border. Inside the square, the text "Roger Parry" is written in a large, bold, yellow sans-serif font, and "& Partners" is written in a smaller, yellow sans-serif font below it. A yellow diagonal shape is visible in the bottom right corner of the square.

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Please see below response to queries raised following submission of revised agricultural appraisal:

- **Details are provided about the number of working hours and how this translates into the number of workers that are required, but doesn't offer any further explanation. Do seven people currently work at the farm? Where do they currently live? Further evaluation is provided in Section 7, however, this raises more questions than are answered.**

The evaluation of 7 members of staff is based on John Nix Guide book, however farm workers work over and above the 'standard man days' therefore the farm employees are fewer than the guide book suggest. Farm workers and especially the owners, go above and beyond any standard hours of work and holiday regularly working 12 -14 hour days.

Andrew Jones is the son of Hoseley Farms and the applicant. Andrew works on the farm full time along with two other full time workers. The two workmen work 5am-10am then again 3pm-6.30pm on average.

Mike is responsible for milking on the farm and lives in Coedpoth (25 minutes away)

Christian for the feeding of the herd and lives in Borrass (20 minutes away)

Andrew who is the farm manager and owner lives in Rossett (15 minutes away)

- **How is the farm currently managed and how are emergencies currently dealt with?**

The farm is managed by Andrew, Andrew works on average 12 hr days and also covers the evening calving's. Currently Andrew relies on CCTV to monitor the herd in the evenings however despite Andrews best efforts monitoring and traveling to the site as soon as possible in an emergency calves and cows have been lost due to the delay. Please see attached Vets letter.

- **How long has the farm been operating?**

The farm began operating in April 2021

- **How many workers are required to live at the farm and what are their accommodation needs?**

There will be one farm worker (Andrew) living on site along with his family. Andrew is required to reside on site to manage the farm 24hrs per day.

- **Are there any existing houses within the Hoseley Farm Estate, how far away are they and who lives in them?**

Hoseley Farms own a farm dwelling at Yew Tree Farm and Hoseley Bank Farm where the farm manager of each enterprise resides.

- **Reference is made to transporting stock to other land – where is this land and how long would this be for?**

Please see attached plans showing all land the land owned and rented. All rented land is on long term tenancy.

Will the business continue to be financially viable in 5 years as suggested by TAN6? No evidence has been provided in relation to this.

Please see attached accounts for Torriad farm and future projections for Torriad farms.

- **I'm still not convinced by the functional need and specific detail about why it is necessary to live on site has not been fully addressed – these questions still need to be answered:**

How often does calving happen?

Calving at Torriad farm is all year our with up to double figures of cows, calving in one evening. Please see attached Vets letter.

- **Section 7 of the Assessment of Agricultural Need lists some managerial functions (not all of which will require someone to live on site) - are these all associated with just Torriad Farm or the whole Hoseley Estate?**

The managerial functions highlighted in the Agricultural Need list relate purely to those at Torriad farm.

- **The Accounts that have been submitted refer to Hoseley Farms, with the name of the Business stated as Hoseley Bank Farm. It's not therefore clear what the connection is with Torriad Farm – is it a separate farm/operation within the Hoseley Farm? It's not clear, a complete picture of the farming enterprise needs to be provided, with the functions of Torriad Farm, for which the house is required clearly listed and explained.**

Financial records have been provided but it is not clear to what aspect of the farming business these relate to – it appears to be the whole of Hoseley Farm. Whilst profits have been shown for the 3 year's provided, no information has been given about future projections.

We have included Torriad accounts and future projections which form part of the wider farming business.

Updated March 2023

- **Torriad Land Registry**

The transfer seems to be from Robert Charles Brereton to Phillip Evans Jones and Susan Mary Jones. There may well be a delay with Land Registry, however the ownership details need to be official in order to comply with the advice in LPGN no.2.

A copy of the TP1 confirming the purchase of Torriad Farm, by Hoseley Bank Farms has been provided, the reference numbers of the Land Registry reference numbers are as follows:

JGCFB52 and M548QPS these are reference numbers for Land Registry as confirmed by Gittins McDonald solicitors. Please feel free to call them 01978366665.

The delays at the land registry are well known industry wide, and I'm sure you are aware of them as you are also aware the signed TP1 is a legal agreement confirming the sale.

- **R Parry Letter**

Clarity of relationship between wider business Question - This hasn't been fully answered. Who is the manager of Yew Tree Farm and where do they live? If Andrew Jones will move from Yew Tree Farm to the new dwelling, what will happen to the existing dwelling and farming practice here?

I appreciate that the vet has sent a letter about on site care, but it is still not clear why Andrew Jones cannot travel from Yew Tree Farm? How will living at the new farm increase animal welfare? How will Mr Jones know that he needs to tend to the animals? Relying on one person to work 24/7, 7 days a week is not sustainable. What is the contingency should Mr Jones fall ill? Would it not be more appropriate to reconsider working practices? I.e. consider someone to work overnight at the farm and consider the use of a security guard?

We appreciate the nature of the questions being put forward by yourselves as the LPA, but it is important to remember the context to which as set out in TAN 6 and the TAN 6 guidance note.

Four specific circumstances are identified in TAN 6 relating to the provision of new rural enterprise dwellings:

- **to meet the needs of established rural enterprises (including farms) where there is a functional need and a requirement for a full-time worker together with a prospect of long-term business financial sustainability;**

- to enable the transfer of control of farm enterprises to the next generation (second or further dwelling on a farm only1);

- to meet the needs of additional workers on established farms where there is a functional need, and a requirement for an additional 0.5 or more of a full-time worker earning at least 50% of a farmworker's salary (second or further dwelling on a farm only1); and

- to meet the needs of new rural enterprises where there is a functional need and a requirement for a full-time worker.

The Functional Test (Section 4.8 TAN 6).

The functional test requires that it is demonstrated to be essential for a worker to be readily available at most times, at or in close proximity to the site of need, for an appropriate rural enterprise to function properly.

Furthermore, the Functional Need as defined in TAN 6

- A description of those aspects of the operation and management of the enterprise which require the presence of a resident worker(s) identifying potential emergency incidents which require a day and night presence
- The identification of any changes in the circumstances of the enterprise which have given rise to the requirement for the presence of a resident worker(s)
- An assessment of the benefits of a transfer of farm management to the younger generation, where relevant

We have set out clearly that there is an established functional need on the farm through our documentation and supporting information.

The Animal Welfare Act 2006 sets out the laws relating to animal welfare and contains a Duty of Care to Animals which means that anyone responsible for an animal must take all reasonable steps to ensure that the animals needs are met. The welfare of farmed animals is further protected by the Welfare of Farmed Animals (England) Regulations 2007.

The dairy herd calve all year round to ensure a continuous supply of milk. Calving can be dangerous for both the cow and calf with a significant number of heifers requiring assistance with delivery. As set out above Animal Welfare Act required that all reasonable steps to be taken to meet the needs of the animals and in reality, this means that there is requirement for an experienced farmer (Andrew Jones) to be present on site on a 24hr basis. Yew Tree farm the residential dwelling referred to in the LPA response is at least a 20 minute drive (traffic dependant) . In reality within a large dairy herd, a delay of 5 minutes could result in the death of a cow/calf or both and the inability to meet the needs of the animals.

In addition to calving, it is essential to ensure that the animal are provided with food and water and young animals need to be supervised and checked at regular intervals (including through the night). As with all farm animals there are also occurrences of gates being left open or cattle escaping from farm buildings/grazing land, occurrences such as this require immediate attention to prevent injury and damage and are another clear reason that a farmer needs to be present on the site.

The number of cattle and calves on the site clearly justifies the presence of an experienced farmer on the site and for this reason, Andrew and his family are currently residing in the existing farm house at Yew Tree farm (a 20 minute drive away).

The experience of the farmer addresses the LPA questions within the response above, he knows when animals are close to calving, he monitors them and knows as and when they need the care and then has the ability to react and solve the problems but to do so needs to be on site.

Yew Tree farm, requires a farm manager with the stock numbers there justify this, and the dwelling would be occupied by a farm manager.

The vets letter explains the situation with regards to staffing of the unit and the people there to achieve the required functional need.

We note your comment regarding employment of a security and night workers, however as this is employment out of normal working hours and would require higher payment standards. On average a night shift worker would be paid £20 per hour, with a 10 hour shift and 365 days in the year this would equate to £75,000 per year for just one worker. The cost of the dwelling would be approx. £150,000 and would be a permanent solution to the on going problem. Therefore it is not reasonable or financially viable for the client to consider security staff or night shift workers.

- **Letter from Vet**

This doesn't really add to the case that someone needs to live on site. There will inevitably be mortality with calving and some of these will only be preventable through the intervention of a vet, who will have to be called to site. And only if working practices are considered whereby someone is monitoring through the night, will incidences be picked up. Living on site will not necessarily achieve this, particularly, as referred to above, if one person is responsible for running the farm 24/7. Furthermore, if there are no published targets, how can it be said that the no. of accidents are above target? How actually will living on site prevent accidents and by what no. would this be expected to be reduced by? From the information provided, it seems that there have been 15 incidents over a 13 month period. Is this considered to be high compared to the norm? How many of these could have been prevented, and how, through someone living on site?

The response to this is all set out in the additional vets response letter attached.

The RSPCA: "to help farmers to fulfil their duty of care, the RSPCA would always encourage planning departments to take account of the welfare requirements of livestock when making decisions, including the necessity for having those persons who care for livestock living on site".

The main activities relate to caring for in-calf heifers. The farming activities therefore involve regular assistance to cattle giving birth. Whilst some births occur without complications, there are also many occasions when difficulties arise and assistance is required particularly since some cattle are calving for the first time. Assistance with births is necessary in approximately 45% of those calving. The loss of an animal, particularly a calving heifer, would amount to a significant financial loss. Failure to assist an animal in distress would also be an unacceptable scenario as far as the applicants are concerned.

The farming activities involve long working days in the normal course of events. Calving can occur at all hours of the day and night, and immediate attention is essential if births are less than straightforward in order to ensure the survival and wellbeing of cow and calf.

There is the possibility of the cattle developing milk fever when they have calved and they therefore require constant monitoring in the hours following the birth. This involves half-hourly checks leading up to birth and if milk fever occurs full time attendance is needed to administer calcium through an intravenous drip and to monitor the animal's condition.

Supporting Documents:

1. Vet Letter 29th March 2022
2. Vet Letter 25th May 2022
3. Vet Letter 29th September 2022
4. Field Parcels
5. Kite Letter (R Parry Letter)
6. Land Registry
7. Profit and Loss
8. 5 Year Business Plan
9. P&L Accounts and Future Budgets