

Charnwood Borough Council
Development Control
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Swithland Agricultural Holdings

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Date : 18th September 2009

Dear Sirs

This is an application for prior notification of agricultural development.

My name is Charles White of Six Acres, 17 The Ridgeway, Rothley, Leicestershire. I am the freehold owner of both the Swithland and Cropston farmland as detailed in this determination application. The land is edged red on the land plans for Swithland and edged red and blue on the land plan for Cropston. The land forms part of Swithland Agricultural Holdings, an agricultural farming business.

When the land on which the current barn was erected was acquired I formulated a business plan for Swithland Agricultural Holdings. A copy of this is included with this determination application in Appendix 2. Since then, the land at Bradgate Road, Cropston has been acquired in order that they may be farmed as one unit. The land has been and is currently being used for the purposes of agriculture in the form of a business known as Swithland Agricultural Holdings.

Swithland Agricultural Holdings is a relatively new business venture. I have spent the past several years researching traditional, modern and organic farming industries to look for business opportunities in niche market farming. Many years have been spent in the Far East learning how to cultivate Asian specialty vegetables that have not yet been produced and sold to their maximum commercial potential in the United Kingdom.

My strong proven profitable commercial and practical background gained from many years of product marketing and hands on engineering experience is beneficial to the commercial success of the venture.

Within the past eight years, I have built up good relationships with a number of local farmers and agricultural contractors. These connections have been a valuable source of ongoing advice whenever required and I expect those relationships to continue into the long term future.

Swithland Agricultural Holdings is a member of the Swithland Group of companies.

Planning History

I submitted the first planning determination forms for the construction of a barn to the Local Planning Authority (LPA) on the 2nd February 2004. The full case history is attached in Appendix 1.

We were given approvals by the LPA to build the barn and we did so in accordance with the submitted determination forms. A serious case of Council maladministration then followed resulting in the Council demanding that we demolish the barn that we had built. This was a massive setback for our business resulting in the development of Swithland Agricultural Holdings being put on hold.

Pending an investigation into Council maladministration by initially Charnwood Borough Council complaints department and potentially a further independent review of maladministration by the Local Authority Ombudsman, the barn as built is in danger of demolition. With the demolition will be the end of our agricultural business and the end of our human rights to farm our land.

In accordance with the Town and Country Planning General Permitted Development Order 1995, we are entitled by law to build a barn for the purposes of agriculture on our unit that exceeds 5 hectares. We have demonstrated the need for a barn in our business plan and the subsequent review of that plan in 2009 (Appendix 2). To further expand on the need for the barn, the following are important requirements for our business :

- A safe, dry and secure place to keep agricultural machinery.
- A place that machinery can be maintained and worked on when required.
- A safe, dry and secure place for agricultural parts, tools and sundry items to be kept.
- A place where grain can be brought in, dried and stored.
- A place where grain can be milled and stored in sacks in close proximity to the location of our livestock. Grain will be milled on a weekly basis to keep feed fresh

- A secure place to locate a bunded diesel storage tank. Whilst we prefer to keep this inside the barn, we may locate this under the floor of the barn to make use of the floor space as much as possible.
- A packing / washing area for specialty vegetable product
- As livestock will be kept at the barn site, we will require hand wash facilities to comply with health and safety requirements.

The Barn Design

The external appearance of the existing barn was designed to incorporate buttresses, exposed rafters, stone walls, curved top windows, double angled gables and ventilation points. These are all in keeping with a traditional barn. The Council approved these designs previously but went back on their approvals of the original design. The Council now require the building in Swithland to be of a simpler external appearance.

Whilst we do not agree that the existing barn as built is unacceptable, we have taken those comments into account, and have redesigned the barn as per the attached plans (Appendix 3). We have massively scaled down the gable facades of the building leaving only one gable wall at each end of the barn. There are no windows, most of the barn doors have been removed and a large section of the building to the westerly end has been completely removed. The result is a simpler structure with large barn doors at either end for continued easy access of equipment. As a large section of the barn will be demolished, it is not possible to operate the space on one level alone due to the necessary range of farming equipment that we have for our business. It will be necessary to have a mezzanine level to the western end of the barn for the drying and storage of grain. On a regular basis, grain will be fed into a mill to produce animal feed for the stock kept on site in Swithland.

The inspiration for the design of the barn have come from a variety of other traditional British Barns. Examples can be seen in Appendix 8.

Questions and answers

Why don't we subcontract all the farming works to other farming contractors ?

- Subcontracting has major issues with reliability and cost. Farming contractors tend to only be interested in contracting large fields where contractors profit can be made easily.

A holding like ours would not be profitable for a contractor and it would be difficult to get any contractor on the land to do the jobs we need them to do when we need those jobs done. Any contractor would want a premium for doing any work on our holding and giving basic farming operations to contractors to do would add significant cost to the overall business operations. These are all operations that our own staff can deal with.

- It is absolutely necessary that all work for the sustained long term operation of our holding is undertaken by our own staff. This means that we must have the necessary equipment to undertake all work. Some may argue that this is still possible if we hire certain equipment such as a combine at the times of the year when a combine is required. From a simplistic approach that would be a perfect solution, however to hire a combine is costly and would make the resulting crop expensive. We own our own combine, and whilst it is not a new model, it is perfectly capable of bringing in our crops year after year without any difficulty. There is no hire cost to running our own combine and we are able to bring in the harvest at any time we want to. This prevents weather related problems when hiring third party equipment.

Why don't we rent or buy an agricultural building close to the holding ?

- There are no empty agricultural buildings in the area. We made exhaustive enquiries back in 2003 and the position does not appear to have changed. If we could buy a suitable building in the locality we would have jumped at the chance.
- Renting buildings has a cost and the long term reliability of continued guarantees of rental are uncertain. To be absolutely sure of long term space, it is necessary to own your own building.

Why don't we build a barn in Cropston instead of Swithland ?

- Cropston was not available until last year, which was well after we had already started building the originally approved barn in Swithland. It would be business madness to move the barn to Cropston having already built it in Swithland.
- Our livestock are to be kept in Swithland. It is essential that stock feed is kept on site. Tools and equipment necessary for the care of stock must also be kept on site.

- There is little point in building two barns (one in Cropston and one in Swithland) as this would add unnecessary further cost to the business. It makes far more logic to operate our business from one building where all our equipment , feed, etc can be stored. As preparation and storage of feed must take place in Swithland then the barn can only be located in Swithland. We do not intend to keep livestock in Cropston.

What would happen if we didn't have a barn ?

- We could not operate our business. Without a safe dry place to keep tools, machinery, feed, or a place to work on the machinery or prepare feed for animals we could not operate. We could not store our equipment outside due to corrosion, theft and visual amenity issues. Feed would be ruined by wet weather. Electrical milling equipment could not be operated outdoors. There would be no place to prepare feed.

The barn is required for the long term development of agriculture within the unit comprising the land adjoining the current barn and the land at Cropston. The business development plan that I prepared initially in 2003 looked at several agricultural business opportunities that existed. I decided that the two core areas of the new business would be growing specialty Asian vegetables and free range pork. I looked carefully at how such a business would operate. It was clear from an early stage that some form of building would be needed to accommodate machinery, spare parts, feed and tools. I also needed an office to operate the business from.

Having realized that a building was absolutely essential, I decided that the building should be built using natural materials that will compliment the other buildings in the village. This meant using stone for the walls and a heavy graduated natural slate roof.

When deciding on the design of the building, we designed it to accommodate a range of equipment that would be used on the holding. This included tractors, trailers, a harvester, hay making equipment, drills and ploughs. The building also needed to include somewhere to store and process grain. The new proposed plans for Phoenix Barn have been modified to reduce the external scale of the building.

A traditional barn structure is long and narrow due to the traditional roof structure. Using a slate roof requires a pitch that is steep enough to allow rainwater to escape quickly, and this is even more important with a graduated slate roof. The design came together as a traditional barn structure with features that would assist the operational needs of the business and design

details that blend seamlessly into the locality. For the long term sustainable development of the business, I believe that the building will serve our business well and will meet all of the operational requirements of the business.

In terms of siting the barn, in an attempt to seclude the barn as much as possible on the land, it is best to position the barn to the far left hand side of the land. Not only was this behind a heavy frontage of trees, but by “digging” the building into the rising landscape, the visual impact of the building would be minimized from the front and almost totally secluded from the back of the building. To further provide additional seclusion, I fenced off the land into two main sections and planted trees along the fence to break up the views from the road. The use of a wide variety of trees planted several years ago have begun to well establish. I propose as part of this determination application to plant a hawthorn hedge this coming winter along the previously fenced off section of land, to the rear of the land and to the easterly boundary of the land adjoining the public footpath.

The barn will be wired with electricity to power low energy lighting, various electrical tools, drying equipment and a roller mill. The only plumbing in the barn will be crop washing facilities and a hand washing basin to meet current health and safety requirements.

In terms of the external appearance of the building, the roof is graduated heavy slate with a breathable waterproof membrane set on top of timber battens. In no area of the barn is there any roof insulation.

Looking at the agricultural business plan in more detail, it is intended to split the holding into two distinct areas, namely speciality crop and heritage pork. I updated the Business Development Plan in March 2009 and a copy of this review is included in Appendix 2.

The speciality crop will initially be located at the land in Cropston (13.73 acres / 5.56 hectares) which is just a few minutes by tractor from Phoenix Barn in Swithland. The land is well drained with a brook located at its northern perimeter and in times of dry weather, water can be pumped from the stream.

In the last three years, the supermarkets have continued to expand their ranges of niche market vegetables although prices do not appear to have dropped. Appendix 4 shows an example of the prices charged in June 2009 by Sainsbury’s retail markets for Asian vegetables. These show that Chinese vegetables command a very substantial premium. I am not intending to sell

at such high prices and simply do not need to do so as I can demonstrate a healthy profit by selling at a fraction of the cost of such large multiple retailers. In house marketing and taking advantage of the Swithland Group's distribution network will assist in the movement of produce around the country although I see a large quantity of produce being sold locally due to the significant Asian population in and around the Loughborough area.

I consider our product would be more marketable if produced organically. Currently there are insufficient organically produced vegetables in the UK to meet consumer demand and most organically produced vegetables are imported (reference: Firth C, Schmutz U, Hamilton R and Sumption P, 2004 The Economics of Conversion to Organic Field Vegetable Production). Despite the strong demand for organic produce, conventional growers remain reluctant to convert their land to organic production. The lack of information and advice relating to conversion to organic systems being perceived as the major barrier for individual growers to change.

As a new business, we will be investing in new technology suitable for organic crop production, which is considered to be a long term capital investment in the business. Although we are unable to commence from a 100% organic starting point, we will over a period of 4 years make the change from semi-organic to fully organic systems in line with the Soil Association's guidelines.

A business will take some time to properly establish. The financial basis for the new agricultural business is considered to be sound and not overly optimistic considering that so much research and planning has gone into the business development. My proven corporate and practical history demonstrates that we have taken this business very seriously indeed and would not go into such a business unless we were absolutely confident of its long term profitability and success. Spreadsheets showing very conservative forecast profit and loss, capital expenditure over the next four years, various costs and volume breakdowns, feed and growth rates and a time chart showing pig production is attached as Appendix 5.

Also included in Appendix 5 are anticipated livestock turnover, free range pig production costs, stock feed risk analysis and for the Council's benefit a simple and brief review of the Gloucester Old Spot.

The basic range of vegetable production will not change although we plan to expand on our original "five crop" plan to several more varieties of Asian specialty vegetables and herbs. Seed

will be purchased through The Swithland Group's "Far East Office" which has easy access to South East Asia seed producers in China.

The heritage pork production will be located at land in Swithland. Negotiations are continuing to secure further land nearby. A diagram indicating the method of pork production to be employed at Swithland is attached as Appendix 6. This shows the flow of each aspect of the agricultural business and the benefits that each aspect has to each other. It also demonstrates that through vertical integration the business can operate as an organic business almost completely self sufficiently. I anticipate that by growing our own feed the business will be able to reduce its feed costs dramatically and demand a premium price for our free range pork which typically is £2.70 or more per kilogram for free range post £1.00 per kilogram for mass produced non free range produce.

In terms of staffing levels, I intend to employ the first "on site" full time member of staff commencing immediately after the barn issues have been settled and any modification works if required are finally completed, as well as a part time "hand". The job duties of the first full time member of staff will include:

- (1) Manage the purchase of the first batch of Gloucester Old Spot's.
- (2) Set up and maintain livestock pens
- (3) Manage grain supplies and process feed with other feed materials
- (4) Feed the livestock
- (5) Generally running the operation as a "finishing unit" in the initial stages
- (6) Plant & harvest seasonal grain crops
- (7) Manage the Asian specialty vegetable part of the business

I will be looking for someone with previous livestock experience which must include pig keeping but also someone that has had "all round" farming experience. Organic experience would be a bonus, although this is unlikely. The part time farm hand will be required to work between two and five days per week for a limited number of hours depending on the time of year and the need. The full time on site "manager" will work five days per week, and the part time "hand" will be expected to feed the livestock at the weekends and check that all is in order. As the business develops I will take on more staff, but I anticipate making use of part time staff so that we have greater control over working hours and costs.

The key element of free range pork production involves the freedom of the pigs to roam around the land at will. Doing so will generate organic waste matter that will be used as fertilizer for ploughing into the land that will be planted with vegetables. Careful rotation of the pigs around the land replanting fast growing clover rich grasses and feeding the animals with crop scraps and processed grain feed grown on the land will support both aspects of the business in an organic and profitable way. I will be placing between 30 and 40 Gloucester Old Spot pigs at Swithland together with associated pig huts. At that point, I will be taking on dedicated full time staff to manage the general day to day running of the new business operation. I am, however, unable to invest in animals until after the all matters relating to the barn have been resolved in view of the requirements of DEFRA.

The two key questions to ask about the proposed development are :

- Is the proposed development reasonably necessary for the purposes of agriculture ?
- Is the proposed development designed for the purposes of agriculture ?

These key questions have been addressed in Appendix 6. We have concluded that the development is not only reasonably necessary, but it is absolutely critical and that the development is properly designed for the purposes of agriculture within our farming unit.

In terms of complying with national and regional planning policy including taking reference to the local development plan and national planning policy PPS1, PPS7 and PPS18 (all of which are considered to be relevant to the development proposals). The review of these policies and the way in which they relate to the proposed development are included in Appendix 7.

In essence, the development proposals are in accord with all relevant planning policies. Furthermore, taking into account the fact that we do meet all criteria of the general permitted development order of 1995, we therefore have the legal right to proceed with the development plans as notified in this prior notification application.

Kindly find enclosed with this letter the following :

- Application Forms – 3 pages
- Land Plans – 2 pages
- Appendix 1 (Full case history of the previous determination application)
- Appendix 2 (Business plan and subsequent review in 2009)
- Appendix 3 (Revised plans for Phoenix Barn)

- Appendix 4 (June 2009 retail market prices)
- Appendix 5 (Financials, Cost Breakdowns & Research / Business Planning)
- Appendix 6 (Reasonably necessary & designed for agriculture questions)
- Appendix 7 (Analysis of local, regional and national Planning Policy)
- Appendix 8 (Other British Barns)

Yours faithfully

Charles White

Swithland Agricultural Holdings

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