

RURAL PROPERTY UPDATE: 2021 & BEYOND

Permitted development rights, farm diversification and tourism opportunities Harriet Frank

Grant funding: current and future Lucy Merrill

Making the most out of renewable energy opportunities: solar and battery storage Helen Melling

Residential property compliance Hannah Burton

Carter Jonas

PERMITTED DEVELOPMENT RIGHTS, FARM DIVERSIFICATION AND TOURISM OPPORTUNITIES

Harriet Frank

Senior Planner

Carter Jonas

FARM DIVERSIFICATION

Agricultural holdings have many potential opportunities for diversification. These include:

- Opportunities for conversion
- Developing a new enterprise on site – e.g. tourism facilities
- Opportunities for farm energy – renewables
- Opportunities for biodiversity – Biodiversity Net Gain



PERMITTED DEVELOPMENT – CLASS Q

Class Q is a form of permitted development allowing for the conversion of agricultural buildings to residential use for up to 5 dwellings via a Prior Notification.

MAIN BENEFITS

- Principle of residential development has already been accepted
- LPA can only consider a series of technical considerations

REQUIREMENTS

- Building must have been solely in agricultural use on 20th March 2013
- Total cumulative floor space of the building/s must not exceed 465sqm

TECHNICAL CONSIDERATIONS

- Structural integrity of the building
- Ecology
- Access and Highways
- Contamination
- Flooding and Drainage

PERMITTED DEVELOPMENT – CLASS R

Class R is a form of permitted development allowing for the conversion of agricultural buildings to a 'Flexible Use'

FLEXIBLE COMMERCIAL USES

- Class E a) – Shops
- Class E b) - Restaurants and Cafes
- Class E c) (i) - Financial and Professional Services
- Class E g) - Business
- Class B8 - Storage or Distribution
- Class C1 - Hotels
- Class D2 - Assembly and Leisure

REQUIREMENTS

- Building must have been solely in agricultural use on 3rd July 2012
- Total cumulative floor space of the building must not exceed 500 sqm

NORTH

Discover planning and development opportunities across the Northern region

**LOCAL PLAN
PROMOTION**



Explore the Northern Regions

CHANGES IN MARKET AND TOURISM OPPORTUNITIES

GLAMPING



FARM SHOP/CAFE



WEDDINGS



WILD CAMPING



DARK SKY DEVELOPMENT



MOUNTAIN BIKING





BIODIVERSITY NET GAIN

“An approach to development that aims to leave the natural environment in a measurably better state than beforehand”

National Planning Policy Framework 2012:

Development should ***“seek biodiversity net gains where possible”***

National Planning Policy Framework 2021:

Paragraph 170 (d) states that policies and decisions should deliver environmental enhancement by: ***“minimising impacts on and provide net gains for biodiversity”***

Paragraph 174 (b) states that plans should: ***“identify and pursue opportunities for securing measurable net gains for biodiversity”***

Paragraph 175 (d) states that when determining planning applications LPAs should encourage improvement to biodiversity in/around development, especially where it secures: ***“measurable net gains for biodiversity”***

A scenic view of a residential neighborhood with brick houses and a pond with reeds. The houses are in the background, and the pond is in the foreground. The sky is blue with some clouds. The text is overlaid on the image.

HOW WE CAN HELP YOU...

- 1. Asking the right questions to understand your long-term plans**
- 2. Identifying opportunities for promotion and diversification in the short, medium and long-term**
- 3. Providing a collaborative and seamless planning service to achieve maximum value**

GRANT FUNDING: CURRENT AND FUTURE

Lucy Merrill

Rural Surveyor

Carter Jonas

INTRODUCTION

The Agriculture Act, The Environment Bill & BPS reductions

Existing Countryside Stewardship Schemes

Incoming Environmental Land Management Schemes (ELMs)

Other Schemes: Farming in Protected Landscapes Scheme

Woodland Planting & Peatland Restoration Schemes

THE AGRICULTURE ACT 2020

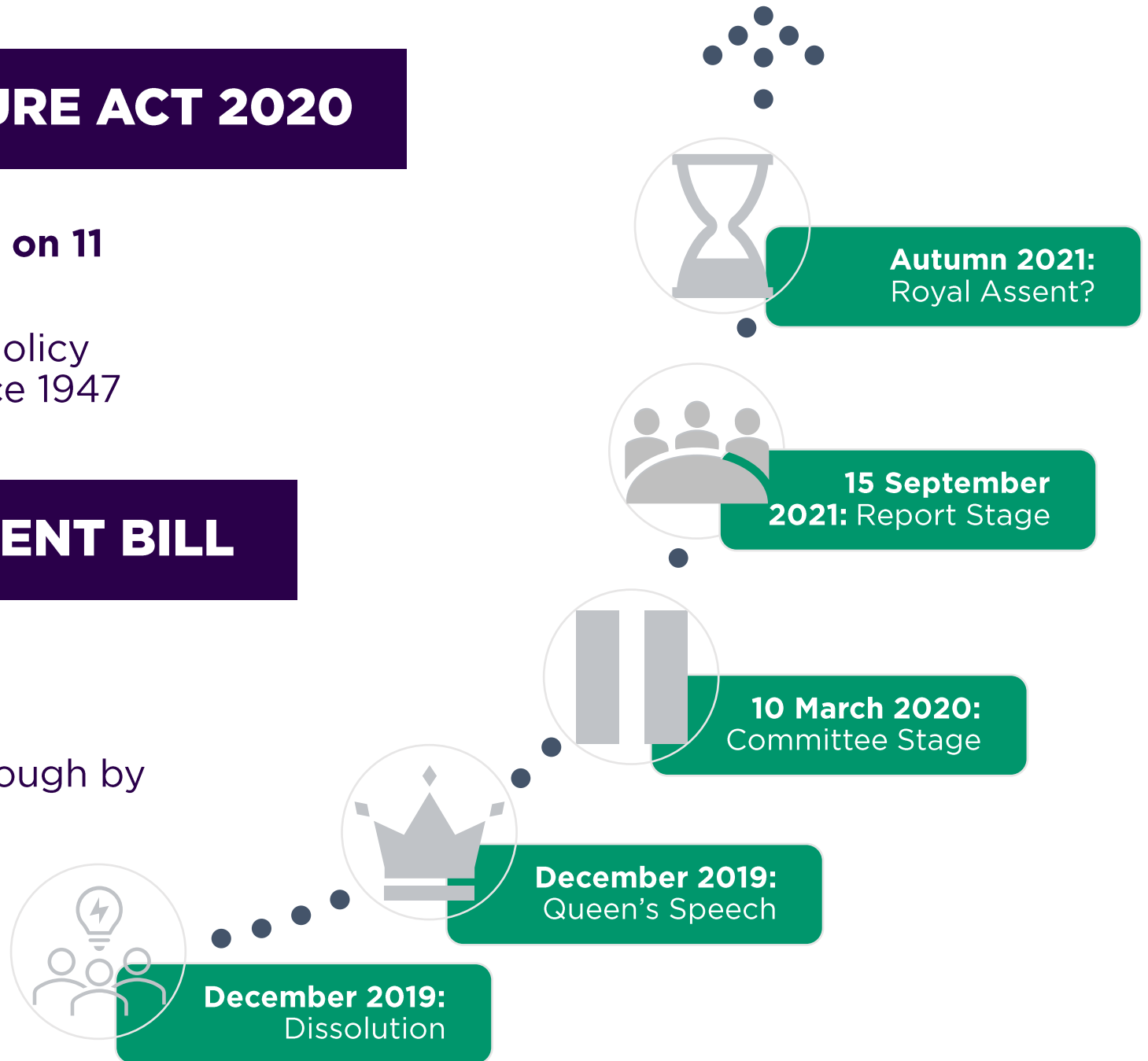
Achieved Royal Assent on 11 November 2020

First time agricultural policy has been reworked since 1947

THE ENVIRONMENT BILL

Faces its fourth delay

Government to reject amendments voted through by the House of Lords



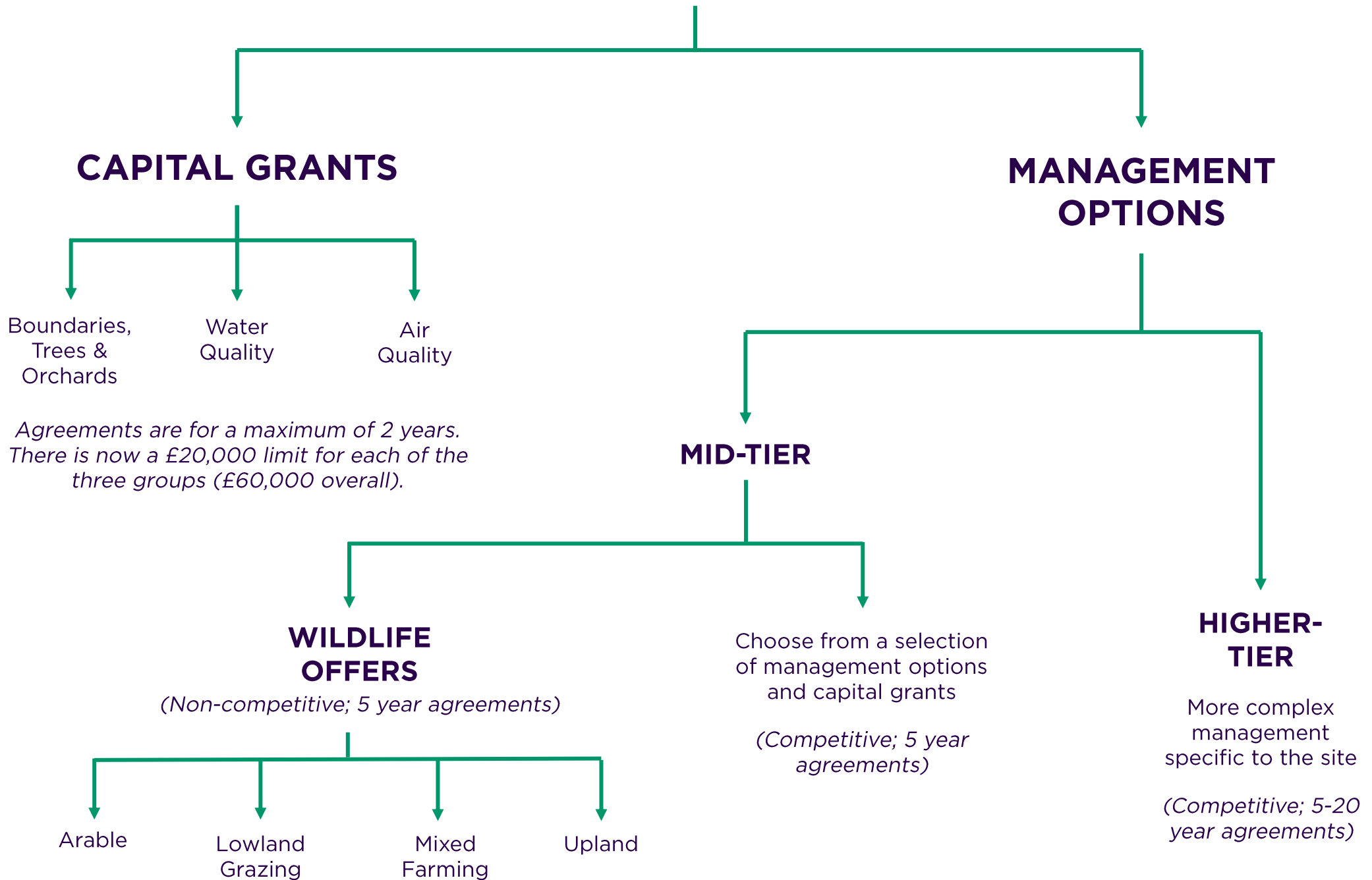
BASIC PAYMENT SCHEME (BPS) REDUCTIONS 2021-24

PAYMENT BAND	SCHEME YEAR			
	2021	2022	2023	2024
Up to £30,000	5%	20%	35%	50%
£30,000 - £50,000	10%	25%	40%	55%
£50,000 - £150,000	20%	35%	50%	65%
More than £150,000	35%	40%	55%	70%

2025 - 2027?

(Source: Farming is Changing, 2020)

COUNTRYSIDE STEWARDSHIP SCHEMES





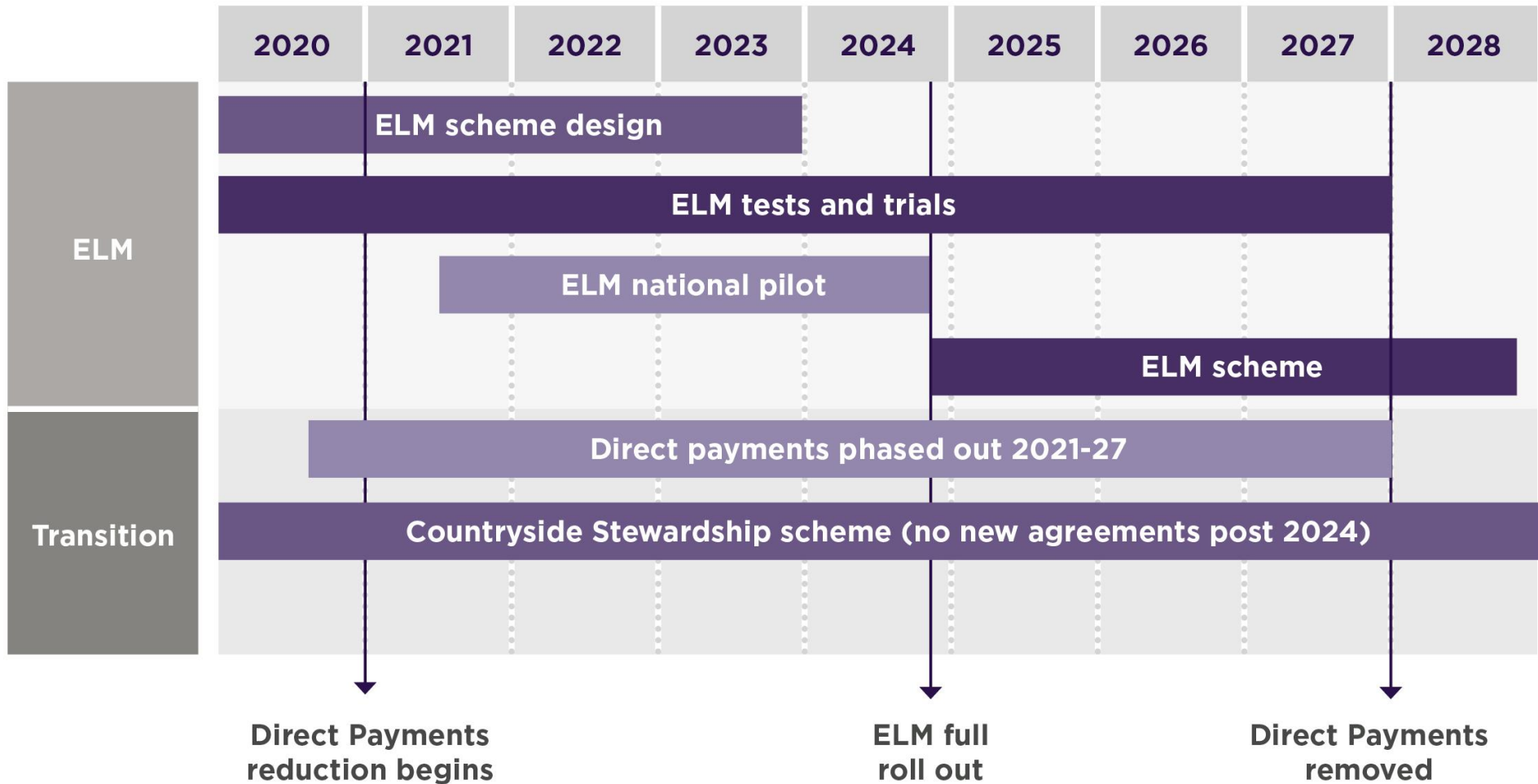
ENVIRONMENTAL LAND MANAGEMENT SCHEMES (ELMS)

Sustainable Farming Incentive

Local Nature Recovery

Landscape Recovery

DELIVERY TIMELINE



FARMING IN PROTECTED LANDSCAPES SCHEME

Funding to land managers in **National Parks** and **Areas of Outstanding Natural Beauty**

Intended to support the following:

- nature recovery
- the mitigation of climate change impacts (including carbon sequestration and storage);
- the provision of opportunities for people to enjoy and understand the landscape; and
- nature-friendly, sustainable farm businesses

Applications will run until the 31st of January 2022



WOODLAND PLANTING SCHEMES

PUBLIC GOOD	PAYMENT PER HECTARE
Tree planting near watercourses and rivers (riparian buffers)	£1,600
Reduced flood risk	£500
Riparian buffers	£1,600
Improved public access	£2,200
Close to settlements	£500
Improved water quality	£400
Nature recovery	£2,800 (higher rate where expanding existing native woodland) £1,100 (lower rate where creating new native woodland or expanding habitat of red squirrel populations)



NATURE FOR CLIMATE PEATLAND GRANT SCHEME

Discovery Grant

Restoration Grant

The second round of applications for the Discovery Grant is planned for Summer 2022, with the overall scheme running until 2025.

A photograph of a forest with tall, thin trees and a path covered in bluebells. The scene is bright and green, suggesting a spring or summer setting. The path is made of dirt and is surrounded by a dense carpet of purple bluebells. The trees are tall and thin, with green leaves. The overall atmosphere is peaceful and natural.

SUMMARY

The Agriculture Act, The Environment Bill & BPS reductions

Existing Countryside Stewardship Schemes

Incoming Environmental Land Management Schemes (ELMs)

Other Schemes: Farming in Protected Landscapes Scheme

Woodland Planting & Peatland Restoration Schemes

MAKING THE MOST OUT OF RENEWABLE ENERGY OPPORTUNITIES: SOLAR AND BATTERY STORAGE

Helen Melling

Senior Energy Specialist

Carter Jonas

LARGE-SCALE SOLAR

Significant number of developers seeking sites across the UK
35 to 40 year leases with rentals of £900-1,000/acre or a % gross annual revenue share

KEY CONSIDERATIONS

- Large scale => 80ac and now up to 2000ac!
- Flat land with minimal gradient, south facing a preference
- Ideally Grade 3 land, minimal environmental constraints
- Grid connection or private wire within 5km or OHL crossing the site
- Growing appetite and increase in premiums available to developers
- Increasing opportunities to share in project values via promotional agreements

The Energy team is currently acting on behalf of over 60 landowners across the UK totalling >3GW in solar capacity.

BATTERY ENERGY STORAGE

CO-LOCATION WITH SOLAR

Developers can maximise income

Up to 3 acres depending on scale of batteries

Separate rents circa £1,500-£2,000/MWh

STANDALONE

Over 30MW. No limit on planning now.

Ideal location directly adjacent to substation

Up to 3 acres depending on scale of batteries

Rents circa £1,500-£2,000/MWh



ROOF-TOP SOLAR

Power prices at 10-year highs

Mitigate against rising costs

- Offset onsite usage with minimal export
- Half-hourly (HH) data from the site can be analysed to determine optimum PV size
- 40-60% savings on annual electricity bills
- Price of panels down significantly over the last 5 years
- Paybacks of 6-8 years
- Panel lifetime of 30 years plus
- Roof rental options available via developers



SUMMARY

If you think your land may be suitable for solar and/or batteries, please get in touch with a member of the Energy team who can screen the site and advise on the potential opportunities

If suitable, we have a large roster of developers that we can market your site too to ensure the most competitive terms are achieved

If you get approached by a developer direct, we recommend seeking advice initially before proceeding with any exclusivity or providing an LOA

ABOUT US



OUR SECTORS

Anerobic Digestion
Battery Energy Storage
Demand Response
Combined Heat and Power
Electric Vehicle Charging
Energy from Waste
Hydropower
Onshore Oil & Gas
Solar
Wind

OUR SERVICES

Land assembly
Grid consultancy
Planning & consenting
Development consultancy
Energy brokerage
Asset management
Valuation and due diligence
Agency

RESIDENTIAL PROPERTY COMPLIANCE

Hannah Burton

Associate Partner

Carter Jonas

ENERGY PERFORMANCE REGULATIONS 2015

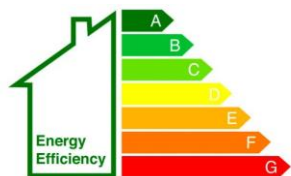
Legal requirement to have Energy Performance Certificate if selling or renting out a property

Minimum letting standards introduced 1st April 2018

Minimum E rating requirement

Exemptions available

Ratings are expected to rise



ELECTRICAL SAFETY STANDARDS REGULATIONS 2020

Came into force 1st June 2020

Affects new tenancies from 1st July 2020 and existing tenancies from 1st April 2021

Requirement to ensure electrical installations are inspected and tested at least every 5 years by a qualified electrician in accordance with the 18th edition of the wiring regulations BS7671:2018



GAS SAFETY REGULATIONS 1998



Came into force on 6th April 2018

Applies to rented properties let on a tenancy of less than seven years, including periodic tenancies

Requirement to test gas appliances annually by a Gas Safe registered engineer



NOTICE PERIODS FOR RESIDENTIAL LETS – SECTION 21



Notice period extended from 2 to 6 months until 31st May 2021

Reduced from 1st June 2021 to four months

Will reduce again from the 1st October 2021 to two months

If a notice has already been served before 1st June 2021, a landlord cannot re-serve the notice to reduce the notice period

OTHER FACTORS TO CONSIDER



Tenant Fees Act

Deposits and registration with Tenancy Deposit Scheme

Right to Rent Checks

Smoke and Carbon Monoxide Alarms

