

**Information to support Application for Ponds at Bone Hays and Cow Heys Farm,
Newhey, Rochdale
February 2025**

Agricultural Nature and Context for the actions required.

Agriculture is defined in the **Town and Country Planning Act 1990** as,

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly.”

This is the same definition as contained in the **Agricultural Tenancies Act 1995**, **Agricultural Holdings Act 1986**, and brought forward from the **Agriculture Act 1947**. At the time of drafting (1947) the predominate iteration of agriculture was prior to the rapid mechanisation of the 1970s and when rotational seasonal grazing of species rich pasture and hay meadows would have been common practice.

The land that will form a habitat bank at Bone Hays and Cow Heys Farm is to remain used and occupied for the purposes of agricultural as outlined below.

This project of pond creation is part of the work between Environment Bank and the Landowner of the land at Bone Hays and Cow Heys Farm to create offsite Biodiversity Units (BUs). The creation of BUs however is linked inextricably to agricultural production, and it is the very foundation of the Environment Bank model that BUs are created as part of a sustainable farming system and not instead of it.

EB have developed a model to support farmed habitat creation (what we refer to as ‘Habitat Banks’) at a landscape scale and in the best place for nature while generating a diversified and low risk income stream for Landowners.

The EB model works on the basis of EB taking a 33yr Farm Business Tenancy (‘FBT’) of a piece of land and giving the Landowner back a Sub-FBT for the same period so they can deliver the farming and habitat management i.e. the Landowner retains occupation, management control and land at their disposal. Thus, the land continues to be managed as part of the wider grazing platform under the agricultural legal and tax framework and as part of the wider farm system and business.

In this case the habitat creation and enhancement project will create in-field ponds which will play an integral role in the farming system, as well as creating a habitat to provide new opportunities for wildlife within the farm. The location of the ponds has been carefully assessed and designed by the farmer, our ecologists and a hydrologist. The ponds will be located in already very wet areas of land where surface water naturally drains to, and which are minimally productive for agriculture (where the fields are currently used for silage) and become easily poached by livestock in wet weather.

The creation of the ponds will minimise these widespread wet areas and associated poaching and damage to the soil from livestock in winter. Whilst the ponds will be fenced off in the first 2 years to allow the vegetation to grow on and stabilise the banks, after this they will be open

to the cattle to drink from, reducing wider water consumption, and the grazing further enhancing the bank vegetation and habitat restoration.

The management plan at Bone Hays and Cow Heys Farm is based on a livestock enterprise. The types of activities associated with the current management of farm animals and pasture such as livestock husbandry, stocking density, timing of grazing/resting of land, managing weeds, maintaining fences etc will continue to be performed. The livestock will continue to be sold for meat or breeding, and surplus grazing sold on seasonal basis or taken as seed hay.

UK agricultural businesses are under systemic threat. In response, farmers have prudently sought diversified income streams to de-risk price pressure on primary outputs (crops/livestock). Alongside non-agricultural diversification, farm businesses have sought support for the provision of public goods traditionally through Government subsidies i.e. Basic Payment Scheme / Environmental Stewardship Schemes, or by accessing niche markets offering price premiums that capture wider value dimensions.

The UK Government's 25 Year Environment Plan aims to reform agricultural practices to ensure long term sustainable production alongside protecting and growing natural capital and delivering public goods. To enable this the Agriculture Act 2020 provides the framework for grant funding under the principle of public money for public goods (through grants such as Sustainable Farming Incentive and Countryside Stewardship). These schemes seek to enhance nature within the farmed landscape and provide a valuable source of income to a modern farm business.

Instead of support from Government subsidy and price premiums, the proposal here supports the viability of primary outputs via the BNG market which provides a certain annual income in recognition of the natural capital created by agro-ecological farming practices.

The delivery of BUs is a new and innovative way of delivering environmental enhancement within a farming system and generating an income for 30 years funded by the private sector. This income stream is supportive of many farm businesses who are facing the largest structural changes since the post war period including; a reduction in Government support; climate change risks; and food price volatility. Creating a Habitat Bank will make an ongoing contribution to sustaining this agricultural enterprise in the long term in line with the Landowners aims to farm in a sustainable, regenerative manner.

Para E16 of the Permitted Development Rights for Agriculture And Forestry states that "Long term conservation objectives will often be served best by ensuring that economic activity, including farming and forestry which are prominent in the rural landscape, is able to function successfully". This proposal is absolutely in line with this; helping to develop and support a sustainable farming system for the long term. This is further supported by NPPF paragraph 186 (d) which states that "development whose primary objective is to conserve or enhance biodiversity should be supported".

Information regarding the agriculture unit including livestock numbers and the nature of agriculture which takes place

Bone Hays and Cow Heys Farm Habitat Bank is 28.45 Ha, within a full land holding of c. 32 Ha. The habitat bank will be managed prominently through grazing livestock at a stocking density of between 0.5 and 1 Livestock Unit per Ha across the year along with managing the grassland for fodder. Grazing will be undertaken by a mixture of cattle and ponies to an agreed grazing plan which will maximise the utility of each type of livestock to achieve the best outcomes for nature and farming, and which will specify rotations, rest periods, and hay cuts. This type of upland pastoral unit is ideal for making enhancements for the environment including: reducing inputs and mechanical operations, such as fertilisers and silage cuts, and

increasing the sward diversity widening the sward resilience and nutrient profile through the development of livestock focused meadow management; pond creation to manage water flows and provide drinking opportunities; additional scrub and tree planting on lower productivity land and field boundaries to provide structural diversity, shelter and post establishment, continued grazing.

This type of environmental enhancement has only previously been supported by Government grants and it is one of the aims of the Environment Act to bring private funding into this sector to create long term environmental gains.