

THE SWORDERS

RURAL PROPERTY UPDATE



AUTUMN 2025



The long, hot summer is finally easing up, but leaving many areas in drought, and the earliest harvest since records began. I am sure we are all now looking forward to some cooler weather.

This issue of The Word explores the Labour Government's implementation of various legislative changes, including next steps for English Devolution, changes to the plan-making system, a simplification of the appeals process, and hopefully a less onerous Biodiversity Net Gain regime for smaller development sites.

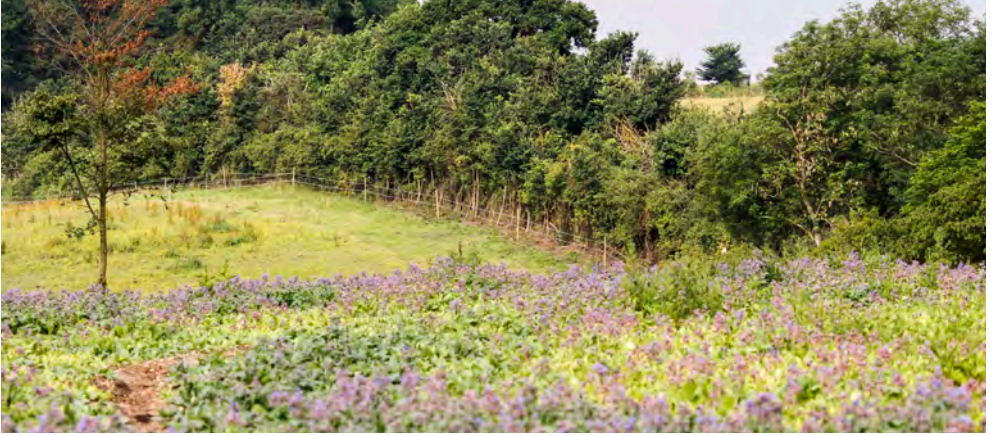
We also report on increasing challenges for landowners, including an update on changes to inheritance tax, along with potential impacts of the forthcoming Building Safety Levy on site viability and land values.

Our full range of services are highlighted in a couple of case studies, including an example of a strategic residential site – identified, allocated, designed, consented, and sold by Sworders' teams – as well as an example of planning permission secured for a farmstead conversion to residential use.

We also provide insight into one of our team members, Victoria Cutmore, illustrating how she balances her work at Sworders with time spent at her family farm.

We hope you find this newsletter informative. If you would like to discuss any opportunities or require any further information on our articles, then please do not hesitate to contact a member of the Sworders team.

Hazel Izod



Follow our social media channels for updates on the following upcoming changes:

Changes to Appeals Process

Planning appeals are to be simplified later this year in a bid to reduce delays. Whilst a more efficient system is welcomed, the reform will see written representation appeals determined on original evidence only, reducing opportunities to address reasons for refusal at the appeal stage. A new Planning Inspectorate online appeals service is also due to be rolled out to all Local Authorities by the end of the year.

Consultation on Changes to Biodiversity Net Gain (BNG) Rules

Government consulted on proposed changes to BNG legislation in July 2025, including an option to extend the existing exemptions, simplify the Small Sites Metric calculation tool, improve access to the off-site market, and address specific challenges for brownfield sites. The outcome will hopefully mean a less onerous system for smaller development sites.

Secondary Legislation on Plan-Making

The Conservatives' Levelling Up and Regeneration Act (LURA) 2023 set out a number of changes to the planning process, including a simplification and speeding-up of the plan-making process. Labour has confirmed its commitment to implement this new system, with secondary legislation expected this Autumn.

Consultation on National Development Management Policies (NDMPs)

These national policies are proposed to sit above and take precedence over Local Plans. A consultation was expected in the Spring, but has been delayed until later this year. Swords will review and respond to this consultation, given its implications for the consideration of planning applications.

Hazel Izod



Government's proposed Building Safety Levy (BSL) is edging closer to implementation, with draft regulations recently consulted on. While headlines have largely focused on developers, landowners with residential sites coming forward through the planning process should be mindful of potential implications.

The levy will apply to most new residential buildings in England that require Building Control approval. This includes developments delivered via permitted development rights and conversions—meaning a wide range of schemes could be caught. Although exemptions will apply (such as for affordable housing, care homes, and small self-builds), the majority of open-market residential development will be liable.

Government is proposing to apply the charge at the Building Control approval stage, rather than planning. This means that although the legal and financial

liability to pay the levy will rest with the developer, landowners may see the costs reflected in reduced land receipts, particularly where development viability is tight.

There are still several unknowns, including final rates, regional variations, and how the levy will interact with existing developer contributions, such as Community Infrastructure Levy (CIL) and Section 106 legal agreements. Concerns have also been raised over double-charging, where multiple levy points exist across complex developments.

For landowners entering into option or promotion agreements now, it is essential to factor in the potential financial impact of the BSL and clearly define responsibility for the levy in any agreement documents.

As the detail is refined, proactive advice will be key to understanding how the levy might affect your site, and how best to structure deals accordingly.



BECK FARM, EAST BILNEY, DEREHAM, NORFOLK

Overview

Sworders secured full planning permission from Breckland Council in June 2025 for the conversion of traditional farm buildings to three dwellings, along with four new-build dwellings following demolition of redundant modern farm buildings. Beck Farm comprised a former farmstead that until 20 years ago, was used for livestock alongside some arable farming, but had become redundant for agricultural purposes. Sworders were therefore approached by the landowner to consider a residential scheme.

Planning Process

The planning process involved a staged approach, by first using permitted development rights through the 'Class Q' process to establish the principle of residential use. This involved a prior approval application for the change of use of one of the utilitarian buildings to four 2-bed dwellings, which was subsequently granted.

Sworders then prepared a full planning application for a residential scheme that essentially split the site into two sections, with the conversion element to the west, and the new-build element to the east. The conversion scheme involved demolition of 1950s extensions to create a courtyard arrangement, with new, sensitively designed extensions with glazed links and green roofs. This created two 2-bed units and one 4-bed unit, each arranged around central private courtyard gardens.

Development to the east of the site involved the demolition of redundant utilitarian buildings, with four new-build dwellings within the footprint, and arranged in a traditional layout. Traditional materials were proposed, including red brick and knapped flint elevations below pantiled roofs.

Planning Challenges

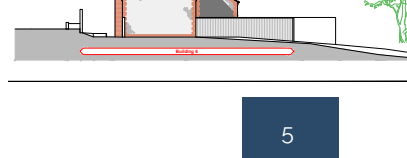
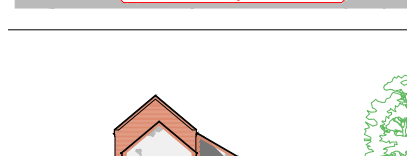
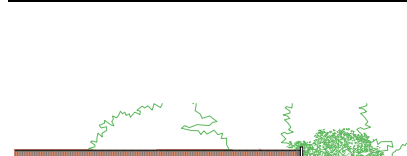
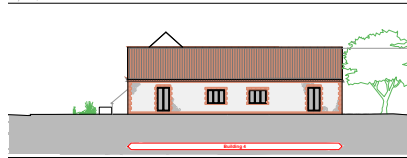
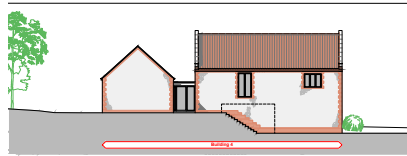
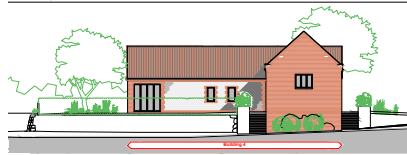
Whilst the scheme did not fully comply with adopted planning policy, Sworders presented a heritage justification to secure retention of the traditional farm buildings, alongside a reduction in built form across the site, environmental enhancements, and a high quality, sustainable design. The Class Q approval was also a significant material consideration, as this had established a 'fall back' position.

Further, Breckland District Council were unable, at the time, to demonstrate the necessary 5-year supply of housing. In such circumstances, the National Planning Policy Framework (NPPF) requires a 'presumption in favour of sustainable development' to be applied, whereby planning permission should be granted, unless any adverse impacts would significantly and demonstrably outweigh the benefits. In this case, the benefits weighed firmly in favour of the grant of planning permission.

The planning application faced a number of challenges in respect of highways and ecology, and was ultimately delayed due to nutrient neutrality issues within The Broads Special Area of Conservation (SAC). Negotiations were also had concerning affordable housing provision, with an off-site contribution agreed, along with a commuted sum also required to mitigate impacts on protected wildlife sites. A Section 106 legal agreement was therefore signed to agree these commuted sums and mitigation measures.

Following this success for a hard-fought planning permission, the site will now be prepared for Sworders to sell on the open market.

Marie Laidler





Government published its English Devolution and Community Empowerment Bill in July 2025, building on Labour's English Devolution White Paper. The Bill seeks to devolve power from London to local areas, allowing decisions to be made closer to communities. In theory, a positive move, but the reality involves scrapping existing two-tier councils and merging them into single-tier unitary authorities, thereby carrying out council functions across a wider geographic area.

Government's intention is to introduce Strategic Authorities (SAs), with a hierarchy of devolved powers, some with mayoral authority. Elected mayors would have the power to call in planning applications, make mayoral development orders, compulsory purchase, and set Mayoral Community Infrastructure Levy (CIL) payments in addition to Local Authority CIL.

In terms of strategic planning, the SAs would deliver Spatial Development

Strategies (SDS) to deliver a joint approach to planning and infrastructure. Sound familiar? Some might recall regional planning from the late 1990s/early 2000s, with Regional Assemblies and Regional Spatial Strategies abolished by the Conservatives in 2010. Have we learnt lessons from the past? Or will these added complications cause further delays to delivery and growth?

The Bill has largely been welcomed by Local Government groups, but presents a number of practical challenges, not least the need to define appropriate geographic areas and recruit additional planners to deliver SDSs. There is also criticism that, rather than empowering local leaders, existing national powers are simply being reshuffled, and decision-making is in fact being further removed from local communities. Local Authorities are currently considering their options to collaborate, with final reorganisation proposals due to be submitted by 28th November 2025.

Hazel Izod



LOWER SHEERING, ESSEX

Sworders' long-standing involvement with the landowners of this plot in Lower Sheering illustrates our comprehensive approach to instructions, the importance of strong client relationships, and the need for some perseverance.

Sworders' Strategic Planning Team became first involved around ten years ago, identifying the site for potential residential development, and actively promoting it through the Epping Forest District Local Plan. The approach was successful, and the site was allocated for residential development on adoption of the Local Plan in 2018. Building on this success, our Planning and Architectural Teams prepared an outline planning application for nine residential dwellings, accompanied by an indicative site layout. Planning consent was granted by Epping Forest earlier this year. Following this, our Agency Team have successfully marketed and negotiated the sale of the site on behalf of the landowners, marking the final stage in what has been a comprehensive and coordinated process.

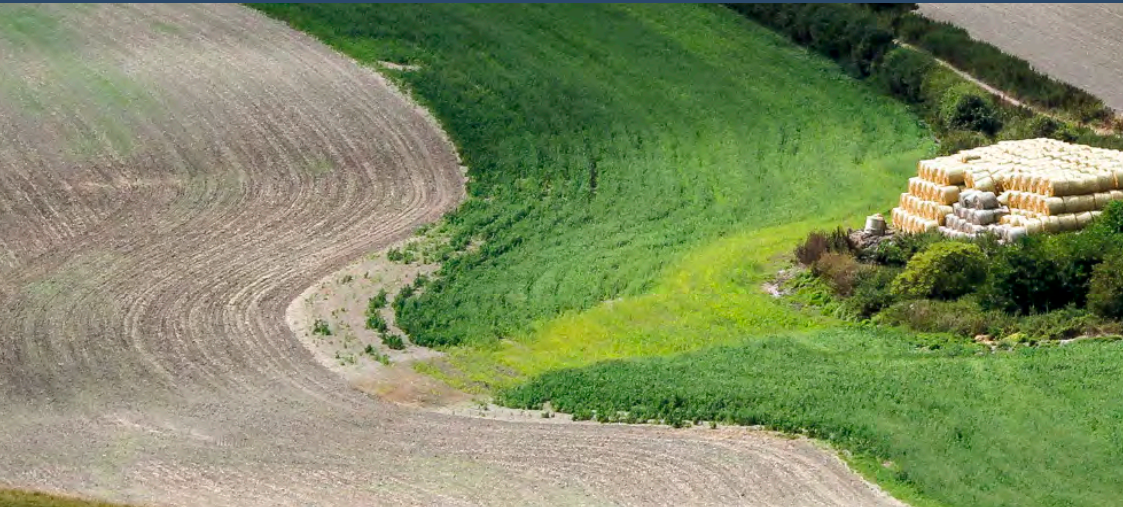
This project highlights Sworders' holistic approach to planning, design, development and agency services across multiple disciplines.



Sworders are proud to have provided a full end-to-end service, from initial site identification and promotion, through to securing planning consent, and a successful sale. We look forward to seeing the scheme come forward and take shape in the near future.

If you are a landowner and would like to explore development opportunities, please do not hesitate to get in touch and we would be pleased to offer an initial, confidential discussion.

Abigail Harris



The Growing Storm

A major reform to inheritance tax (IHT) announced in the October 2024 Budget, which introduces a 20% tax on agricultural estates valued over £1 million, is set to come into force in April 2026. While exemptions and allowances for couples may lift the effective threshold to £3 million, many family farms remain vulnerable. Critics, including the National Farmers Union (NFU), warn that the measures will encourage heirs to sell land to meet tax liabilities, potentially endangering UK food security.

The consequences are already evident, in that:

- Over 6,300 agricultural businesses have closed in the past year; the highest annual figure since records began in 2017.
- Confidence among farmers has dropped sharply, with many citing lack of liquidity, the burden of compliance, and policy confusion.

A Sector Under Pressure

Farmers face additional pressures, including:

- Budget cuts: Government is trimming the rural budget by approximately £100 million per year, despite pledges that environmental schemes like Environmental Land Management (ELM) will eventually rise.
- Extreme weather: droughts and floods are increasing the urgency of adaptive land management, yet policy direction remains inconsistent.
- Environmental uncertainty: recent CLA poll data shows that 95% of farmers would abandon stewardship and sustainable practices if funding for Sustainable Farming Incentive (SFI) and Countryside Stewardship schemes ceased.



What This Means for Your Estate

For our clients involved in landholding, farming, or natural capital projects, strategic planning is essential, including:

- Reviewing succession plans: with new IHT liabilities on the horizon, consider restructuring or protecting assets well in advance.
- Exploring alternatives: options such as Business Property Relief, agricultural trusts, or phased gifting might reduce exposure.
- Evaluating environmental income streams: where public funding is uncertain, private markets, such as biodiversity credit sales or carbon offset projects, might offer alternative value.

Given widespread protests and legal pressure, however, plus high-profile voices like Jeremy Clarkson's condemnation of the reforms, there may be further revisions ahead. For advice in the meantime, please do not hesitate to get in touch with our Surveying Team, although contact with a tax specialist may be recommended.

Misha Gaskin

MEET THE TEAM: VICTORIA CUTMORE



I joined Sworders in February as a Senior Associate, following eight years working for land promoters. I had come across Sworders in their role of representing landowners over the years, so when I was approached about a position with them, it was an easy decision to make.

My role combines planning and agency work on behalf of clients, including seeking promotion partners for strategic sites, progressing promotion agreements through solicitors, whilst also advising on, and preparing planning applications. I am also monitoring the progress of numerous Local Plans across the country, updating clients, discussing with promoter partners on clients' sites, and preparing representations to Local Plan consultations.

Outside of my role at Sworders, I am a director of the family arable farming business. Summer is of course our busiest period on the farm, so I manage to spend a lot of time on the tractor. Harvest was early this year, with our winter beans ready before our winter wheat for the first time ever. But yields have been disappointing, aggravated by lower prices than we have seen in recent years. We have had our fair share of setbacks courtesy of unreliable weather forecasts and machinery breakdowns. This included an overheated bearing on the combine, which caused settled dust to smoulder for hours before it could be located and extinguished. Thankfully, the only consequence was a lingering smell of burnt dust in the cab for weeks!

At the time of writing, we are fortunate to have finished our wheat and beans, with the borage having just been swathed. The photo below was captured by drone whilst combining last year's borage.

I am grateful to be able to pursue both my professional career at Sworders and my role on the family farm, providing the perfect work balance.

Victoria Cutmore



STAFF UPDATE

Food & Farming Day

Rachel and Miriam, the milking cow, teaching children about dairy farming at the Essex Schools Food & Farming Day at ARU Writtle in June.



Sworders are proud to support this annual event, which sees 3,000 primary school children from all over Essex leave their classrooms to learn about how their food is produced, and what goes on in the countryside around them. Miriam was a big hit; the children loved having a go at milking a cow for themselves!

JLL Property Triathlon

Sworders participated in the annual JLL Property Triathlon in July, at Eton Dorney. Florence White and Hazel Izod both completed individual sprint triathlons, with times of 1h34 and 1h36 respectively, whilst Michael Hudson and Tom Allington completed the 2.2km swim in 40mins and 44mins respectively. All monies raised went to Age UK.



Groundswell

Sworders attended Groundswell this year and was impressed by the scale of the event and the breadth of knowledge being shared by experts in the field of soil health and agroecology, water management, livestock integration, and the future of land use.

The range of speakers and quality of the discussions were particularly encouraging given the current challenges being faced by farmers in the UK. What stood out was how well supported and practical the event was, shaped by farmers, advisors and those working closely with the land.



Big congratulations to the following on their promotions

Naomi Puliston: Director
Ross Mayger: Senior Associate
Michael Sills: Associate

Sworders would like to congratulate Olivia Draper for passing her APC exam, gaining her RICS qualification.

New Starters

Isla Ginbey - Graduate Surveyor
Katie Heal - Apprentice Surveyor



New Southwest Office as of 1st September
Suite 12, Swallow Court, Devonshire Gate, Tiverton EX16 7EJ.

As rural property professionals, we advise across the agricultural, commercial and residential sectors on all aspects of rural property. We provide advice that seeks to maximise the value of clients' properties, often on a shared risk basis.

To be sure you are maximising the value of your asset, please contact us to discuss your opportunities.

Sworders recognises its impact on the environment throughout its business and is passionate about the need to reduce and manage waste wherever practicably possible. Please recycle or give me to a friend.

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