

Willis & Co.
Chartered Town Planners

Design and Access Statement

Siting of a timber cabin for an essential rural worker on land at The Stables, Cornborough Road, Sherriff Hutton, York, YO60 6QL.

1.0 Introduction

- 1.1 The Stables comprises a roughly rectangular block of pasture land of some 3.6 hectares (9 acres) located on the south side of Cornborough Road some 0.5 kilometres (0.3 miles) to the west of the settlement of Sheriff Hutton (population 1,038; Source, 2001 Census).
- 1.2 The applicant, Lena Banks has owned this land since 2006 and has previously used the land for various low-key/hobby-style agricultural and equestrian enterprises.
- 1.3 Planning permission has recently been granted for the erection of a general purpose agricultural building on the land (RDC ref. 13/00863/FUL) and work has recently started on the erection of this building.
- 1.4 The applicant intends to establish a full-time viable rural enterprise on the land as described in the business plan prepared by Reading Agricultural Consultants submitted herewith.

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2.0 Relevant National Planning Policy.

- 2 JAN 2014

- 2.1 The application site is located in the countryside. This is not an area of special control, such as a Green Belt, AONB or ~~Area of Outstanding Natural Beauty~~. However, in this location residential development will not normally be permitted except in connection with the advice set out in paragraph 55 of the NPPF, as discussed below.
- 2.2 The National Planning Policy Framework (NPPF) published March 2012 saw the revocation of Planning Policy Statement 7: *Sustainable Development in Rural Areas* (July 2004) including Annex A, which set out the well-established and detailed guidance to local planning authorities for the determination of planning applications for agricultural workers dwellings.
- 2.3 The NPPF continues to encourage local planning authorities to support sustainable development in rural areas. Paragraphs 14, 28 and 55 of the NPPF as set out below are considered to be particularly relevant to the determination of this planning application;
14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.
For **plan-making** this means that:

DEVELOPMENT
MANAGEMENT

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- local planning authorities should positively seek opportunities to meet the development needs of their area;
 - Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- For **decision-taking** this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or

(remaining bullet points omitted for clarity)

2.4 It is noted that the NPPF contains no reference to a requirement for planning permission to be granted for temporary agricultural dwellings. Clearly, it is no longer Government policy to require proposals for new dwellings for essential rural workers to be handled in this way. Given the over-arching policy of supporting economic growth and to promote a strong rural economy, this should not be a surprise.

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3.0 Relevant Local Plan policies.

- 3.1 Ryedale District Council adopted the Ryedale Plan – Local Plan Strategy DPD on the 5th September 2013. This document sets out the long-term vision, objectives and planning strategy for the period 2012-2027.

Broadly speaking, the Local Plan Strategy is very supportive of land-based economic development in the open countryside and shows that the local planning authority will take a positive approach to dwellings for workers employed in land-based enterprises, provided that there is an essential need for a worker to be available at most times.

- 3.2 It is considered that the following policies of the Local Plan Strategy DPD are relevant to the determination of this application. Extracts from policies SP1, SP2, SP9 and SP21 and paragraphs 5.34 and 5.35 of the document are set out below;

SP1 General Location of Development and Settlement Hierarchy

Ryedale's future development requirements will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of the following hierarchy of settlements:

[inter alia]

In all other villages, hamlets and in the open countryside development will be restricted to that:

- which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or

SP2 Delivery and Distribution of new housing

The delivery of at least 3000 (net) new homes will be managed over the period 2012-2027. The sources of new housing that will contribute to the supply of new homes across the District are as follows:

[inter alia]

Wider Open Countryside

- New build dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified.

The Land-Based and Rural Economy

5.34 Land-based economic activity is integral to the District's economy, cultural heritage and identity. Farming, forestry and the equine industry, in particular horse racing, have all been longstanding and traditional components of economic activity. Many of these activities have helped to ensure that Ryedale's valued landscapes are carefully and sensitively managed. In Ryedale the role of local Estates has been a significant factor in influencing rural economic activity and management of the landscape.

5.35 However the land-based sector, and in particular agriculture, has undergone considerable restructuring over the post war period, and is set to continue to restructure as a consequence of both local and global changes. These changes are happening at a rapid rate, can be difficult to predict and are likely to exert a combination of positive and negative pressures on the District's rural economy. This Strategy is intended to support and be flexible to the needs of those who rely on the land-based economy. It also supports new opportunities that may arise from future changes. These range from alternative

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cropping to renewable energy schemes. It is essential that these new land uses and economic activity must be supported and encouraged where appropriate if Ryedale's countryside is to continue as the living and working countryside that is intrinsic to Ryedale's cultural identity.

SP9 The Land-Based and Rural Economy

Ryedale's land-based economy will be sustained and diversified with support for:

[inter alia]

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes

SP21 Occupancy Restrictions

The following occupancy conditions will be used to ensure that developments are occupied for the purpose for which they are intended and justified. This policy will be applied in the following circumstances:

[inter alia]

c) Agricultural/ Forestry/ Land-Based Activity

(i) Proposals for new residential development in the open countryside (outside Development Limits) to support land-based activity, will be required to demonstrate an essential need for the dwelling that cannot be met elsewhere. A condition will be applied requiring that the dwelling remains available in perpetuity for use by a person/s employed full-time in agriculture/forestry or other enterprise for which a dwelling in the particular location is considered essential.

(ii) Time restricted conditions and occupancy conditions will be applied to temporary residential accommodation to support a new farming/forestry/rural enterprise activity where the need for the accommodation can be justified. Such accommodation will take the form of a caravan or wooden structure which would be supported, normally for a period of three years.

- 3.3 It is noted that policies SP9 and SP21 require that planning permission for dwellings for rural workers will only be granted where the accommodation is essential in connection with the needs of the enterprise. Any such dwelling will be subject to an agricultural occupancy condition. Where a new rural enterprise is concerned, permission will normally be granted for a caravan or timber cabin for a temporary period, normally three years, in the first instance.

4.0 Siting and Scale.

- 4.1 In accordance with the policies of the Local Plan Strategy, the applicant proposes to site a timber cabin close to the existing agricultural buildings and the entrance to the site. This is ideal from an agricultural point of view and for security purposes. The timber cabin is largely hidden from Cornborough Road. It is a modest structure measuring 13m x 5.8m, with a gross floor area of just 69.6 square metres. This is a two-bedroomed timber cabin which is modest and entirely in accordance with national and local planning policy guidance.

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5.0 Design and Appearance.

- 5.1 The timber cabin is constructed using interlocking planks. The exterior has a dark stained timber finish, which helps to blend the appearance of the dwelling with the surrounding trees and hedges. The roof is covered with mineral felt.

6.0 Access and Parking.

- 6.1 There is an existing access from Cornborough Road with excellent visibility in both directions. There is a sufficient area of hardcore yard to provide a working area associated with the permitted agricultural building, 2no. parking spaces to serve the dwelling and for the turning of both private cars and agricultural vehicles within the site.
- 6.2 We do not consider that the occupation of the temporary dwelling will result in any material increase in traffic movements on the local highway network, having regard to the fact that with the applicant living on-site negates the need for commuter trips to and from the site.
- 6.3 This was an issue which was considered in connection with an appeal for a temporary agricultural workers dwelling at The Orchard, Combe Martin (PINS ref. APP/X1118/A/08/2083511) where the Inspector found that the presence of the temporary dwelling would have little impact on traffic generation.
- 6.4 To be clear, we do not say that the enterprise can be operated properly with the worker living off the site. On the contrary, it is our case that it is *essential* for a skilled worker to be available at most times and this can only be achieved if the worker resides on the site. However, it remains the case that whether the key worker lives on site or visits the site several times each day from a nearby settlement, the traffic generation will be broadly similar.

7.0 Drainage.

- 7.1 The foul drainage is connected to a 3,580 litre Klargestar Biosafe 1 package treatment system which has been installed in accordance with the manufacturers instructions on the land as shown on the enclosed block plan. A soakaway system discharges treated waste water into the subsoil. The package treatment plant is designed to be fully compliant with BS EN 12566 Part 3. Surface water is piped to soakaways.

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8.0 Landscaping.

- 8.1 The applicant intends to properly manage the hedgerows on the holding. It is not considered that the development needs any additional landscaping.

9.0 Conclusion.

- 9.1 In recent months, the national and local planning policy background has changed. Planning Policy Statement 7 has been revoked, leaving this application to be dealt with in the context of the advice set out in paragraphs 28 and 55 of the NPPF. In addition, the Local Plan Strategy has been adopted including policies which are very supportive of land based economic development in the countryside.
- 9.2 The agricultural appraisal report prepared by Reading Agricultural Consultants demonstrates that, once it has been established, the business will provide employment for one full-time person and that it is essential to the proper operation of the business that a worker is available at the site at most times. There is no existing dwelling or building which is suitable and available to meet this essential need.
- 9.3 The local planning authority is respectfully invited to grant planning permission for the timber cabin subject to a condition requiring its removal at the end of a three years temporary period and an appropriate occupancy condition. The following conditions are suggested;
- a. The timber cabin hereby permitted shall be removed and the land restored to its former condition within three years of the date of this permission in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority.
 - b. The occupation of the temporary dwelling hereby permitted shall be limited to a person or persons solely or mainly, or last working in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990 (as Amended)), in the locality or to the spouse, widow or widower of such a person and to any resident dependents.