

**DESIGN AND ACCESS STATEMENT  
FOR TEMPORARY FARM WORKERS ACCOMMODATION  
AT  
THE PADDOCK  
COSTA LANE  
PICKERING  
NORTH YORKSHIRE**

**ON BEHALF OF**  
L & L Thompson  
18 Shepherds Hill  
Pickering  
North Yorkshire  
YO18 7JQ

**Prepared by:**  
Jack Ayres-Sumner BSc (Hons) MRICS FAAV  
Boulton Cooper  
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## **1.0 GENERAL INFORMATION**

- 1.1 **Applicant: -** L & L Thompson  
18 Shepherds Hill  
Pickering  
North Yorkshire  
YO18 7JQ
- 1.2 **Agents:-** J Ayres-Sumner BSc (Hons) MRICS FAAV  
Boulton Cooper  
St Michaels House  
Malton  
North Yorkshire  
YO17 7LR
- 1.3 **Site Address: -** The Paddock  
Costa Lane  
Pickering  
North Yorkshire
- 1.4 **Accompanying Documents:** Elevations – Scale 1:100 @ A3  
Block Plan – scale 1:500 @ A4  
Location Plan – scale 1:2500 @ A4  
Site Layout – Not to Scale – for identification  
purposes only  
Agricultural Appraisal  
Application Fee

## **2.0 BACKGROUND**

The Application is for permission to site a temporary dwelling for an agricultural worker on the land of Costa Lane, Pickering to support the expansion and sustainability of an existing farming business.

The farm business is explained in more detail in the accompanying Agricultural Appraisal. In brief, the Applicant farms approximately 53.87 acres (21.80 ha) of land which supports a sheep enterprise of 39 ewes plus approximately 70 followers and 15 suckler cows plus followers, calves and replacement breeding stock, which is being expanded.

## **2.1 EXISTING ACCOMMODATION**

Currently, there is no residential accommodation that can provide for a farm worker at The Paddock, Costa Lane.

## **2.2 PLANNING HISTORY**

### **a) Pre Application Enquiry**

A Pre-Application Enquiry was made to Ryedale District Council by the Applicant in 2018 under Reference 18/0005/PREAPP. Pre-Application advice was provided by Alan Goforth, and a copy of the letter has been attached at Appendix 1 for your ease of reference.

It has been noted that the Planning Officer felt as a result of the Pre-Application Enquiry that there "based on the level of information currently available and taking account of the scale of the farming enterprise I am of the view that there is not a compelling argument to justify permanent workers accommodation at the site." This Report along with the accompanying documentation discusses the need for the temporary accommodation to be able to allow the Applicant to further expand on the business, which leads to a more compelling need for permanent workers accommodation at the site.

### **b) Application Reference 19/00190/FUL**

A Planning Application was submitted to Ryedale District Council under Reference 19/00190/FUL for the siting of a temporary agricultural workers static caravan which was refused on the 28<sup>th</sup> May 2019. The reason for refusal was:-

It is considered that the development does not accord with the aims of Paragraph 79 (a) of the NPPF and is contrary to the requirements of SP1, SP2, SP19 and S21 of the Adopted Ryedale Local Plan Strategy (2013) for the following reasons:-

- It has not been demonstrated that the scale of the proposed enterprise gives rise to an essential functional requirement for a temporary dwelling within the open countryside to accommodate a farm worker at the site.

- It has not been demonstrated why an available property in nearby settlements such as Pickering or Middleton is not suitable to fulfil the functional needs of the farm enterprise.

### **3.0 DEVELOPMENT PROPOSAL**

#### **3.1 Proposed Use**

The proposed use of the new development is to provide temporary accommodation in the form of a static caravan. The proposed development is to support an existing agricultural business.

#### **3.2 Location:**

The Application site lies approximately 2 miles to the west of Pickering, 7.5 miles to the east of Kirkbymoorside, 10 miles to the north of Malton, and the main farmstead is situated in a rural position off Costa Lane.

#### **3.3 Site Assessment**

A site assessment has been carried out by the Applicant and has concluded that the siting of the proposed static caravan is the most suitable to be able to support the farming enterprises. The need for the accommodation on site has been discussed in greater detail in the accompanying Agricultural Appraisal which also considers the availability of alternative accommodation. A site layout plan has been submitted with the application.

#### **3.4 Size**

The static caravan will provide approximately 42 sq m of accommodation which will provide for the Applicant's family.

The static caravan will stand approximately 3.1m high to the eaves and 3.5m high to the ridge of the shallow pitched roof. Internally the building would comprise 3 bedrooms, a bathroom and an open plan kitchen/living area. The entrance to the caravan would be in the south facing elevation. The area to the front, southern side of the static caravan would be used for parking and outdoor amenity space. Drawings of the proposed accommodation have been submitted with the Application.

A plan showing the proposed site layout has been submitted with the Application with the buildings identified as follows:-

- Red - static caravan
- Green - the curtilage of the residential is identified in green which includes amenity and parking areas. The residential amenity area is separated from the main Farm by a fence with the access points gated

- Orange - farm buildings including the following
  1. Livestock housing and produce store
  2. Workshop and General Purpose Store
  3. Livestock housing
  4. Feed Store

### **3.5 Access**

An existing access will be utilised. The access has provided for the farming business and is suitable for farm machinery and heavy goods vehicles. Therefore no further consultation with the Highways Authority is considered necessary.

#### **4.0 PLANNING POLICY:**

#### **4.1 National Planning Policy Framework (NPPF)**

##### **Section 5 – Delivering a Sufficient Supply of Homes**

##### **Rural Housing – Paragraph 79**

*“Planning Policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply”*

- a) *If there is an essential need for a rural worker, including those taking majority control of the farm business, to live permanently at or near their place of work in the countryside.*

The proposed development and the essential need for the rural worker to be living at the Application site is discussed in further detail in the accompanying Agricultural Appraisal which discusses the essential need and care of livestock, and to be within sight and sound of them.

##### **Section 6 – Building a Strong, Competitive Economy – Supporting a Prosperous Rural Economy**

*Planning Policies and decisions should enable:*

- a) *The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) *The development and diversification of agricultural and other land based rural businesses;*
- c) *Sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) *The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open spaces, cultural buildings, public houses and places of worship.*

The proposed development is supported by the NPPF, Paragraph 83, as the development is to sustain the existing business while allowing it to grow and expand.

##### **Section 8 – Promoting Healthy and Safe Communities**

The development promotes a healthy community through rearing livestock to the highest

welfare standards, which will be sold locally through Livestock Markets. The Applicant will also target other local meat and produce markets where available.

The development will promote safe communities through reducing the need for the Applicant to travel through periods of adverse weather conditions. Furthermore, by having the Applicant live on site it will increase the security of the site and the surrounding area.

## **4.2 Ryedale Local Plan**

### **Policy SP9 – Land Based and Rural Economy**

The supporting text of Policy SP9 and Paragraph 5.35, stating that *“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.”*

It has been understood in the Pre-Application Enquiry the advantages of accommodation for an agricultural worker being provided at the Application site to support the farming enterprise. The essential need has also been discussed through the accompanying Agricultural Appraisal. Furthermore, the development will provide opportunity for the Applicant to expand on the existing business and to create one which supports a full time worker.

### **Policy SP16 – Design**

*Development Proposals will be expected to create high quality durable places that are accessible, well integrated in their surroundings and which:*

- *Reinforce local distinctiveness*
- *Provide a well-connected public ground which is accessible and usable by all, safe, and easily navigated.*
- *Protect amenity and promote well-being.*

The proposal is for temporary accommodation provided through a static caravan. Therefore the appearance will be fairly simple and the Applicant will seek one in colours which help to mitigate the effects on the surrounding visual amenities.

### **Policy SP19 – Presumption in Favour of Sustainable Development**

In the Ryedale Local Plan and the NPPF there is a presumption in favour of sustainable development. A positive approach should be adopted when Councils are considering development proposals. Through Local Plan Policies and the NPPF, it has been shown the development will accord and will provide sustainable development.

### **Policy SP21 – Occupancy Restrictions**

As a result of the Pre-Application Enquiry, it has been accepted by the Applicant that a temporary consent for the siting of a static caravan would provide suitable accommodation



for the management and welfare of the livestock and also to allow the expansion of the farming business.

## **5.0 PLANNING OFFICER COMMENTS RELATING TO APPLICATION REFERENCE 19/00190/FUL**

### **Functional Requirement**

It was noted from the Planning Officer's Report that "it is not considered that the existing and projected enterprise is a scale sufficient to warrant on site accommodation". The Applicants proposed business had grown quicker than expected, and thus the proposed farm business at year 3 relating to the current application proposes a business which provides a need for at least 1 full time labour unit. Therefore, taking in to account the needs of the livestock and the size and scale of the business at year 3 we consider there is a sufficient functional need to warrant on site accommodation.

### **Other Available Accommodation**

Within the previous Application the Planning Officer considered that it had not been demonstrated why an available property in a nearby settlement such as Pickering or Middleton is not suitable to fulfil the functional needs of the farm enterprise. As discussed in the Agricultural Business Appraisal, there is a direct need for the Applicant to be within sight and sound of the breeding livestock, therefore any property which is not at or on the Holding will not be able to fulfil the requirement. Therefore, alternative accommodation and other properties within the area have been discounted.

### **Financial Test**

Within the previous Application the Planning Officer was satisfied that the financial test had been proven.

### **Amenity Impact**

It was accepted that there would not be a material adverse impact on the users or occupants of neighbouring land and buildings and would not result in any unacceptable risks in terms of pollution or disturbance in compliance with Policy SP20.

### **Other Matters**

There were no previous objections from the Parish Council or the Local Highway Authority.

## **5.0 CONCLUSION**

The proposed temporary farm workers accommodation will provide a development which will support an existing business and will allow it to further expand meeting objectives of both the farming business and Planning Policy.

The siting and design of the development will not adversely affect the immediate or surrounding area. Furthermore the proposal is supported by policies within the National Policy Framework.

The Applicant has attempted to satisfy the Officers previous concerns from Application reference 19/00190/FUL. These concerns are discussed in more detail within the accompanying Agricultural Business Appraisal.

It is asked that the development is supported by the Planning Authority.

**J Ayres-Sumner BSc (Hons) MRICS FAAV**

**12<sup>th</sup> July 2019**

## Appendix 1



Mr & Mrs Thompson  
C/O Jack Ayres-Sumner  
Boulton & Cooper Stephenson  
St Michaels House  
Malton  
YO17 7AB

16 March 2018

Dear Mr Ayres-Sumner,

**APPLICATION NO:** 18/00054/PREAPP

**APPLICANT:** Mr & Mrs Thompson

**DESCRIPTION:** Erection of an agricultural worker's dwelling.

**LOCATION:** Land East Of Costa Lane Pickering North Yorkshire

Thank you for your request for pre-application advice in connection with the above proposed development. Firstly I would like to apologise for the delay in providing you with a formal response. I have now had the opportunity to fully consider the contents and understand that the proposed development is for the erection of an agricultural worker's dwelling on land east of Costa Lane, Pickering (known as 'The Paddock'). I wish to provide the following response.

The land outlined in red on the land registry plan amounts to approximately 0.4ha and it is stated that the farm holding extends to approximately 8.7 hectares of land around Costa Lane and Westgate Carr Lane. The land is laid to grass and grazed and cut for hay and silage. The new residential dwelling would allow a farm worker to be in close proximity to the breeding livestock (cattle and sheep) which are currently housed in a range of steel portal frame agricultural buildings forming the farmstead at The Paddock, which is accessed off Costa Lane.

There are no details provided to indicate the siting, design or external appearance of the proposed accommodation but it is understood that the proposed dwelling would comprise either a permanent static caravan or timber lodge with a footprint of 100 square metres and a maximum height of 4 metres. Mr & Mrs Thompson have since indicated that the likely preferred location for the dwelling would be in the north-west corner parallel to the site boundary below the line of the overhead cables. This location would take advantage of the existing boundary screening.

It is noted that the owners of The Paddock currently reside in Pickering. The submitted details refer to a considerable hardship arising from the distance and travel times involved in the 2.7 mile journey from their home on the east side of Pickering (Shepherds Hill) to the land in question on the west side of Pickering and the frequency of visits to tend to the livestock throughout the day particularly during times of calving (throughout the year) and lambing (during 5-6 week period). It is understood that during lambing and calving the livestock can require 'round the clock' supervision.

The submitted details state that due to traffic during the summer months the travel time can be in excess of 30 minutes although AA route planner indicates an 8-9 minute journey (variable dependent on traffic). It is

acknowledged that the travel time is likely to be extended during popular events in the town such as the Tour de Yorkshire (May), 60's weekend (July) and the War Weekend (October). In addition it is understood that adverse weather conditions (particularly recent weather events) can result in longer travel times during the winter months.

The farming business is currently based on the following livestock: 35 ewes; 12 breeding cattle; and a stock bull. It is understood that the breeding herd could expand up to 25 heifers. At present this represents a limited holding with relatively low livestock numbers that is not a particularly well-established but it is acknowledged that there are plans for a steady expansion of the enterprise and the Applicant is also seeking tenancies for other land. During my site visit it was noted that there is currently a caravan positioned in the north west corner of the site which is used for shelter during adverse weather conditions. It was also noted that the Applicant has invested in mains water and electricity connections.

I wish to provide the following advice in the context of relevant national and local planning policy. The relevant policies contained within the Ryedale Plan- Local Plan Strategy (2013) are listed below:

SP1- 'General Location of Development and Settlement Hierarchy';  
SP2- 'Delivery and Distribution of New Housing';  
SP9 - 'The Land-Based and Rural Economy';  
SP16- 'Design';  
SP19 - 'Presumption in Favour of Sustainable Development'; and  
SP20 - 'Generic Development Management Issues'; and  
SP21- 'Occupancy Restrictions'.

Please note that the above policy list is not exhaustive and includes extant policies at the time of writing this letter that may be subject to change. From a brief assessment of the development site and the relevant planning policies, it is considered that the key issues pertaining to any future planning application would be:-

- Principle of the Development and justification of essential need;
- Location, scale, appearance, design of the new building;
- Impact upon the open countryside (outside development limits);
- Local amenity impacts; and
- Access & highway safety.

#### Appraisal

The proposed development site is outside of development limits and within the open countryside. At the national level paragraph 55 of the NPPF states that *"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...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"*.

Therefore, the starting point for any future application would be the establishment of the essential need and, although PPS7 was superseded by the NPPF in 2012, Annex A of PPS7 provides useful guidance on the matters that could be considered as justification. This including two main tests, namely a 'functional' test to establish a need for a dwelling and a 'financial' test to demonstrate the viability of the farming enterprise and show that it has been established for at least 3 years. The submitted pre-application enquiry includes a basic assessment although any future application should contain a full Agricultural Justification Report and Appraisal setting out functional and financial evidence to justify the essential need for a new building for a full time agricultural worker to live on site. It is understood that at present neither of the Applicants' are employed full time in agriculture. Furthermore any future planning application would need to show that the functional need could not be fulfilled by any other accommodation which is suitable and available for occupation in the area.

At the local level Policy SP1 (General Location of Development and Settlement Hierarchy) states that *"In the open countryside development will be restricted to that: which is necessary to support a sustainable, vibrant and healthy rural economy and communities"*. In addition the relevant part of Policy SP2 (Delivery and Distribution of New Housing) states that in the wider open countryside new housing will be limited to *"New build dwellings necessary to support the land-based economy where an essential need for residential development in that location can be justified"*. In a similar vein Policy SP9 (The Land-Based and Rural

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

The supporting text of Policy SP9, at paragraph 5.35, states “*This Strategy is intended to support and be flexible to the needs of those who rely on the land-based economy*”. The broad advantages of an agricultural dwelling to support the farming enterprise are understood however the essential need would have to be demonstrated.

Policy SP21 (Occupancy Restrictions) seeks to ensure that developments are occupied for the purpose for which they are intended and justified. The relevant part states “*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*”.

The submitted details state that there is an expectation that the business will provide an income suitable for a single full time agricultural worker and this would need to be evidenced through a financial business case included within any future planning application. It is noted that the submitted details include a forecasted requirement of 0.73 labour units which equates to less than one full time worker and therefore, taking account of policy requirements, it is considered unlikely that justification can be made for a permanent worker’s dwelling at this stage.

However, if the essential need for the worker’s dwelling can be demonstrated the development should also take account of Policy SP16 (Design) in that the location, siting, form, layout, scale and detailed design should respect the context provided by its surroundings and be well related to existing farm buildings and any adjacent dwellings. In addition, as required by Policy SP20 (Generic Development Management Issues), the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community. In addition access, parking, servicing and safety are also relevant aspects of the Ryedale Plan- Local Plan Strategy (2013) which must be considered.

I am of the view that given the size of the Paddock and the arrangement of the existing farm buildings that a dwelling with a footprint of 100 square metres and maximum height of 4 metres would be excessive for a single farm worker. It is the requirement of the enterprise rather than those of the owner that are relevant in determining the size of the dwelling appropriate to the holding. Therefore, should your client wish to proceed with a planning application, the proposed building should be commensurate with the functional requirement of the farm enterprise and not the personal preferences or circumstances of any individuals involved. I appreciate that at this stage the aforementioned dimensions are likely to be approximate but in my recent discussion with Mr and Mrs Thompson I understand that they would be willing to propose a smaller dwelling should they decide to bring forward a planning application for the development.

#### Conclusion

National and local planning policy makes it clear that isolated dwellings in the open countryside should only be permitted if special circumstances can be demonstrated. Any future planning application should justify that there is an essential need for the accommodation for a single full time agricultural worker to support the functioning of the farm enterprise.

Whilst the farm enterprise is not new the submitted details indicate that the accommodation would allow the business to “further establish”. Based on the level of information currently available and taking account of the scale of the farm enterprise I am of the view that there is not a compelling argument to justify permanent worker’s accommodation at the site.

It is considered that given the current scale of the farm business an application for temporary accommodation (normally for three years) in the form of a static caravan, mobile unit or wooden structure which can be easily dismantled (see policy SP21 c(ii)) is more likely to receive Officer support if the aforementioned functional and financial evidence demonstrates an essential need for the worker’s building.




Please note that this advice is an informal opinion based upon the information you have provided and does not constitute a legal determination under any relevant legislation. This advice is an Officer view provided in good faith but without prejudice to the formal consideration of any future planning application.

If you have any queries regarding any of the above information please do not hesitate to contact me.

Yours faithfully



 Alan Goforth, Senior Specialist Officer (Place)  
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