



Mr A Goforth
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Electronic Version
Our Ref: KCC3417/ec
10th February 2023

Dear Mr Goforth,

22/01100/FUL: PROPOSED AGRICULTURAL WORKERS DWELLING AT LAND AT INGS LANE, KIRKBYMOORSIDE, NORTH YORKSHIRE

1. Thank you for your consultation request dated 12th January 2023 in relation to the above development.
2. This is a desk-based assessment. It is based on information provided with the planning applications, in particular:
 - application forms and plans;
 - Agricultural Justification report;
 - Design and Access Statement; and
 - Applicants letter to the Council.
3. Additional information was received on the 31st January 2023 which included the Applicant's financial accounts and a forecast for the business.
4. Google Earth Imagery has also been used to identify the site and any designations or limitations that could be relevant to the proposal.

The Development Proposed

5. Permission is sought to erect a permanent agricultural workers dwelling on Land at Ings Lane at Kirbymoorside.

Policy Basis for this Appraisal

6. Planning policy relating to essential worker's dwellings is set out in the NPPF (2021) at paragraph 80. Paragraph 80 states that **"planning policies and decisions should avoid the development of new isolated homes in the countryside unless there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside"**.

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7. Guidance issued on the online Planning Practice Guidance resource in Paragraph: 010 Reference ID: 67-010-20190722 states that:

“Considerations that it may be relevant to take into account when applying paragraph 79 a) [now paragraph 80] of the NPPF could include:

- **evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);**
- **the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;**
- **whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;**
- **whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and**
- **in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.**

Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.”

8. The Ryedale District Council Local Plan Strategy (2013), Policy SP21 states that
- “(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”.**

Summary of the Enterprise

9. The Applicants initially purchased the site in 2004 when they started Moorside Alpacas. In 2005 they had their first cria born at the site and in 2012 they introduced a flock of Pedigree Blue Faced Leicester to the site. Over the years the Applicant’s have increased their land ownership, which now extends to 9.1ha (22.5 acres).

10. The Applicant's have made investments to the site in the form of agricultural buildings, stock fencing and getting electricity to the site, which now holds a mixture of alpacas, llamas, sheep, hens and two ponies.
11. The female alpacas and sheep are kept for breeding purposes and the males are sold as breeding stock.
12. It is understood from the information provided within the Agricultural Justification report that the Applicant's have recently started offering 'Alpaca Animal Experience' to the public which allows people to meet and walk the alpacas as a leisure activity.

Dwelling Assessment

13. **Functional Need.** When assessing whether there is a functional need for a resident worker on site it is, in our opinion, necessary to assess the likelihood of things going wrong and the severity of those problems. With any breeding stock there is an increased risk that something could go wrong. With alpacas that risk is heightened due to the gestational period.
14. The gestational period of an alpaca is between 11-12 months. Which means there is a month in which the alpaca could give birth and there is no predictability to it. Alpacas can have problems when giving birth and require intervention. Following the birth of the cria, their airways need to be cleared and they need to be monitored to ensure that they are accepted by the dam and the dam allows them to drink.
15. Because of this, and the quantity of alpaca giving birth, throughout the year it is considered that there is a functional need for someone to be living on site. It is also noted that there are sheep on site. Whilst the sheep numbers are minimal, they also add to the requirement for someone to be living on site.
16. The Applicant's provided a letter to the Council to support their application which explained situations where intervention was required, and cria and lambs were lost due to someone not being on site to assist.
17. Therefore, based on the information provided, I am satisfied that there is a functional need for a resident worker to live on site.
18. **Existing Dwellings.** From the information provided it is understood that there are no existing dwellings on site that would be suitable. A Rightmove search which was undertaken on the 1st February 2023 only yielded one property, which was discounted due to the size and price of the property.
19. **Financial Sustainability.** When looking at financial sustainability the Planning Practice Guidance sets out that ***"the degree to which there is confidence that the enterprise will remain viable for the foreseeable future"*** should be tested. When assessing whether an enterprise is financially sustainable, we ideally look for a profit of approximately £20,000 - £22,000 which would cover any unpaid labour. Within the accounts for the years 2020 and 2021 the Applicant's have made a loss in both years.

20. From the information provided I understand that the Applicant's are wanting to increase stocking numbers to 35 breeding alpacas and 30 breeding ewes once there is a resident worker on site and I appreciate that this will have a positive impact on the overall profit. Within the Agricultural Justification report budgets have been presented going to the year 2026. These budgets suggest that the business will make in excess of £20,000 by the year 2026.
21. In addition to the Agricultural Justification report a forecast produced by Hallgarth Accountants Ltd has been provided which differs to the budgets (which suggest the business is deriving most of its income from the alpaca breed, wool sales and the Blue Faced Leicesters) and show that the business is strongly dependent on the 'Alpaca Animal Experience' income.
22. It is important to note that within the Town and Country Planning Act 1990, Section 336 it defines agriculture as ***“agriculture” indicates 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***
23. It is unclear whether the forecast or business plan is more fitting to the Applicant's business plan, however, it would be advised that should it follow the forecast, the agricultural business would not be seen as profitable, as it would be heavily reliant on the leisure activity side of the business.
24. Based on the above, at this time, I do not have confidence that the business would remain viable.
25. **Siting and Size.** The proposed dwelling extends to approximately 120m² and is of a bungalow design. The property is to benefit from an open plan kitchen/living room, a utility room, office, bedroom, and bathroom.
26. With regards to the siting of a dwelling, it is advised that it is 'within sight and sound' of livestock to ensure that the Applicant's are able to hear any distress from the livestock. From the provided plans it shows that the dwelling is proposed to be sited on the access off of Ings Lane. This means that the Applicant's will be able to see any vehicles accessing the site and is beneficial from a security perspective.
27. Using Google Earth Imagery, it appears that the dwelling would look out onto the grazing land, which means that the Applicant's would be able to identify any livestock in distress in the field. The dwelling would be approximately 30 metres from the existing livestock building, which would ensure they are close enough to the stock for emergencies or to hear of any distress.
28. Based on the above, I am satisfied with the size and siting of the dwelling.

Conclusion

29. Based on the information provided, I am satisfied that there is a functional need for someone to be residing at the site. I am also satisfied with the siting and size of the proposed dwelling.
30. I note that currently, the business has not been able to make a profit. Therefore, I am unable to conclude at this time that there is confidence in the business being profitable.
31. However, I do appreciate that the Applicant's are wanting to increase their business and allow it to evolve, which has had limitations due to their being no presence at the site restricting stocking numbers. Therefore, the Applicant would have my support for a temporary dwelling to allow them to increase their business as set out and be reassessed in three years' time.

With kind regards.

Yours sincerely

Ellie Chew
BSc (Hons)