

**Revised retrospective application for permanent retention of log cabin for agricultural workers dwelling
at The Baggins, Thornton Lane, Thornton Hill
for Mr Parker-Nicholls**

1.0 APPLICATION SITE AND PROPOSALS

- 1.1 The application site is a pig farm located on the eastern side of Thornton Lane, the farm buildings are located up a farm track and are hidden away from the road by the change in levels and significant trees and hedgerows.
- 1.2 The applicant submits that since the farm was purchased by the owners in 2005, the enterprise has been developed into a successful free-range pig enterprise. After substantial further investment the finishing enterprise has been expanded into an outdoor breeding unit for batch farrowing. Pig numbers are approximately 1,650 including sows, piglets, growers and finishers.
- 1.3 There is also a flock of approximately 60 purebred Wensleydale ewes which will be enhanced with the introduction of Dalesbred Sheep, which will be crossed to produce a "Masham". The farm is also planning to take on suckler cows in the future.
- 1.4 The application is to seek to retain the existing log cabin on the site for agricultural workers. The cabin was granted temporary permission until 1 April 2013 as the building was not considered to be visually acceptable or constructed of suitable materials for permanent retention on this site.
- 1.5 The application is referred to Committee at the request of the Ward Member.

2.0 RELEVANT PLANNING HISTORY

- 2.1 05/01897/FUL - Two free range egg production units, an agricultural building and a new vehicular access; siting of a temporary agricultural workers dwelling; Withdrawn 12 April 2006.
- 2.2 06/00789/APN - Prior notification for the construction of an agricultural building for the storage of agricultural implements, workshop/store and feed store; Refused 5 May 2006.
- 2.3 06/01788/FUL - Revised application for the construction of a free range organic egg production unit and an agricultural building; Refused 3 November 2006.
- 2.4 09/00886/APN - Prior notification for construction of agricultural steel framed portal storage building; Granted 27 April 2009.
- 2.5 10/00106/APN - Prior notification for construction of 2 feed storage bins and 1 livestock loading coral; Granted 18 February 2010.
- 2.6 10/00108/FUL - Temporary siting of a log cabin to be used as an agricultural workers dwelling; Granted 1 April 2010. This is the development it is now proposed to be retained.

- 2.7 14/01430/FUL - Agricultural worker's dwelling; Withdrawn 19 January 2015.
- 2.8 15/01645/APN - Agricultural building for the storage of straw - Granted 7 September 2015.
- 2.9 13/00059/CAT3 – Enforcement investigation: siting of 6 feed storage bins; Case closed 11 March 2013.
- 2.10 15/01555/FUL - Revised application for the construction of an agricultural workers dwellinghouse and triple garage; Refused 2 September 2015 for two reasons:
1. There was no essential need or requirement demonstrated to justify a second agricultural workers dwelling on site, or of the size proposed.
 2. The design of the proposed building failed to respect the character and distinctiveness of the Howardian Hills Area of Outstanding Natural Beauty.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP15 - Rural Regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP26 - Agricultural issues
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
National Planning Policy Framework - published 27 March 2012
National Planning Practice Guidance
Written Ministerial Statement on Landscape Character dated 27 March 2015

4.0 CONSULTATIONS

- 4.1 Thornton on the Hill Parish Council – Following consultation with the parishioners it was agreed the farmer does require his accommodation and this accommodation has been adequate for his needs. When the temporary application for the lodge the first time was granted, it was agreed that the farmer produced his books to show this business is viable before reconsidering further development or permanency - this should still stand. The main concerns were also related to the size of the farm and the road bearing in mind this is AONB land and therefore must be kept in natural beauty; The road is not suitable for further livestock development (heavy vehicle movements) due to the condition of the road - it is also a National Cycle route and is increasingly busy with cyclists. The size of the farm to the amount of livestock. The house is visible from Thornton Lane as well as Malton Street. Most farmers with temporary vet students i.e. lambing time provide a tourer caravan for vet student accommodation usually placed within the building to supervise lambing - this is acceptable in AONB land.
- 4.2 Howardian Hills AONB Board - No objection. The log cabin has been present on the site for a number of years following the initial grant of temporary planning consent. No objections were raised in regard to impact on the AONB at that time and the building has subsequently weathered to a darker hue. This application will regularise the situation following the recent applications for more substantial permanent

dwellings. Its approval would allow the farming operation to continue as intended at the time of the first application. A condition should however be attached to any approval, requiring the demolition of the existing log cabin should an application subsequently be approved for a more substantial farmhouse on the site, which was also subject to an Agricultural Occupancy Restriction.

4.3 Highway Authority - No objection.

4.4 Public comment – One letter of objection received. This highlights the following matters:

- The timber dwelling should be retained in the existing position
- Timber dwellings have been found acceptable but not generally in the AONB
- There are low costs homes in Husthwaite and note that some farmers live up to 2 miles from their stock
- No additional dwellings should be built for casual workers, who should be accommodated in a static caravan
- Questions how the pig business can be viable on a 60 acre holding and suggests looking at the expenditure over the last few years.

5.0 OBSERVATIONS

5.1 The key determining issues are (i) the continued agricultural need for the workers dwelling and (ii) the visual impact of the building, in particular having regard to the materials used. Whilst the AONB Board representations relate to future development, any proposal for an alternative agricultural workers dwelling would have to be considered on its own merits and therefore should not be considered now.

Agricultural need

5.2 Having noted the site and supporting information and further applications approved in relation to the agricultural storage building in 2013 and 2015 the site has consolidated the previous agricultural business. In considering the need of a dwelling for the purposes of supporting the agriculture enterprise it is considered that there continues to be an essential need for a dwelling to fulfil the functional role that has previously been found to exist. The applicant has continued to expand the infrastructure and investment in the farm. This indicates a commitment to the future of the farming enterprise. This supports the conclusion that the building should be retained for the purposes of agriculture. A condition can be applied to require that the dwelling is only occupied for the purposes of accommodating an agricultural worker(s).

5.3 The principal change in policy since the original approval is the introduction of the National Planning Policy Framework which sets out support for rural enterprises at Paragraph 28. Since the original approval the agricultural enterprise has continued to grow and with future growth planned there is support from both the Parish Council and policy guidance.

Visual impact

5.4 The previous refusal has been noted and considered. This related to a substantive four bedroom dwelling and triple garage which was considered too large in size to present an essential need for an agricultural dwelling. The support for the retention of the log cabin therefore does not compromise the previous refusals.

5.5 The comments of the AONB Board have been noted and carefully considered. The building has aged in a manner that has reduced its physical impact on the landscape. Further the physical position of the dwelling is in a dip in the land and is well screened from public vantage points. The use of timber as a building material and the increased quality and use of log cabins as an acceptable form of rural development in both agricultural and tourism is noted. As such, based on a visual assessment of the site, planning policy and having regard to consultee comments, the building as retained, would be an acceptable form of development.

6.0 **RECOMMENDATION**

6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following condition:

1. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

The reason is:

1. The dwelling is in an area where the Local Planning Authority considers that new residential development should be restricted to that which is essential in the interests of agriculture or forestry in accordance with Hambleton Local Development Framework Core Strategy Policy CP4.