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14/02152/FUL

**Placement of temporary mobile home for 3 years
at OS Field 4578, Sykes Lane, Tollerton, North Yorkshire,
for Mr Robert Elstone**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site is located to the north-east of Tollerton and comprises 12 acres of agricultural land which is accessed from Sykes Lane to the north.

1.2 The scheme is seeking temporary consent for the siting of a log cabin in place of an existing static caravan which is positioned to the western side of the site which is to the south of the existing barn which would be used in association with the worm farm. The existing static caravan is not used for residential occupation.

1.3 The worm farm enterprise was established after 2002 but is not active and ceased in 2010 following the failure of the functioning of the outdoor worm farm pits due to cold winter weather conditions. The applicant is now proposing to operate the worm farm in the barn on site to overcome the problems of cold weather killing worms.

1.4 The applicant resides in Skelton, some 9 miles away from the site and lived remotely during the operation of the worm farm after 2002 to 2010.

1.5 The applicant considers that an on-site presence is necessary due to monitoring power cuts, equipment failure, feeding, water and security associated with the running of the worm farm.

1.6 The applicant has provided a break-down of the tasks associated with operating a worm farm on a typical day and the type of emergency response required through the night.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

2.1 2/02/162/0250 - Change of use of existing agricultural land to Class B2 use as a worm farm to include the formation of worm pits and siting of a static caravan to provide office accommodation as amended by letter and plan received on 12 June 2002; Granted 2002.

3.0 NATIONAL AND LOCAL POLICY:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP12 - Priorities for employment development
- 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
- Core Strategy Policy CP19 - Recreational facilities and amenity open space

Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP2 - Securing developer contributions
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP6 - Utilities and infrastructure
Development Policies DP8 - Development Limits
Development Policies DP16 - Specific measures to assist the economy and employment
Development Policies DP25 - Rural employment
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP37 - Open space, sport and recreation
Development Policies DP43 - Flooding and floodplains
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Tollerton Parish Council - No objections.

4.2 NYCC Highways - No objections.

4.3 Yorkshire Water - Comment on the provision of a water supply and waste water disposal.

4.4 Environmental Health - No objections. Notes that caravans are used for human habitation require a Site Licence under the Caravan Sites and Control of Development Act 1960.

4.5 Internal Drainage Board - No observations.

4.6 Neighbours notified and site notice posted; expired 26.11.2014 - No responses received as at 22.05.15.

5.0 OBSERVATIONS

5.1 The main planning issues to take into account when considering this application relate to the principle of the temporary residential use in this location, any impact on the visual amenity of the surrounding area, any impact on neighbour amenity, any highway safety issues that may arise and the liability of the scheme for the Community Infrastructure Levy.

Principle of Development

5.2 Paragraph 55 of the National Planning Policy Framework (NPPF) must be satisfied if the principle of the development is to be considered acceptable. Isolated new homes in the countryside must be avoided unless there are special circumstances such as (as relevant) the essential need for a rural worker to live permanently at or near their place of work in the countryside. The applicant considers the essential need for being on site to be:

- positive sustainability benefits from reduced travelling from the applicant's home to the site
- increased welfare for the worms through regular surveillance, through reduced mortality, business viability and potential for business expansion.
- growth of the business due to easier on-site management which would facilitate further financial investment
- improved security of the site

5.3 The applicant had consent granted for the use of the land as an external worm farm in

2002 as part of 2/02/162/0250. 2010 saw the applicant lose his stock due to adverse weather conditions. Since this time the applicant has still supplied composted horse manure (previously used to supply the external worm farm) to the local area at a low scale but has predominantly focused their commercial interests elsewhere. The applicant now wishes to re-establish the worm farm internally within the existing structure on-site.

5.4 The applicant has defined a standard day were they to operate the worm farm remotely. The applicant has provided an overview of a business plan to outline the growth of the enterprise on site. The applicant has also described the life-cycle of the worm.

5.5 The improved security of the site is not an essential need for an isolated new home. The improved sustainability credentials of living on site and the growth of the business due to easier on-site management also do not justify an isolated dwelling, particularly as the worm farm is not currently operating. The applicant's financial appraisal of an envisaged enterprise suggests that it could be a profitable concern.

5.6 The applicant's envisaged standard day operating the site remotely suggests 7 visits to the site to monitor the worms, with further visits required overnight to respond to emergencies. The applicant advises that remote monitoring equipment is costly and unreliable and is not a substitute for on-site surveillance. The applicant considers that property in Tollerton is too far detached from the site and would not be sufficiently close to respond to emergencies to safeguard stock. The applicant suggests that if exposed to the wrong conditions worms can only survive for 15-30 minutes.

5.7 No evidence has been provided of other examples of worm farms or published literature which indicates that the intensity of 7 visits per day is necessary or that the vulnerability of the worm to unpredictable changes in temperature or moisture exists. There is no evidence to show that there has been any reasonable robust effort to investigate the installation of equipment to remotely sense and address changes in temperature or moisture. Additionally the applicant's business is not active and therefore no direct evidence can be provided from the experiences on site. There is not sufficient evidence to suggest that the management and welfare of the worm are factors that constitute an essential need. Consequently the principle of a temporary dwelling in this location is not acceptable.

Visual Amenity

5.8 The proposed temporary log cabin would replace a static caravan against the western boundary of the site. The overall design of the structure, its positioning away from and screened to nearby public viewpoints, and its colouration are such that there would not be a significant harmful impact on local visual amenity or the openness of the landscape sufficient to justify refusal of an otherwise acceptable development and this application. The structure would be one which would not be acceptable for permanent retention however this matter could be resolved by the attachment of an appropriate condition to limit the duration of any permission granted.

Neighbour Amenity

5.9 The site is isolated and the proposed temporary dwelling and associated activity would not harm neighbour amenity.

Highway Safety

5.10 The proposed development would not have a harmful impact on highway safety.

Community Infrastructure Levy (CIL)

5.11 The proposal is for a temporary dwelling and is not liable for CIL.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason:

1. The proposal is contrary to Hambleton Local Development Framework Policies CP1, CP2, CP4 and DP9 and the National Planning Policy Framework Paragraph 55 as no essential need for a rural worker to live at their place of work in the countryside remote from a range of services has been demonstrated.