

SUPPORTING AGRICULTURAL JUSTIFICATION

At: Foulsyke Farm,
Fylingdales

Ref: NYM/2023/0723

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Planning

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Contents

1.0	Introduction	5
2.0	Response to LPA Letter	5
3.0	Amended plans	6
4.0	Justification – Need for Agricultural Workers Accommodation	7
	Aerial view of Foulsyke Farm, Fylingdales	10
	System of Management (operational farm cycle)	11
	Farm labour requirement	11
	Justification in more detail.....	11
5.0	Conclusion.....	14

Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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1.0 Introduction

- 1.1 Cheryl Ward Planning has been appointed to respond to the LPAs request for additional justification in support of the 'need' to provide agricultural workers accommodation at Foulsyke Farm, Fylingdales.
- 1.2 The application is for demolition of agricultural building and change of use of and extension to already converted building to form farm workers dwelling/ancillary annexe accommodation (dual use) at Foulsyke Farm, Fylingdales.
- 1.3 Additional concerns with regard to scale and design of a proposed extension are being addressed through amended plans prepared by Tudor Design and can be used to identify what is being proposed to support the farm business.
- 1.4 It is confirmed that the farm has previously not needed employment 'help' nor assistance in the past but a 'need' arises through ill-health and safety of the farm operation. Additional supporting justification for which is set out below.
- 1.5 The application seeks full planning permission under the Town and Country Planning Act 1990 and falls within the North York Moors National Park for planning jurisdiction.
- 1.6 This additional supporting information is prepared by Cheryl Ward Planning, who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute (RTPI) and associated ICN and PERN networks.

2.0 Response to LPA Letter

- 2.1 In response to the LPAs letter dated 27 November it is confirmed:
 - That the accommodation is not to be used for tourist accommodation. The applicant is happy to accept a condition that the accommodation can only be used for a person(s) working on the farm/annexe (to cover it being a family member).
 - The accommodation is too close to the applicant's property for it to be let out for tourism purposes.
 - The accommodation may be for a family member (working at the farm i.e. son etc) or the option to have a live in farm worker, purely living at the site to work/be employed at the farm i.e. staff accommodation.
 - That the accommodation is not needed through the loss of staff but through ill-health/health and safety and whilst Mr Roche Snr will still work at the farm he needs some assistance on a day to day basis to ensure livestock is fed and maintained and the land is tended to.

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- A modest extension is needed as the existing building (currently a sewing room) alone is too small however making use of and re-purposing the traditional curtilage listed building together with a small extension is a far better solution than a cabin/caravan being introduced at the farm.
- That there are no other suitable buildings. Foulsyke Farm comprises only the main house and all other buildings are in separate ownership.

3.0 Amended plans

3.1 The applicant has considered the LPAs comments and planning policies in relation to design and scale together with the historic environment and is seeking to put forward amended plans showing:

- A reduction in scale of the extended part of the building. One metre has been lost on the length of the extension.
- A greater set down at ridge level has been achieved.
- Fenestration detailing and window/door size has been reconsidered for betterment.
- Existing shutters are to be retained where possible.
- The scheme proposes timber windows/doors with slimline d/g units and cast iron gutters.
- For planning gain, all existing rooflights (2 no.) will be changed to cast iron conservation metal rooflights and a single proposed rooflight has been reduced in scale (as a reasonable compromise) also being of a conservation metal type.
- New lintels will be in stone to match the building and the proposed door has been revised to show a timber stable door together with other items to respect the agricultural nature of the building.

3.2 The above demonstrates a willingness to work alongside the LPA and that there is merit in re-purposing the existing building.

4.0 Justification – Need for Agricultural Workers Accommodation

- 4.1 This Section of the Statement discusses the justification and ‘need’ requirement for accommodation suited to an agricultural worker (through conversion and a modest extension of an existing building) in addition to that already submitted by the applicant’s agent as part of the original submission.
- 4.2 It will focus primarily on **Policy BL4 (Managers and Staff Accommodation), CO10 (Conversion of Existing Buildings in Open Countryside)** and **Strategic Policy C (Design)** which sets out various stipulations relating to the provision of essential accommodation and design criteria whereby:

Policy BL4 confirms:

Development of staff accommodation to meet the needs of an existing hotel, public house, hostel or permanent tourist facility will only be permitted where:

1. It can be demonstrated that it is essential to meet the needs of the existing business;
2. Suitable accommodation is not available on site or in the locality, or potentially available through the conversion of buildings within the curtilage of the existing development; and
3. There has been no recent loss of staff accommodation to other uses.

Where the above requirements are met, staff accommodation will only be permitted if the proposal is for:

- a) A small scale extension to form a self-contained annexe, or
- b) A non-permanent, small scale and unobtrusive lodge, chalet or log cabin within the curtilage of the existing business or facility.

The scale, height, form, position and design of the new development should not detract from the character and form of the original building or its setting in the landscape.

A condition will be placed on any permission to ensure that the accommodation cannot be sold off separately or occupied by persons not employed by the business.

For non-permanent accommodation there will also be a condition requiring its removal after use ceases. In the event that permanent accommodation is no longer required, a change of use to a local needs dwelling, holiday let or additional guest accommodation will be permitted.

Policy CO12 confirms:

Conversion of existing buildings in Open Countryside will only be permitted where:

1. The building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park;
2. The building is structurally sound and capable of conversion without substantial rebuilding, as demonstrated by a qualified structural engineer's report;
3. The building is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings;
4. The building has reasonable access to necessary infrastructure, services and facilities;
5. The proposal is of a high quality design that reflects the form and character of the building and provides for essential functional requirements without unacceptable harm to the fabric of the building or its setting. The design should retain existing external features which contribute significantly to the character of the building including original openings and roofing materials;
6. The proposed use does not lead to changes, for example, in the building's curtilage or in relation to any new vehicular access or parking area that would adversely affect the character and appearance of the building or the surrounding landscape;
7. The building is located within an existing group of buildings that have a close physical and visual relationship to each other; and
8. The proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings. The proposed use should be the optimum viable use consistent with the building's conservation and the requirements of Policy ENV11 Historic Settlements and Built Heritage must also be met.

New uses for rural buildings that may be permitted under this policy are (amongst others):

- e. Purposes incidental to the residential use of the dwelling, including residential annexes, where the building is located within the immediate curtilage of an existing dwelling. The requirements of Policy CO18 should also be met.

Strategic Policy C confirms:

To maintain and enhance the distinctive character of the National Park, development will be supported where:

1. The proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide;

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2. The proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular;
 3. The siting, orientation, layout and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality;
 4. The scale, height, massing and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers;
 5. Sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources;
 6. A good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity and makes use of appropriate native species forms an integral part of the proposal;
 7. Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;
 8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;
 9. Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way; and
 10. The proposal ensures the creation of an accessible, safe and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.
- 4.3 It is confirmed that the need for accommodation cannot be met through the re-use or alteration of an existing building. It is a genuine request to allow a farm worker (or family member) to occupy the accommodation to assist with the daily running of the farm for labour intensive reasons, together with safeguarding the farms existence now and in the future.
- 4.4 None of the other buildings on the site are suitable as they are either modern farm buildings (where Class Q is not applicable).

- 4.5 Other traditional curtilage listed buildings on the east side of the yard, (opposite the farmhouse), are not within the applicant's ownership. They were retained with the original Foulsyke House (recently extended/linked to an outbuilding for domestic use).
- 4.6 As demonstrated in the imagery below, the building the subject of this application is sited in between the existing farmhouse and the modern farm buildings albeit close to the farmyard and operational area. Essentially, it is a good location to accommodate a person working on the farm.
- 4.7 The whole of the western side of the farm is set aside for cattle housing, feed areas, external machinery store, bale/fodder storage and silage clamp. This entire section of the farm is far less suitable for residential use.
- 4.8 The eastern section of the farm contains the quieter area around the main house which currently supports the entire unit.

Aerial view of Foulsyke Farm, Fylingdales

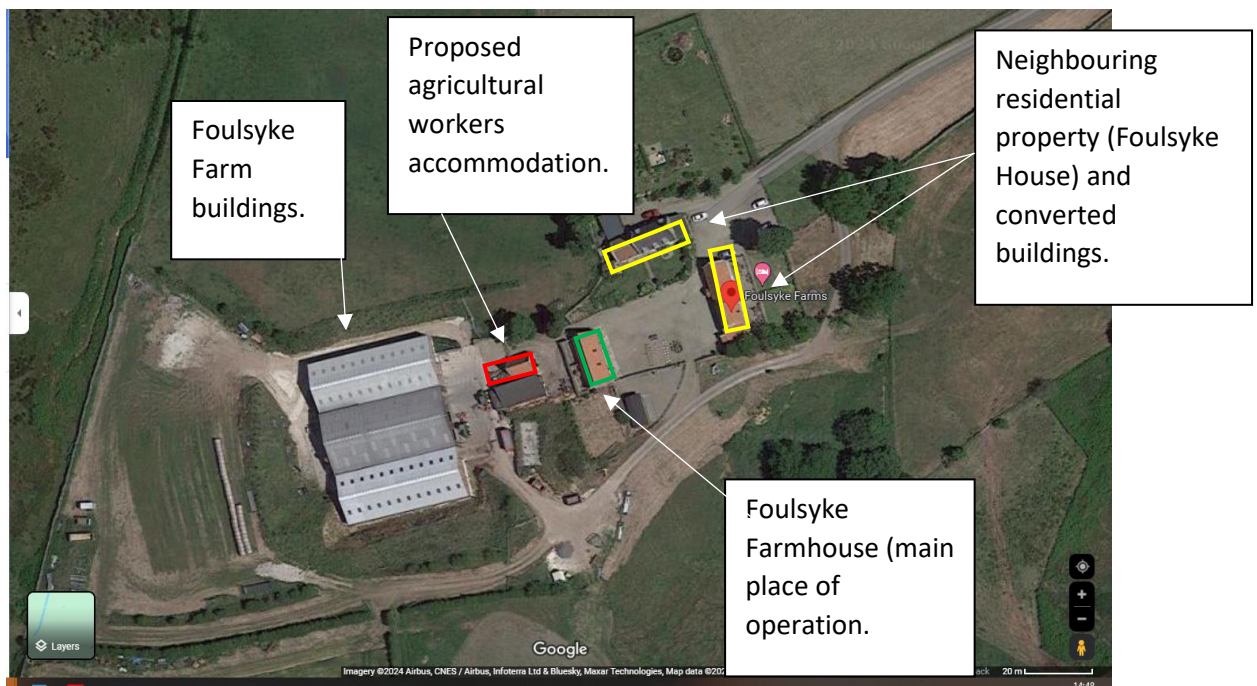


Fig 1. – Foulsyke Farm, Fylingdales – Building allocations. Source: Google imagery:
<https://www.google.co.uk/maps/place/Foulsyke+Farms/@54.4087978,-0.5959865,217m/data=!3m1!1e3!4m6!3m5!1s0x487f3d7533ca5f25:0x1e49cceb89916c2!8m2!3d54.4088123!4d-0.5942429!16s%2Fg%2F1tm12541?entry=ttu0x487f1817a6c146e9:0x85ef8056fc00f084!8m2!3d54.452822!4d-0.646394!16s%2Fg%2F11cn3gh61r?entry=ttu> – for illustrative purposes only.

System of Management (operational farm cycle)

4.9 The farm is approximately 300 acres and is farm assured. It is a hillside farm which is labour intensive due to the topography and condition of the land. The following activities take place:

- Rearing 40 + suckler cows and calves.
- Looking after 200 head of cattle (20mths to 2 yrs).
- Cows are inside for up to 6 mths (Oct – end Apr) and outside for the remaining 6 mths.
- The cows spend 2 summers before leaving the farm as finishers.
- All followers remain on the farm.
- The farm retains 2 bulls.
- Silaging fields for winter feed during the summer months – this is a highly labour intensive operation - outside contractors are not used for this.
- 60 acres of corn is grown and harvested.
- Straw is baled for use on the farm.
- Other tasks throughout the year include: - haymaking, reseeding, routine maintenance such as fencing, machinery repairs and building upkeep and over 20 hours per week of office work and administration, all of the above is dealt with in-house.

Farm labour requirement

4.10 Mr and Mrs Roche are both full time workers at the farm although Mr Roche is suffering through ill health and neither Mr or Mrs Roche can manage the farm business alone.

Justification in more detail

- 4.11 The family have farmed on the North York Moors for many generations. Mr and Mrs Roche have been farming successfully for many years. The farm has expanded gradually under their stewardship, as well as increasing the size of their suckler herd enterprise. The holding is founded on a reasonable sound financial basis and has a clear prospect of remaining so for the foreseeable future providing help is on hand.
- 4.12 The applicant has demonstrated, through a process of elimination, whether any other accommodation, which may be thought a potential solution, is suitable and/or available both at the farm and in the locality. No viable alternative has been found on the farm or in the locality due to the lack of available housing in the local area.
- 4.13 It further established that where there is an existing farmhouse which is occupied, it cannot be reasonably considered available. Even though it is the home of the applicant, it would not be reasonable to expect the existing occupants of Fouslyke Farm to quit a family home where they currently reside. The applicant has other children, with families who regularly visit and the farmhouse is used for babysitting and social purposes.

- 4.14 In this instance, there is a clear functional requirement for a farm worker/annexe (for a family member) to live on the site and to assist with the day to day running of the farm. It is not reasonable for the applicants to quit the farm to make room for them. Nor is it reasonable for Mr and Mrs Roche to share a home with an employee/farm worker.
- 4.15 As presented there is no existing accommodation or potential accommodation on site which could reasonably provide a home for them.
- 4.16 As indicated, a clear and genuine need has been established for agricultural worker's accommodation and where there is a building available for part conversion, part extension it is appropriate for someone to live at the site on account of the labour intensity at the farm (as described above).
- 4.17 As the use of the accommodation is really only fit for a person working in agriculture (due to its position) at the farm it makes sense that it is sought on this basis.
- 4.18 The NPPF simply stipulates, at paragraph 84, that whilst isolated homes in the countryside should be avoided, an exception can be made where 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.
- 4.19 With this information it is fair to say, that Foulsyke Farm requires a minimum of 2 full time employees, together with additional part time employees or by others for example at silaging time and for day to day maintenance such as fencing work (which is labour intensive) given the terrain of the hillside.
- 4.20 Operations at Foulsyke Farm require a constant on-site presence. For example, the suckler herd require careful supervision and regular inspection throughout the year, plus additional supervision during calving.
- 4.21 The farm, as previously set out, operates one of the very few remaining suckler herds in the Whitby area and breeds their own pedigree heifer replacements. Young cattle require particular care and attention as they come onto the farm, including regular checking to ensure biosecurity and to identify and treat any potential infections at an early stage.
- 4.22 Failure to swiftly identify and treat an infection could result in all of the livestock on the farm becoming infected, leading to a catastrophic loss. Automatic feed systems are not in place and therefore the welfare of the livestock must be checked and maintained and any interruption to them must be addressed swiftly.
- 4.23 In a unit of this type, high levels of livestock husbandry are essential – only by being among the livestock regularly can spot signs of infection, injury and general malaise be identified and dealt with quickly.
- 4.24 In the event of an emergency such as fire, storm damage or flood damage, staff must be available to ensure the safety of the stock and the ongoing viability of the business.

- 4.25 As the above short summary demonstrates, there is a clear functional requirement for additional accommodation in the event of health and well-being and to have a constant on-site presence, alongside the applicants.
- 4.26 The proposed accommodation will be used only in connection with the enterprise and through criteria 1 – 3 of **Policy BL4** that being:
- It can be demonstrated that it is essential to meet the needs of the existing business;
 - Suitable accommodation is not available on site or in the locality, or potentially available through the conversion of buildings within the curtilage of the existing development; and
 - There has been no recent loss of staff accommodation to other uses.
- 4.28 In addition, the revised design and down scaling of the accommodation demonstrates that scheme is aligned with the planning policies, which is commensurate with the functional requirements of the farm, whilst still providing a reasonable size of accommodation including a farm office (essential to needs of the farm). The floorplans submitted demonstrate the modest, yet functional and comfortable accommodation that can be achieved on the site through re-purposing an existing (partially converted) building.

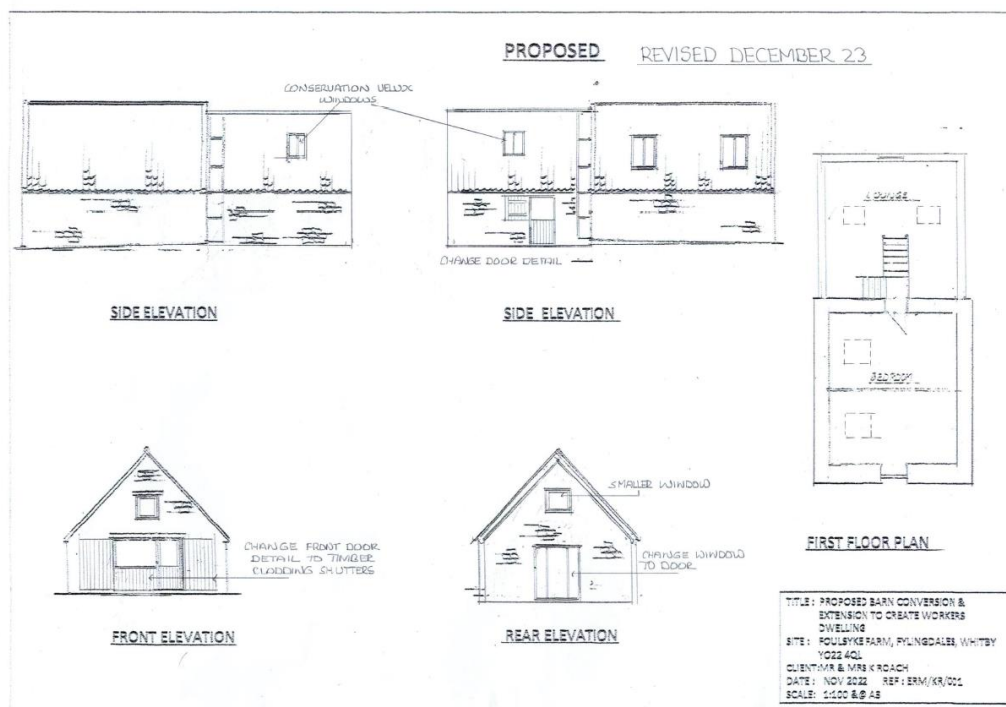


Fig 2. – Plans for re-use of a traditional (curtilage listed) building.



Fig 3. - Rear/side elevation of building to be re-purposed.

5.0 Conclusion

- 5.1 As this proposal is for accommodation to support an existing rural enterprise, the principle of development relies on the requirement for and justification of such accommodation in compliance with **Policy BL4** (Managers and Staff Accommodation).
- 5.2 Compliance with this policy has been demonstrated on the previous pages. This analysis also has regard for the Officers advice (see letter attached dated 27 November 2023). NYM\2022\ENQ\18964).
- 5.3 The advice was that the LPA may be able to accept a modest extension in order to provide agricultural workers accommodation, providing a case can be put forward to demonstrate that there is an essential 'need' for accommodation on site for an agricultural worker.
- 5.4 The applicant has provided more information about the existing buildings on the holding, and the possibility of re-purposing an existing building on the site where there is no objection (as such) from the Building Conservation team.
- 5.5 The above analysis demonstrates there are no existing properties/buildings which could reasonably be made available, nor any existing building suitable for managers/annexe accommodation to support the farm.

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