



**Draft Rural Workers' Dwellings
Supplementary Planning Document (SPD)**

Consultation Statement – December 2021

Introduction

1. Craven District Council has prepared a draft Supplementary Planning Document (SPD) in relation to Rural Workers' Dwellings which provides further guidance on the delivery of this type of housing in the Craven Local Plan area. In accordance with the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and NPPF definitions of SPD's, it adds further detail to help explain the objectives relating to the following policies of the Craven Local Plan (Nov 2019) and, once adopted, forms a material consideration in the determination of relevant planning applications:

- Policy EC3: Rural Economy
- Policy SD1: Presumption in favour of sustainable development
- Policy SD2: Meeting the Challenge of Climate Change
- Policy SP4: Spatial strategy and housing growth.
- Policy ENV1: Countryside and Landscape
- Policy ENV2: Heritage
- Policy ENV3: Good Design

Purpose of the Consultation Statement

2. Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that, before adopting a Supplementary Planning Document, Local Planning Authorities (LPA) should prepare a Consultation Statement. This should include the following information:

- (i) The persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) A summary of the main issues raised by those persons; and
- (iii) How those issues have been addressed in the supplementary planning document.

Regulation 12(b) requires both the consultation statement and the SPD to be made available for the purpose of seeking representations on a draft SPD.

Public Consultation

3. In line with Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Council's [Statement of Community Involvement](#) (SCI) 2018, draft SPDs are subject to two rounds of public consultation. Regulation 12 requires LPAs to invite comments on a draft SPD during a period of public participation. Regulation 13 then requires LPAs to invite representations on a draft SPD over a period of not less than four weeks.

4. The first public consultation on the draft Rural Workers' Dwellings SPD ran for a period of four weeks from Monday 13th September until Monday 11 October 2021. The first draft SPD was published on the Council's website and comments were invited to be submitted in writing, no later than Monday 11th October 2021 either by post or email.

5. Following this first round of public consultation, representations are invited on a second draft of this SPD over a four-week period from 4th January to 1st February 2022, in line with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
6. The Council has developed a comprehensive local plan consultation database which includes specific and general bodies and individuals for consultation purposes. The [Subscriptions](http://www.cravenc.gov.uk/planning/spatial-planning/subscriptions/) web page (www.cravenc.gov.uk/planning/spatial-planning/subscriptions/) on the Council's website allows individuals and organisations to submit their details and be entered onto the local plan consultation database, via Mailchimp at any time. All contacts within the local plan consultee database were notified of the draft Rural Workers' Dwellings SPD consultation by either postal or electronic mailshot. Consultees include:
 - Specific Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations, including Town and Parish Councils
 - General Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations.
 - Individuals that have subscribed to receive details of spatial planning consultations.
7. A press release was issued by the Council on 10th September 2021. This was subsequently published in the Craven Herald & Pioneer newspaper on Thursday 16th September 2021. The consultation was also promoted on social media (Twitter and Facebook). A copy of the press release is included at Appendix 1 to this report.

What issues were raised & How have they been addressed?

8. A total of 9 representations were received to the public consultation. Table 1 below sets out who submitted the response, a summary of the main issues raised, the Council's response and how the issues raised have been addressed in the SPD together with details of any changes to the SPD, where appropriate.

Table 1: Summary of the issues raised by respondents, the Council's response and recommended changes to the SPD

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
Marine Management Organisation	Standard advice regarding marine licensing, marine planning and minerals and waste plans and local aggregate assessments.	The standard advice is noted. No change to SPD required.
Canal and Rivers Trust	Based on the information available the Trust has no comments to make on the draft document.	'No comments' response is noted. No change to SPD required.
North Yorkshire Police	Support for the draft SPD which adequately covers the topic of Designing Out Crime. The draft SPD makes reference to the draft Good Design Guide, which contains a specific section on designing out crime and confirms that this document will be used to appraise any applications for these types of dwellings. It also notes that relevant applications should be accompanied by a Design & Access Statement which should contain details of how the scheme looks to design out crime,	Positive response noted. No change to SPD required.
Coal Authority	Note that this consultation relates to the draft Rural Workers Dwellings SPD, therefore confirm that the Planning team at the Coal Authority has no specific comments to make on this document.	'No comments' response is noted. No change to SPD required.
Yorkshire Wildlife Trust	<p>It is essential that any conversions are undertaken sympathetically, in order to ensure that they can continue to be used by wildlife post conversion. If impacts on wildlife are identified, the mitigation hierarchy will apply, where impacts are firstly avoided, before mitigation and compensation are applied. Licences from Natural England may be necessary should impacts to bat roosts be unavoidable.</p> <p>The potential impact of light pollution of building conversions on nocturnal wildlife should also be taken into consideration in the planning decision making process.</p>	<p>The draft SPD deals primarily with providing advice to interested parties about how to ensure an application for a rural worker's dwelling is functionally and financially justified (as set out in local plan policy EC3 (d) and the PPG).</p> <p>The draft SPD also provides further detail on how applications for rural workers' dwellings can comply with policies ENV1: Countryside and Landscape, ENV2: Heritage and ENV3: Design, but does not preclude the need for applicants to fully consider and comply with all other relevant local plan policies.</p> <p>With regards to the concerns set out in the representation, applicants would need to have regard to ENV4: Biodiversity, criterion a) iii), which aims to avoid the loss of, and encourage the recovery or enhancement of ecological networks, habitats and species. As such if wildlife is identified at a proposed site, the Council will ensure that the</p>

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		<p>necessary and appropriate surveys are undertaken and where necessary, the mitigation hierarchy is suitably applied.</p> <p>Applicants would also need to consider the effects of any potential light pollution which may arise from the development, and mitigate accordingly, in accordance with ENV1: Countryside and Landscape, criterion f).</p> <p>Therefore, the application of relevant adopted local plan policies to proposals for rural workers' dwellings would take into account issues such as impact on wildlife and light pollution where appropriate. It is not the role of this SPD to provide further guidance on these specific policy areas, but to provide guidance on the principle policy of EC3: Rural Economy.</p> <p>No change to SPD required.</p>
Strategic Housing, CDC	<p>Planning restrictions: SPD doesn't discuss what would happen once an occupancy restriction is removed. Possibility that the home would then be entirely unrestricted and be vulnerable to sale on the open market.</p> <p>Request that the SPD introduces a secondary restriction, to apply if the rural worker restriction were to be removed, to offer the opportunity for the home to be used to meet some other local housing need (before it could be sold on the open market).</p>	<p>Planning restrictions: The draft SPD provides information from paragraphs 3.9.0 to 3.10.2 which reflects existing DM processes regarding applying and removing occupancy restrictions where a justified case has been presented by the applicant.</p> <p>These processes recommend that appropriate marketing of these types of properties should be carried out over a 12-month period in the local area (6 months within the existing and adjoining parish and, if the property has not sold, a further 6 months in the wider local planning authority area). If DM are satisfied that, following this extensive marketing process, a suitable buyer cannot be found, then it can be justified in removing the occupancy condition. This is standard practice across local planning authorities.</p> <p>Imposing a secondary restriction were the first restriction to be removed, to offer the redundant rural worker's dwelling to people in other types of local housing need, would have to be justified by a parent policy in the local plan. Information provided in an SPD can only be based on, and supplement current policy requirements and current DM practise. New policy requirements cannot be introduced via an SPD.</p>

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	<p>Size: The SPD argues that the size of the home should be “appropriate...to ensure continued affordability” (paragraph 2.8.3). However, the SPD does not quantify this size. Suggest that an upper size limit be explicitly set out in the SPD to ensure that rural workers' dwellings are not disproportionately large.</p>	<p>No change to SPD required.</p> <p>Size: Similarly, an upper size limit for rural workers' dwellings could not be explicitly set out in the SPD as it would require a parent policy 'hook' in the local plan, of which there currently is none. As noted above, SPD cannot introduce new policy requirements.</p> <p>No change to SPD required.</p>
Rural Solutions	<p>Principle of Rural Worker's Dwellings: Support for replacement or new build dwellings for rural worker “at or near” the location of the rural enterprise (paragraph 2.3.1). Allows for the dwelling constructed to be appropriate to the individual and nature of rural enterprise.</p> <p>Defining Functional 'Need': Scope of acceptable rural business remains limited (paragraphs 2.4.1 and 2.4.2). In order to best comply with Paragraphs 84 and 85 of the National Planning Policy Framework, request proactive and positive guidance as to how 'non essential' rural worker dwellings would be delivered. Such would support rural diversification and more viable land uses in rural areas.</p> <p>Defining Financial 'Need': Paragraph 2.5.1 states that the financial need for a Rural Worker's Dwelling is to be assessed by: <ul style="list-style-type: none"> • “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;” <p>Not all rural workers and rural enterprises are farms and associated farm workers. Suggest that the policy guidance refers to rural businesses in a</p> </p>	<p>Principle of Rural Workers' Dwellings: Support is noted with regards to the SPD's statement that these types of development should be “at or near” the location of the rural enterprise, and that they may be replacement dwellings or new build.</p> <p>No change to SPD required.</p> <p>Defining Functional Need: Paragraphs 84 and 85 in the NPPF sets out support for proposals which meet local business and community needs in rural areas. Local plan policy EC3: Rural Economy is considered to conform to the NPPF in this respect by requiring a rural workers' dwelling to be justified on functional and financial grounds. Proposals for dwellings in the open countryside that are not considered essential for rural workers will be assessed against local plan policy SP4, specifically part K of that policy which sets out limited circumstances within which such dwellings would be allowed.</p> <p>No change to SPD required.</p> <p>Defining Financial Need: The quote at paragraph 2.5.1 in the SPD is taken directly from national Planning Policy Guidance (PPG). As such it cannot be altered by this SPD. Criterion d) of policy EC3 enables farm, forestry and other land based businesses to build the new and replacement buildings needed where they are fully justified on functional and financial grounds. Paragraph 1.2.1 the SPD defines a rural worker's dwelling as “<i>a new build dwelling, or one created by replacing an existing building, that is needed to house a rural worker associated with farm, forestry and other land-based businesses. The term 'land-based businesses' relates to</i></p>

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	<p>broader sense, instead of farm businesses.</p> <p>Paragraph 2.5.2 requires a detailed business plan to be submitted to demonstrate future financial viability. Agree with the base premise, but request that clearer guidance is set out as to the threshold of viability to make it simpler to discern development viability at an earlier stage.</p> <p>Design Considerations: Support for paragraphs 2.6.1- 2.8.0 which emphasise the importance of rural worker dwelling's minimising impacts on rural areas- namely in visual impacts, heritage impacts and design considerations.</p> <p>Paragraph 2.8.3 states that temporary dwellings should be complementary to the design of any existing dwellings to minimise visual impacts. These residences (such as caravans and cabins) are usually modular in design, and thus have little capacity for design modifications. Object to this requirement due to it's potential to render temporary accommodation unviable to act as accommodation for a rural worker.</p>	<p><i>farming and industries connected to the land and environment, including horticulture, food production, conservation, landscaping and equine uses. Within this SPD farm, forestry and land-based businesses are collectively referred to as 'a rural enterprise'.</i></p> <p>The draft SPD provides further guidance to policy EC3 in defining what is meant by a rural workers' dwellings, which is a new dwelling that is needed to house a rural worker associated with farm, forestry and land based businesses. It is considered, therefore that policy EC3 and the SPD does relate to rural businesses/enterprises in the broader sense and is not just restricted to farm businesses.</p> <p>No change to SPD required.</p> <p>Setting a threshold of viability would be difficult for these types of applications as it cannot be standardised. Viability will be different for different size rural enterprises as well as the type of rural business. A standardised threshold would not therefore cater for all situations.</p> <p>No change to SPD required.</p> <p>Design Considerations: Support is noted for the design considerations at paras 2.6.1 – 2.8.0 in the SPD.</p> <p>With regards to paragraph 2.8.3, the text refers to criterion b) of policy ENV3 and states that "<i>the scale, height and massing of the rural worker's dwelling should respect the setting and be complimentary to the existing, surrounding buildings</i>". This criterion does not deal with the physical design of such dwellings. The intention of the criterion b) (which is expanded on in paragraph 2.8.3 of the SPD) is to ensure that overly large and obtrusive new builds (either permanent or temporary) are avoided, and that new builds should fit in, in terms of their scale, height and massing, with the surrounding built form. Paragraph 2.8.3 does not state that temporary dwellings should be complementary to the design of any existing dwellings to minimise visual impacts. It does state that 'any new or temporary dwelling should be visually as well as functionally related to the main rural</p>

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	<p>Occupancy Restrictions: Agree with paragraphs 3.2.1 - 3.10.2, bar paragraph 3.9.3.</p> <p>Object to points made in paragraph 3.9.3 regarding application of occupancy conditions on all other existing dwellings at the rural enterprise to ensure they are not able to be severed from the rural enterprise for which an operational need has been identified. No justification for such an excessive measure in local or national planning policy.</p> <p>Permitted Development Rights: Object to paragraph 3.11.1 regarding removal of Permitted Development Rights to ensure a rural worker dwelling will remain an "appropriate size which would contribute towards continued affordability." No local or national policy justification, and no clear explanation of when Permitted Development Rights would be removed.</p> <p>This approach would prevent the 'reasonable expansion' of a rural worker's home to accommodate a growing family. The existing occupancy condition would ensure the dwelling remains affordable to a rural worker, due to being occupied by such an individual.</p>	<p>enterprise's buildings'. As the full representation rightly points out, temporary accommodation for rural workers can often be in the form of caravans, and as these are usually modest in size, they should comply with ENV3 b) in terms of their 'scale, height and massing'.</p> <p>No change to SPD required.</p> <p>Occupancy restrictions: Support is noted for paragraphs 3.2.1 - 3.10.2 (barring paragraph 3.9.3).</p> <p>Paragraph 3.9.3 is clear that the LPA <u>may</u> additionally impose occupancy restrictions on all other existing dwellings at the rural enterprise <u>if</u> the rural workers' dwelling is not the sole dwelling on the rural enterprise. (emphasis added).</p> <p>The LPA does not therefore apply occupancy restrictions to all rural workers' dwellings, rather they are applied on a case by case basis and any new rural worker's dwelling is assessed on the basis of what is the existing position at the rural enterprise in question. The SPD sets out that there should be adequate justification for a rural worker's dwelling and any existing dwellings must be taken into consideration before that justification can be made.</p> <p>No change to SPD required.</p> <p>Permitted Development Rights: Paragraph 3.11.1 states that once a rural worker's dwelling has been granted planning permission, it <u>may</u> be necessary to remove permitted development rights (emphasis added). The aim of this approach is to ensure they remain an appropriate size which would contribute towards continued affordability. The draft SPD does not state that PD rights will be removed in all cases. Paragraph 3.11.2 states that the Council will consider the removal of such permitted development rights on a case by case basis.</p> <p>In cases where PD rights have been removed from a rural workers' dwelling, it may be useful for the SPD to set out the basis on which further extensions may be allowed to rural workers' dwellings. This may be in cases where it has been</p>

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	<p>Agricultural Dwelling Supplementary Information form: Support for provision, at Appendix 1, of the Agricultural Dwelling Supplementary Information Form. Form is suitably stringent for discerning whether a dwelling is needed for an agricultural worker.</p> <p>Request further guidance on the forms to be used for non-agricultural rural businesses which provide reassurance that these businesses would be given due consideration in facilitating rural worker dwellings.</p>	<p>demonstrated that there was a functional need for the rural worker's dwelling to be extended to ensure the dwelling could continue to effectively be used as such into the long-term.</p> <p>Change to SPD as follows: Add the following text as a new paragraph at 3.11.3:</p> <p>"3.11.1 Once a rural worker's dwelling has been granted planning permission, i.e. it has been functionally and financially justified through the planning application process, it may be necessary to remove permitted development rights. As the purpose of these dwellings is to house a rural worker in perpetuity, the removal of permitted development rights would ensure they remain an appropriate size which would contribute towards continued affordability.</p> <p>3.11.2 The Council will consider the removal of such permitted development rights on a case by case basis.</p> <p>3.11.3 Where permitted development rights are removed, any future extensions to a rural worker's dwelling will only be considered to be acceptable where it has been demonstrated that there is a functional need for the rural worker's dwelling to be extended to ensure the dwelling can continue to effectively be used as such into the long-term."</p> <p>Agricultural Dwelling Supplementary Information form: Support is noted for the Agricultural Dwelling Supplementary Information form set out at Appendix 1. This form is currently part of the local list of validation requirements set out by the LPA.</p> <p>No change to SPD required.</p> <p>Appendix 2 of the draft SPD sets out a stepped approach to preparing and submitting a planning application for a rural worker's dwelling, including listing supporting documents which are commonly required to accompany the application. The Agricultural Dwelling Supplementary Information form is included in this list.</p>

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		<p>Appendix 2 also states that <i>'For other rural dwellings, it is highly desirable that information is provided in response to questions 5 to 10 of the ADSIF (see paras 3.3.8 to 3.3.11 of the SPD).'</i> Therefore, the SPD encourages that similar information is provided when rural workers' dwellings are proposed that are associated with other rural enterprises, as set out in the definition of rural workers' dwellings provided in para 1.2.1 of the draft SPD.</p> <p>It is relevant to note that the LPA has recently consulted on its local list of validation requirements. It would have been suitable for the representor to request similar forms for rural workers' dwellings connected with other rural enterprises via that consultation process.</p> <p>The SPD sets out at the end of Appendix 2 that <i>'The local validation requirements referred to in this SPD were published by the Council on 1st September 2020. It should be noted that the Council has a requirement to review local validation lists at least every two years, therefore users of this SPD should refer to the most up to date local validation requirements published on the Council's website at https://www.cravendc.gov.uk/planning/planning-applications-and-notifications/national-and-local-planning-validation-requirements/local-information-requirements/</i></p> <p>No change to SPD required.</p>
CPRE North Yorkshire	Support for SPD which explains the relevant policies, enabling both the public and potential developers to understand the Council's intentions of how the policies should work.	<p>Positive response noted.</p> <p>No change to SPD required.</p>
Historic England	Unable to respond to the consultation on this occasion.	<p>'Unable to respond' comment is noted.</p> <p>No change to SPD required.</p>

Craven Herald Press Release – 16th September 2021

