

Rural Workers' Dwellings in Craven Supplementary Planning Document

Revised Draft for Consultation

PREFACE

This is the Council's Consultation Draft Supplementary Planning Document (SPD) on Rural Workers' Dwellings in Craven. This SPD provides further detail to those policies of the adopted Craven Local Plan which relate to applications for rural workers' dwellings, built for farm, forestry, and other land-based businesses. It cannot and does not introduce any new policy requirements, rather it provides additional guidance to help applicants understand how it is possible for proposed development to satisfy relevant adopted plan policies SD1, SD2, SP4, EC3, ENV1, ENV2 and ENV3 of the Craven Local Plan. Proposals will also be assessed against all other local plan policies that are relevant to the proposal.

The SPD is intended to help applicants when submitting a planning application for a rural worker's dwelling by outlining what documents and information should be provided with their planning application. Part Two of the SPD explains how proposed development can satisfy these policies. Part Three of the SPD is designed to assist applicants in preparing planning applications for rural workers' dwellings in the Craven Local Plan area, emphasising the importance of early pre-application discussions with the Council. Following the guidance set out in Part Three of the SPD will ensure that the planning application is valid, which will prevent delays in the decision-making process. It should be noted, however, that following the procedure set out in Part Three of this SPD does not guarantee that an application will achieve planning permission. Each application will be determined according to its individual merits and on a case by case basis.

The SPD will also be useful to the people reviewing and commenting on the planning application, including members of the public, Statutory Consultees, Council Members and the Council's Development Management Team. The information contained within the SPD will help commentators and decision makers assess the planning application and decide whether or not it complies with both local and national planning policy.

CONTENTS

PART ONE: CONTEXT

	Page
1.1.0 Introduction	5
1.2.0 Definition of a Rural Workers Dwelling	6
1.3.0 Preparing, submitting and front loading of planning applications	6
1.4.0 Public Consultation, <u>document format and status</u>	6
1.5.0 The <u>relationship between the Craven Local Plan, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) Climate Emergency Strategic Plan</u>	8

PART TWO: CONFORMING WITH RELEVANT POLICIES OF THE CRAVEN LOCAL PLAN

2.1.0 Conforming with relevant policies of the Craven Local Plan	9
2.2.0 Dwellings in the open countryside (Policy SP4 criterion K (a))	9
2.3.0 Provision of rural workers' dwellings (Policy EC3 criterion d)	9
2.4.0 Functional grounds to justify rural workers' dwellings (Policy EC3 criterion d)	10

2.5.0	Financial grounds to justify rural workers' dwellings (Policy EC3 criterion d)	11
2.6.0	Impact of Rural Workers' Dwellings on the Countryside (Policy ENV1)	11
2.7.0	Heritage Considerations (Policy ENV2)	12
2.8.0	Design Considerations (Policy ENV3)	12
 PART THREE: PREPARING AND SUBMITTING PLANNING APPLICATIONS		
3.1.0	Preparing and submitting planning applications	14
3.2.0	Step 1 – Pre-application discussions	14
3.3.0	Step 2 – Providing justification for rural workers' dwellings (Policy SP4 K a) and EC3 d))	14
3.4.0	Step 3 – Safeguarding the character of the open countryside (Policies ENV1& ENV3)	16
3.5.0	Step 4 – Taking heritage and archaeological considerations into account (Policy ENV2)	17
3.6.0	Step 5 – Ensuring the appropriate scaling and size of a rural workers' dwelling (Policies ENV1 & ENV3)	17
3.7.0	Step 6 – Design and Construction (Policy ENV3)	17
3.8.0	Conclusions on Steps 1 - 6	18

3.9.0	Occupancy conditions, legal agreements and planning obligations	19
3.10.0	Applications to vary or remove occupancy conditions	19
3.11.0	Removal of permitted development rights for rural workers' dwellings	20

APPENDICES

<u>A</u>	<u>Text of Policy EC3: Rural Economy, Craven Local Plan</u>	<u>21</u>
4 <u>B</u>	Agricultural Dwelling Supplementary Information form	21 <u>22</u>
2 <u>C</u>	List of Supporting Documents to be submitted with an application for a Rural Worker's Dwelling	23 <u>24</u>

PART ONE: CONTEXT

1.1.0 Introduction

~~1.1.1 The Town & Country Planning (Local Planning) (England) Regulations 2012 defines a supplementary planning document (SPD) as a document within Regulation 5 of the Regulations which is not a local plan, an adopted policies map, or a statement of community involvement. Effectively, this means that a (SPD) will be a document prepared by a local planning authority which contains statements regarding environmental, social, design, or economic objectives that are relevant to the attainment of the development and use of land which is already encouraged by the policies of the local plan, with the proviso that those statements must not be statements which are required to be made in a local plan.~~

~~1.1.12 Development management policies which are intended to guide the determination of applications for planning permission are matters for a local plan, and new statements on those matters (including the imposition of additional requirements) cannot be included in a SPD. However, a SPD can reiterate existing local plan policies and can give additional guidance to explain both the objectives which the policies are seeking to achieve and how it may be possible for proposed developments to satisfy those policies. The glossary Supplementary Planning Documents (SPDs) are described in the glossary of the [National Planning Policy Framework \(NPPF\)](#) describes SPDs as:~~

“Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”

~~1.1.23 This SPD provides further guidance on the delivery of rural workers’ dwellings in the Craven Local Plan area. It cannot and does not introduce any new policy requirements. Rather, in accordance with the above legal and [NPPF](#) definitions of SPDs, it adds further detail to help explain the objectives relating to the [Craven Local Plan](#) (November 2019) policies listed below and provides information to assist applicants to meet the requirements of each relevant policy criteria. This information is set out in Part 2 of this SPD. ~~The SPD also sets out ways in which applicants can seek to show (both pre-application and as part of their application) Part 3 provides guidance for applicants in preparing their planning applications that their proposals for rural workers’ dwellings. are able to satisfy these policies:~~~~

~~1.1.3 The plan policies referred to in this SPD are:~~

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

- Policy ENV3: Good Design

1.2.0 Definition of a Rural Workers Dwelling

- 1.2.1 Policy EC3: Rural Economy, criterion (d) *'enables farm, forestry and other land based businesses to build the new and replacement buildings and infrastructure they need to function efficiently, including dwellings where they are fully justified on functional and financial grounds'*. A rural worker's dwelling is therefore 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 (this definition excludes the conversion of buildings to dwellings). The term 'land-based businesses' relates to 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'.

1.3.0 Preparing, submitting and front loading of planning applications

- 1.3.1 In accordance with Policy SD1 of the Craven Local Plan and paragraphs 11 and 39-46 of the [NPPF](#), the Council will take a proactive approach and will work cooperatively with people and organisations wishing to carry out development and applying for planning permission, to find solutions to secure sustainable development that meets the relevant plan policies and be approved wherever possible. Solutions to secure sustainable development for Craven, including contributing to the implementation of the Council's Climate Emergency Strategic Plan 2020 to 2030 through the policies of the local plan, and the efficient processing of planning applications, can be achieved through early pre-application engagement with the Council. This is called the process of 'front loading' and is strongly encouraged by the NPPF at paragraphs 39 to 46. (Further guidance on this process is set out in Part 3 of this SPD).

- ~~1.3.2 Part three of this SPD, 'Preparing and submitting planning applications' explains how this front loading can best take place. Part three is also a useful starting point for potential applicants as it also provides signposting back to those policy criteria set out in part two which are relevant to the delivery of rural workers' dwellings within the plan area. Pre-application information relating to the matters identified in the policies is likely to be required before a planning application is validated.~~

1.4.0 Public consultation, document format and status

- 1.4.1 This is a consultation draft SPD which is required under Regulation 12 and 13 of the Town & Country Planning (Local Planning) (England) Regulations 2021 (as amended). This The first draft of the SPD is currently was subject to a four-week period of public participation from Monday 13th September until Monday 11th October 2021. Comments submitted during the first period of public participation have been taken into account and amendments have been made to the draft SPD for the purposes of this second round of public consultation. These amendments, and other minor changes which have been made to ensure the draft SPD reflects the updated [NPPF 2021](#), reflects

the current stage of public consultation, and is consistent with the other draft SPDs that Council are currently preparing, are shown as follows:

- Where additions to the first consultation draft have been made the text is underlined.

- Where text has been deleted from the first consultation draft the text is crossed through.

1.4.2 ~~Following this period of public participation, r~~Representations will be are now invited on a second draft of this SPD over a four-week period ~~later in 2021~~ from 4th January to 1st February 2022. As required by regulation 12(a), a Consultation Statement ~~will be~~ has been prepared and published alongside ~~the~~ this second draft SPD which sets out the persons the authority has consulted when preparing the SPD, a summary of the main issues raised and how they have been addressed in the SPD.

1.4.23 ~~Following these two periods of public participation and inviting of representations on the draft SPD, comments and representations received will inform the final SPD, which will be presented to the Council's Policy Committee for adoption and confirmed by Council (if required). Once adopted, the SPD will be capable of being a material consideration. The policies of the local plan itself, which the SPD supports, will be used to guide the determination of planning applications. The SPD is intended to assist applicants in formulating their proposals so as to best achieve policy compliance but its contents do not amount to development management policies and cannot be treated as such.~~

1.4.34 A sustainability appraisal is not necessary for the preparation and approval of this SPD, which does not set the framework for decisions on planning applications. Sustainability appraisals have been undertaken for the local plan policies which this SPD supports. Strategic Environmental Assessment and Habitats Regulation Screening Reports are published alongside this second consultation draft SPD.

1.4.4 ~~In accordance with the provisions of the Strategic Environmental Assessment (SEA) Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the local authority must determine whether a SEA is not then required under Regulation 9(3) for a SPD. Therefore, a SEA screening report for the draft SPD will be prepared after the first period of public participation and published when representations are invited on the second draft SPD. The final screening report will be presented to Council Members for adoption.~~

1.4.5 ~~A Habitats Regulations Assessment (HRA) is required to determine whether a plan or project would have significant adverse effects upon the integrity of internationally designated sites of nature conservation importance (also known as Natura 2000 sites). The requirement for HRA is set out within the Habitats Directive 92/43/EEC and transposed into British law by Regulation 102 of the Conservation of Habitats and Species Regulations, 2010. A screening report can determine if a full HRA is required (i.e. an Appropriate~~

~~Assessment or further report, as necessary), which is prepared by the local authority. Hence, as with the SEA process, a HRA screening report for the draft SPD will be prepared after the first period of public participation and published when representations are invited on the second draft SPD. The final screening report will be presented to Council Members for adoption.~~

1.5.0 The relationship between the Craven Local Plan, the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Craven Climate Emergency Strategic Plan

1.5.1 The [Craven Local Plan](#) (hereafter referred to as 'the plan') was adopted on 12 November 2019. ~~Policy EC3: Rural Economy is the policy, which is the primary focus of this SPD, however other local plan policies will apply during the consideration of applications for rural workers' dwellings.~~

1.5.2 The preparation of the plan, and its examination, has been based on the provisions of the 2012 NPPF (paragraph 55), and the accompanying [planning practice guidance \(PPG\)](#). Therefore, policies SD1, SD2, SP4, EC3, ENV1, ENV2 and ENV3 reflect these provisions.

1.5.3 The most recently updated 2021 NPPF (para 79 80a) ~~and associated updates to the PPG (paragraph: 010 Reference ID: 67-010-20190722)~~ retains the same main policy approach to the delivery of rural workers' dwellings as the 2012 NPPF. Policy EC3 remains consistent with the latest version of the NPPF. ~~This is the need for the applicant to provide justification that 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 (as stated in the 2019 NPPF).~~

~~1.5.4 The Council, as local planning authority, is required by law to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. Applications for rural workers' dwellings will be assessed against key local plan policies, which are policies SD1, SD2, EC3, SP4, ENV1, ENV2 & ENV3 of the plan. Proposals will also be assessed against all other local plan policies and material considerations that are relevant to the proposal.~~

1.5.5~~4~~ In January 2020 the Council approved the Craven Climate Emergency Strategic Plan (CESP) 2020 to 2030 which seeks to act upon the Council's Climate Change Emergency Declaration adopted in August 2019 for the district to be carbon neutral by 2030. The CESP can be viewed at: <https://www.cravenc.gov.uk/media/9460/cdc-climate-emergency-strategic-plan-february-2020.pdf> and reinforces the existing policies of the local plan which address climate change and carbon reduction measures. It is capable of being considered as a material consideration in determining relevant planning applications and supports adopted local plan policy including SD2, ENV6, ENV7, ENV8 and ENV9 to reduce energy use, water use and carbon emissions, maximise the energy efficiency of development, and reduce the environmental impact of materials used in construction.

PART TWO: CONFORMING WITH RELEVANT POLICIES OF THE CRAVEN LOCAL PLAN

2.1.0 Part 2 provides further detail on how proposals for rural worker's dwellings can meet the requirements of relevant local plan policies. The policies listed below can be viewed in the [Craven Local Plan](#) (November 2019).

2.2.0 Dwellings in the open countryside (Policy SP4 criterion K (a))

2.2.1 Policy SP4 K (a) supports rural workers' dwellings in the open countryside, if they would meet an essential need for a rural worker to live permanently at or near their place of work in the countryside. This is guided by similar overarching national policy found in paragraph 79 80 (a) of the [NPPF 2021](#). Such rural workers' dwellings would be an exception to the local plan objective of strictly controlling new housing in the open countryside. Sections 2.3.0 and 2.4.0 below provide the applicant with information on what considerations the Council will take into account in determining whether an essential need exists.

2.3.0 Provision of rural workers' dwellings (Policy EC3 criterion d)

2.3.1 Policy EC3, criterion (d) contributes to the policy's aim of supporting the rural economy by "*enabling farm, forestry and other land-based businesses to build the new and replacement buildings and infrastructure they need to function efficiently, including dwellings where they are fully justified on functional and financial grounds*". As such applications will be supported in principle for a new dwelling to house a rural worker where it can be demonstrated that there is an essential operational need for the worker to be at or near the location of the rural enterprise, associated with farm, forestry and other land based businesses. Compelling evidence will be required to demonstrate that a rural worker can only carry out this essential operational need by living in close proximity to the rural enterprise. Criterion d) specifies that new rural workers' dwellings can be in the form of a new build or the replacement of an existing building at the rural enterprise.

2.3.2. Policy EC3 (d) requires rural workers' dwellings to be fully justified on functional and financial grounds and this is in accordance with paragraph 79 80 (a) of the [NPPF 2021](#). Considerations that may be relevant to take into account when applying paragraph 79 80 (a) of the [NPPF 2021](#) and Policy EC3 (d) of the Craven Local Plan are set out in the [PPG](#) (paragraph: 010 Reference ID: 67-010-20190722), and discussed in the sections below relating to functional and financial justification for a rural worker's dwelling.

2.3.3 New permanent dwellings may be permitted to support well established or new rural enterprises associated with farm, forestry and other land-based businesses. In respect to newly created rural enterprises it may be necessary to permit temporary accommodation prior to any new dwelling being built, until the long-term viability of the enterprise has been established. In both cases it will be important to establish whether the stated intentions to engage in farming, forestry or any other land-based rural enterprise are genuine, are reasonably likely to materialise, and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs

of the intended enterprise require one or more of the people engaged in it to live nearby.

2.4.0 Functional grounds to justify rural workers' dwellings (Policy EC3 criterion d)

2.4.1 Criterion (d) of policy EC3 requires new dwellings to be fully justified on functional grounds (see Appendix A for full policy text). The [NPPF](#) and [PPG](#) sets out the need for a functional test, which is necessary to establish whether a rural worker's dwelling is essential to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise. Applicants need to provide credible evidence based on the needs of the enterprise and the lack of suitable accommodation elsewhere within the locality. As such the test is not about ease, convenience or personal preference. Whilst it may be true that many activities can be carried out more conveniently if a worker lives on site, convenience does not constitute an essential need and will not therefore justify a need for a new dwelling.

2.4.2 The [PPG](#) (paragraph: 010 Reference ID: 67-010-20190722) sets out the following considerations that may be relevant when justifying the functional need for a rural worker's dwelling, as required by Policy EC3 (d):

- *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);*
- *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.*

2.4.3 Further information, based on the functional tests set out in the [NPPF](#) and [PPG](#), which may be important to provide in seeking to comply with Policy EC3 (d) is the establishment of whether:

- a) it is not possible for the rural enterprise to run effectively without having the worker living on site;
- b) no one undertaking the essential functional work already lives at the rural enterprise, or insufficient provision exists if there is a functional need for more than one worker;
- c) there is no dwelling available at the rural enterprise for occupation by the worker and there is no possibility of adapting a building at the rural enterprise; and

d) there is no suitable and available dwelling in a nearby village available for occupation by a worker who is required to provide the functionally essential service.

2.4.4 In assessing whether an enterprise requires one or more resident workers, consideration will be given (amongst other things) to the scale and nature of the enterprise, the potential for things to go wrong which would require attention unexpectedly or at short notice, the frequency of such events, the period of time over which a need may occur, and the accessibility and suitability of nearby accommodation.

2.5.0 Financial grounds to justify rural workers' dwellings (Policy EC3 criterion d)

2.5.1 Criterion (d) of policy EC3 also requires new dwellings to be fully justified on financial grounds (see Appendix A for full policy text). If a functional need has been established for a permanent rural worker's dwelling, the [PPG](#) (paragraph 010 Reference ID: 67-010-20190722) states that the following may be important to determine:

- *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;*

2.5.2 These are financial grounds which will allow the local planning authority to come to a judgement on the viability of the enterprise and the size of dwelling which the enterprise can sustain. Applicants are advised to submit a detailed business plan setting out budgets and projections and include evidence of a firm intention and ability to develop the enterprise. Evidence of the need for a rural worker's dwelling to ensure the viability of the business will form an important part of the business plan. The local planning authority will have to be satisfied that the on-going profitability of the enterprise is sufficient to sustain the worker living on the site, and be satisfied that the dwelling is of a size directly related to its function as a rural worker's dwelling, and will remain so in perpetuity. A Business Plan is highly likely to be a necessary part of demonstrating there are financial grounds which justify a rural worker's dwelling in conformity with Policy EC3 (d).

2.5.3 See Part 3 of this SPD which sets out the Council's validation requirements for proposals for rural worker's dwellings.

2.6.0 Impact of Rural Workers' Dwellings on the Countryside (Policy ENV1)

2.6.1 The Council is committed to ensuring the countryside's beauty and character are conserved and where possible enhanced through adopted local plan policy ENV1: Countryside and Landscape. Considerations regarding the impact of dwellings on the countryside set out in policy ENV1 apply to the building of rural worker's dwellings, as they would do to all other types of housing and all other development proposals. A decision maker would look to

policy ENV1 to ensure that a proposed new rural workers' dwelling conserves and enhances the countryside and, where relevant, the setting of the Area of Outstanding Natural Beauty and the Yorkshire Dales National Park.

2.7.0 Heritage Considerations (Policy ENV2)

- 2.7.1 The Council is committed to ensuring heritage assets are conserved and where possible enhanced through local plan policy ENV2: Heritage, which apply to the building of rural workers' dwellings, as they would do to all other types of housing and all other development proposals. A decision maker would consider policy ENV2 to ensure the dwelling is built sensitively, by conserving the setting of any nearby designated and non-designated heritage assets, by investigating and conserving where appropriate any identified (or potential for) archaeological remains, and by ensuring the historic legacy of the open countryside in the plan area is preserved.
- 2.7.2 Criterion (a) vi) of policy ENV2 acknowledges that traditional barns and other buildings and structures associated with the farming industry and historic land estates help to make up the distinctive character and sense of place that contributes to Craven's overall historic legacy (see Appendix A for full policy text). The functional justification for rural workers' dwellings suggests that these dwellings will often be constructed within the setting of traditional buildings and structures which are associated with the rural enterprise they are supporting. In order to preserve the unique character of the open countryside, new rural workers' dwellings should sit comfortably and sensitively amongst these buildings and structures, which may either be designated or non-designated assets, or simply be an important part of the historic fabric of the open countryside.

2.8.0 Design Considerations (Policy ENV3)

- 2.8.1 The Council is committed to securing good design in all development proposals through policy ENV3: Good Design of the local plan. The principles of good design set out in policy ENV3 apply to rural worker's dwellings, as they do to all other types of housing and other development proposals. The Council has produced a Good Design SPD which supplements policy ENV3 by setting out practical ways to achieve good design in the plan area. A decision maker would look to ENV3: Good Design and its accompanying SPD, alongside this SPD, to ensure that any proposed rural worker's dwelling is based on good design principles.
- 2.8.2 Considering rural workers' dwellings are often located in sensitive landscape areas, criterion (a) of policy ENV3 sets out that proposals should be based on a proper understanding and appreciation of environmental features, including both natural and built elements such as landscape, topography, vegetation, open space, microclimate, tranquillity, light and darkness (see Appendix A for full policy text). Applicants should ensure the context within which the rural workers' dwelling is placed is respected and complimented.
- 2.8.3 Criterion (b) of policy ENV3 sets out that design should respect the form of existing and surrounding buildings (see Appendix A for full policy text). Therefore, the scale, height and massing of the rural worker's dwelling should

respect the setting and be complimentary to the existing, surrounding buildings. Specifically, any new or temporary dwelling should be visually as well as functionally related to the main rural enterprise's buildings. This relates back to the function of the dwelling in its supportive role to the rural enterprise in question. The intended use of the dwelling should be considered when determining its size. As the purpose of these dwellings is to house a rural worker in perpetuity, they should be of an appropriate size to ensure continued affordability. A larger dwelling would attract a higher market sales price which could negate the original intention of the house dwelling by pushing it out of rural workers' affordability price range.

- 2.8.4 In addition criterion (b) of policy ENV3 sets out that high quality materials should be used, which should be locally sourced materials wherever possible, to match the character of the existing surrounding buildings (see Appendix A for full policy text). The Council's Good Design SPD provides useful information with regards to suitable building materials within the Craven context. Appendix C D of that SPD sets out the materials and palette that are traditionally seen across the plan area and provides a useful guide for applicants when considering the design of a rural worker's dwelling.
- 2.8.5 Sustainable construction should be at the heart of any development, including during the construction of new rural workers' dwellings. Criterion t) of policy ENV3 stipulates that development should take all reasonable opportunities to reduce energy use, water use and carbon emissions and to minimise waste (see Appendix A for full policy text). As such applicants should look to using sustainable building techniques and products in the design of new rural workers' dwellings. Microgeneration projects such as solar panels, hydro plants and small wind turbines should be considered, alongside an investigation into the capability of storing of water on site for construction and future uses. Sustainable construction techniques should be used to ensure carbon emissions and construction waste are minimised.
- 2.8.6 The Council's Good Design SPD provides further useful information with regards to sustainable building practises. Further, detailed policy guidance can also be found in local plan policies ENV8: Water Resources, Water Quality and Groundwater (criterion b); and ENV9: Renewable and Low Carbon Energy, with respect to ensuring an application for any new rural worker's dwelling maximises opportunities to build sustainably.
- 2.8.7 The Craven Climate Emergency Strategic Plan (CESP) should be considered when developing proposals for the reduction in energy use in the design and construction of rural workers' dwellings.

PART THREE: PREPARING AND SUBMITTING PLANNING APPLICATIONS

3.1.0 The Council recommends applicants follow a stepped approach to the preparation of a planning application for a rural worker's dwelling. This is set out below:

3.2.0 Step 1 – Pre-application discussions

3.2.1 The importance of pre-application engagement between developers and the local planning authority and early resolution of policy issues ('front loading') is highlighted in the [NPPF](#) at paragraphs 39 to 46. Also, in the light of the Council's recently approved Craven Climate Emergency Strategic Plan (CESP) it is important to reflect on one of the actions of the CESP here. This action (CND03) states that the Council will "work with developers as new sites across Craven are approved to ensure that opportunities for efficiency and carbon reduction are maximised".

3.2.2 To become familiar with the information which may be appropriate to submit alongside an application for a rural workers' dwelling an applicant should review this SPD, and then discuss matters arising, at the earliest opportunity with the Council's Development Management (DM) team. It is the Council's practice to charge for all such engagement. Pre-application enquiry forms and charging rates can be found at www.cravenc.gov.uk/planning/information-and-advice/pre-application-advice/

3.2.3 Contact details at the time of publication are: Development Management (DM): planning@cravenc.gov.uk

3.3.0 Step 2 – Providing justification for rural workers' dwellings (Policy SP4 K (a) and EC3 (d))

3.3.1 (a) Farm Based Businesses

Criterion (d) of policy EC3 requires rural worker's dwellings associated with a farm-based business to be fully justified ~~and~~ on functional and financial grounds (see Appendix A for full policy text). Therefore, as part of the Council's validation requirements, applications for agricultural rural workers' dwellings should include with their submission a completed Agricultural Dwelling Supplementary Information form (ADSIF) which can be found at <https://www.cravenc.gov.uk/planning/planning-applications-and-notifications/national-and-local-planning-validation-requirements/local-information-requirements/agricultural-dwelling-supplementary-information/> and at Appendix 4 B of this SPD. This form enables applicants to demonstrate the functional need for a dwelling/additional dwelling in a specified location.

3.3.2 Via the above form, at section 5, applicants are expected to provide details of all housing within one mile of the farm either owned, occupied or rented by the farmer/landowner, and to list any housing sold off or let by the farmer/landowner within the last 5 years. This information allows the Council to judge whether or not there is currently a dwelling available at the rural enterprise for occupation by the worker, and whether or not recent disposal of property has resulted in the need for the new rural worker's dwelling.

- 3.3.3 Applicants are also asked, at section 6 of the form, to provide a brief description of existing farm buildings. This information, along with any information the applicant can provide in supporting statements regarding their current use, can assist the Council in its judgement of whether or not there is any possibility of adapting an existing building at the rural enterprise into a rural worker's dwelling, to avoid the necessity for a new build.
- 3.3.4 A brief description of present farming policy is required, at section 7 of the form, which should set out that the enterprise could only run effectively with the worker living on site. Applicants should also specify, at section 8, whether anyone undertaking the essential functional work already lives at the rural enterprise, or if there is a functional need for more than one worker, that there is currently an insufficient provision of rural workers' dwellings at the enterprise.
- 3.3.5 The form indicates at section 9 that it is important for applicants to build a strong case for the special need for the new dwelling on the agricultural holding, and why they have chosen the proposed site. This could include reasons why there is a genuine need for the agricultural worker to live on the site and to be available at short notice at all times, rather than living in a nearby centre or village. Paragraph 2.4.3 in Part 2 above provides various valid reasons, though there may be others. Importantly, applicants must demonstrate that there is no suitable and available dwelling in a nearby village available for occupation by a worker who is required to provide the functionally essential service.
- 3.3.6 In the final section of the ADSIF applicants are asked to provide any other information which is considered relevant to the proposal. This could include a host of supportive information, but also, in the case of new enterprises, whether an applicant would consider applying for permission for a temporary dwelling (i.e. a caravan or a mobile home, or a seasonal workers' dwelling) for a trial period, prior to an application for a permanent new rural worker's dwelling.
- 3.3.7 In addition to the information required by ADSIF, the Council strongly recommend applicants provide a detailed business plan, in line with the guidance in [PPG](#) (paragraph 010 Reference ID: 67-010-20190722) which states that it will be important to determine '*the degree to which there is confidence that the enterprise will remain viable for the foreseeable future*'. This information will assist the decision maker in judging whether there are robust financial grounds to support a rural worker's dwelling in compliance with Policy EC3 (d). Specifically, this business plan would be most helpful if it indicated a firm intention and ability to develop the enterprise, and include:
- At least the last 3 years' financial records. Submitting 3-5 years of audited accounts would help to establish if the business is financially sound.
 - Records which demonstrate that the on-going profitability of the enterprise would be able to support a worker living on site and their wage levels, which must be at least the equivalent to the National Minimum Wage. Such records should help to justify the need for the proposed dwelling.

- Written evidence which outlines the need for an additional dwelling to ensure the viability of the business.

3.3.8 In line with the guidance in the [NPPG](#) (Paragraph: 021 Reference ID: 10-021-20190509) any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Where financial information is required to be kept confidential, a detailed financial executive summary will be required to be made publicly available in the interests of openness. See <https://www.cravencd.gov.uk/planning/planning-applications-and-notifications/national-and-local-planning-validation-requirements/financial-viability-appraisals/> for more detail on Financial Viability Appraisals.

3.3.9 (b) Forestry & Other Land Based Businesses

Criterion (d) of policy EC3 also requires rural worker's dwellings associated with other land-based businesses to be fully justified on functional and financial grounds (see Appendix A for full policy text). As explained at paragraph 1.2.1, this could include rural workers' dwellings associated with forestry businesses and other land-based businesses including horticulture, food production, conservation, landscaping and equine uses.

3.3.10 To meet these policy requirements, applicants for rural workers' dwellings required in relation to forestry and other land-based businesses are recommended to provide comparable supportive information as that required for agricultural workers' dwellings in the ADSIF. This would include evidence that there is a genuine need for a rural worker to live in close proximity to the enterprise, and that the conversion of existing buildings on site, or dwellings in nearby villages is not possible or practicable. Applicants should also provide evidence that property within the land-based business' ownership has not recently been disposed of (i.e. within the last 5 years), resulting in the need for the new rural workers' dwelling.

3.3.11 Financial evidence should be submitted to confirm that the operation which has generated the need for the resident worker is economically viable and there is a realistic prospect of it remaining so (see paragraphs 3.3.6 and 3.3.7 above).

3.3.12 Applicants are strongly advised to hire a land agent to carry out the above functional and financial tests for rural workers' dwellings.

3.4.0 Step 3 – Safeguarding the character of the open countryside (Policies ENV1& ENV3)

3.4.1 Where required, applicants should submit a [Planning Statement](#) with an application for a rural worker's dwelling which sets out how the rural worker's dwelling will respect, safeguard and enhance (where applicable) the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and its setting, the setting of the Yorkshire Dales National Park (YDNP) and the various landscape character areas across the district. Where Planning Statements are

not required, applicants are encouraged to provide supporting documentation setting out similar information.

3.4.2 A site-specific Landscape and Visual Impact Assessment (LVIA) may be necessary, depending on the location of the new rural worker's dwelling and the sensitivity of the surrounding landscapes. The Council's webpage on local validation requirements sets out [when an LVIA would be required, and guidance on how to produce one](#). Applicants should also refer to detailed guidance in the Council's Good Design SPD with regards to producing an LVIA.

3.5.0 Step 4 – Taking heritage and archaeological considerations into account (Policy ENV2)

3.5.1 It may be necessary for applications to include a Heritage Statement if a rural worker's dwelling is to be developed near known heritage assets. Heritage Statements should provide evidence as to how these heritage assets, either designated or non-designated, will be preserved and, where appropriate enhanced. The Council's local validation webpage sets out [when a Heritage Statement would be required](#), i.e. for:

- applications for listed building consent
- applications within the curtilage of a listed building
- applications in a conservation area
- applications affecting a scheduled ancient monument
- applications affecting a registered park or garden of special historic interest
- applications affecting an archaeological site

and includes a Guidance document for writing Heritage Statements.

3.5.2 It is advisable to use a heritage specialist when preparing a Heritage Statement to ensure compliance with policy ENV2 and the overarching Planning (Listed Buildings and Conservation Areas) Act 1990.

3.6.0 Step 5 – Ensuring the appropriate scaling and size of a rural worker's dwelling (Policies ENV1 & ENV3)

3.6.1 Rural workers' dwellings should be designed to ensure they respect the form of existing and surrounding buildings. Applicants are advised to employ a qualified architect, competent in the design of such dwellings, to ensure drawings and elevations are in scale and sized appropriately so as not to dominate the sensitive open countryside setting (to ensure compliance with policies ENV1 criteria (a) and (d) and ENV3 criterion (b)) ([see Appendix A for full policy text](#)).

3.6.2 The Council's Good Design SPD explains how an application should be prepared to consider the scaling and size of a new dwelling. Detailed guidance can be found in section ~~2.4.0~~ 2.1.0 of the SPD and should be referred to when preparing an application for a rural worker's dwelling.

3.7.0 Step 6 – Design and Construction (Policy ENV3)

- 3.7.1 It is a national validation requirement to submit a [Design and Access Statement](#) with an application for a rural worker's dwelling within a conservation area, or if the dwelling forms part of a listed building. This statement should set out details of materials used, how amenity and accessibility issues have been addressed, details of any infrastructure associated with the development and how the development looks to design out crime. All other applications for rural workers' dwellings (i.e. those that are outside conservation areas or not related to listed buildings) should also ensure the above issues are addressed (to ensure compliance with policy ENV3 criteria (b), (e), (f), (g), (h), (i) and (o)).
- 3.7.2 Applicants are advised to review the Council's Good Design Supplementary Planning Document (SPD) and follow the relevant guidance within it, particularly regarding materials and sustainable construction methods. A Sustainable Design and Construction Statement is a local validation requirement for all applications, including an application for a rural workers' dwelling. This statement should provide detail on the sustainable construction of rural workers' dwellings, both in terms of the design features and construction methods used (to ensure compliance with policy ENV3 criterion (t)) ([see Appendix A for full policy text](#)). Specifically, the Sustainable Design and Construction Statement should demonstrate how the proposed development would minimise resource and energy consumption compared to the minimum required under current Building Regulations legislation and how it is located and designed to withstand the longer term impacts of climate change. It should also detail how the proposed development would incorporate decentralised, renewable or low carbon energy sources, and how the carbon footprint of the development is reduced (i.e. sourcing local materials and setting out how existing materials on site are used or disposed of). The Council's webpage on local validation requirements provides more detail on what should be included in a [Sustainable Design and Construction Statement](#).
- 3.7.3 Applicants should also refer to detailed guidance in section 2.87 in the Council's Good Design SPD, and accompanying Appendix B C of that SPD, with regards to producing a Sustainable Design and Construction Statement, which specifies the importance of energy conservation through energy efficiency in the building.

3.8.0 Conclusions on Steps 1 - 6

- 3.8.1 It is advisable that applicants follow the above, stepped approach to ensure that the Council's validation requirements are met and that the application is accompanied by clear evidence of functional and financial need for a rural worker's dwelling, as required by relevant adopted local plan policies. It is also advisable in many cases that an applicant takes the advice of relevant professionals, such as land agents, architects, and heritage and archaeological specialists. Appendix 2 C sets out a comprehensive list of documents, many of which will be necessary and/or helpful, to be submitted with an application for a rural worker's dwelling. Local validation requirements are reviewed and updated every two years, so information in this SPD may be

superseded by any future updates to the Council's [local validation requirement webpage](#).

3.9.0 Occupancy conditions, legal agreements and planning obligations

- 3.9.1 If a rural workers' dwelling is granted planning permission, whether on a permanent or temporary basis, the local planning authority will normally control occupancy by a planning condition on the planning permission. The condition will ensure the property remains available to meet the need for which it was permitted, either by serving the holding for which the functional need was satisfied or, if that specific need no longer exists, by ensuring that the property is not sold or rented to occupants who are not rural workers.
- 3.9.2 The restriction will limit occupation to those wholly or mainly working, or last working in the locality, in the rural enterprise, or a widow or widower of such a person and any resident dependants.
- 3.9.3 If the rural workers' dwelling is not the sole dwelling on the rural enterprise, the local planning authority may additionally impose occupancy restrictions on all other existing dwellings at the rural enterprise. The general presumption will be that an occupancy condition will be applied to any existing dwellings to ensure they are not able to be severed from the rural enterprise for which an operational need has been identified. The considerations that will be taken into account when determining the local planning authority's approach will include such matters as the particular needs of the rural enterprise and where there appears to be a significant threat of severance or asset stripping.
- 3.9.4 The Council's Enforcement team periodically checks for compliance of occupancy conditions in relation to rural workers' dwellings. The Council also keeps records with regards to the removal of occupancy conditions.

3.10.0 Applications to vary or remove occupancy conditions

- 3.10.1 To prevent the proliferation of dwellings in the Countryside there is an expectation that the occupation of dwellings permitted on the basis of addressing a functional and financial need will be restricted on a long-term basis. The removal of an occupancy condition imposed on a rural worker's dwelling will only be enabled where it is clearly demonstrated that there is no existing or long-term demand for the dwelling with the attached condition.
- 3.10.2 An application that seeks the removal of an occupancy condition on a rural worker's dwelling will be expected to provide evidence which demonstrates a lack of demand for the property in the locality through a robust marketing exercise. Applicants will be expected to submit evidence of unsuccessful attempts to sell the property with the encumbrance of the occupancy restriction, detailing the number of enquiries, views and reasons for not proceeding to sale. They will be expected to prove that the marketing has been correctly targeted, financially realistic (i.e. it reflects the occupancy restriction) and sustained for at least 12 months using professional agents that actively deal with these types of property sales. For the purpose of the marketing exercise as a minimum requirement, the Council expects the property to be marketed in the locality – that is within the existing and

adjoining parishes for the first 6 months; if the property remains unsold or unlet during this time, the qualification area will be extended to the local planning authority area for a further 6 months. There can be some flexibility regarding the extent of the marketing exercise depending on the location of the rural workers' dwelling. If a rural workers' dwelling is in a remote location, the initial marketing exercise may need to be widened to include more than just the host and adjoining parishes from the outset. In the event of uncertainty, an applicant should contact the Development Management Team to ensure the best scope for the marketing exercise.

3.11.0 Removal of permitted development rights for rural workers' dwellings

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.

3.11.2 The Council will consider the removal of such permitted development rights on a case by case basis.

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.

TEXT OF POLICY EC3: RURAL ECONOMY, CRAVEN LOCAL PLAN

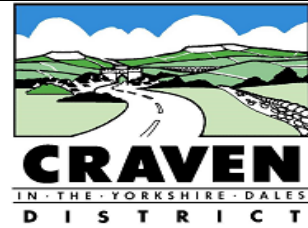
Craven's rural economy will be supported, so that it may grow and diversify in a sustainable way to provide long term economic, environmental and social benefits for local communities. This will be achieved in the following ways:

- a) Enabling enterprise, welcoming innovation and supporting economic development proposals that will benefit the local economy, environment and quality of life, including culture and community proposals;
- b) Recognising opportunities to use farmland and farm buildings in new and different ways to support individual farm businesses and to diversify the wider rural economy;
- c) Helping existing and new rural businesses, including tourism related businesses to succeed, grow and expand, by working with them co-operatively and proactively, so that development proposals can be supported wherever possible;
- d) Enabling farm, forestry and other land-based businesses to build the new and replacement buildings and infrastructure they need to function efficiently, including dwellings where they are fully justified on functional and financial grounds;
- e) Acknowledging the potential social, economic, environmental benefits of reusing existing buildings by supporting proposals for their conversion, including to employment use or live/work units, providing opportunities for people to live and work locally.
- f) Supporting the continued use of existing live/work units for the valuable contribution they make to the rural economy. The conversion of existing live/work units to other uses will be supported provided it can be demonstrated that there is no reasonable prospect of the live/work unit being re-used.

Proposals of the type described above will be supported provided they accord with all relevant local plan policies and any relevant neighbourhood plan policies, and will help to achieve sustainable development.

Agricultural Dwelling Supplementary Information form

Agricultural Dwelling Supplementary Information



RELATING TO A PLANNING APPLICATION FOR AN AGRICULTURAL WORKER'S DWELLING IN THE CRAVEN DISTRICT COUNCIL AREA

1.	Site Location:		
2.	Details of Land Farmed (please attach a plan showing boundaries)		
	a) Area of land owned acres/hectares – mark boundaries <u>red</u> on plan		
	b) Area of land tenanted acres/hectares – mark boundaries <u>blue</u> on plan		
	c) Grazing usually taken acres/hectares – mark boundaries <u>green</u> on plan		
	d) Grazing rights:		
	Name of common No of stock		
	Name of common No of stock		
	e) Area of mowing land acres/hectares		
	f) Area of pasture acres/hectares		
	g) Area of rough grazing acres/hectares		
	h) Area of other land acres/hectares		
3.	Details of Stock Numbers	Existing	Proposed
	a) Dairy cows in milk and/or in calf		
	b) Dairy heifers in milk and/or in calf		
	c) Milk quota		
	d) Dairy followers <u>over</u> 12 months old		
	e) Dairy followers <u>under</u> 12 months old		
	f) Beef cows		
	g) Calves up to 6 months old		

	h) Store cattle <u>over</u> 12 months old i) Store cattle <u>under</u> 12 months old j) Breeding ewes k) Hoggs l) Other stock: Type/No:	_____ _____ _____ _____
4.	Labour on the farm: Name: .Full/Part-Time: .Hours if Part-Time Name: .Full/Part-Time: .Hours if Part-Time Name: .Full/Part-Time: .Hours if Part-Time Name: .Full/Part-Time: .Hours if Part-Time Name: .Full/Part-Time: .Hours if Part-Time	
5.	Housing: List all housing within one mile of the farm either owned, occupied or rented by the farmer/landowner, stating occupant: Address: Owned/Rented: Occupant: Address: Owned/Rented: Occupant: Address: Owned/Rented: Occupant: Address: Owned/Rented: Occupant: Address: Owned/Rented: Occupant:	
	List any housing sold off or let by the farmer/landowner within the last 5 years: Address: Sold/Let: :	
6.	Give Brief Description of Existing Farm Buildings:	
7.	Give Brief Description of Present Farming Policy:	
8.	Reasons for Special Need for New Dwelling on the Holding:	
9.	Reasons for choosing the Proposed Site:	
10.	Any Other Information You Consider Relevant to the Proposal:	
11.	Signed:.....Date:	

APPENDIX 2 C

Summary of stepped approach to preparing and submitting a planning application for a rural worker's dwelling, including supporting documents which are commonly required to accompany the application

Step in Part 3 of SPD	Craven Local Plan Policy Driver	Planning/Process Issue	Supporting Documents
Step 1: Pre-application discussions	SD1 and SD2	Pre-application discussions to secure sustainable development' (see paras 3.2.1 to 3.2.3).	Preliminary drawings, site and location plans.
Step 2: Providing justification for rural workers' dwellings	EC3 (d) and SP4 K (a)	Functional and Financial Grounds for new dwelling	<p>For agricultural workers dwellings, the council's local validation list requires the submission of an Agricultural Dwelling Supplementary Information Form (ADSIF) (see paras 3.3.1 to 3.3.5 of SPD).</p> <p>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).</p> <p>For all rural workers dwellings, to comply with Policy EC3 (d) financial information to support the application is required. A business plan which illustrates the viability of the proposal is recommended to be submitted (see paras 3.3.6 to 3.3.7 of the SPD).</p> <p>A Planning Statement is on the council's local validation list and may be necessary to accompany the planning application (see para 3.4.1 of the SPD).</p>

Step 3: Safeguarding the character of the open countryside	ENV1 and ENV3	Character of the open countryside	A Planning Statement and a Landscape and Visual Impact Assessment (LVIA) are on the council's local validation list and may be necessary to accompany the planning application (see paras 3.4.1 to 3.4.2 of the SPD).
Step 4: Taking heritage and archaeological considerations into account	ENV2	Conserving and enhancing the historic environment	A Heritage Statement is on the council's local validation list and may be necessary to accompany the planning application (see paras 3.5.1 to 3.5.2 of the SPD).
Step 5: Ensuring the appropriate scaling and size of a rural worker's dwelling	ENV1 and ENV3	Scale and size of a rural worker's dwelling	Architectural drawings are a national validation requirement and are necessary to accompany the planning application (3.6.1 to 3.6.2 of the SPD)
Step 6: Design and Construction	ENV3	Ensuring a good standard of sustainable design and construction	A Design and Access Statement is a national validation requirement and may be necessary to accompany the planning application (see para 3.7.1 of the SPD). A Sustainable Design and Construction Statement is on the council's local validation list and may be necessary to accompany the planning application (see paras 3.7.2 to 3.7.3 of the SPD).
N/A	EC3 (supporting text)	Removal of occupancy conditions on existing rural workers' dwellings	Robust marketing evidence to support removal of occupancy conditions is on the council's local validation list and may be necessary to accompany the planning application (see paras 3.10.1 to 3.10.2 of the SPD)

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.cravenc.gov.uk/planning/planning-applications-and-notifications/national-and-local-planning-validation-requirements/local-information-requirements/>