
Appeal Decision

Site visit made on 4 January 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 20213258254

Appeal Ref: APP/G2713/W/20/3258254

Broad Oak Farm, York Road, Sutton on the Forest YO61 1ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jack Plowman against the decision of Hambleton District Council.
 - The application Ref 20/00371/FUL, dated 20 February 2020, was refused by notice dated 22 May 2020.
 - The development proposed is the siting of 5No. Static caravans for use as employees accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. However, the original description adequately describes the proposal and I have determined the appeal on this basis.

Main Issues

3. The main issues are whether the static caravans are appropriate development within the countryside and whether they provide acceptable living conditions for their occupants.

Reasons

4. The appeal site are commercial premises, situated in countryside to the North of York. The villages of Wigginton and Haxby sit to the south while Sutton-on-the-Forest lies to the north. On my site visit I observed that the five caravans to which this appeal relates were in place towards the rear of the site. The evidence indicates that they are occupied for 42 weeks of the year.

Whether appropriate development within the countryside

5. Policy CP4 of the Hambleton District Council Core Strategy (2007) (HDCCS) and Policy DP9 of the Hambleton District Development Policies (2008) (HDDP) have their aims on focussing development towards settlements where it would serve to support and sustain them. The Policies state that within the countryside, development will only be supported when an exceptional case can be made for the proposal, amongst other things, where it is necessary to meet the needs of enterprises with an essential requirement to locate in the countryside.

6. Although concerns in relation to security at the site are raised, only limited information is provided and there is nothing within the evidence which details whether consideration has been afforded to other security measures not involving the provision of workers accommodation on the site.
7. The company employs people from outside the local area. It is acknowledged by the appellant that the appeal site is located within proximity to surrounding villages and the City of York. While it is suggested that it would not be practical or affordable for employees to rent property nearby, no information has been supplied relating to either local rental figures or salary details of the employees. I am therefore unable to come to the conclusion that this would be the case.
8. While I have no doubt that the provision of accommodation is of some mutual benefit for the employer and employees for what is clearly a successful and busy company, there is nothing within the evidence of any depth to which indicates that the lack of accommodation on site would harm the viability of the business or lead to it becoming un-competitive.
9. Therefore, I conclude on this issue, that on the basis of the evidence it has not been demonstrated that the accommodation is necessary to meet the needs of the enterprise and as a result the proposal fails to accord with Policy CP4 of the HDCCS and Policy DP9 of the HDDP.

Living conditions

10. While the caravans are located on the edge of the site with some views towards the boundary screening, planting and countryside beyond, they are located in very close proximity to a range of commercial buildings and stored equipment within a dense working yard. While I have been provided with limited details of operations at the site, given the nature of the business some noise will clearly be created. Further, I was able to observe that any external amenity space appeared to be very limited.
11. While I note that the accommodation is occupied for 42 weeks of the year, this is a significant amount of time. Further, whilst it could reasonably be expected that living conditions on-site within employer provided accommodation would not necessarily be at the same heights as other types of accommodation, I consider that those provided on site would be below what could be considered acceptable, particularly given that employees would be likely to spend the majority of the time at the site while both living and working there.
12. The accommodation subsequently provides unsatisfactory living conditions for the occupiers. It is therefore in conflict with Policy CP1 of the HDCCS and Policy DP1 of the HDDP which amongst other things require that all development proposals adequately protect amenity and promote and encourage or protect and enhance the health and amenity of the population.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR