



Design & Access Statement

Retrospective Planning Application for Agricultural Workers Dwelling @ Mendle Farm, Holme.

Retrospective PA for Agricultural workers dwelling, Mendle Farm.

Project Title:	Retrospective PA for agricultural workers dwelling @ Mendle Farm.
Client:	Mr J. Richardson.
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Introduction:

A retrospective planning application is being made to rectify an error made in executing a legitimate planning permission.

In short, the approved agricultural workers dwelling has been sited incorrectly and the garden space serving the dwelling has been extended to include land outside of the original red line application area.

This retrospective planning application seeks to acknowledge these mistakes and formalise the as-built position.

Background:

Outline Planning Permission for an agricultural workers dwelling was achieved on this site through PA/2019/547 on 31st July 2019.

A Reserved Matters Application including detailed dwelling design (PA/2019/1860) was approved on 24th December 2019.

A subsequent discharge of conditions application (PA/2020/828) was approved on 25th September 2020.

The owner went on to execute the permissions in good faith but has constructed the dwelling approximately 4.5m further north than the plans illustrated. It's important to note that the dwelling was sited on a structure that was to be demolished. The approved plans show the new dwelling positioned towards the front of this demolished structure whereas the new dwelling has actually been constructed towards the rear of this footprint.

In addition, the owner has laid out the garden to include an area further north to the red line application area. Thus, occupying a small area between the dwelling and an existing agricultural shed.

The owner wishes to construct a small office building towards the north (also for use by residents of the dwelling and for the purpose of farm operations). It is during conversations with the LA on this subject that the irregularities of the execution of the original planning permissions have come to light.

It has been agreed with the LA that a retrospective application should be made to reflect what has actually been constructed.

A separate application will be made regarding the office building.

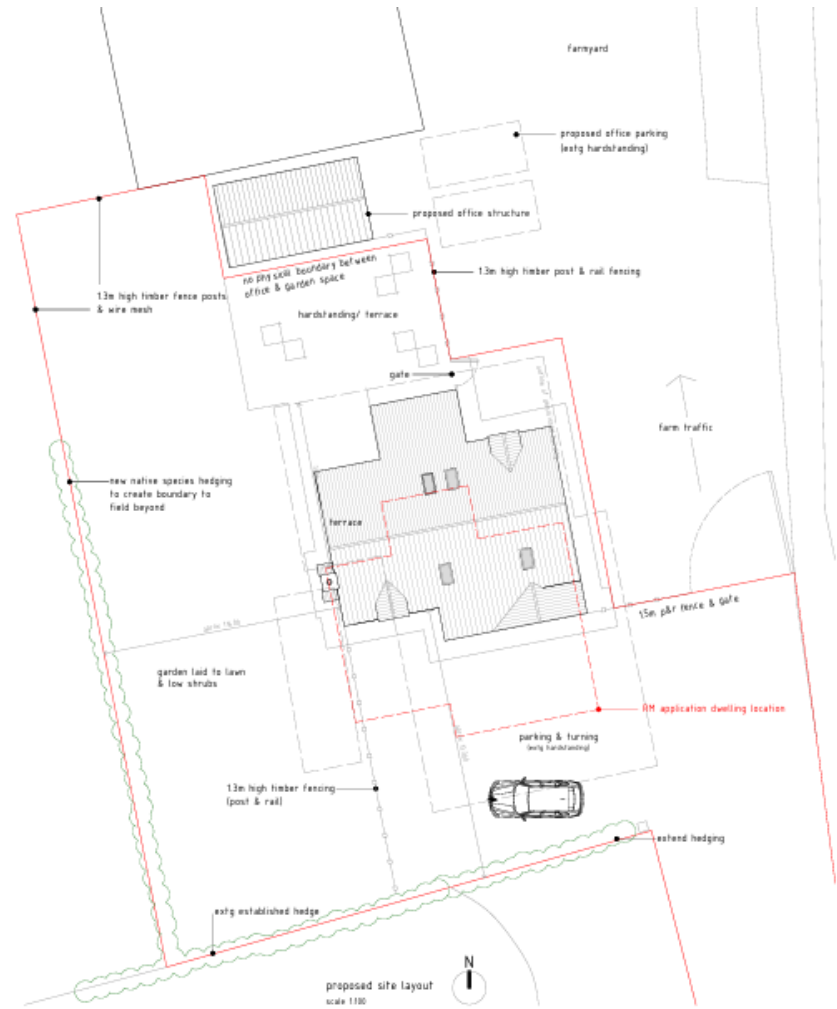
An initial review of the differences that exist suggest that no material concerns arise. The dwelling has been built slightly further away from the nearest residential dwelling so no additional overlooking or overshadowing results from this error.

The additional garden space to the north occupies an area of land of no particular use or sensitivity.

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Site Location Plan (dns)



Site layout (showing position of dwelling Vs approved Position).

Site Assessment & Analysis:

The site and its end use remain unchanged despite the error in execution of the planning permissions.

The original justification for the agricultural workers dwelling has been supplied with this application and still stands. It is understood that this will not be in question but is supplied for completeness.

The mispositioning of the dwelling has no effect on the overall functioning of the space nor the neighbouring properties amenity.

Site Constraints/ Opportunities:

An assessment of the original plans would have been made regarding the effect that the new dwelling would have on neighbouring properties. This assessment will take place again however it is noted that the actual position of the dwelling is now some 4.5m further away from the closest residential dwelling.

The Proposal/ Business Case:

The proposal and business case put forward for the agricultural workers dwelling remain unchanged.

As previously mentioned, the original justification which led to the granting of Outline Permission has been included in this retrospective application once again.



The dwelling 'as built'

Policy Considerations:

The following is not necessarily an exhaustive list of the policies that this retrospective application will be judged against.

NPPF July 2024.

Paragraph 84. Prescribes that policies should avoid the development of isolated homes in the countryside unless certain circumstances apply. The policy goes on to describe acceptable circumstances which include 'rural workers'.

Paragraph 89. "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements". "The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist".

North Lincolnshire Core Strategy.

CS1: Spatial Strategy for North Lincolnshire. (c) Supporting thriving rural communities and a vibrant countryside

The policy describes "*creating opportunities for rural economic diversification.*"

"In the countryside, support will be given to development that promotes rural economic diversification and small- scale employment opportunities, particularly on previously used land."

CS8 Spatial Distribution of Housing.

This policy talks of 'strictly limiting housing development' in the open countryside. It goes on to state that 'Consideration will be given to development, which relates to agriculture, forestry or to meet a special need associated with the countryside'.

North Lincolnshire Local Plan

RD2 Development in the Open Countryside.

This policy states that development will be 'strictly controlled, planning permission will be granted for development which is;'

- Essential to the efficient operation of agriculture or forestry.
- Employment related development appropriate to the open countryside.
- Affordable housing to meet a proven local need.
- Essential for the provision of outdoor sport, countryside recreation, or local community facilities.
- For the re-use and adaption of existing rural buildings.
- For diversification of an established agricultural business.
- For the replacement, alteration or extension of an existing dwelling.
- Essential for the provision of an appropriate level of roadside services or the provision of utility services.

The policy goes onto qualify that this is only provided that...(amongst others)

- The open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries.

- The development would not be detrimental to the character or appearance of the open countryside or nearby settlement.

An assessment was made against these policies for the original Outline & Reserved Matters applications, and the scheme was deemed to comply. It is considered that the errors made in executing the original permissions have not resulted in contravention of any of these policies.

Design:

The dwelling has been built in accordance with the approved design. A sympathetic dwelling has been built with suitable materials given its location.

Access:

Access remains unchanged and is achieved from Home Lane to the south of the site.

Use:

This remains unchanged and the dwelling operates as an Agricultural Workers dwelling.

Photos:



Post & rail fence to front (south) of dwelling.



Gate to side (east) of dwelling.



Post & rail fence to rear (north) of dwelling.



Fencing to west of dwelling.

Summation:

A retrospective Planning Application is being made to rectify errors made in the execution of an Outline & Reserved Matters application.

The approved dwelling was constructed approx. 4.5m further north than the approved plans illustrated and as such the garden serving

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the dwelling was also extended north to occupy the space right up to the existing agricultural shed.

After consultation with the LA it is believed that these errors do nothing to negatively affect the assessment of the justification of the dwelling but the record should be set straight with an accurate set of plans reflecting that which has been constructed.

At present the LA would consider the dwelling as unlawful as it does not comply with the approved drawings.

New plans have been prepared which accurately show the site 'as built' and these have been paired with the original justification for the agricultural workers dwelling. This information forms the retrospective application.

The errors that have been made are innocent in nature and without malice or intent to gain however the record must be set straight and it is hoped that permission can swiftly be granted to bring this matter to a satisfactory conclusion.

Mr. M Flynn MCIAT.

June 2025.

Sources:

NPPF (July 2024).

North Lincolnshire Local Plan 2003 (saved policies).

North Lincolnshire Core Strategy 2011.