

**SUN/16776/2-T – S Kingerlee**  
**Temporary permission for an agricultural dwelling.**  
**Foxcombe Hill Farm, Lincombe Lane, Boars Hill.**

**1.0 The Proposal**

- 1.1 The application site lies off Lincombe Lane in Boars Hill, in the Green Belt. A site location plan is in **Appendix 1**. The applicant has been undertaking various farming operations at the site since 2000 and owns 11 hectares of land at the site, together with a rent of 3.5 hectares at South Hinksey and 10.5 hectares at Swinford Bridge. This application is for a temporary farm dwelling in connection with a proposed mixed organic livestock and arable operation producing day-old chicks, lambs, cattle and geese, together with a rotational organic arable operation (to produce feed for the animals) and fruit.
- 1.2 The temporary dwelling would be sited in the north-west corner of the field and would have a floor area of 90 sq.m. It would provide accommodation for the applicant, her 3 teenage sons and a seasonal worker and would be comprised of three second-hand caravans of 10m x 3m aligned in a U-shape. The plans are in **Appendix 2**.
- 1.3 The applicant has submitted a Development Programme in support of the application and this programme has been assessed by an independent agricultural consultant whose report is in **Appendix 3**.
- 1.4 The application comes to Committee because the Parish Council objects.

**2.0 Planning History**

- 2.1 In July 2002 an appeal regarding a planning application for a temporary farm dwelling was refused. A copy of the appeal decision and plans is in **Appendix 4**. The Inspector accepted that the proposal was genuine (para 12) but rejected the proposal on two main grounds –
- I. The excessive size of the proposed dwelling (135 sq.m in floor area) (para 13 – 15 of the decision letter)
  - II. The prominent siting of the proposed dwelling in the middle of the site away from existing houses (para 16 and 17 of the decision letter)

**3.0 Planning Policies**

- 3.1 Policy H13 of the adopted Vale of White Horse Local Plan 2011 states that new housing will only be allowed outside settlements where it is proved essential to meet the needs of an agricultural or other rural enterprise, should be located adjacent to existing dwellings or in a well screened setting, and should be related in size to the requirements of the enterprise. Policy GS3 indicates that new agricultural development (which could include justified housing) is not inappropriate development in the Green Belt.
- 3.2 National guidance on new agricultural dwellings is provided in Annex A of PPS7, “Sustainable Development in Rural Areas”. Paragraph 2 states, “It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse..... the concession that the planning system makes for such dwellings. In particular, it will be

important to establish whether the stated intentions to engage in farming... are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time.”

#### 4.0 **Consultations**

4.1 Sunningwell Parish Council objects for the following reason - “The Council considers that this is inappropriate development in the Green Belt.”

4.2 Local Residents – 5 letters have been submitted raising the following objections –

- I. The proposal will harm the Green Belt
- II. It is a ruse to get a house in the Green Belt
- III. The proposed business is too small to be sustainable in the long term
- IV. A local house should be used rather than setting up a dwelling on the site
- V. The site is untidy and should be cleared up.

4.3 County Engineer does not object to the use of the existing access for farm traffic

#### 5.0 **Officer Comments**

5.1 The main issues are considered to be as follows –

- The justification for a dwelling on the site, including its size
- The impact of the proposal on the visual amenities of the Green Belt
- The impact on neighbours
- Highway safety.

5.2 With regard to the first issue, the justification for a dwelling on the site, Annex A of PPS7 gives the procedure for making such assessments. The guidance states that any proposal for a new farm dwelling should be for a temporary dwelling for a period of three years as a “trial” to see if the proposed business is viable in the longer term. Any application for a temporary dwelling should satisfy the following criteria:

- I. Clear evidence of a firm intention and ability to develop the enterprise (eg significant investment in farm equipment)
- II. There is a functional need for a worker to be available at most times to enable the enterprise to function properly (eg to deal with emergencies that could cause serious loss of crops or products) which could not be met by existing accommodation in the area that is suitable and available for occupation by workers
- III. There is clear evidence of a sound financial basis for the enterprise

5.3 The applicant’s Development Programme has been carefully considered by an independent agricultural consultant on behalf of the Council. His report is in **Appendix 3**. In terms of the functional requirement (Section 4 of his report), the consultant’s opinion is that the varied organic enterprises proposed (including the production of approximately 13,400 day-old chicks each year and the management of the lambs and cows) will require an experienced worker to be on site at all times to deal with potential emergencies, including compliance with the required protection of the animals under the Animal Welfare Act 2006. He concludes that “..to ensure that the requisite welfare and security is afforded, it is essential for a suitably qualified person to be on site at all times.” (para 4.6).

- 5.4 With regard to the financial basis of the proposed enterprise (Section 5), it is noted that £96K has already been invested on the site, a clear commitment to the enterprise. The consultant considers that the applicant's financial projections are reasonably based, and that the farm should make a profit of £16,300 by Year 3 (para 5.2).
- 5.5 In para 5.5 he raised a query about the structure of the repayments for a loan for further investment on the farm, which might threaten the margin of profitability. The applicant has since confirmed that the re-payments for this loan are not made from the farm income.
- 5.6 Given the level of income to be derived from the farm, and the level of agricultural wages generally, there is considered to be no realistic prospect that the applicant can afford to live in a nearby property as an alternative. Bayworth Mobile Home Park is nearby, but Officers understand that one of these homes sold recently for approximately £80K, well beyond the range of the projected income from the farm. The caravans that are to be used for accommodation on the farm are of some age and were bought cheaply by the applicant.
- 5.7 Although the size of a temporary dwelling is not listed as a consideration in PPS7, in the previous appeal the size of the temporary dwelling then proposed (135 sq.m) was a concern for the Inspector. The current proposal is 90 sq.m in floor area, two-thirds of the size of the appeal proposal and is therefore considered to be much more suitably related to the relatively small size of the farm holding (25 hectares).
- 5.8 Overall, therefore, Officers conclude that the proposal meets the functional and financial tests contained in PPS7, and that the criticism levelled by the appeal Inspector about the size of the proposed temporary dwelling has been addressed.
- 5.9 Turning to the second main issue, the visual impact of the proposal, the new application differs significantly from the appeal proposal in that the proposed temporary dwelling would be sited in the corner of the site near to existing houses. Consequently, it will be much less prominent than the proposal dismissed on appeal. The proposal now accords with advice on siting given in Policy H13 of the adopted Local Plan, and the harm to the visual amenities of the Green Belt has been minimised.
- 5.10 The site of the proposal is very well screened from neighbours by existing mature trees and hedgerows. The impact of the proposal on neighbours is therefore considered to be acceptable.
- 5.11 The third issue is highway safety. Farming activity has been taking place at the site for some years. There is an existing access from Lincombe Lane which would be used for the proposed temporary dwelling. Given the level of expected farm traffic, the County Engineer has no objections.
- 5.12 One final point is a safeguard to ensure that the three caravans are used as one dwelling. This issue was being discussed with the Council's Solicitor at the time of writing the report and an update on this will be reported at the Meeting.

## 6.0 **Recommendation**

- 6.1 *It is recommended that temporary planning permission is granted subject to the following conditions:-*

1. *The buildings hereby permitted shall be removed on or before 31 July 2011 and the land reinstated to its former conditions.*
2. *The occupation of this dwelling shall be restricted to those employed on the land in agriculture, or a dependent of such a person residing with him or her.*