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<b>APPLICATION NO.</b>	<a href="#">P20/V1375/FUL</a>
<b>SITE</b>	Church Farm, Dark Lane, Sunningwell, Abingdon, OX13 6RE
<b>PARISH</b>	SUNNINGWELL
<b>PROPOSAL</b>	Temporary farm dwelling (mobile home) with parking. (Reading Agricultural assessment rec 22 July 2020) (Additional information received 6 August 2020) (Amended location plan and revised application form received 7 September 2020) (Reading Agricultural further assessment rec 15 September 2020)
<b>WARD MEMBER(S)</b>	Debby Hallett Emily Smith
<b>APPLICANT</b>	Church Farm Partnership
<b>OFFICER</b>	Susannah Mangion

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## RECOMMENDATION

Planning Permission subject to the following conditions:

Standard:

1. Commencement
2. Approved plans

Prior to commencement:

3. Surface water drainage
4. Foul water drainage
5. External materials

Compliance

6. Access, parking and turning in accordance with plans
7. Agricultural occupancy restriction
8. Temporary permission – three years

Informative:

Public Footpath

## 1.0 INTRODUCTION AND PROPOSAL

- 1.1 The application has been called-in to Planning Committee at the request of the Planning Manager.

- 1.2 The application site is located to the west of Sunningwell village in open countryside. Access is taken from Sunningwell Road, via the private road, Dark Lane and a private access track. The site is to the west of Sunningwell primary school and to the rear (north) of an existing barn building on rising ground. The farm holding extends to 39 hectares. The application site is located within the Oxford Green Belt. Sunningwell Bridleways 1 and 2 pass to the south of the site.
- 1.3 A site location plan is provided below:



- 1.4 The application seeks permission for temporary farm-worker's dwelling on the site, in the form of a mobile home for a farm worker and family. The proposed site plan shows a home with a floor area of approximately 125 square metres. The proposed mobile home would be sited to the north of the existing livestock building. The farm is used for the breeding and rearing of deer, and the land was acquired in 2017. Since that time deer fencing has been erected, together with a livestock building and feed silos.
- 1.5 Permission is sought on a temporary basis to allow the business to become further established and for its longer-term economic viability to become apparent. The proposal for the dwelling is founded on the agricultural need for the home to be on the farm site to ensure care and supervision of the livestock. Accordingly, the application was accompanied by an Essential

Needs Appraisal (ENA) dated June 2020 written by Kernon Countryside Consultants Ltd. The District Council engaged independent agricultural consultants, Reading Agricultural Consultants (RAC,) to appraise the ENA. Their report is **attached** at Appendix 1.

1.6 The application plans are **attached** at Appendix 2.

1.7 Due to local concerns, particularly those of Sunningwell Parish Council, the District Council commissioned a further assessment from RAC which is **attached** at Appendix 3.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 This a summary of the final responses received from consultees and third parties to the application. The full responses can be viewed on the council website: [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

2.2	<table><tr><td><b>Sunningwell Parish Council</b></td><td><p>Objection:</p><p><u>Initial response</u></p><p>There is suitable alternative accommodation available nearby.</p><p>Not essential to have a dwelling to make the farm viable. Budget excludes labour costs so will still not be viable in 2022 regardless of the dwelling.</p><p>Farm has doubled stock without resident worker and expanding poultry farming activity so may be viable without a dwelling.</p><p>Not demonstrated full-time worker required to be on site year-round.</p><p>Correspondence from a deer farm operator, a vet and the British deer farms and parks association have advised it is not essential for staff to live on-site: two advised it could be detrimental.</p><p>Concerned regarding drainage connection.</p><p>The scale of the proposed accommodation is excessive.</p><p>The accommodation does not respect the landscape setting, local character and locality.</p><p>Further comments:</p><p>Budget projections have been looked at by accountants on Parish Council and query various elements . Turnover and profits do not warrant on-site accommodation. No balance sheet so assets depreciating not known.</p><p>Only token salaries/payments are shown to the partners. Applicant has not provides information about the cost of temporary accommodation which does not appear to be within budget.</p><p>Not known whether the partnership has any reserves.</p><p>Concerns about site area which initially did not include Dark</p></td></tr></table>	<b>Sunningwell Parish Council</b>	<p>Objection:</p> <p><u>Initial response</u></p> <p>There is suitable alternative accommodation available nearby.</p> <p>Not essential to have a dwelling to make the farm viable. Budget excludes labour costs so will still not be viable in 2022 regardless of the dwelling.</p> <p>Farm has doubled stock without resident worker and expanding poultry farming activity so may be viable without a dwelling.</p> <p>Not demonstrated full-time worker required to be on site year-round.</p> <p>Correspondence from a deer farm operator, a vet and the British deer farms and parks association have advised it is not essential for staff to live on-site: two advised it could be detrimental.</p> <p>Concerned regarding drainage connection.</p> <p>The scale of the proposed accommodation is excessive.</p> <p>The accommodation does not respect the landscape setting, local character and locality.</p> <p>Further comments:</p> <p>Budget projections have been looked at by accountants on Parish Council and query various elements . Turnover and profits do not warrant on-site accommodation. No balance sheet so assets depreciating not known.</p> <p>Only token salaries/payments are shown to the partners. Applicant has not provides information about the cost of temporary accommodation which does not appear to be within budget.</p> <p>Not known whether the partnership has any reserves.</p> <p>Concerns about site area which initially did not include Dark</p>
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	<p>Lane (private road).  Query the ability of occupant of the proposed dwelling to have sight and sound of all livestock given site area.  Consider purpose of application is to establish a home in the Green Belt..  Letter from Ark Vet Centre, Lockerbie, Scotland (supplied via Parish Council) advising that deer to be checked once or twice per day with minimal disturbance during calving and it is not essential for staff to live at site – deer welfare suffers with excess disturbance.</p> <p><u>Response to RAC second report:</u>  Inconsistencies between RAC reports:  RAC advise business is realistic but admit they are not accountants.  Sale of youngstock coincides with 3<sup>rd</sup> year forecast to make the farm viable and allow for a dwelling. RAC report suggests no livestock has yet been sold but the Essential Needs Appraisal indicates the enterprise sells calves for slaughter at 14-17 months, suggesting this is ongoing.  Query budget which does not include salaries. If applicant has no income from the farm, income must come from elsewhere, in which case how is this a full-time position?  Query the funding of the temporary dwelling, particularly the suggestion of investing personal property into a partnership for a temporary consent.  Deer have been checked without a resident worker for 3 years, so on-site accommodation unnecessary - they could be checked 3-4 times per day instead.  A resident employee is only required when the calves are housed which is a limited time of year and therefore not full-time.  Disagree that a dwelling needs to be within 'sight and sound' of the livestock building as it is not mentioned in policy DP6 and not relevant to viability.  There are available premises to rent within a few minutes walk of the livestock building which have not been considered and would cost less to the business.</p>
<b>Countryside Officer</b>	No known ecological constraints. Previous development has occurred to the south of the site. The area to be lost would be pasture/arable land with lower ecological value.
<b>Drainage Engineer</b>	No objection subject to pre-commencement surface and foul water drainage conditions .
<b>Highways Liaison Officer</b>	Dark Lane is a private road. Site area amended to include access to the Highway. No objection subject to conditions to require access, parking and turning space in accordance with the site plan and the dwelling should have no more than 4 bedrooms.
<b>Environmental Protection</b>	No observations.

<b>Team</b>	
<b>Countryside Access</b>	No response
<b>Local Residents – Objectors (9)</b>	<p>Harm to Green Belt and landscape including to views across the site.</p> <p>A temporary dwelling will become permanent.</p> <p>The scale of accommodation and parking is excessive.</p> <p>Additional vehicles on Dark Lane will be detrimental to highway safety.</p> <p>If accommodation is essential, why wasn't it included when original farm buildings were erected?</p> <p>Can site accommodate projected increase in deer numbers?</p> <p>There is other accommodation available in the vicinity and applicants live close to site currently.</p> <p>Do not consider it is necessary for staff to live on site as it has been a farm for 3 years without a resident stockman.</p> <p>Exceptional need test not made.</p> <p>Business not viable. Queries re budget e.g. no salaries paid, funding of proposed dwelling, vet and professional fees underestimated.</p> <p>Applicant runs another business so how can farming be full-time?</p> <p>Query independence of RAC report and its conclusions.</p>
<b>Local Residents – General Observations (1)</b>	<p>A design should be submitted for the house. Siting could be improved if forward of the barn on lower ground than proposed. Concerned about drainage proposals.</p>
<b>Local Residents – Supporters (8)</b>	<p>Farmers work hard and should be supported.</p> <p>Important to be on site for security, husbandry, safety and limiting time travelling to work. Small farms provide local produce and reduce carbon footprint.</p> <p>Essential for this specialist farming activity to have resident farmer to ensure animal welfare.</p> <p>Applicants have improved the site greatly.</p> <p>The applicants help protect the Green Belt and environment.</p> <p>Building would not be very visible and the dwelling would not have a disruptive impact.</p> <p>May bring tourism to the area.</p>
<b>Vicars Game Ltd</b>	<p>Support:</p> <p>Have 50 years of experience. Deer farming is not easy and a farm needs to be well managed and run as deer are wild animals. The site has public footpaths crossing the site.</p> <p>Considerable time must be spent checking the animals, fences, trees and for damage/litter. Regular checking and feeding is required. Consider it is essential at this site for a stockman to be on site to deal with any eventuality.</p>

<b>Ark Vet Centre</b>	The letter dated 1 <sup>st</sup> July 2020 regarding monitoring and site supervision was a general letter and not site specific. Individual factors could not be taken into consideration.
<b>NorCal Veterinary Servies</b>	Support. Sensible to live on site for animal welfare reasons, given nature of farm, and especially during calving. There are over 425 stock and injuries, or issues could be more promptly dealt with by on-site worker.
<b>T Mosvold (Vet)</b>	Support. Not enough consideration given by objectors to animal welfare. With plans to increase deer numbers, it is vital to provide on-site accommodation for animal welfare and monitoring reasons. Particularly important during calving and over-winter when calves housed in barn.
<b>Sunningwell C of E Primary School</b>	Objection: Green Belt land should be preserved. Query why other nearby dwellings are unsuitable. Note farm has been able to run without a resident until now. If a permanent dwelling is allowed in future, this would also harm the Green Belt. Concern a dwelling on site may impact the mental health of the school children and harm the setting of the school.
<b>Sunningwell Parishoners Against Damage to the Environment (SPADE)</b>	Support rural employment and housing for agricultural workers but are concerned the application is outside the village in Green Belt. Request any dwelling is restricted to agricultural occupancy. The application should be assessed to determine whether it is genuinely for an agricultural worker, there is no other suitable housing and can meet the 'exceptional circumstance' test. Detailed design should be required due to sensitive location.

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P18/V1878/DIS](#) - Approved (09/08/2018)

Discharge of conditions 3(parking) and 4(turning space) of planning permission P15/V1746/PAR

Prior approval for conversion of existing agricultural barn to a dwelling (Re-submission)

#### [P18/V0633/DIS](#) - Approved (23/04/2018)

Discharge of condition 4 - Sustainable Drainage Scheme on application ref. P17/V2869/FUL

Two feed bins. Extension of yard. Concrete surfacing to existing handling area and for base of feed bins.

#### [P17/V2869/FUL](#) - Approved (08/01/2018)

Two feed bins. Extension of yard. Concrete surfacing to existing handling area and for base of feed bins

#### [P17/V1340/FUL](#) - Approved (18/08/2017)

Farm building with approach. Additional information submitted 12 July 2017.

[P15/V1746/PAR](#) - Approved (22/09/2015)

Prior approval for conversion of existing agricultural barn to a dwelling (Re-submission) Planning Application History

### 3.2 **Pre-application History**

None.

## 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposal does not fall within a category of development that would be subject to EIA.

## 5.0 **MAIN ISSUES**

The relevant planning considerations are the following:

- The need for a rural work dwelling in association with the agricultural enterprise
- Green Belt considerations
- Residential Amenity
- Access, parking and highway safety
- Other considerations – Biodiversity, Drainage, Public Rights of Way, CIL

### 5.1 **The need for a rural workers' dwelling in association with the agricultural enterprise.**

Paragraph 79 of the NPPF confirms support for the provision of new homes in isolated rural areas to meet the needs of rural workers to live at their place of work. Paragraph 83 of the NPPF states that planning decisions should enable the development of agricultural businesses. It is normal for two tests to be applied to an application for a new farm-worker's dwelling to minimise the risk of abuse of the process. These tests are:

- A **functional** test to establish if there is a need for the dwelling to be on the site because of the particular demands of the enterprise
- A **financial** test to establish that the enterprise is soundly based economically and has reasonable prospects for long term viability – if this appears to be the case, a three-year temporary permission is still recommended to begin with, to enable the economic issues to become clearer through examination of how the farm business has performed during those 3 years, and before any consideration is given to a permanent dwelling

5.2 Policy DP6 of the LPP2: Rural Workers' Dwellings confirms homes for rural workers will be supported in the countryside subject to various criteria:

*It is essential, and can be demonstrated there is an existing need for one or more permanent full-time workers to be readily available at all times for the rural enterprise to operate viably;*

*The functional need cannot be met by other suitable and available existing*

*dwellings in the locality of the rural enterprise;*

*The rural enterprise is economically sustainable, has been established for at least 3 years and is likely to remain economically viable for the foreseeable future;*

*The size and scale of the dwelling is commensurate with the needs of the rural enterprise; and*

*It respects the landscape setting, local character and its locality.*

The policy notes that new businesses may seek temporary homes for an initial 3-year period in order that the business can become demonstrate its viability.

- 5.3 With regard to the assessment of the need for a rural workers' dwelling, the advice in the independent RAC report is as follows:
- The applicant's proposal is to site a temporary dwelling (mobile home) at Church Farm to provide accommodation for a full-time rural worker.
  - It is considered that there is an essential need for a full-time worker to live on site and be available to meet the requirements of the farm and to ensure that the welfare of the livestock is not compromised.
  - The farming business has been established since 2017 and the applicants have plans for further development of the breeding herd.
  - The applicant has provided a three year business forecast which is considered to be realistic and produced on a sound financial basis.
  - RAC is not aware of any other dwellings in the immediate locality that are suitable and available and would meet the identified essential need.
  - The applicant's proposal is considered to be compliant with planning policy.
- 5.4 A summary of the secondary advice in response to local concerns is as follows:
- Temporary permissions enable the agricultural enterprise to be fully tested by the end of the 3 year period as to whether or not it is viable and sustainable. Additional financial information would be required at this point. If the business is not sustainable, the mobile home can be removed and the land restored to its original condition.
  - The budget was properly assessed and questioned by RAC and the information provided was typical of that seen in many agricultural/rural businesses.
  - It is acceptable to finance the purchase or rental of a mobile home by means of the sale of the existing dwelling.
  - Grazing deer may not give rise to a requirement for a resident worker but the enterprise at Church Farm includes housing calves which does require an on-site worker to protect livestock welfare.
  - Other rental properties further from the livestock building would not meet the essential need of this holding.
  - The proposed siting and location of the mobile home enables the full-time worker to react promptly to any emergencies.
  - RAC are agricultural experts and maintain that there is an essential need for the home based on the current enterprise.
- 5.5 It is relevant to assess the RAC report in relation to the planning policy tests for a rural worker's dwelling, namely:



- i) Whether there is a functional need
- ii) Whether any other dwelling is available to fulfil the need
- iii) Whether the business is financially sustainable
- iv) Whether the siting, scale, access and landscape impacts are acceptable.

5.6 Functional need:

The RAC report is clear that there is a need for a full-time worker to be on-site for animal welfare reasons and having regard to the size of the herd. The need applies particularly during the winter housing of calves, during calving and weaning and in rutting season. These periods are spread across the year, but there is also a need to provide supervision of the livestock year-round.

- 5.7 Objectors have queried how the business has operated to-date without an on-site worker. The applicant has explained that, while the deer herd was being established, there was no calving and so the need for on-site presence was significantly less. There have also been concerns raised around the commitment of the applicant to the farm as the applicant also set up a fitness business, TLA Fitness. Officers have been advised others manage and run the business, allowing the applicant to focus on the agricultural enterprise.

5.8 Any other dwelling available:

Although objectors have pointed out that there are properties available to rent elsewhere in Sunningwell village, the RAC report confirms it is essential for welfare reasons that the worker to be on-site, as close as possible, within sight and sound of the barn where the livestock are housed.

5.9 Financial sustainability:

The enterprise is relatively newly established but policy DP6 allows for temporary dwellings for an initial 3-year period in order that the business can demonstrate its viability. If it does not prove to be financially viable, the temporary dwelling can be removed and the land reinstated. It can be seen that significant investment has been made in the business to date by means of the deer fencing at the site, the erection of the barn, and the deer handling systems. It is accepted in national and local planning policy that this investment demonstrates clear intent to legitimately develop the business.

5.10 Size of dwelling and its siting

The mobile home would have a floor area of approximately 125 square metres, which officers consider acceptable. The siting is such that it would allow supervision of the livestock building and calving paddocks. It would be partially screened from the prevailing public viewpoints by the existing building and officers consider the temporary dwelling would occupy the optimum location on site with regards to the impact on the landscape, despite being on higher ground than the existing building. The location of the home would also allow the occupants sight of the entrance from Dark Lane for security purposes and some natural surveillance of the open fields. Any views obtained of the home will place it in the context of the working farm, giving it context as a rural worker's home. On this basis, officers consider the building will not be detrimental to the character and appearance of the area.

- 5.11 With regard to the farming enterprise, therefore, officers are satisfied that the proposal meets the requirement of policy DP6.

5.12 **Green Belt considerations**

The application site is set within the Green Belt. Local and national policies seek to preserve openness and maintain a presumption against inappropriate development, but it does not seek to prevent all development in the Green Belt. Paragraph 145 of the NPPF and policy CP13 make clear which types of development are exceptions to being considered inappropriate development including ‘buildings for agriculture and forestry’. Since officers are satisfied the temporary dwelling supports the agricultural need of the enterprise the proposed home is acceptable in terms of Green Belt policy.

- 5.13 As discussed, the location of the proposed temporary dwelling would be to the rear of the existing barn building where it would be seen in that context, in views from the south on Dark Lane and from the public right of way. The mobile home would also be low-level and it is proposed to be faced in timber, both of which help to limit impact on the visual amenity of the Green Belt.

- 5.14 In light of all this, officers conclude that the proposal is acceptable in terms of its impact on the Green Belt.

5.15 **Residential Amenity**

The site is sufficiently removed from established dwellings in the locality that it will not have any impact on their amenity by way of built form, or activity associated with the home. The position of the proposed mobile home would be located to the rear of the existing farm buildings and, as such, officers consider it would not have any adverse impact on children at Sunningwell Primary School.

5.16 **Access, parking and highway safety**

There is an existing access to the site and the Highways Liaison Officer has no objections to the proposal, subject to condition in respect of parking and turning provision. It is unlikely the proposal will give rise to significant changes in the numbers of vehicular movements, since an on-site dwelling would end the need for the farm worker to commute to and from the farm. Officers are satisfied safe access and egress to serve a new home can be provided.

5.17 **Other considerations – Biodiversity, Drainage, Public Rights of Way, CIL**

5.18 Biodiversity

The site is not within a protected ecological area or likely to offer habitat to protected species and the council's ecologist has no objection to the proposal.

5.19 Drainage

The temporary home is proposed to benefit from mains services, including drainage. The council's drainage engineer has no objection subject to pre-commencement conditions and is satisfied of the ability to connect to the adopted drainage network.

5.20 Public Rights of Way

The proposal is not envisaged to give rise to any direct impacts on the public right of way which runs along Dark Lane and beyond. However, an informative will be imposed to advise that the public right of way must not be obstructed or diverted.

5.21 CIL

The council adopted the Community Infrastructure Levy Charging Schedule on 1 November 2017. However, the proposal is not CIL liable as it is for a temporary dwelling.

6.0 **CONCLUSION**

- 6.1 The proposed development for a temporary agricultural workers' home has been assessed by an independent consultant and is considered to meet the recommended functional and financial tests. A temporary permission of three years will enable a further assessment of viability in three years' time. The proposal is acceptable in terms of Green Belt policy. The proposed siting is visually discrete and will allow the temporary home to be viewed as part of the existing farm complex, limiting impact on the broader landscape and on the Green Belt. The access is existing and can support a single dwelling without detriment to the highway safety or the convenience of users of the public right of way. Therefore, officers consider that the proposal is in accordance with relevant policies of the development plan and with the NPPF.

The following planning policies have been taken into account:

**Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:**

CP1 - Presumption in Favour of Sustainable Development  
CP3 - Settlement Hierarchy  
CP4 - Meeting Our Housing Needs  
CP8 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe  
CP13 - The Oxford Green Belt  
CP33 - Promoting Sustainable Transport and Accessibility  
CP35 - Promoting Public Transport, Cycling and Walking  
CP37 - Design and Local Distinctiveness  
CP42 – Flood Risk  
CP44 – Landscape  
CP46 – Conservation and Improvement of Biodiversity

**Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:**

DP6- Rural Workers' Dwellings  
DP16 – Access  
DP23 – Impact of Development on Amenity

**Sunningwell Neighbourhood Plan**

Sunningwell Parish Council is working on a neighbourhood plan. The neighbourhood area was formally designated on 1 July 2016. The parish council

has started the process of gathering evidence and engaging with the local community. This is to give the plan a direction and draft policies that will form the neighbourhood plan but very limited weight can be given at this stage.

**Supplementary Planning Guidance/Documents**

Vale of White Horse Design Guide (2015)

**National Planning Policy Framework and Planning Practice Guidance**

The National Planning Policy Framework (NPPF)

The National Planning Policy Guidance (NPPG)

**Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been considered in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equality obligations including its obligations under Section 149 of the Equality Act 2010.