
APPLICATION NO.	P16/S1465/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	4.5.2016
PARISH	CLIFTON HAMPDEN
WARD MEMBER(S)	Sue Lawson
APPLICANT	Mrs Heather Emmett
SITE	Fullamoor Farm Clifton Hampden Oxfordshire, OX14 3DD
PROPOSAL	To site a temporary mobile home for a three year period to ensure that the expansion of the pig enterprise can be properly managed to maintain high standards of animal welfare.
AMENDMENTS	None
GRID REFERENCE	453762/195338
OFFICER	Katherine Canavan

1.0 INTRODUCTION

- 1.1 The application has been referred to Planning Committee because the officer recommendation conflicts with the views of Clifton Hampden Parish Council. The objections raised are as follows:
- Unacceptable intensification of use in the green belt
 - Change of use from cattle farm to piggery
 - Highways issue as use straddles the highway
 - Impact of noise and smell on neighbouring occupants
- 1.2i The application site is located on the northern edge of Abingdon Road (A415), 0.9km from the village of Clifton Hampden. The closest dwellings are North Cottage (alongside the farm access), South Cottage (on the southern side of the A415), and nos. 3 and 4 Fullamoor Cottages; 90m south-west of the farmyard.
- 1.2ii The wider farm business operates primarily as an arable unit, with a pig enterprise, extending across approximately 350 hectares (865 acres) including the Fullamoor, Drayton House and Severalls sites. Fullamoor Farm covers an area of 89 hectares (220 acres) of agricultural land and buildings.
- 1.2iii The pig enterprise is based around the production (rearing) of batches of approximately 5,000 pigs at any one time; 2000 in the buildings on the yard, 3000 in the field tents. The weaners are brought onto the holding at 3-4 weeks of age and reared to 10 weeks of age. Approximately 4 batches of pigs are reared on the holding per year on an 'all-in all-out' basis.
- 1.2iv The buildings at Fullamoor Farm consist of a Straw/Hay/Machinery building, x3 no. Livestock/storage buildings and a Grain store. 30 temporary pig tents are sited on land on the opposite side of the main road.
- 1.2v The pig enterprise has been in operation since 2011, but has only recently (2015/2016) expanded to the current stocking level of 5,000 pig places. A full time stockman has recently been employed (worked on site for approximately 2 months) to oversee the pig enterprise.
- 1.3 The site is located within the Oxford Green Belt, and outside the built limits of the

settlement of Clifton Hampden.

- 1.4 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The applicant seeks a 3 year temporary permission for a mobile residential unit as an agricultural works dwelling. The application has been triggered by the recent expansion of the pig enterprise and to provide on-site management of the animals.

- 2.2 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 Clifton Hampden Parish Council – Object

Health & Housing - Air Quality - No strong views

Neighbour representations (5) - Objection

Neighbour representations (2) - No Strong Views

The following concerns were raised:

- Proposed unit appears overly large for one stockman
- Noise and smell disturbance to local residents from the farmyard
- Noise disturbance from vehicle movements during unsociable hours
- Highways concerns – farming traffic and large vehicles
- Proposal suggests increased intensification and expansion in the future
- A comprehensive review of the scale and operation is recommended to establish its impact on neighbouring occupants and the local area, eg. Traffic.

4.0 RELEVANT PLANNING HISTORY

- 4.1 [P77/W0213](#) – Approved (14/06/1977)

DUTCH BARN TO BE USED FOR AGRICULTURAL PURPOSES.

[P76/W0051](#) – Approved (29/03/1976)

PROPOSED FARM COMPLEX COMPRISING 2 SILAGE CLAMPS, CALF FOLLOW-ON ACCOMMODATION, STOCK BUILDING, GENERAL PURPOSE BUILDING AND DUTCH BARN WITH

[P76/W0028](#) – Approved (29/03/1976)

PROVISION OF A GRAIN STORE FOR AGRICULTURAL PURPOSES

[P75/W0071/CU](#) – Approved (16/05/1975)

TEMPORARY CHANGE OF USE OF THREE AIRCRAFT HANGARS FOR AGRICULTURAL PURPOSES FOR ONE YEAR MAXIMUM. NEW ACCESS.

[P74/W0263/CU](#) – Refused (28/11/1974)

CHANGE OF USE TO AGRICULTURE. ACCESS.

5.0 POLICY & GUIDANCE

- 5.1 South Oxfordshire Core Strategy policies (SOCS)
CS1 – Presumption in favour of sustainable development
CSS1 – Overall strategy and distribution of development
CSQ3 – Design
CSR1 – Housing in villages

CSEN2 – Green Belt

- 5.2 South Oxfordshire Local Plan policies (SOLP)
GB4 –Green Belt
G2 – Protect district from adverse development
D1 – Design
D4 – Privacy and overlooking
H4 – Proposals for houses
T1 & T2 – Transport, parking and highway safety
- 5.3 South Oxfordshire Design Guide (SODG)
- 5.4 National Planning Policy Framework (NPPF)
National Planning Policy Framework Planning Practice Guidance (NPPG)
- 5.5 Neighbourhood Plan
Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Clifton Hampden Parish Council are working towards the adoption of a neighbourhood plan and are at stage 1 in the process - (Area designation) claim submitted to DCLG. The neighbourhood plan has limited weight at this stage.

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The key considerations in determining the application are:

- Principle of development within the Green Belt
- Assessment of agricultural need for residential dwelling
- Environmental impact on neighbouring occupants
- Additional matters

6.2 **Principle of development within the Green Belt**

The site lies within the Oxford Green Belt. As a general rule, development in the Green Belt is normally considered to be inappropriate from the outset unless very special circumstances exist to override the presumption against such development.

Exceptions to this are set out in Paragraph 89 of the NPPF, such development is not inappropriate in the Green Belt and includes:

- Buildings for agriculture and forestry
- Limited infilling in villages, and limited affordable housing for local community needs

In respect of new housing in the countryside, para 55 of the NPPF advises:
“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities....Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside”

In order to assess whether the proposal represents a building for agriculture or forestry need, and a form of development which is therefore not inappropriate within the Green Belt, the agricultural assessment was scrutinized by Acorus Rural Property Services on

behalf of SODC. The agricultural consultant also visited the application site (June 2016) to gather further information about the business, the way in which it functions, and the scale of activity. The findings are set out in section 6.3.

6.3 **Assessment of agricultural need for residential dwelling**

6.3i Essential need

In order to demonstrate that there is an essential need for a worker to live on site, it is reasonable to consider whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- in case animals or agricultural processes require essential care at short notice;
- to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

There is a large number of stock present on the holding (5,000 pigs) and, considering the labour requirements of the enterprise, the consultant has concluded that the need actually amounts to more than one worker.

Given the non-permanent location of the pig tents (which could be located at any time at a greater or lesser distance from the stockman's temporary unit), the essential functional need predominately relates to those pigs housed at Fullamoor Farm, and the requirement for the unit to be located close to the main buildings.

Stock needs checking twice a day to ensure health and welfare are maintained, although this is likely to be done during 'normal working hours'. Housed livestock, particularly when young, require close monitoring - these young pigs will need to be checked more regularly for the first few weeks.

It is instances which may occur outside of the 'normal' working day which result in an essential need for a full time residential presence. Given the size of the stock and the distance away from the site of the nearest employee, the risk to the business and the animal welfare of the stock is significant enough to justify on-site management, if the feeding systems were to fail or an emergency were to happen.

6.3ii Financial viability

It is also necessary to consider whether the essential need is likely to persist over the long term by giving consideration to the question of whether the business operated on the site has the potential to be financially sound and likely to remain so.

From the information supplied and the site visit, there appears to be an established pig enterprise. This element of the farm business has been operational for the past 4/5 years and there has been investment in buildings and equipment over this period to enable the enterprise to progress. The business is well-established and both the arable and pig enterprises are profitable. Cash flow figures and operating costs appear to be reasonable for the pig enterprise. The business meets the test for financial viability.

6.3iii Other available dwellings

Consideration has been given to whether alternative suitable accommodation is available close to the farm, or whether existing accommodation associated with the farm employees is close enough to meet the needs of the pig enterprise.

The directors and employees associated with the business live over 4 miles away, and the recently employed stockman is over 20 miles from Fullamoor Farm. There are no dwellings located on the farm, and there no other dwellings both suitable and available in the vicinity which would meet the identified need on site.

- 6.3iv Based on the particular circumstances of the business, the nature and scale of the enterprise (considering the number, ages and welfare requirements on the stock) amounts to an essential need for on-site accommodation. The circumstances of the business have changed in recent years, in that a larger number of stock are now accommodated on-site, which has triggered the need for a stockman and a temporary residential unit to be located on-site.

Under the guidance laid out in paragraph 55 of the National Planning Policy Framework, an essential need has been demonstrated for an agricultural worker to be on-site outside ordinarily operating hours to manage the pig enterprise.

6.4 **Temporary permission**

- 6.4i The consultant has advised that any application for a permanent dwelling in the future would need to be accompanied by trading accounts for the previous 3 years for the pigs, as this is the enterprise which justifies the need for on-site accommodation, and would confirm whether the suggested profit level indicated by the cash flow has been achieved and is sustainable.

If the scale of the business and stock size were to reduce, or the working arrangements were to alter, this would lessen the agricultural need of the pig business. There is insufficient information to establish the long term position at this stage and to guarantee that there would still be the same level of agricultural need in 3+ years' time.

On this basis a 3 year temporary permission is recommended, to allow the agricultural need to be re-assessed at the point of renewal or submission of a permanent proposal.

6.5 **Environmental impact on neighbouring occupants**

- 6.5i The site relates to an existing farm in agricultural use. Agricultural use is considered to have an established level of noise and smell associated with the way in which it functions. In planning terms there is no sub-categorisation of the use to differentiate between arable, dairy, piggery etc.

It is recognised that there has been a change from agricultural storage / cows to a piggery in past years, but this would not represent a planning change of use. The need for a temporary residential unit on-site has been justified through the increased number of pigs on-site, but the increased stock levels by themselves would not represent a change of use or a newly introduced form of planning development.

As the proposed temporary unit would not directly generate environmental disturbance to nearby occupants, and there is no planning breach with regard to the agricultural use, these elements are not material planning considerations associated with the proposal. In terms of addressing local concerns over noise and smell associated with the farm, Environmental Protection legislation is best placed to deal with any existing or subsequent environmental matters.

6.6 **Additional matters**

6.6i **Highways**

As set out in 6.5, the current use and operation of the site, along with the recent increase in stock levels, is acceptable within the parameters of planning legislation. The farm site has operated for many years with existing access points and on both sides of the highway. The proposal for the temporary mobile unit does not alter this or change the way in which the site functions to the extent that moving it on site would result in severe harm to highway safety.

6.6ii **Environmental licence**

In response to representations made during the consultation process, and in the interest of clarity:

The Environment Agency requires permits for the rearing (fattening) of production pigs (over 30kg) involving more than 2000 places – this sits outside the planning process. Fullamoor Farm manages batches of 5,000 pigs at any one time. However, the agricultural report clarifies that the weaners are brought onto the holding at 3-4 weeks of age (approximately 7kg) and therefore sit below the threshold.

With regard to the 'DEFRA guide: A Farmer's guide to the Planning System', it is recognised that a certain amount of development can be carried out under permitted development rights, but for certain types of development over specified thresholds an Environmental Impact Assessment would be required to accompany the application. The specific requirements are relevant where there is a change of use of the land to a pig enterprise with more than 3,000 places for the production pigs (over 30kg).

As set out in 6.5, the increase in pig stock does not represent a change of use in planning terms, and the size of the pigs at Fullamoor Farm is under the weight threshold. On this basis, no additional planning application is sought for this aspect of the operation.

7.0 **CONCLUSION**

7.1i Your officers recommend that planning permission is granted because the proposed development is considered to be acceptable for the following reasons:

7.1ii Although the principle of residential development within the green belt is contrary to policy CSR1 of the South Oxfordshire Core Strategy and policy H4 of the South Oxfordshire Local Plan, sufficient evidence has been provided to establish an agricultural need associated with the pig enterprise. The 3 year temporary development accords with paragraph 55 of the National Planning Policy Framework, which allows for agricultural accommodation in rural locations in exceptional cases.

The introduction of a temporary, mobile unit on the site does not adversely affect the residential amenity of neighbouring occupants or result in a harmful environmental impact.

Subject to conditions and the 3 year temporary restriction, the proposal accords with the National Planning Policy Framework (2012) and National Planning Practice Guidance (2014), South Oxfordshire Core Strategy (2012), South Oxfordshire Local Plan (Saved policies, 2011) and the South Oxfordshire Design Guide (2008).

8.0 RECOMMENDATION

8.1 To grant planning permission subject to the following conditions:

- 1. Temporary three year permission and removal of unit and residential paraphernalia at end of approved period.**
- 2. In accordance with plans.**
- 3. No boundary fencing around unit.**

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