

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

WRITTEN STATEMENT OF THE LOCAL PLANNING AUTHORITY

Appeal by Mr. O. Vaughan against the decision of Wiltshire Council to refuse the granting of Planning Permission for the 'Retrospective application for the siting of a static caravan for temporary residential use in connection with agricultural operations for a period of three years'. The site is land at Outmarsh Farm, Outmarsh, Semington, Trowbridge, BA14 6JX.

PINS References: 6008970

LPA Reference: PL/2025/08409

1.0 **Introduction**

- 1.1 This statement has been prepared by Wiltshire Council in response to the appellant's appeal against the refusal of Planning Permission for the 'Retrospective application for the siting of a static caravan for temporary residential use in connection with agricultural operations for a period of three years', at Outmarsh Farm, Outmarsh, Semington, Trowbridge, BA14 6JX.
- 1.2 The Officer's Delegated Report attached at Appendix B accompanies the decision to refuse planning permission dated 27 April 2026 and forms the Council's main Statement of Case. The Decision Notice with the Council's reasons for refusal have already been provided to the Planning Inspectorate. For completeness, the reasons for refusal are as follows:

Planning permission reason for refusal:

The application site is located within open countryside outside any defined settlement boundary as set out in the adopted Wiltshire Core Strategy 2015 where new residential development is strictly controlled. The applicant has failed to satisfactorily demonstrate that there is an essential functional and financial need for a full-time worker to reside on the site to support the submitted enterprise, as required by national and local planning policy.

Furthermore, insufficient justification has been provided to demonstrate why the farming business could not be suitably managed and operated from the existing nearby dwelling at Outmarsh Farmhouse, which is considered to be suitably located to provide any animal husbandry or site security needs for the identified landholding. In the absence of clear evidence of exceptional circumstances to justify a new dwelling in the countryside, the siting of a static caravan for residential occupation represents inappropriate development which conflicts with Core Policies CP1, CP2 and CP48 of the Wiltshire Core Strategy 2015 and NPPF paragraphs 8, 11 and 84.

The siting of the static caravan, together with associated domestic paraphernalia including outdoor seating and tables, introduces a visually intrusive form of development within the open countryside with an unacceptable domestication and encroachment in the rural landscape contrary to Core Policies CP51 and CP57 of the adopted Wiltshire Core Strategy.

The defined red lined application site extent is also considered excessive and disproportionate in terms of establishing a reasonable curtilage associated to the static caravan.

- 1.3 The appeal site location, proposal, relevant policies and relevant planning history are as set out in the Officer report at Appendix B.
- 1.4 The application was made retrospectively with the caravan having been stationed on the site since October 2024 without the benefit of planning permission or permitted development rights.

2.0 Council's Response to the Appellant's Statement of Case.

- 2.1 The appellant's Statement of Case emphasises the temporary nature of the proposal in which the siting and use of the caravan is both temporary and fully reversible. It is asserted that because the use of the caravan would be for a temporary period of three years it is, therefore, acceptable in principle. In planning policy terms, the site is in a rural location and the principle of a caravan for residential occupation on a temporary basis is only appropriate where there is a clearly established function need and there is a reasonable prospect of the rural enterprise becoming viable. In the absence of robust evidence to support either criterion, the grant of a temporary permission would be unjustified. The officer delegated report discusses this aspect in greater detail.
- 2.2 At the time of writing, the caravan has been on site for 1 year and 8 months. The effect of a grant of permission through the appeal would result in a temporary period extending to approximately 5 years. Additionally, in the event of the grant of temporary permission, further requests for temporary permission could be made every three years leading to a more permanent siting of the caravan for many future years if permission is granted without sufficiently robust justification demonstrating an essential need and financial soundness of the enterprise.
- 2.3 The appellant frames the proposal as supporting rural enterprise, for reasons of animal welfare and security due to previous thefts of equipment.

- 2.4 The enterprise comprises, 15 sheep, 2 goats, 20 hens and 3 beehives. This is a small-scale holding, not a full-time agricultural unit. The key policy test is not simply whether agriculture exists, but whether a rural worker's dwelling is justified.
- 2.5 Temporary rural worker accommodation is only acceptable where there is a proven essential need. The appellant asserts need but does not demonstrate that this need meets the strict policy threshold under NPPF and Core Policy 48. The existence of an agricultural activity alone is insufficient to justify residential development in the countryside. The level of activity from the scale of the agricultural enterprise does not reasonably generate or justify a requirement for a full-time on-site residential presence by reason of a 24-hour supervision requirement.
- 2.6 While certain farming activities, e.g. lambing require closer supervision, these are seasonal and temporary in nature. There is no substantive evidence that the enterprise requires round-the-clock supervision throughout the year.
- 2.7 Claims relating to theft and trespass are not substantiated. There is no evidence of equipment being stored on the application site area where the caravan is intended to provide security. Security issues do not, in themselves, justify residential development in the countryside.
- 2.8 The Council employed the services of an independent agricultural consultant to appraise the functional and financial need for a continuous on-site presence. The consultant's findings were that a requirement for a full-time presence on site had not been demonstrated. The functional and financial tests required to demonstrate need are appraised in detail in the officer report. A copy of the agricultural consultant's appraisal report is attached in Appendix C. In summary, the consultant made a clear conclusion that:

'In my view the remaining enterprises do not present an essential need for livestock husbandry. Clearly, they will require inspection and management, but those aspects do not equate to an essential need for a presence on the site at most times'.

The requirement for a continuous manned on-site presence has not been demonstrated and therefore the proposal does not comply with Paragraph 84 of the NPPF which states:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply.

*a) there is an **essential need** for a rural worker to live permanently at or near their place of work in the countryside.” [emphasis added]*

- 2.9 Section 4 of the appellant’s statement does not provide any new substantive evidence to alter the Council’s assessment as set out in the officer report.
- 2.10 A farmhouse exists in proximity to the site. Clear evidence that existing accommodation cannot meet the identified need has not been provided.
- 2.11 The appellant states that access constraints and a travel time of 10 to 15 minutes render it unsuitable. Utilising the existing tracks, it is approximately 130 metres to the western end of the site and 220 metres to the eastern end of the site. A short travel distance is typical in agricultural operations which would typically include distances across several fields. Many rural enterprises operate without on-site residential accommodation immediately adjacent to each field that accommodates grazing livestock.
- 2.12 Insufficient evidence in Section 5 has been provided to demonstrate that the existing dwelling cannot reasonably serve the needs of the small-scale enterprise. Notwithstanding that there is an existing farmhouse within the same land holding and ownership, which could adequately serve the needs of the agricultural enterprise, the Council’s agricultural consultant confirms that there is not a requirement for a full-time presence on the site, irrespective of whether temporary accommodation could be provided within the farmhouse in times of need, such as during lambing.
- 2.13 Section 6 of the appellant’s statement refers to DEFRA registration and a developing business plan. However, registration with DEFRA or allocation of a CPH number does not demonstrate viability. The submitted financial projections are limited and unverified and there is no robust evidence that the enterprise is currently profitable or sustainable. The enterprise appears to be in its early stages and remains small-scale and developing, as well as limited by the relatively small scale of the land holding. As such, it has not been demonstrated that the business is capable of sustaining a rural worker’s dwelling, even on a temporary basis.

- 2.14 The three-year business plan has been appraised by the council's agricultural consultant who found that the business "has not been planned on a sound basis." The farming business needs to operate on a viable and profitable basis or demonstrate that this is likely to be the case within the timeframe of the temporary permission in order to meet the financial test as well as meeting an essential need to live on site. The officer delegated report and consultant's appraisal assess these matters more fully. No further substantive evidence has been provided to address the Council's concern that financial viability has not been demonstrated.
- 2.15 The site lies within the open countryside where policies seek to restrict residential development. The siting of a residential caravan introduces domestic activity, associated paraphernalia and lighting and an urbanising influence. This results in harm to the rural character and appearance of the countryside, contrary to Core Policy 57. This is compounded by the site area being defined as the entire area of agricultural land, such that if approved the site area could be construed as domestic curtilage.
- 2.16 The appellant's statement fails to clarify how access and parking is achieved from the public highway given that it is stated that the farming enterprise is to be managed separately to the occupation of the existing farmhouse and that access from the farmhouse itself is problematic. It is not evident whether there would be an impact on the highway as a result of the formation of a new access or additional visual harm from creation of an access and parking for the manager's own vehicles within the site area.
- 2.17 There is also no clarity on where farming equipment is stored relative to the caravan and livestock being farmed and therefore how the siting of the caravan assists with lambing, for example, and whether this currently takes place in the open in the absence of livestock buildings on the site which would justify the chosen siting of the caravan relative to the essential need for welfare reasons which are described in the Appellant's statement.
- 2.18 The appellant's statement references Core Policy 34 which relates to Additional Employment Land, specifically to B1, B2 and B8 use, and so is not relevant or applicable to the circumstances of residential accommodation where that is related to

employment land or otherwise. Core Policy 48 (Supporting Rural Life) is the relevant policy and the application has been fully assessed against this policy within the officer's delegated report. Having sought external assessment of the enterprise, the Council consider that the scheme fails both the function and financial test criteria.

A copy of CP48 is attached in Appendix D.

- 2.19 With reference to sections 9 and 10 of the appellant's statement, the level of activity of the enterprise does not demonstrate a current need for on-site accommodation. Whilst the use of a three-year temporary permission is an appropriate means to test the financial viability of a new agricultural enterprise, the caravan has already been on site for almost half of the 3 year period at the time of the appeal. The evidence does not indicate that the enterprise is on its way to being or likely to be established and viable within a further three years period.

3.0 Conclusion

- 3.1 The temporary retention of an unauthorised caravan has not been demonstrated to be supported by sufficient evidence to conclude that it would be supported by the National Planning Policy Framework and Core Policies 48 and 57 for the reasons above and as set out in the officer report and consultant's appraisal. There are further concerns regarding lack of detail on the means of access, lack of clarity on how the enterprise is managed taking into account the absence of any existing means of access or storage of equipment for the purposes of maintaining the land and storage of feedstuff associated with the needs of the enterprise.
- 3.2 The Inspector is respectfully invited to dismiss this appeal on the grounds that the proposed development is inappropriate development in the countryside which has not been demonstrated to fulfil an essential functional need for a rural worker to reside on site and has not demonstrated that the enterprise is financially sound and capable of sustaining the accommodation.
- 3.3 Without prejudice to the outcome of the case, if the Inspector is minded to allow the appeal and to grant planning permission and consent, the Council would suggest that due regard is given to the suggested conditions as detailed within Appendix A.

Appendices

List of documents relating to the planning application, the subject of the current appeal:

Appendix A Suggested planning conditions if the Planning Inspector is minded to allow the appeal.

Appendix B Planning Officer's delegated report.

Appendix C Agricultural Consultant's report

Appendix D Copy of Core Policy 48

Appendix A

Suggested Planning Conditions

1. The development hereby permitted shall be carried out and maintained in accordance with the following approved plans:

Site Identification Plan

Location Plan

Caravan Elevations – Dwg 00001 Rev C

Caravan Floor Plan – Dwg 00002 Rev A

Site Plan - Dwg 000003 Rev E

Supporting Justification Statement.

REASON: For the avoidance of doubt and in the interests of proper planning.

2. The caravan hereby permitted, as illustrated on the site block plan, shall be removed and the land restored to its former condition on or before [3 YEARS OF THE DATE OF PERMISSION] in accordance with a scheme of works to be submitted to and approved by the Local Planning Authority.

REASON: Planning permission has been granted on a temporary basis to allow the Local Planning Authority to review the functional need of the building at the end of the expiration of the period referred to.

3. The occupation of the caravan shall be limited to a person solely or mainly working in the locality in agriculture.

REASON: The site is in a location where residential development for purposes other than meeting an essential need for the purposes of agriculture would not be permitted.

APPLICATION FOR FULL PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/08409
APPLICATION TYPE:	FULL planning permission
SITE ADDRESS:	Outmarsh Farm, Outmarsh, Semington, BA14 6JX.
DEVELOPMENT DESCRIPTION:	Retrospective application for the siting of a static caravan for temporary residential use in connection with agricultural operations for a period of three years.
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL

The proposal seeks planning permission for the retrospective siting of a static caravan within a field at Outmarsh Farm, Semington, for the temporary retention period of three years.

SITE DESCRIPTION/CONTEXT

The static caravan, is sited within a field to the north of Outmarsh Farm, as shown in the plan snippets below. The village of Semington is a Large Village within the Council's Core Strategy and the site is outside of the settlement boundary limits and is within the open countryside.

The site is surrounded by farmland with farm buildings being located within the main farmyard area, with the static caravan being 157 metres distant from the main farmhouse on site, known as Outmarsh Farmhouse, which is a grade II Listed Building. A public footpath reference MELW11 runs through the site via the main entranceway.

RELEVANT PLANNING HISTORY

Proposal / Summary
N/A

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 48 Supporting Rural Life
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58 Ensuring conservation of the historic environment.
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management
- Paragraph 84 of the NPPF – Rural housing

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions
The National Planning Policy Framework (NPPF)
The Planning Practice Guidance
National Design Guide

Emerging Wiltshire Local Plan:

The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

CONSULTATION RESPONSES

Melksham Without Parish Council: No objections and seek clarification on the following points:

- Clarification of the 3-year time period in the application - Is this from the point of approval of the application or from time the caravan was located on the site (as this is a retrospective application)?
- Tight control/supervision to prevent residential creep
- Clarification of vehicular access/parking arrangements

Archaeology: No objections.

Highways: Comment that if officers are minded recommending approval, the highways officer would request an additional plan, illustrating the point of vehicular access and car parking provision for the site.

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

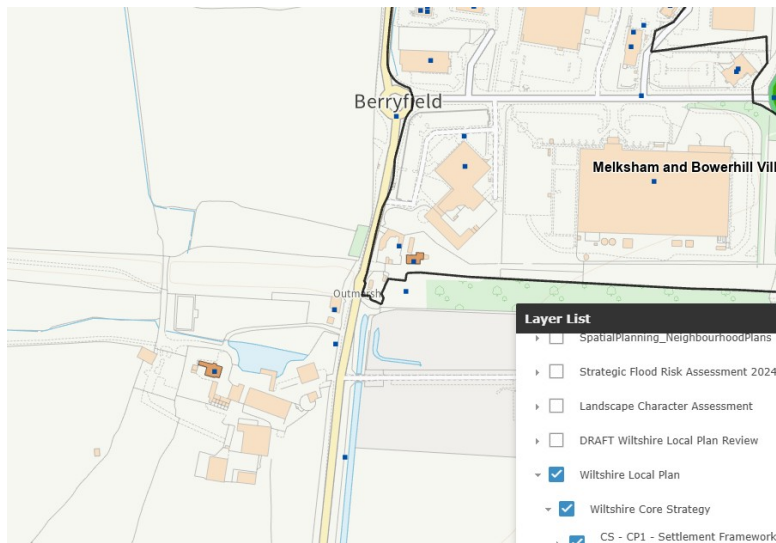
"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015).

The Wiltshire Core Strategy, and Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. This settlement Strategy identifies four tiers of settlements, namely Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages. The village of Semington is classed as a Large Village. Core Policy 2 sets out the delivery strategy and advises on development as defined on the policies map.

The village of Semington does have a retained settlement boundary, with the site falling outside of the defined boundaries and so consequently is classed as being within the open

countryside, whereby the very principle of new housing is unacceptable. This is effectively shown within the below snippet of the context plan, with the black line representing the established boundary limits.



Principle of the proposal.

The principle of the proposal is not acceptable for the following reasons as explained throughout the report.

Design and Impact upon the upon the character and context of the area

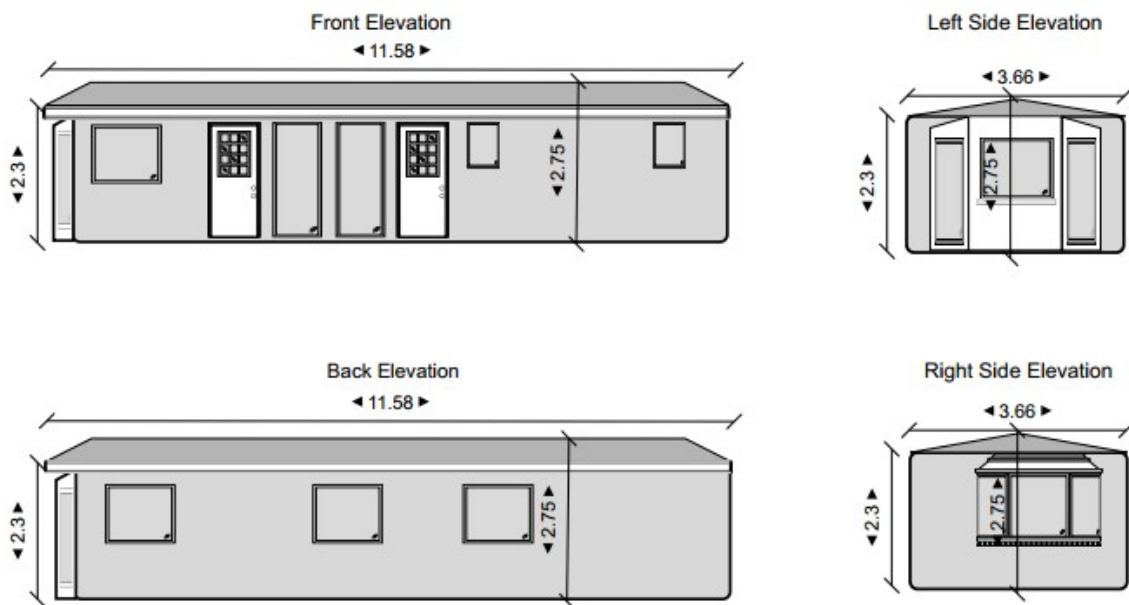
Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness. The proposal can be viewed within the plan snippets taken from the submitted plans:



Location Plan



Site Plan.



Caravan Elevations.

As highlighted, the static caravan is located within an open field, it is of a standard design measuring 11.6 metres by 3.7 metres with a height of 3.7 metres. It is of a light colour with the access being taken from the immediate east of the site via a gated access off the main adjacent highway. Its design is not that of a typical agricultural workers dwelling but that of a caravan/mobile home, which could be readily found within a developed urban area.

Whilst it is understood that the use of the sited accommodation may be temporary and potentially ongoing temporary for a number of years, this type of accommodation is inappropriate in the open countryside. The photograph below shows the structure in place:



Therefore, in summary, having regard to the above, the proposal does not comply with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties. The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

Due to the aspect of the static caravan being the only residence within the field, there are no other nearby neighbours who may be impacted on by its presence. In terms of the visual impact of the structure on the amenities of the open countryside, these are considered to be harmed by the unauthorised presence of the structure, which whilst understood to be empty at present, would have domestic paraphernalia present over time. Such paraphernalia would serve to erode the character of the surrounding countryside.

The proposal therefore does not accord with Core Policy 57 in regard to visual amenity.

Justifications of the proposal.

The case for the temporary retention of the mobile home as put forward by the accompanying statement and states that an on-site presence is required for the small holding. The statement describes the farming activities as:

'The enterprise currently includes sheep, goats, poultry, and several beehives, alongside a developing orchard producing apples and pears. The long-term aim is to establish a viable small-scale farm producing meat, eggs, honey, and orchard products for local sale.'

The livestock and beehives require close and regular monitoring, particularly during lambing and kidding seasons and during adverse weather. Immediate on-site access is essential for animal welfare, security, and the effective day-to-day management of the land. The static caravan, which has been on-site since October 2024.'

The application has submitted a three year business plan, which seeks to make the business grow, with the presence and utilisation of the static caravan being required for a close, hands on presence when required, such as during lambing times.

The Businesses' Three Year Business Plan

The business proposed three year plan has been submitted and the redacted version is reproduced below omitting personal financial figures:

Year 1

- *Expand to 20 breeding ewes, producing around 30 lambs annually, generating approximately...*
 - *Increase poultry operation to 60 laying hens, producing roughly 300 eggs per week, generating around xxx.*
 - *Grow to 4 beehives for honey and wax products, producing an estimated xx*
 - *Begin regular local sales through farm gate, small shops, and community markets.*
 - *Establish rotational grazing to improve soil and pasture health.*
- Estimated Year 1 estimated annual income: xx*

Year 2

- *Increase flock to 25 breeding ewes, producing around 40 lambs annually, worth approximately xx*
 - *Expand to 70 laying hens, producing roughly 350 eggs per week, generating around xx.*
 - *Maintain 5 beehives with improved yields, generating approximately xx .*
 - *Set up a small farm-gate stall or mobile unit for eggs, honey, and orchard produce, adding around xx .*
 - *Continue investing in fencing, water systems, and equipment to support long-term growth.*
- Estimated Year 2 estimated annual income :xx.*

Year 3

- *Reach 30 breeding ewes, producing around 45 lambs, with a mix of direct and liveweight sales, generating approximately xx .*
- *Maintain 80 laying hens, producing up to 500 eggs per week, generating around xx.*
- *Operate 6 beehives for honey and wax production, producing approximately xx.*
- *Expand orchard output with seasonal produce and value-added goods such as jams, chutneys, and beeswax items, generating approximately xx.*
- *Supply local shops and markets directly to increase margins and introduce small-scale farm experiences such as honey tastings or farm visits, contributing around xx.*

Estimated Year 3 estimated annual income:

By the third year, the holding is expected to provide a full-time workload and generate a sustainable income, demonstrating the clear need for on-site accommodation to manage and grow the enterprise effectively.

The application has cited the following reasons for on-site residency:

Need for On- Functional Site Resident

A full-time on-site presence is essential for the proper running of the holding.

- Animal welfare: Lambing requires supervision around the clock, and prompt intervention can mean the difference between life and death for ewes and lambs.*
- Security: Livestock, poultry, and equipment are vulnerable to theft and predation.*
- Daily management: Feeding, watering, egg collection, and animal checks are required every day.*
- Emergencies: Quick response is often needed for lambing complications, illness, or extreme weather. Staying on-site will allow me to manage these responsibilities effectively and safeguard the welfare of the animals.*

Policy.

Paragraph 84 of the NPPF relating to rural housing is of relevance in that it states:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*

The main local development plan policy of relevance is CP48 – Supporting Rural Life, which is relevant as it relates to supporting rural life and the provision of dwellings within the open countryside; the policy states:

“Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence”.

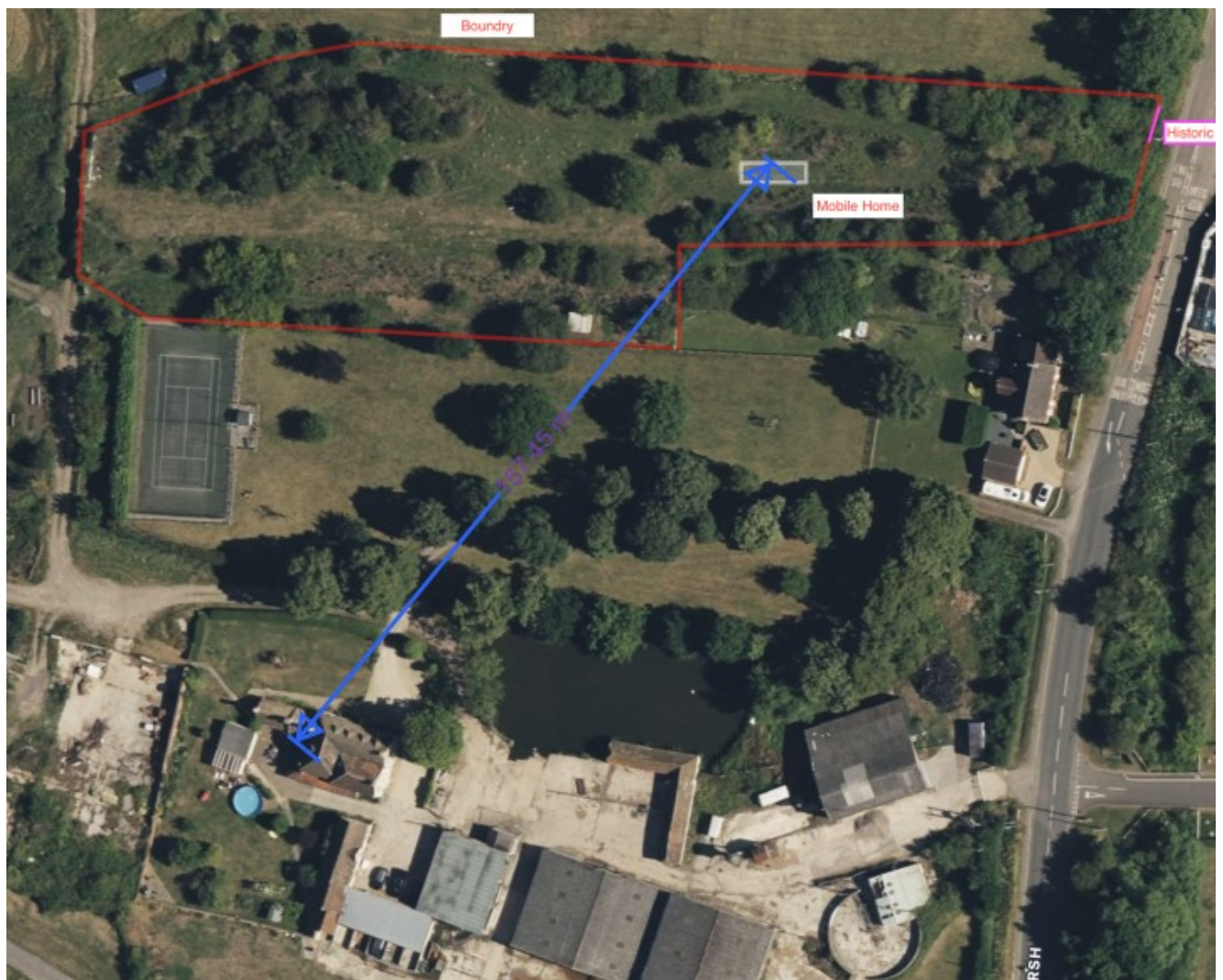
The above extract is of particular relevance, as the mobile home is already in place and being utilised for unauthorised residential accommodation. The above policy states that there is a requirement for the presence or retention of the mobile home to be supported by functional and financial evidence.

In this instance the current application site is not remote and is located in close proximity to the main residential farmhouse on site, known as Outmarsh Farmhouse.

The submitted statement says that the use of the farmhouse is not practical because:

'The two areas are separated by internal fencing and a steep embankment, with a small gate at the bottom that cannot be used by vehicles. There is also no permission to use the nearby bus gate, meaning that to reach the fields from the farmhouse requires driving the long way around — a journey of roughly ten to fifteen minutes each way, depending on traffic and conditions'.

When officers conducted their site visit the 'bus gate' as mentioned was noted, this prevents ordinary vehicles using this access, and it was noted that there is a main wooden gate entrance to this area, directly opposite the Semington Road, allowing access to the area of land where the static mobile home is sited. Whilst the above statement says there is no permission to use both gates, access has been made possible to allow for the transportation of the caravan. The Bus Gate area does not prevent pedestrian access. The following snippet below shows the respective distance of 157 metres from the extant farmhouse to the unauthorised caravan. It is noted within the other provided site plan, an orange dotted line is shown indicating a direct pedestrian access from the main house to the red lined area.



The direct distance shown is 157 metres from the main farmhouse to the static caravan, which could be reached on foot. It is considered that such a close distance negates the need for the caravan.

The second leg of the CP48 policy criteria for the retention of the mobile home is the submission of financial information of the farming business. This information is crucial in the assessment of the functional and financial viability of the farming business, and the provision of financial evidence for the agricultural business and in turn justification for the need to have the mobile home on site. This information has been provided, and the Council has employed an independent agricultural consultant to appraise the submitted information.

Agricultural Consultant's Findings.

The agricultural business is owned by Mr. Robert Vaughan and his son Mr. Oscar Vaughan would run the business, reside within the caravan and implement the 3 year business plan. The caravan is currently unoccupied, as Mr. Oscar Vaughan is currently employed away from Outmarsh Farm. Similarly, Mr. Robert Vaughan also has business interests aside from those of farming.

One of the claimed areas of need for the retention of the caravan relates to the requirement of being on site for the lambing period, the agricultural consultant discusses this aspect:-

6.0 NPPF – ESSENTIAL REQUIREMENT

6.1 The planning application for the retention of the dwelling is associated with the proposed business. The National Planning Policy Framework (NPPF) was revised in 2024. In the context of the application for the proposed dwelling, paragraph 84 of the NPPF states:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply

a) there is an essential need for a rural worker.....to live permanently at or near their place of work in the countryside.”

6.2 Under the NPPF it is therefore relevant to consider the requirements of the proposed enterprises and whether those requirements present an essential need for a worker to live at or near the enterprises.

6.3 In my view there will be a requirement for close care and assistance to livestock during lambing. The Plan does not specify a lambing period but the typical lambing period is not extensive, covering a few weeks in spring. Lambing and the neo-natal lamb can require close supervision, however in this context the number of ewes is very low, with a maximum of 30 head by year three. In my view the associated essential need could only be considered partial.

6.4 In my view the remaining enterprises do not present an essential need for livestock husbandry. Clearly, they will require inspection and management, but those aspects do not equate to an essential need for a presence on the site at most times.

The above appraisal does not agree for there to be an essential presence on site. In regards to the applicant's proposed 3 year business plan, the council's agricultural consultant states the following:

7.0 BUSINESS ASSESSMENT

7.1 There is no express reference in the NPPF to an assessment of either an existing or proposed business which will operate in association with the proposed rural dwelling. It is my opinion that such an assessment is critical to forming an opinion on the continuation of the "essential need". In this case the essential need described and recognised above will only continue through the operation of the business. If the business does not operate on a profitable and viable basis then it will fail and the authority would be left with a dwelling but no "essential need" for its presence.

7.2 Following the Government's update to Planning Practice Guidance (PPG), published in July 2019, financial viability is now referenced as a consideration when determining the need for a rural worker's dwelling.

7.3 The applicant has submitted the Plan. In my experience a business plan for a new agricultural business would typically set out:

- Gross Margins for the proposed enterprises including anticipated outputs and variable costs on a unit basis for each of the proposed enterprises.*
- Proposed fixed costs including electricity, water, property costs, finance costs and any employed labour.*
- Projected profit and loss accounts for the three year period.*
- A summary cashflow for the three year period.*
- Budget capital costs and a Balance Sheet for the project.*

7.4 The Plan provided sets out in summary the development of the enterprises. There are estimated levels of revenue from the enterprises together with receipts showing previous sales. There is no other budgetary financial information or projections, for example:

- There are no enterprise budgets (gross margins) setting out variable costs.*
- There is no indication of fixed costs.*
- There are no budget profit and loss accounts.*
- There is no cashflow.*
- There is no indication of capital requirements.*

7.5 In addition to the above there is no indication of demand from local shops and there is no indication of which local markets will be targeted. Whilst there is reference to farmgate sales it is noted that the public highway adjoining the application site is effectively a no through road due to the Bus Gate which lies outside the entrance to the site.

7.6 Overall it is my view that the business has not been planned on a sound basis.

The consultant has found financial planning shortfalls as discussed above in paragraphs 7.3, 7.4 and 7.5 and has come to the conclusion that there is not an essential requirement for there to be a presence on site at most times, with the business not being planned on a sound financial basis, he states:

“The proposed business does not present an essential need for a presence at most times and does not present a requirement for a full time labour unit (excluding marketing). The Plan does not demonstrate that the business has been planned on a sound financial basis”.

Therefore, in applying the submitted information in terms of satisfying the provisions of CP48, the policy states that.. *‘proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence’.*

From the above agricultural appraisal, the application and proposed business requirements have failed to meet the policy requirements and so have not proven that an agricultural worker’s dwelling is essential to the agricultural needs of the site. Therefore, the retention of the caravan cannot be supported, even on a temporary basis.

Heritage Impact

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council’s Core Strategy Policy CP58 ‘Ensuring the conservation of the historic environment’ requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

Outmarsh Farmhouse is a Grade II listed building and is at the opposite end of the site, located 157 metres away from the caravan, this distance is intersected with mature trees and vegetation with uneven land levels, preventing any direct views. The caravan is not visible from the farmhouse and the separation distance is sufficient for there to be no impact on the setting, character or significance of this heritage asset. The site is not in a Conservation Area.

Ecology.

CP50 requires no net loss of biodiversity on site. The site is not located within any of the bat zones of the area, such that it falls outside of the Bath and Bradford on Avon Bat SAC, as it does the Trowbridge Westbury Bat Mitigation Strategy Area (TWBMS).

Highways.

The highways officer was consulted for this application, who asked for further information in regard to site access and car parking provisions if the application was to be recommended for approval. As the application cannot be supported for the reasons as discussed, officers considered it unreasonable to request such information. It is however noted that the site's red line does not meet up with the highway.

Other Matters.

It is noted that the red line around the site containing the caravan is very large and takes in the whole of the field area, the implications of this is that if permission was ever to be granted this entire area could be turned to residential use. The red line should only extend around the mobile home.

It is important to note that whilst the application has requested an initial temporary period of three years for the retention of the mobile home, the criteria for its retention has not been met, therefore the very principle for it to remain on site has not been satisfied.

CONCLUSION

For the above discussed reasons, the policy criteria for the retention of the static caravan has not been met. As such, the application is recommended for refusal.

RECOMMENDATION: Planning Permission be REFUSED.

Appendix C

AGRICULTURAL ASSESSMENT OF PLANNING APPLICATION.

1.0 REFERENCE APA/003/0189

- | | | |
|-----|--------------------------|---|
| 1.1 | Proposed Development | “Retrospective application for the siting of a static caravan for temporary residential use in connection with agricultural operations at Outmarsh Farm, Melksham, for a period of three years” |
| 1.2 | Planning Authority | Wiltshire Council Development Control Central |
| 1.3 | Planning Application No. | PL/2025/08409 |
| 1.4 | Applicant | Mr Robert Vaughan, Outmarsh Farmhouse, Semington |
| 1.5 | Site Address | Outmarsh Farm, Semington |

2.0 DESCRIPTION

Location

- 2.1 The application site forms part of a wider landholding at Outmarsh Farmhouse, Semington. The site is immediately west of the High Street (the former A350) and lies north and south of the Bus Gate, opposite the entrance to Wiltshire Air Ambulance. The site includes a steeply embanked area which is the former branch railway line, which was discontinued in the 1960s.

Land Area and tenure

- 2.2 The farmed area comprises approximately 2ha (five acres). The freehold of the land is owned by the applicant, Robert Vaughan.

Soil Type and Characteristics

- 2.3 The soil at the application site is classified in the Wickham 3 association which is described as slowly permeable, seasonally waterlogged clay over clay loam. Note that a significant part of the site comprises the former railway embankment, which is made ground and not separately classified.

3.0 AGRICULTURAL PRACTICE

Existing

- 3.1 The land is in grass which at the time of my site inspection was being grazed by a small quantity of sheep and a goat. There is a small flock of laying hens in an open pen close to the farmhouse.

Proposed

- 3.2 The proposal is to intensify activity at the site. Farming enterprises will be expanded and developed. The business will be run by Oscar Vaughan. Oscar Vaughan is Robert Vaughan's son. [REDACTED]
- [REDACTED]

- 3.3 The development of the enterprise is set out in a "Three Year Development Plan" (now referred to as the "Plan") which accompanies the planning application. The Plan covers the next three years of the business and sets out the following enterprises:

- The expansion of the ewe flock from 20 head in year one to 30 head in year three. The ewes will be lambed annually with lambs sold.
- The laying hens will initially be increased to 60 head, with eggs sold. The flock will be increased from 60 to 80 head by year three.
- Four beehives will be provided, with honey and wax products sold. The number of hives will be expanded to six by year three.
- There is a small orchard and orchard produce will be developed as a revenue stream.
- Produce will be marketed through local shops, markets and through farmgate sales.

- 3.4 The stated ambition in the Plan is that by year three there will be a full time labour requirement for the business.

Comments

- 3.5 I understand that Oscar Vaughan is presently engaged outside of agriculture.

Buildings

- 3.6 There are two storage sheds close to the farmhouse. I understand one of the buildings is used to lamb the ewes.

4.0 EXISTING ACCOMMODATION

Dwellings owned by applicant

- 4.1 There is a temporary dwelling, subject of the planning application, on the north side for the former railway embankment. The proposal is to retain the dwelling in order to implement the proposed farm business. I understand the temporary dwelling is to be occupied by Oscar Vaughan on his return later this year. At present the dwelling is unoccupied. At present direct access to the dwelling from the public highway is by foot only, however the applicant advises that there is an extant vehicular access, which requires improvement to be operational.
- 4.2 There is an existing permanent dwelling, south of the application site, called Outmarsh Farmhouse. That dwelling is occupied by the applicant. The applicant is engaged full time in his own business which is outside of agriculture.

5.0 LABOUR REQUIREMENTS

Existing

- 5.1 One unit part time.

Anticipated if Proposals Undertaken

- 5.2 The agricultural enterprises (as distinct from the marketing and sale of produce) will in my view present a part time requirement by year three of the Plan.

6.0 NPPF – ESSENTIAL REQUIREMENT

- 6.1 The planning application for the retention of the dwelling is associated with the proposed business. The National Planning Policy Framework (NPPF) was revised in 2024. In the context of the application for the proposed dwelling, paragraph 84 of the NPPF states:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply

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

- 6.2 Under the NPPF it is therefore relevant to consider the requirements of the proposed enterprises and whether those requirements present an essential need for a worker to live at or near the enterprises.

6.3 In my view there will be a requirement for close care and assistance to livestock during lambing. The Plan does not specify a lambing period but the typical lambing period is not extensive, covering a few weeks in spring. Lambing and the neo-natal lamb can require close supervision, however in this context the number of ewes is very low, with a maximum of 30 head by year three. In my view the associated essential need could only be considered partial.

6.4 In my view the remaining enterprises do not present an essential need for livestock husbandry. Clearly they will require inspection and management but those aspects do not equate to an essential need for a presence on the site at most times.

7.0 BUSINESS ASSESSMENT

7.1 There is no express reference in the NPPF to an assessment of either an existing or proposed business which will operate in association with the proposed rural dwelling. It is my opinion that such an assessment is critical to forming an opinion on the continuation of the “essential need”. In this case the essential need described and recognised above will only continue through the operation of the business. If the business does not operate on a profitable and viable basis then it will fail and the authority would be left with a dwelling but no “essential need” for its presence.

7.2 Following the Government’s update to Planning Practice Guidance (PPG), published in July 2019, financial viability is now referenced as a consideration when determining the need for a rural worker’s dwelling.

7.3 The applicant has submitted the Plan. In my experience a business plan for a new agricultural business would typically set out:

- Gross Margins for the proposed enterprises including anticipated outputs and variable costs on a unit basis for each of the proposed enterprises.
- Proposed fixed costs including electricity, water, property costs, finance costs and any employed labour.
- Projected profit and loss accounts for the three year period.
- A summary cashflow for the three year period.
- Budget capital costs and a Balance Sheet for the project.

7.4 The Plan provided sets out in summary the development of the enterprises. There are estimated levels of revenue from the enterprises together with receipts showing previous sales. There is no other budgetary financial information or projections, for example:

- There are no enterprise budgets (gross margins) setting out variable costs.
- There is no indication of fixed costs.
- There are no budget profit and loss accounts.
- There is no cashflow.

- There is no indication of capital requirements.

7.5 In addition to the above there is no indication of demand from local shops and there is no indication of which local markets will be targeted. Whilst there is reference to farmgate sales it is noted that the public highway adjoining the application site is effectively a no through road due to the Bus Gate which lies outside the entrance to the site.

7.6 Overall it is my view that the business has not been planned on a sound basis.

8.0 GENERAL COMMENTS

8.1 The existing dwelling, Outmarsh Farmhouse, is occupied by Robert Vaughan. Robert Vaughan is engaged in his own full time business and does not plan to be engaged in the proposed agricultural business. On this basis the existing dwelling is not available to the proposed business.

9.0 CONCLUSION AND OPINION

The proposed business does not present an essential need for a presence at most times and does not present a requirement for a full time labour unit (excluding marketing). The Plan does not demonstrate that the business has been planned on a sound financial basis.

I trust the above provides you with the information required. If you require any further information, or clarification on the any aspect of the above, please do not hesitate to contact the writer.

A.M Coke BSc (Hons) MRICS

Note: *This Report has been prepared on information provided by the Applicant and or the Applicant's Agent.*

APA/003/0189/AMC



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Core Policy 48

Supporting rural life

Dwellings required to meet the employment needs of rural areas

Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.

Improving access to services and improving infrastructure

Proposals which will focus on improving accessibility between towns and villages, helping to reduce social exclusion, isolation and rural deprivation, such as transport and infrastructure improvements, will be supported where the development will not be to the detriment of the local environment or local residents.

Conversion and re-use of rural buildings

Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

- iii. The building can be served by adequate access and infrastructure.
- iv. The site has reasonable access to local services.
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.

Community ownership

Community ownership and/or management of local shops, pubs and other services will be supported where appropriate to retain a local facility through the following measures:

- vi. Development proposals for the adaptation of a building, such as sub-division or change of use, will be supported where these are necessary to allow a viable continued use.
- vii. Appropriately scaled enabling development will be considered, where this is environmentally acceptable and justified through a supporting viability study, and where it can help maintain and enhance the community uses provided.
- viii. The facility may be protected from loss of its current use until such time as the community has had a realistic opportunity to take control of the asset.

New shops

New shops in villages will be supported where they are small in scale and would not threaten the viability of nearby centres. Farm shops will be supported where they utilise existing buildings, are small in scale and cause no unacceptable impact on nearby village shops or the character of the area.