

Appeal by: Ecological Land Co-operative
Site at NGR 307117 120011, (Greenham Reach),
Holcombe Rogus, Devon

PROOF OF EVIDENCE

PI ref: APP/Y1138/A/12/2181807/NWF
APP/Y1138/A/12/2181808/NWF
APP/Y1138/A/12/2181821/NWF

LPA ref: 11/02007/MFUL, 12/00045/MFUL
& 12/00107/MFUL

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1. INTRODUCTION

- 1.1 My name is Peter John Rowan and I am a director of Rowan & Edwards Ltd, Town Planning Consultants of 21 Plymouth Road, Tavistock, Devon.
- 1.2 I hold a Diploma in Town Planning from Bristol Polytechnic and am a Member of the Royal Town Planning Institute. I am a Chartered Town Planner. Prior to me setting up business in 1989, I was for 15 years Head of Development Control at West Devon Borough Council.
- 1.3 I have been instructed by Mid Devon District Council to represent them in relation to three planning appeals on land at Greenham Reach, Holcombe Rogus, Devon. The three appeals relate to the following:
- (i) Use of land for siting of a temporary agricultural worker's dwelling for a period of 5 years together with an agricultural barn with PV array, W.E.T waste water treatment system and alterations to existing highway access and private ways as part of a scheme for new entrance to ecological agriculture.
 - (ii) Use of land for siting of a temporary agricultural worker's dwelling for a period of 5 years together with an agricultural barn with PV array, poultry hatchery/brooder, W.E.T waste water treatment system and alteration to existing highway access and private ways as part of a scheme for new entrance to ecological agriculture.
 - (iii) Use of land for siting of a temporary agricultural worker's dwelling for a period of 5 years together with an agricultural barn for PV array, greenhouse, W.E.T waste water treatment system and alteration to existing highway access and private ways as part of a scheme for new entrance to ecological agriculture.
- 1.4 The planning applications were refused by the Local Planning Authority on 7 June 2012 and the three refusal notices are contained within the appendix to my appeal statement under **PJR1**.

2 SITE DESCRIPTION

- 2.1 The three applications are contained within a single plot and the principal of the application is that with the three plots there is an element of interdependency, one with the other. Each of the three plots has a distinct process but there is an element of sharing and support between the three operations. I attach with my appeal statement the three planning reports relating to the three separate applications under **PJR2**.

- 2.2 The sites lie within an area that is shown on the provisional Agricultural Land Classification map as predominantly grade 3. It is not possible to identify sub-grades within Grade 3 due to the limitations of the original mapping and field sampling and the map should not be used to identify areas of less than 80 hectares without a more detailed survey work being undertaken.
- 2.3 The fields slope away from the entrance which is in the top north-western corner of the application site down to the eastern boundary with the River Tone.
- 2.4 The three sites are known as plot A, B and C.
- 2.5 Plot A is located immediately adjacent the vehicular access point on the north-western boundary of the site is numbered 12/00045/MFUL by the Local Planning Authority. This application relates to an area of land of approximately 5.5 acres and is relatively flat. At the time of one of my site visits, the land was grazing sheep. Although it had not been raining for a few days, the land was heavily wet under foot and I noted rushes were growing throughout the field. The field gently sloped down to the south and west and on its southern and northern boundary a traditional Devon hedge.
- 2.6 Within this area it is proposed to construct a new trackway which will serve all three plots and within the area it is proposed to build a glasshouse, a chicken and duck coop, a polythene tunnel and a barn.
- 2.7 Within an area at the centre of the site, an area has been set aside for the "location of new dwellings". Within plot A it is proposed to plant a woodland, an area of willow, a market garden and an agro-forestry orchard. This agro-forestry orchard will contain fruit and nuts and these have been detailed in the appellant's plans.
- 2.8 I turn to plot B which is of some 6.8 acres and has been numbered 12/00107/MFUL by the Local Planning Authority. This site is gently sloping but more so than plot A and within this area much is to be given over to agro-forestry including 25 bee hives. Also within this area it is proposed to run poultry and a market garden.
- 2.9 Finally plot C runs to about 8.9 acres. This application was numbered 11/02007/MFUL by the Local Planning Authority. This site is very steep in parts and the Inspector will note from the plans submitted by the appellants, particularly where the conservation grassland and grazing section is, it is very steep. On the lower level of this site, free range poultry are proposed together with a duck pond and a number of polythene tunnels. Within this area there is to be conservation grassland, the running of some poultry, a market garden, an orchard and SILVO pastoral agro-forestry. At the lower level of the site, the site is almost flat and is a flood plain to the River Tone.
- 2.10 Access to all three sites is off one entrance, although there are other entrances into the site, however heavily overgrown. There is a visitor parking area with a space for refuse and recycling point at the entrance of the site.

3 PLANNING CONSIDERATIONS

- 3.1 From the appellants' point of view, the principal of the three applications is in the words of Mark Boyle, one of the applicants, "to establish a profitable business which would not only benefit the local economy but also plays a positive role in improving soil fertility, ecology, diversity, the drawing down of atmospheric carbon and the aesthetic appearance of the site".
- 3.2 For the avoidance of doubt, that principle is supported by the Local Planning Authority. It is also a principle that I both understand and support.
- 3.3 At the outset of my proof I just want to confirm a couple of points.
1. The appeal if allowed would refer to the land and not to the three named individual applicants. Personal permissions cannot be given for this type of use. The appeal, if allowed, therefore must relate to the land and not the individual applicants.
 2. I understand that by the time the inquiry is held, one or more of the original applicants may not be in a position to proceed with their proposal given the time taken in the determination of the application and the determination of the appeal and others may come forward to take over any vacant holding.
- 3.4 This reinforces my view and long held planning policy that in determining applications in the countryside relating to agricultural/horticultural/forestry matters, it is the needs of the holding and not the individual farm/land owner that must prevail. These principles have long been held by the planning system and in my view need to be at the forefront of any decision-making with respect to these appeals.
- 3.5 In other words, with particular respect to the proposal for three temporary dwellings on this site, it must be the needs of the holding rather than the needs of the applicant to determine whether or not consent is granted or, in this case, an appeal upheld. My colleague, Adrian Berryman, is producing a proof of evidence dealing with matters of "need". My evidence will deal with policy issues and how the development sits in the landscape.
- 3.6 For the avoidance of doubt, Members of the Planning Committee support the principle of the application and the aims of the proposal but consider that before the establishment of three residential units there must be a commitment to use the land and establish a "need". That "need" has not yet, as far as the Members are concerned, been proven.
- 3.7 It is a view I agree with and having met Members of the Planning Committee to run through their concerns, fully appreciate their positions.
- 3.8 Mr Berryman will give evidence on the ability of this area of land to sustain three individual families/individuals and it does appear to me that much of the proposals on the site can very well take place without anyone living actually on site. I will look at this in more detail later in this proof.

3.9 The Local Planning Authority raise no objection to the use of the site for the proposed uses as laid out in the three applications and in fact much of those proposed uses can carry on without the need for any consent from the Local Planning Authority. The construction of three dwellings, however, has prompted the planning application and in the Members' mind, at this present time, three dwellings are unnecessary.

4 PLANNING POLICY

4.1 When the application was made, the appellants quite correctly made reference to PPS7 and at that time the document was relevant. However as PPS7 has now been replaced by the National Planning Policy Framework, the Inspector will need to make reference to that document which will carry considerable weight.

4.2 This new National Planning Policy Framework was introduced on 27 March 2012 and applied with immediate effect. The thrust of the new Framework is sustainability as confirmed in the Ministerial forward. Paragraph 7 confirms that the three roles to development is:

1. economic,
2. social and
3. environmental.

4.3 Paragraph 28 under the heading "Supporting a Prosperous Rural Economy" says that planning policies should support economic growth in rural areas in order to create jobs. The first two bullet points of that paragraph are relevant:

- Support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agriculture and other land based rural businesses;

4.4 Those principles are supported by the Local Planning Authority and the Local Authority does not feel that it is in conflict with the appellants in this respect. Any development in the open countryside that is compatible with the countryside, both in terms of use and appearance, is supported by the Local Planning Authority – it always has been and always will be. Any development which can live side by side with the requirement to protect the countryside and make it a place for the "promotion and development and diversification of agricultural and other land based businesses" is welcomed. The proposals that are now being put forward by the three appellants would sit well in a rural area. The uses that are being proposed on the three individual plots, with the exception of collecting eggs from ducks and chickens, do not need someone on site 24 hours a day. In fact the grazing of sheep which might happen on

the very steep portion of this site would not need someone to attend them on a daily basis and many sheep farmers tell me that checking on sheep every other day or every third day is quite normal.

- 4.5 In short, the use of this area of land, for the purposes as proposed by the appellants, in planning terms sits well with Government policy and local policy. Whether or not the business is sustainable economically enough to support three families/individuals is a matter Mr Berryman will deal with in detail.
- 4.6 The thrust of the appellants' arguments are that by living on site their own personal work to home mileage will be reduced and therefore travelling costs etc will not need to be found in the economics of their individual businesses thus making them more profitable and more sustainable. However in reading various submissions, it appears to me that the appellants are suggesting that the public will travel to the site to buy eggs, vegetables, salad stuff etc, possibly either walking or by bike, which in my view is not realistic and the remoteness of the site, which the Inspector will clearly see at the site inspection, will show that as well as being some distance from settlements the roads are steep, narrow and do not give themselves over well to bicycle traffic.
- 4.7 The appellants have produced a wealth of evidence on matters of sustainability and financial projections but the data that has been produced is just that. Projections are on what might be and not what is. As I mentioned earlier in my proof, I understand that one if not more of the appellants may not now proceed and that throws into doubt what will happen on any remaining plots and in the Local Planning Authority's view, there needs to be some intent by the appellants on the site first before any dwellings are approved. The fact that one of the applicants may now not proceed with the application has only come to light at this appeal stage.
- 4.8 I turn to paragraph 55 of the National Planning Policy Framework which aims to "promote sustainable development in rural areas". It states in paragraph 55 "local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:
- essential need for a rural worker to live permanently at or near their place of work in the countryside.
- 4.9 The requirement to have an "essential need" has rolled over from PPS7. The essentialness of living on land in the open countryside has not gone away and has been reinforced by the NPPF. The Local Planning Authority, in determining the three applications therefore, had to weigh whether a case had been put forward by the applicants that there was an overriding essential need to live on the land, the subject of this appeal. Bearing in mind that at the time of the applications the applicants had not committed themselves physically to the land nor attempted to manage it, the local Members were faced with applications which were merely a proposal with a business plan of what might happen in the future. I repeat that that business plan may now be different if one or more of the appellants do not proceed.

- 4.10 In determining the application therefore the local Members had to come to a view whether it was essential (my emphasis) for someone to live permanently on site. They were faced with an application for three dwellings, albeit temporary dwellings, and in their mind from experience of dealing with many applications for agricultural workers considered on these three applications there was no essential need to live on the land.
- 4.11 In dealing with agricultural workers dwellings over the past 35 years, I am only too aware the difficulty farmers have persuading local authorities to grant planning consent for additional dwellings on land of substantial acreage with a substantial head of cattle. Personally I have dealt with many horticultural units where applications have been put forward for workers' dwellings and many have failed because of the lack of "essential need" for someone to live on the actual holding.
- 4.12 I fully understand and do not need to be persuaded that the economics of living on a site in a temporary dwelling is clearly going to be better than living in a rented accommodation or purchased accommodation in a nearby village. That is an argument which local authorities have to deal with almost on a weekly basis. That is why the NPPF has carried forward the requirement in PPS7 for any applicant to prove an essential need.
- 4.13 Also from my own experience, an applicant is more likely to succeed in proving an essential need if there has been some intent on their part with respect to the land. In the past, the norm has been in the proposal for an agricultural workers' dwelling to allow a temporary period of three years for a mobile home and then at the end of that period to assess whether the profit level has stood up or whether extensions or expansions have been made. However those consents, in my experience, have only been granted if there is a functional agricultural enterprise already up and running at the time an application is made for a temporary consent for a mobile home. In other words, the applicant has made some effort in the running of the holding for a period of time and seen that holding expand and become profitable and at that time to take the matter further requires to live on the site.
- 4.14 In this particular case now before the Inspector, no such intent is visible as the appellants have not physically committed themselves to production on the three plots as laid out in their application. There may well be legal contractual or practical difficulties but that does not alter the situation that the appellants have not attempted to start a business on the land which could well have worked in their favour if they could have shown that it was essential to live there.
- 4.15 The appellants may well bring a number of experts to show that what they are proposing is sustainable, will reduce carbon footprints and the suchlike, which the Local Planning Authority would accept, there really should not be any argument between us in that matter. The bottom line with respect to this application is whether or not it is essential for someone to live there or whether or not the site could well be managed from a nearby residence, whether through rented accommodation or purchased accommodation.

- 4.16 The sustainability of the business proposal and whether the business is strong enough to justify the worker residing or near the place of work will be examined in detail by my colleague, Adrian Berryman.
- 4.17 The Local Planning Authority has now published (it was not available at the time the application was considered) a document entitled “Local Plan Part 3: Development Management Policies LP3”. This document has undergone its final consultation ending on 26 October 2012 prior to its submission to the Secretary of State for examination. Public consultation was also carried out during August/September 2010 and April to June 2011 when the Plan was titled “The Development Management Development Plan Document” (DMDPD).
- 4.18 In response to the reduced guidance in the NPPF, the LP3 contained a detailed policy to guide decision-makers on applications for rural workers’ dwellings. Paragraph 216 of the NPPF provides criteria to assess how much weight should be attributed to such policies. Emerging policy DM/10 has been prepared in the light of the NPPF and is therefore considered consistent with it. A copy of that policy is contained within the appendix of this appeal statement under **PJR3**. In my experience dealing with a number of planning appeals and hearings related to agricultural workers’ dwellings, planning inspectors still rely on the advice given in PPS7 with respect to testing whether or not an application is “essential”. In applying the tests in PPS7, I believe the criteria to be helpful in gauging essential need but I understand the position now with respect to the substantive policy. Despite the brevity of policies within the NPPF and in particular the overriding “presumption in favour of sustainable development”, there still has to be in dealing with development in the open countryside and in respect to dwellings “the essential need for a rural worker to live permanently at or near the place of work in the countryside”. That “essential” requirement has not changed between PPS7 and the NPPF.
- 4.19 The Plan has reached an advanced stage of preparation. Emerging policy DM/10 has received four representations and that will be considered by the Planning Inspector. A copy of those representations are contained within the appendix of the statement under **PJR4**. None of these objections object to policy DM/10 per se. The Local Planning Authority considers therefore that policy DM/10 has to be accorded significant weight in accordance with paragraph 216 of the NPPF. I now turn to that policy.
- 4.20 Policy DM/10 is headed “Rural Workers’ Dwellings”. It states “applications for rural workers’ dwellings will be permitted where:
- (a) it can be demonstrated that the nature and demands of an existing rural business are such that a full-time worker has an essential need to be permanently at or near their place of work so that they are available at all times;

- (b) the need cannot be met within a nearby settlement or by existing housing at or near the site or through the conversion of a suitable redundant or disused rural building at the site;
 - (c) the size and scale of rural workers' dwellings will be commensurate with the scale of the operation and designed to reflect the location and the setting of the proposed site.
- 4.21 Where a rural business is not established, a temporary dwelling may be permitted on the basis of the criteria above and where there is clear evidence of a firm intention to establish a rural enterprise and sound financial planning.
- 4.22 The policy, in the view of the Local Planning Authority, does have considerable weight and the Inspector is asked to consider it in the decision. It requires, in the first instance, a demonstration by an applicant that it is essential for a worker to be "permanently resident at or near their place of work so that they are available at all times". This requires any applicant to demonstrate that an "existing rural business" (my emphasis) has got to a financial and functional state that a full-time worker is needed to be in residence at all times. To me this is clear. First of all the business has to be "existing" and secondly there has to be "an essential need" to be permanently resident at or near the site. We have here three separate planning applications although they are intertwined with respect to some of the facilities. I cannot see in the evidence to date put forward by the appellants that there is an "essential need" for someone to live on the site. There is certainly not an essential need to have someone on the site in the good husbandry of the growing elements and there certainly does not need to be someone living on site permanently to look after chickens and ducks.
- 4.23 In my view, if the proposal had gone ahead and some intent had been shown on the part of the appellants for a period of time that their enterprise needed someone to live on site full-time, then there may very well be a case to answer.
- 4.24 What we have here with this application is a proposal not yet proven and a business plan which could well alter depending on which applicant took up which site. No case has been made, as far as I can see, that any resident on this site should be "near their place of work so that they are available at all times".
- 4.25 The second criterion is that accommodation cannot be met in the nearby settlement.
- 4.26 Other than travelling costs, I cannot see why any of the applicants could not live in an adjoining settlement. They have said that the journey to work and home will be a financial burden and will increase carbon footprint but that of course depends on where they eventually find a home. They could always travel to the site by bicycle or walk thus totally reducing the carbon footprint in

that respect. With the appellants living on site, they themselves will still have to travel to local centres to use the services of doctors, dentists, bank, shops and schools. They cannot live in isolation on this site and they themselves will have to make trips to and from site. There still seems to me a high element of travel with the appellants living on site.

- 4.27 The final paragraph of DM/10 gives advice on development that has not yet established. That paragraph still requires any applicant to demonstrate that there is an essential need to live on the landholding and that accommodation cannot be met within a nearby settlement. The business still has to have a firm financial footing and of course that has been put in dispute by my colleague, Adrian Berryman.
- 4.28 I turn to the second reason for refusal, Members in refusing the application against officer recommendation were concerned that if consent was granted they would have little opportunity to resist other such development and felt therefore that a precedent would be set for “further dwellings in associated with permaculture and agro-forestry”. In talking to the Members of the Planning Committee, it is clear to me that they support the principle of carbon reduction but as yet they have no evidence as to either the success of such a scheme nor its long term implications with respect to additional buildings or additional requirements and in particular dwellings. They have no evidence other than a business plan, which my colleague, Adrian Berryman, does not support. Their business plan it appears has no real evidence on whether the proposals will be economically viable and they certainly have no evidence of the reasons why an essential need has been proven. Their concern therefore is that if consent is given for this proposal without the benefit, in their mind, of the proof of an essential need, they will be under great pressure with similar proposals in other parts of the district for dwellings. I reiterate the point made earlier. The use of the ground for permaculture, agro-forestry is not an issue, nor is the running of ducks and chickens, the growing of willow, soft fruits, salads or vegetables. It is the construction of temporary dwellings which, in the view of the Members, cannot be sustained and their essentialness has not been proven. It is a view I support. Therefore the allowing of this appeal, bearing in mind that the only evidence we have on the “success” of this venture is the business plan and the Inspector will note Mr Berryman’s view on that is, in my mind, tenuous and until the applicants show their intent, either by starting to use the land or have production from it, any proposals for the construction of dwellings should be resisted.
- 4.29 I now turn to policies and copies of these policies are contained within the appendix under **PJR5**. In refusing the application, a number of development plan policies were considered by the Local Planning Authority and I now refer to them. Not all policies are directly related to the refusal.

Devon County Structure Plan 2001-2016

4.30 Policy ST1

4.31 This policy requires local planning authorities and other agencies to ensure that sustainable development objectives are achieved. These range from conserving resources, protecting environmental assets, meeting the needs of the community, developing a sustainable transport system and assessing impacts against national and regional indicators of sustainable development.

4.32 Clearly the aims and aspirations of this policy are supported by the Local Planning Authority and there is nothing within ST1 which the Local Planning Authority has any conflict with. The policy ST1 supports the principle of the appeal with respect to land use. It does not specifically refer to residential development in the open countryside.

4.33 Policy ST5

4.34 This policy deals with achieving a balance of economic housing and other development and the needs of the wider rural community should be considered. It states however that “in the open countryside development should be strictly controlled”. With respect to the appeal, the control of development in the open countryside is clearly relevant.

4.35 Policy TR2

4.36 This policy comes under the heading “Increased Efficiency and Travel” and requires that any new development should be well related to other land uses with which they need to interact. It goes on to say that development that requires a high level of accessibility should only be located where it can be effectively and conveniently accessed by public transport.

4.37 There is no public transport to the appeal site. I note that the appellants are suggesting that potential customers can either walk or bicycle to the site.

4.38 Policy TR5

4.39 This policy deals with sustainable modes of travel. It is the goal of the appellants that potential customers coming to their site should either walk or come by bicycle. They themselves will restrict vehicle movements in and out of the sit. There is no formal reason for refusal with respect to the Highway Authority.

4.40 Policy TR10

4.41 This policy deals with strategic road network and road service areas. Although this policy must be considered in determining the appeal, in my view, it has no direct relevance to it.

4.42 Policy CO6

4.43 This policy deals with the quality of new development. It is a requirement that any development should “maintain and improve the quality of Devon’s environment by requiring attention to good design and layout”. In looking at the designs which the appellants have put forward, I note that the Local Planning Authority is not raising an objection to the individual designs to the individual dwellings or buildings.

4.44 Policy CO10

4.45 This deals with sites of national and international importance for nature conservation. The appeal site is not so designated. It is not a protected site. This policy has no direct relevance to the appeal.

4.46 Policy CO13

4.47 This policy deals with protecting water resources and flood defence. As I understand it from the application documents, the appellants will be extracting water for their consumption and will be providing appropriate sustainable drainage systems. My view is that the appeal complies with the requirements of this policy.

Adopted Mid Devon Local Plan (LDF)

4.48 Policy S5

4.49 This policy deals with “General Development Requirements”. Much of the policy deals with traffic issues which is not a matter which the Local Planning Authority has refused the application on. The policy also deals with the loss of open space and harm to protection of wildlife species or their habitat. Again this is not an issue which has formed the basis of any refusal.

4.50 The construction of dwellings in the countryside (in this case three) will affect the setting of the countryside and policy S5 (v) states that “developments will be permitted provided they meet the following criteria: ... they are located without harm to historic interest, appearance and character of any affected landscape, settlement, building or streetscene”.

4.51 The decision on this appeal will have to assess the impact of three dwellings closely grouped together on practically the highest point of the site will have an effect on the character of the landscape. One of the reasons in the words of the refusal notice “new isolated temporary dwellings in the countryside should be avoided” is that the effect of new buildings in the countryside does have a detrimental impact on the landscape and generally when dealing with agricultural workers such new dwellings for agricultural workers are almost certainly located immediately adjacent the farmstead or farm buildings so to maintain, if at all possible, any detrimental effect on the setting and character of the area. I acknowledge that the reasons for refusal did not refer to any

special landscape local or county policy with respect to the refusal. I therefore do not put forward any policies with respect to landscape impact in the case for the refusal. However I draw the attention of policy S5 to the Planning Inspector and he may feel it relevant to address the issues of policy S5 in dealing with the decision on these appeals.

4.52 This proposal which is now before the Inspector, if approved, will see the construction of three dwellings, plus barn, poultry building and greenhouse, grouped together fairly closely in the middle of a field. I would suggest that if there is not an overriding need for such dwellings there is a clear policy objection to their erection at this location.

4.53 Policy S6

4.54 This policy deals with design of new development. No formal refusal reason has been put forward by the Local Planning Authority with respect to the design of these buildings. They are buildings and not mobile homes but a temporary consent of five years is being sought.

4.55 Assuming that in five years time a further application is submitted and it can be shown that the various land uses are profitable then it could well be that an application is forthcoming for permanent dwellings on this land and the impact of three permanent dwellings at this location, in my view, would be significant. That is a matter for the future but I question from a landscape point of view the impact of this development. An element of policy S6 is therefore relevant.

4.56 Policy S11

4.57 This policy deals with surface water drainage. I note that the appellants are proposing a sustainable water system. There is no conflict with this policy.

4.58 Policy ENV16

4.59 Policy ENV16 deals with protected species. Any proposal has to be tested against this policy. There is nothing that I have seen in the planning file which suggests that the proposal is in some way conflicting with policy ENV16.

4.60 Policy ENV17

4.61 Policy ENV17 deals with the "wider countryside". The policy looks at biodiversity and development which would harm this or the contribution to biodiversity will not be permitted unless a need for or the benefits of the development outweigh the harm caused. I do not consider the proposal has any conflict with this policy.

Mid Devon Core Strategy 2007

4.62 Policy COR1: Sustainability Communities

4.63 This policy needs to be addressed in any application. In my view the appeal is not directly related to any issues within the policy.

4.64 Policy COR2: Local Distinctiveness

4.65 This policy deals with character and diversity of Mid Devon's environmental assets. Again I see no immediate conflict with the appeal proposals.

4.66 Policy COR5: Climate Change

4.67 The sustainable living ethos put forward by the appellants clearly complies with the aims of this policy.

4.68 Policy COR9: Access

4.69 This policy attempts to reduce the need to travel by car and increase public transport use. Given the location of the proposal and that the prospective tenants of this land expect an element of travel to it by their customers, in my view, it is highly unlikely that prospective customers would walk to the site let alone use bicycles. If the tenants want to sell their produce, it is more than likely that prospective customers will come by car and certainly they will need a vehicle to take produce to and from markets. That is the nature of living in the countryside!

4.70 If this appeal is allowed one would expect vehicle movements to and from the site to enable it to function.

4.71 Policy COR18

4.72 This policy deals with the countryside and that developments within the countryside will be "strictly controlled". The reason for that is to enhance its character and appearance but also promoting a sustainable diversification of rural economies.

4.73 Criterion (a) of policy COR18 states "detailed development control policies will permit agricultural or other appropriate rural uses subject to appropriate criteria as follows: affordable housing to meet local needs, gypsy accommodation, replacement dwellings, housing essential to accommodate an agricultural or forestry worker and accommodation ancillary to a dwelling".

4.74 This policy directly relates to the appeal proposals. Once again the word "essential" is predominant in the policy and is quite clear that housing will be allowed in the countryside but it has to have an essential use rather than a "convenient use".

Allocations and Infrastructure Development Plan Document 2010

4.75 Policy AL/IN/6

4.76 This policy deals with carbon footprint reduction. It particularly relates to 10 or more dwellings or 1,000 m² or more of non-residential floor space. Given that the proposal is an attempt to reduce carbon footprint anyway, I cannot see that this particular policy has any direct relevance to the proposal.

5 CONCLUSION

- 5.1 Having looked at the documents produced and the various land uses and practices proposed, my view is that there is no essential need for someone to live on the holding 24 hours a day, 7 days a week. The appeal is for three dwellings on three separate plots, although the three separate plots have an element of interdependency. If the whole development was looked on as one farming unit, in my opinion, and in my experience in dealing with applications similar to this for 35 years, I would question whether one dwelling could be considered “essential”. The appeal is for three dwellings.
- 5.2 I would ask the Inspector to find in favour of the Local Planning Authority and dismiss all three appeals.

6 LIST OF APPENDICES

- 6.1 PJR1 - Refusal notices
- 6.2 PJR2 - Planning Officers reports
- 6.3 PJR3 - Policy DM/10
- 6.4 PJR4 - Representations on policy DM/10
- 6.5 PJR5 - Copies of all policies