

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

Statement of Common Ground
In accordance with the Town & Country Planning
(Inquiry Procedure) (England) Rules 2000

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

Date of Inquiry: 29 January 2013

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1.0 INTRODUCTION

- 1.1 This Statement of Common Ground relates to three proposed smallholdings, in particular three temporary dwellings at land at Land at NGR 307117 120011 (Greenham Reach) in the parish of Holcombe Rogus, Mid Devon.
- 1.2 It sets out the matters which have been agreed between Mid Devon District Council (“**MDDC**”) and the Ecological Land Co-operative Ltd. (“**the Appellant**”), following the decision by MDDC to refuse planning permission for the following applications:

Table 1.1 – Application references

LPA Reference	PINS Reference	Type of Application
11/02007/MFUL	APP/Y1138/A/12/2181807	Temporary planning permission
12/00045/MFUL	APP/Y1138/A/12/2181808	Temporary planning permission
12/00107/MFUL	APP/Y1138/A/12/2181821	Temporary planning permission

- 1.3 It makes reference to documents which are agreed to be relevant to this case. Those documents are listed in **Appendix 1** to this Statement of Common Ground.

Descriptions of Development

- 1.4 The applications together sought permission for one (shared) agricultural barn with PV array and rain water collection and storage, three temporary agricultural workers’ dwellings, a greenhouse and a hatchery and proposed a bore hole and alterations to the existing highway access and private ways. The descriptions to be used were agreed between the parties as follows:

11/02007/MFUL (PLOT C): 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, bore hole and alterations to existing highway

access and private ways as part of a scheme for new entrants to ecological agriculture.

12/00045/MFUL (PLOT A): 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, greenhouse, W.E.T. waste water treatment system, bore hole, and alterations to existing highway access and private ways as part of a scheme for new entrants to ecological agriculture.

12/00107/MFUL (PLOT B): 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, bore hole and alterations to existing highway access and private ways as part of a scheme for new entrants to ecological agriculture.

“the **Appeal Scheme**”.

- 1.5 In all three applications, the description was amended at the request of the applicant between the Planning Committee meetings of 9 May and 6 June 2012 to exclude “bore hole”.

2.0 THE APPLICATION SITE AND SURROUNDING AREA

The Appeal Site

- 2.1 For the purposes of the Appeal, the parties have agreed to refer to the site as “Greenham Reach”.
- 2.2 The site extends to 8.85 hectares (21.87 acres).
- 2.3 The area of each or the three proposed smallholdings, Plots A, B and C are as follows:

Table 2.1 – Proposed holding sizes (hectares)

PINS Reference	Appellant Reference	Extent of holding
APP/Y1138/A/12/2181807	Plot C	3.6
APP/Y1138/A/12/2181808	Plot A	2.8
APP/Y1138/A/12/2181821	Plot B	2.2

- 2.4 An area of the site (approx. 0.3 ha) has been proposed for the shared facilities and landscaping (woodland).
- 2.5 The extent of the appeal site is indicated by a red line on the **Site Location Plan at Document A01** and the extent of each of the proposed smallholdings and the extent of the shared area are indicated by red lines on the following individual **Site Location Plans**:

Table 2.2 – Drawings showing extent of each holding

PINS Reference	Appellant Reference	Site Location Plan
APP/Y1138/A/12/2181807	Plot C	L-01C, submitted with application
APP/Y1138/A/12/2181808	Plot A	L-01A, submitted with application
APP/Y1138/A/12/2181821	Plot B	L-01B, submitted with application

Location of site

- 2.6 The site's address is Land at NGR 307117 120011 (Greenham Reach), Holcombe Rogus, Devon TA21 0JY. By road, the village of Holcombe Rogus is approximately 1.5 miles away to the west and the hamlet of Greenham is just under a mile away to the east. The small town of Wellington is 5 miles to the east, along the A38, and Tiverton lies 11 miles to the west.
- 2.7 The site is located along an unclassified county road linking the settlements of Ashbrittle and Greenham.

Ownership

- 2.8 The site is owned by the Appellants.

Buildings & Structures

- 2.9 There are currently no buildings or structures on the site.

Agricultural Classification

- 2.10 The site lies 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.

Existing Use

- 2.11 The land is currently grassland used for sheep grazing.

Site Topography

- 2.12 A topographical survey was submitted with application documentation and shows the varying topography within the site.

Access to the Site

- 2.13 Access to the site is from the unclassified county road bordering the west of the site. Access is gained by a choice of three entrances. One to the south, one central gateway and the most northerly which is currently in use and is the most suitable for vehicular access. As far as the application is concerned, only one vehicle access to the county road is being proposed.

The Surrounding Area

- 2.14 The area is in the south west of Natural England's National Character area 146, Vale of Taunton and Quantock fringes (**Document A02**). The area's description includes "a patchwork of arable, pasture, market gardening and orchards" with "irregular, medium-sized fields [that are] generally bounded by thick hedgerows".
- 2.15 The site is defined in Mid Devon's Landscape Character Assessment (**Document A03**) as "LCT 3B Lower rolling farmed and settled valley slopes". "This is a gently rolling and strongly undulating landscape which is broadly characterised by intensively farmed light soils, derived from the underlying sandstones, creating easily managed land that is versatile and enables agricultural operations to be wide ranging and for these farms to be productive".

Local Services

- 2.16 The post office and shop at Stawley is just under a mile away, Holcombe Rogus at approximately 1.5 miles (by road) and has a shop and post office, pub, hall, petrol station, mobile library, and bus services. There are two primary schools: one in Holcombe Rogus and one in Stawley.

Cycling and Walking in the Surrounding Area

- 2.17 There was no formal objection from the Highway Authority in terms of cycle or pedestrian access to the site.

2.18 The national cycle route in the vicinity of the site is shown on the map at **Document A04**. National Route 3 provides connection to Tiverton and Tiverton Railway station as well as nearby villages and hamlets including: Greenham, Sampford Peverell, Halberton, Appley, and Langford Budville. This national route connects Land's End in Cornwall to Bristol and takes in Barnstaple, Bridgewater and Taunton.

Public Transport Services in the Surrounding Area

2.19 The bus routes serving the surrounding area are shown in the map in **Document A05**.

2.20 The distance to these stops from the site and frequency of service are set out in **Table 2.3**.

Table 2.3 – Distances to bus stops

Stop	Routes	Distance	Destination	Frequency
Forge House, Greenham	9A	0.9 miles	Taunton	Once a week
			Bishop's Lydeard	Once a week
Prince of Wales, Holcombe Rogus	397	1.4 miles	Tiverton	Once a week
			Hemyock	Once a week
	675		Exeter	Once a week
			Holcombe Rogus (returning from Exeter)	Once a week
	697		Burlescombe	Once a week
			Tiverton	Once a week
Whiteball Hill	92	2.0 miles	Tiverton/Cullompton	Hourly (M-S)
			Taunton	Hourly (M-S)

- 2.21 The nearest National Rail stations are Tiverton Parkway and Taunton. Both are served by a number of operators offering regular services to London, Exeter, Bristol and the Midlands.

Surrounding road network

- 2.22 It is possible to access the surrounding hamlets, villages and towns either by exiting left (towards Pound Hill) or right (towards Dunn's Hill) from the site onto the unclassified county road. Junction 27 of the M5 is 6 miles to the south west, and Junction 26 is 7 miles east.

3.0 PLANNING HISTORY

3.1 Prior to the Appellant taking ownership, no planning applications had been made. This is based on a search of MDDC's electronic online planning register and the Officer's report.

3.2 The Appellant's planning history is as follows:

24/03/2011	Appellant requests to start pre-application discussions
14/04/2011	Pre-application meeting between Appellant and Officers
16/05/2011	Pre-application meeting between Appellant and Officers
05/08/2011	Pre-application meeting between Appellant and Officers
26/10/2011	Pre-application meeting between Appellant and Officer
20/12/2011	Application for Plot C submitted and validated
10/01/2012	Application for Plot A submitted
11/01/2012	Application for Plot A validated
20/01/2012	Application for Plot B submitted and validated
15/02/2012	Pre-determination meeting between Appellant, MDDC and Parish Councillor representing the Parish Council's Planning Committee
29/03/2012	Proposals are presented by Appellant to MDDC Officers and Head of Department
09/05/2012	Applications deferred at Planning Committee meeting to allow time for Councillors to read the business plans and for Appellant to answer question about bore hole
06/06/2012	Councillors refuse planning permission on all three applications
16/08/2012	Appellant applies to appeal all three refusals
04/10/2012	Appeals validated

4.0 PLANNING POLICY

4.1 This section sets out the principal planning policies and related considerations which the Appellant and MDDC agree should be taken into account in the determination of this Appeal.

4.2 These are separated into two parts on the following pages:

- the Development Plan;
- Other material considerations, including:
 - emerging Development Plan policy;
 - the draft policies in the Regional Spatial Strategy for the South West;
 - adopted Supplementary Planning Documents;
 - Development Plan evidence base and monitoring; and
 - the National Planning Policy Framework (“**NPPF**”).

THE DEVELOPMENT PLAN

- 4.3 The Development Plan for the purposes of Section 38 (6) of the 1990 Planning and Compulsory Purchase Act (as amended) consists of:
- Regional Planning Guidance for the South West (“**RPG 10**”);
 - The saved policies of the Devon Structure Plan 2001 to 2016;
 - The Core Strategy 2026 (Local Plan Part I, adopted July 2007);
 - The Allocations and Infrastructure Development Plan Document (Local Plan Part II, adopted 2010); and
 - The saved policies of the Mid Devon Local Plan: First Alteration (adopted 2006).

Relevant Development Plan Policies

(a) RPG 10

- 4.4 The Regional Planning Guidance for the South West assumes the role of Regional Spatial Strategy. The RPG 10 was published in 2001 and as such the policies therein are only to be given weight to the extent that they are consistent with the NPPF. It is common ground that as such the policies within the NPPF can be considered to take precedence.

(b) The Devon Structure Plan 2001 To 2016

- 4.5 The Devon Structure Plan 2001 to 2016 - 'Devon to 2016' adopted October 2004 (**Document E01**) is the current Structure Plan for the whole of Devon. As the Inquiry is to take place before March 2013, according to Annex 1 of the NPPF, these policies are still given full weight in so far as they are compliant with the NPPF.
- 4.6 It is common ground that the following policies are relevant to the Appeal Scheme:

Table 4.1 – Schedule of Relevant Polices from the Devon Structure Plan

Policy Number	Subject
ST1	Sustainable Development
ST3	Self Sufficiency of Devon’s Communities
TR2	Co-ordination of Land-Use/Travel Planning
TR3	Managing Travel Demand
TR5	Hierarchy of Modes
TR7	Walking and Cycling
TR10	Strategic Road Network and Roadside Service Areas
CO1	Landscape Character and Local Distinctiveness
CO9	Biodiversity and Earth Science Diversity
CO10	Protection of Nature Conservation Sites and Species
CO11	Conserving Energy Resources
CO13	Protecting Water Resources and Flood Defence

4.7 MDDC and the Appellant agree that there are no other Structure Plan policies which are relevant to the determination of the Appeal Scheme.

(c) The Core Strategy 2026 (Local Plan Part I, adopted July 2007)

4.8 The Core Strategy (**Document E02**) was in force at the time that the applications were both made and determined. The Appellant and MDDC agree that the following policies are relevant to the Appeal Scheme and carry full weight:

Table 4.2 – Schedule of Relevant Polices from the Core Strategy

Policy Number	Subject
COR1	Sustainable Communities
COR2	Local Distinctiveness
COR4	Meeting Employment Needs
COR5	Climate Change
COR9	Access

COR18	Countryside
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(d) Allocations and Infrastructure Development Plan Document

- 4.9 The Allocations and Infrastructure Development Plan Document (AIDPD) (**Document E03**) contains policies on District-wide matters such as infrastructure provision and development strategy. The AIDPD was in force at the time that the applications were both made and determined. The Appellant and MDDC agree that the policies therein carry full weight.
- 4.10 The Appellant and MDDC agree that the only relevant policy from this document to the Appeal Scheme is AL/IN/6, Carbon Footprint Reduction. The parties agree, that by providing 100% of electricity and 100% space and water heating from renewable sources the Appeal Scheme would go well beyond the requirements of this policy.

(e) Local Plan

- 4.11 Since its adoption in 2006, a number of Local Plan (**Document E04**) policies have been deleted, superseded or replaced through the adoption of the Core Strategy and the AIDPD. A number of Local Plan policies remain. These remaining policies will themselves be superseded by the new Local Plan Part 3 (development management policies) but not before the Inquiry. As the Inquiry is to take place before March 2013, according to p. 214 of the NPPF, the Local Plan (2006) policies are still given full weight in so far as they are compliant with the NPPF.
- 4.12 The Appellant and MDDC agree that the following policies are relevant to the Appeal Scheme:

Table 4.3 – Schedule of Relevant Polices from the Local Plan (2006)

Policy Number	Subject
S5	General Development Requirements

S6	Design of New Development
S11	Surface Water Drainage
E11	Rural Employment Development
E14	Agricultural Buildings
ENV16	Protected Species

- 4.13 MDDC and the Appellant agree that there are no other Local Plan (2006) policies which are relevant to the determination of the Appeal Scheme.

MATERIAL CONSIDERATIONS

(a) Emerging Development Plan Policy

- 4.14 The Local Plan Part 3 (“LPP3”) (**Document E05**) has been out for consultation, which ended on 29 October. It was submitted to the Secretary of State for examination on 17 December 2012. It is not due to be adopted prior to the Inquiry.
- 4.15 The Appellant and MDDC agree that due to the stage and the degree of consistency between the emerging policies and those within the NPPF, some weight can be placed on the relevant emerging policies. The parties note that there are four outstanding objections connected to draft policy DM/10.
- 4.16 The Appellant and MDDC agree that the following policies are relevant to the Appeal Scheme:

Table 4.4 – Schedule of Relevant Policies from the Emerging LLP3

Policy Number	Subject
DM/1	Presumption in Favour of Sustainable Development
DM/5	Renewable and Low Carbon Energy
DM/10	Rural workers dwellings
DM/23	Agricultural Development

- 4.17 MDDC and the Appellant agree that there are no other emerging plan policies which are relevant to the determination of the Appeal Scheme.

(b) Adopted Supplementary Planning Documents and Best Practice Guidance

- 4.18 Both the Appellant and MDDC agree that there are no policies in either of the two adopted Supplementary Planning Documents (Air Quality and Public Open Space) that are of relevance to the Appeal.
- 4.19 There is no current Best Practice Guidance.

(c) Development Plan Evidence Base and Monitoring

- 4.20 It is agreed that the following evidence base documents are relevant to these Appeal Scheme:
- 4.34.1 Sustainability Appraisal Scoping Report for the proposed Local Plan Part III (previously called the Development Management Development Plan Document) (**Document E06**);
 - 4.34.2 Sustainability Appraisal and Strategic Environmental Assessment of the Core Strategy adopted 2007 (**Document E07**);
 - 4.34.3 Sustainability Appraisal and Strategic Environmental Assessment of the Allocations and Infrastructure Development Plan Document (**Document E08**);
 - 4.34.4 Rural Services in Mid Devon 2010 (**Document E09**) and
 - 4.34.5 The draft Green Infrastructure Plan (**Document E10**).

(d) The National Planning Policy Framework

- 4.21 The NPPF was published after the Appeal Scheme was submitted but before it was determined. Only the “special circumstances” paragraph from the NPPF was referred to in the Decision Notices to refuse permission (paragraph 55).

- 4.22 Paragraph 55 of the NPPF states that LPAs “should avoid new isolated homes in the countryside unless there are special circumstances”. The Officer in her reports concluded that there was an essential need for the rural workers to be at their place of work and was satisfied that "special circumstances" existed such that the applications accorded with the NPPF.
- 4.23 The Appellant and MDDC agree that the following paragraphs are relevant to the Appeal Scheme:

Table 4.5 – Schedule of Relevant Paragraphs from the NPPF

Paragraph Numbers	Subject
18-21	Building a strong, (low carbon) competitive economy.
28	To support a prosperous rural economy including through the promotion and diversification of agricultural and other land-based rural businesses.
30	Promoting sustainable transport
55	Isolated homes in the countryside
93-97, 99-100	Meeting the challenge of climate change and flooding
109, 118, 120-121	Conserving and enhancing the natural environment

- 4.24 MDDC and the Appellant agree that there are no other paragraphs from within the NPPF which are relevant to the determination of the Appeal Scheme.

5.0 THE PROPOSED DEVELOPMENT

Submitted Drawings

5.1 The following drawings were submitted with the application, with no revisions. No additional drawings or plans were requested by MDDC:

- Site Location Plans (**L-01A, L-01B, L-01C**)
- Site Plans/Block Plans (**L-02A, L-02B, L-02C**)
- Plans/Elevations agricultural barn (**L-03**)
- Poultry Hatchery/Brooder Plans/Elevations (**L-04**) PLOT C
- Dwelling (**L-05**) PLOT C
- Greenhouse - Floor Plan and Elevations (**L-06**) PLOT A
- New Passing Point (**L-08**)
- Landscape Plan (**L-09**)

Quantum of Development

5.2 The applications together seek permission for one shared agricultural barn with PV array and rain water collection and storage, three temporary agricultural workers' dwellings, a greenhouse and a hatchery. It is also intended that a total of five demountable polytunnels would be sited across the three holdings as well as eight mobile poultry houses. The proposed structures have the following dimensions:

- One agricultural barn: 4.5m x 15m
- One greenhouse: 3.3m x 7.2m
- One hatchery: 3m x 6m
- Five polytunnels: 3.7m x 12.2m (Plot A), 18m x 5.5m (Plot B), and 3 of 5m x 20m (Plot C).
- Temporary dwellings would be single units with maximum dimensions of 20m x 6m with a maximum internal ceiling height of 3.05 metres

- 5.3 A barnyard area in grass paving (approx. 290m²) is proposed along with internal pathways and a space for visitor parking (150m²), again in grass paving.

Table 5.1 – Summary of Proposed Land Use

Proposed Development	Quantum <i>sq m</i>	Percentage of Total Site
Barn	67.5	0.08%
Greenhouse	23.76	0.03%
Hatchery	18	0.02%
Dwellings	360	0.41%
ALL STRUCTURES	469.26	0.53%
Polytunnels	443.59	0.50%
Barnyard	290	0.33%
Visitor parking	150	0.17%
Passing places	82.5	0.09%
ALL CHANGES	1352.85	1.62%

- 5.4 The proposed leasehold agreement would restrict the resale price of all of the proposed smallholdings in order to ensure that they remain more affordable to new entrants. The resale formula is set out in section 8 of the draft leasehold agreement “Revised Farm Business Tenancy” submitted with the application documentation.

Proposed Agricultural Activities

- 5.5 The proposed agricultural businesses are set out in detail in the business plans, submitted with the application documentation. They can be summarized as follows:

- 5.5.1 Plot C (2181807): The prospective tenants, the Guskovs, are proposing a mixed organic holding with: a hectare of market garden; a small vegetable and herb nursery; a hectare of agroforestry to grow top and soft fruit, mushrooms on logs, herbs and perennial vegetables; and

pure bred point of lay hens (up to 300 birds at a time). They intend to process surplus and non-marketable produce into jams, chutneys, pickles, etc. They intend to sell largely through Farmers' Markets and local shops and restaurants.

5.5.2 Plot A (2181808): Mr. Boyle is proposing an organic vegetable box scheme and a craft enterprise making baskets and chairs from organic willow. To this end he has proposed: an acre of market garden growing annual vegetables; 0.5 acre of grains; 1.5 acres of willow; and 2 acres of agroforestry, primarily fruit and nut trees along with herb and perennial vegetables. Ducks and chickens are to be kept largely for controlling pests.

5.5.3 Plot B (2181821): The central business proposed on Plot B is that of an organic salad and culinary herb business rotating on two half acre plots and selling both at Farmers' Markets and wholesale to local shops and restaurants. In addition, hives will be sited and soft and top fruit cultivated (4 acres) to be processed together to produce gourmet fruit condiments, and a small flock of Maran hens is proposed to supply eggs, to aid pest control and to provide manure.

Visual Impact of the Appeal Scheme

5.6 The Appellant submitted a Landscape Plan (**L-09**) with the application documentation which indicates where it is intended the barn, temporary dwellings, the hatchery, polytunnels and greenhouse would be sited, and which indicates the proposed screening.

5.7 The Landscape Plan indicates that the barn, two polytunnels, the greenhouse and one temporary dwelling (Plot A) would be sited on the north-westerly field, while the other two temporary dwellings and the hatchery would be sited on the north-easterly field. The remaining polytunnels would be sited on the south-easterly field.

Highway Safety

- 5.8 The Highway Authority raised no objection subject to relevant conditions. They found that the applicant's submitted plan for a passing place did not provide the optimal passing place; it was recommended that a condition be included in any grant of planning permission requiring the applicant to submit plans for 2No. passing bays to the LPA for approval

Governance

- 5.9 The site of the Appeal Scheme would be retained by the Appellant, a bona fide co-operative society and social enterprise regulated by the Financial Services Authority. The holdings would be leased on a long lease to the smallholders. It should be noted that, if granted, the temporary (5 year) planning consent will go with the land. However, a condition/planning obligation is proposed by the Appellant to ensure that the small holdings can only be let to fellow members of the Co-operative.

6.0 OTHER MATTERS OF AGREEMENT

Five Year Permission

- 6.1 It is common ground that should the appeals be upheld, a 5-year permission would be more suitable than a 3-year permission (which is the length of time referred to in Annex A of PPS7). No indication of the length for a temporary permission for a rural worker dwelling is indicated in either the NPPF, COR18 of the Core Strategy or the emerging plan policy DM/10.

Relationship Between Applications

- 6.2 It is common ground that the applications should be determined individually; should the Inspector consider granting or refusing temporary planning permission for one of the applications, this does not imply that the other two applications should automatically be granted or refused.

7.0 PLANNING CONDITIONS and SECTION 106 AGREEMENT

7.1 As noted in the Officer's report, since first approaching MDDC, the Appellant has proposed the use of conditions and a Section 106 Agreement. The Parish Council was involved in meetings with the Appellant and MDDC regarding the possible wording of conditions. The Parish Council strongly supports the use of a S106 agreement.

7.2 The proposed terms of the Section 106 Agreement are found at **Document B01**.

7.3 Proposed planning conditions:

- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision;
- 2) The occupation of the dwelling shall be limited to persons who operate the agricultural (as defined by s 336(i) of the 1990 Act) business operated from the Property or a widow or widower of such persons together with their spouse partner or resident dependents;
- 3) The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice;
- 4) Upon the cessation of occupation of the dwelling by those persons referred to in Condition 2, or on a date 5 years from the date of this permission, whichever is sooner, the dwelling shall be removed, and the land restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the local planning authority;
- 5) No other part of the development hereby approved shall begin until:
 - (a) Visibility splays shall have been laid out, constructed and maintained in accordance with details that shall have been submitted to, and agreed in writing by, the Local Planning Authority. The visibility splays shall thereafter be retained and maintained for that purpose at all times; and

- (b) For a minimum of its first 6.0 metres back from the nearside edge of the carriageway the site access road, including the bellmouth radii, shall have been hardened, surfaced (not loose stone or gravel), drained and maintained thereafter in accordance with details that shall have been submitted to, and agreed in writing by, the Local Planning Authority.
 - (c) Any site access gates shall be set back a minimum of 6.0 metres from the nearside carriageway edge and shall be hung to open inwards only.
- 6) Within 12 months of the development hereby permitted 2 passing bays shall have been laid out, constructed and maintained on the site ownership frontage with the public highway in accordance with details that shall have been submitted to, and agreed in writing by, the Local Planning authority.
- 7) A riparian buffer of 6m from the river edge (when it is at the top of its typical river range (1.09 metres)) is to be retained to prevent disturbance to otters on the River Tone.
- 8) (For Appeals 2181808 and 2181821) Prior to the provision of the temporary dwelling on site, details of its size, means of construction, design and materials of construction shall be submitted to and approved in writing by the local planning authority.

8.0 MATTERS OF DISPUTE

- 8.1 The Appellant disputes that the applications do not comply with the policy within the NPPF on isolated dwellings; believes that the benefits the Appeal Scheme would deliver amount to Special Circumstances; and disputes that there is no essential need for the rural workers to live at or near their place of work.
- 8.2 The Appellant disputes that the Appeal Scheme, if permitted, would create a problematic precedent. The Appellant also disputes that the Appeal Scheme, if permitted, would put the LPA in a position where it would be unable “to resist” further applications for dwellings in association with Permaculture and / or Agroforestry.

9.0 AUTHORISED SIGNATORIES

This Statement of Common Ground has been prepared by the Appellant.

Authorised Signatory:

Name and Position: Zoe Wangler, Managing Director, the Ecological
Land Co-operative Ltd.

Date:

The contents of this Statement of Common Ground have been agreed by
Mid Devon District Council in its capacity as local planning authority.

Authorised Signatory:

Name and Position: Peter Rowan on behalf of Mid Devon District
Council

Date:

APPENDIX 1: DOCUMENTS TO BE REFERRED TO AT THE INQUIRY

- A01 - site plan showing extent of appeal site
- A02 - Natural England's National Character area 146
- A03 - Mid Devon's Landscape Character Assessment for LCT 3B
- A04 - Map showing cycle routes in the vicinity of the site
- A05 - Bus routes serving the surrounding area
- E01 - Extracts from Devon Structure Plan 2001 to 2016 showing policies ST1, ST3, TR2, TR3, TR5, TR7, TR10, CO1, CO9, CO10, CO11, CO13
- E02 - Extracts from the Mid Devon Core Strategy showing policies COR1, COR2, COR4, COR5, COR9 and COR18
- E03 - Policy AL/IN/6 from the Allocations and Infrastructure Development Plan Document
- E04 - Extracts from the Local Plan showing policies S5, S6, S11, E11, E14 and ENV16
- E05 - Extracts from the Local Plan Part III showing policies DM/1 DM/5, DM/10, and DM/23
- E06 - Sustainability Appraisal Scoping Report for the proposed Local Plan Part III
- E07 - Sustainability Appraisal and Strategic Environmental Assessment of the Mid Devon Core Strategy
- E08 - Sustainability Appraisal and Strategic Environmental Assessment of the Allocations and Infrastructure Development Plan Document
- E09 - Rural Services in Mid Devon 2010
- E10 - Green Infrastructure Plan
- B01 - Draft Section 106 Agreement