





Appraisal of the agricultural justification for a temporary dwelling at Foxcombe Hill Farm

1.0 Introduction and Objectives

- 1.1 Ellam Oxtoby & Peck have been appointed by the Vale of White Horse District Council, Planning Department to carry out an assessment of the agricultural justification for a temporary dwelling for essential agricultural staff at Foxcombe Hill Farm.
- 1.2 The author is Terry Draycott; agricultural consultant with Ellam Oxtoby & Peck, and my full CV is shown in Appendix 1.
- 1.3 The conclusions are based on the information provided by the owner of Foxcombe Hill Farm, supported by further information and documentation mentioned in the text and supplied by the planning department, together with my observations made on a visit to the site on Thursday 4 October, together with reference to the 2007 edition of the Organic Farm Management Handbook.

2.0 The Farm and its planned farming system.

- 2.1 Foxcombe Hill Farm extends to 24.95 ha. The main block is 11 hectares of owner occupied farmland at Boars Hill, which is primarily greensand running to heavier Kimmeridge clay on the lower land. A further 3.49 hectares of owner occupied land is situated nearby in South Hinksey, with an additional 10.46 hectares at Swinford Bridge, South East of Eynsham, rented purely for the production of organic hay in late August. This land is entered in a Countryside Stewardship Scheme and the late haymaking is part of the scheme.

- 2.2 Objectives – Mrs Kinglerlee’s objective, as stated in her business plan, is to build a sustainable organic farming system made up of a mix of appropriate enterprises to support a minimum of one full time agricultural worker supplemented by volunteer workers at peak times.

2.2 Farm Buildings -

There are no permanent buildings on the site but several temporary and portable buildings:

- Three caravans used for temporary shelter for staff, storage and farm office.
- Barn, 20’x20’ approx. constructed from scaffolding poles, for fodder storage.
- Two shipping containers, for secure storage
- Poly tunnel, for vegetable production
- 23 portable chicken houses, not in use
- Various outdoor pig arks

- 2.3 There is no staff accommodation at Foxcombe Hill.

- 2.4 The farming operations which commenced in 2000 are carried out by Mrs Kinglerlee with the help from volunteers at peak times of the year, from an organisation called World Wide Opportunities on Organic Farms.

The current cropping is entirely grassland with some areas planted with fruit and nut trees, with plans in place to expand the latter in the future

Future plans also include an organic rotation in the Top Field. This field is 3.44 hectares. Allowing for the farm buildings and possible temporary dwelling, the four cropped areas will average .71 hectares each and will consist of 2 years grass/clover followed in year three by an arable mix (Oats and Vetches) and then in year four winter wheat. The clover /grass mixture will fix atmospheric nitrogen for the benefit of the following two years arable cropping. All produce from this area will be consumed on farm, with the straw being used for bedding and any surplus sold for thatching.

Planned livestock enterprises:-

- A small flock of 20 breeding ewes, to produce finished lambs
- 6 suckler cows, to produce finished beef cattle at 24 – 28 months of age
- 90 hens with 10 cockerels producing sufficient eggs for the hatchery, which in turn will produce between 12 – 13000 day old chicks per year
- 4/5 adult geese producing 45 finished birds per year
- Small scale vegetable production is carried out in the polytunnel
- Soft fruit, apples and nuts.

All production will be sold locally through farmer's markets, except the day old chicks which will be sold to organic finishers.

- 2.6 The farm has entered the Organic Stewardship Scheme, this is an organic agri-environment scheme administered by DEFRA. Landowners and farmers enter into a 5 year agreement to manage land in an organically environmentally beneficial way in return for an annual payment of £60/ha. This involves not using any artificial fertilisers on the land and only using any form of medicines on the animals for welfare reasons only.

3.0 Accommodation

- 3.1 As already mentioned in Paragraph 2.3 there is no staff accommodation available at Foxcombe Hill Farm to house a Manager for this project. An application for planning permission has been submitted to the Vale of White Horse District Council Planning Department for the erection of suitable housing. The contents of PPS7 Paragraph 12 quoted below, indicates that as a 'start up enterprise' the application will have to include temporary accommodation for a period of three years whilst the project proves its sustainability to the planning authority.

PPS7 further states in Paragraph 12

"If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:"

- *There should be a clearly established functional need, the need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement*

- *There should be clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in the farm buildings stated is often a good indication of intentions)*
- *The unit and the agricultural activity concerned have been established for at least three years and have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so.*
- *The functional need could not be fulfilled by another dwelling on the unit or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.*
- *Other normal planning requirements, for example on siting and access are satisfied.*

4.0 Functional Test

4.1 Planning Policy Statement (PPS7) relates in part to agricultural and forestry dwellings. The objective in this instance is to provide guidance to establish that the need for the proposed dwelling for an agricultural worker is genuine and that the need is sustainable for a reasonable period of time.

4.2 PPS7 Paragraph 1 states that:

“One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work”.

Paragraph A2 states: *“It is essential that all applications for planning permission for new occupational dwelling in the countryside be scrutinised thoroughly with the aim of detecting attempts of abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more people engaged in it to live nearby”*

4.5 Labour requirement

Historic data for organic farms indicates that labour requirements are 10-30% higher than conventional farms, although a survey in 2004/5 showed no overall difference. The labour required depends on the mix of enterprises on the holding. The main reasons for this are:

- The increased diversity and complexity of organic systems
- Additional enterprises and extensive nature of organic systems reduce the opportunities for economics of scale and specialisation
- The introduction of marketing and or processing activities (in this case the hatchery) to benefit from premium prices and added value to farm products
- The introduction of labour intensive, high value enterprises such as field scale vegetables, soft fruit, nuts etc.

For many organic arable and livestock enterprises, labour requirements per hectare or per animal are similar to conventional systems. In the case of horticultural enterprises, additional labour requirements for weed control and harvesting depend on the level of mechanisation available. In this case Mrs Kingerlee is proposing to move away from mechanisation totally. Increased labour use for marketing and processing of high value enterprises are only worthwhile where the higher returns justify the cost, as in the case of the proposed hatchery.

Reference to the Organic Management Handbook would suggest 2.1 labour units for a mixed organic farm of around 48 hectares, (Foxcombe Hill 24.95 hectares).

The proposed farming system

The proposed flock 90 hens plus 10 cockerels managed organically as a laying flock for the proposed hatchery, which will produce approximately 13400 day old chicks per year, 257 per week. This will create a considerable labour requirement spread out over a very long day, this coupled with the extra management and attention to detail required for the many other diverse organic enterprises, including 6 suckler cows and 20 breeding ewes, and the daily attention they require as well as the extra time and care needed on welfare grounds at calving and lambing time. These are set out in more detail in Mrs Kingerlees' Foxcombe Hill Farm Development Programme.

The above indicates that it is essential that at least one experienced member of staff should be available on the premises at all times to deal with emergencies –

Unfortunately just for the hatchery there are no figures available specifically for an organic hatchery, but a figure of between 2-3 labour units to cover the entire process from egg laying hens through the incubation and hatching process to marketing and delivery of the day old chicks, is required. Extra staff are required at peak periods of maintenance and harvesting the vegetables, fruit, nuts and arable crops.

Any housed or outdoor reared livestock require regular inspection to ensure that any health, welfare or safety problems (fire or security) may be dealt with immediately thus alleviating any suffering to the animals.

PPS7: 'Sustainable development in rural areas' - Permanent Agricultural Dwellings - paragraph 4 states -

"A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night":

"In case animals or agricultural processes require essential care at short notice";

"To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or failure of automatic systems".

Under the old animal welfare law welfare organisations could only act at quite a late stage if an animal was suffering, under the new law they are able to intervene at a much earlier stage.

Duty of care and bio-security – the Animal Welfare Act 2006, Promotion of Welfare, Section 9

Paragraph 1, quote “ A person commits an offence if he/she do not take such steps as are reasonable in all the circumstances to ensure that the needs of an animal for which he/she is responsible are met to the extent required by good practice,”

“its needs to be protected from pain, suffering, injury and disease”.

4.6 Security – Ensuring the continued security of highly valuable stock.

PPS7: ‘Sustainable development in rural areas’ - Permanent Agricultural Dwellings – paragraph 6 states

“The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one”.

In this case the lack of protection of animals in the care of Mrs Kingerlee, from theft or injury by intruders is justifiable. There is a history of problems regarding intruders interfering with the poultry units.

Therefore to ensure that the requisite welfare and security is afforded, it is essential for a suitably qualified person to be on site at all times.

5.0 Financial Test

- 5.1 New enterprises when applying for planning permission are required to pass a financial test to prove that the business is both genuine and sustainable.
- 5.2 Based on information from the latest three year cash flow and budget figures there appears to be a positive cash flow and a profit of £16k per annum by year three. These figures have been checked against the 2007 Organic Farm Management Handbook, produced by the University of Wales, and are found to be reasonably accurate. The returns from the soft fruit and nut enterprises are not so easy to corroborate but Mrs Kingerlee has already gained experience in these areas and has taken advice from the Soil Association. In my opinion her predictions are reasonably accurate.
- 5.3 Capital costs, and a full description of the planned costs are detailed in Appendix 2. To date £96k has been invested in the project with a future £63k, totalling £159k which does not include the original purchase of the land.
- 5.4 It is essential that the enterprise achieves the level of productivity and profitability that is forecast in the business plan to justify a temporary dwelling on the site.
- 5.5 The original investment of £96180 is assumed to be written off and therefore does not carry any interest payments forward. The business plan shows that the proposed investment of £63060 is to be funded by a bank loan repayable at £2772 per annum which equates to 4.4% interest, it is not clear in the three year cash flow or the business plan exactly how the repayments are structured. Is the interest accurate, are the repayments interest only or is there an element of loan repayment included. It is important that this is clarified as by year three the profitability will have levelled out at £16300.

7.0 Conclusion

- 7.1 The business plan shows that the proposed enterprise could be reasonably profitable, and that there is a genuine desire to succeed in a branch of the farming industry that shows continued growth year on year. I believe there is a clear intention to make the business successful. However the output of the proposed business is based on a multitude of enterprises, which all rely on a considerable labour input and level of management expertise, none more so than the egg production and hatchery.
- 7.2 Many of the projects that have been attempted over the last few years seem to have been abandoned or altered for a number of reasons. The concern for the future of the holding is therefore the sustainability of the entire project.
- 7.3 Government Policy encourages farmers to embrace organic farming systems, Mrs Kingerlee has shown over the last seven years to be fully committed to her objectives both by the amount of capital already invested and planned, also her commitment on furthering her knowledge of both organic farming systems and environmentally sensitive issues.
- 7.4 The functional aspect clearly shows the need for a dwelling on or very close to Foxcombe Hill Farm, especially regarding the welfare and security issues of the various proposed livestock enterprises. The financial aspect relies on the project achieving the profitability budgeted by year 3 of the business plan, which in turn is totally reliant on the applicant adhering to the plan she has set out.
- 7.5 There is no suitable accommodation available in the immediate area to purchase or rent for a suitably qualified manager or member of staff to live in. Therefore there appears to be a need for a temporary dwelling whilst the business proves it self to be successful over the three year period.

APPENDIX 3

Appendix 3

Capital Costs

Hatchery - Single Storey Building - office, store and power room -	£24,000
Open sided implement barn 20'x 50'	£ 6,800
Feed Barn, winter housing 80'x 30'	£14,000
Incubator	£ 1,600
Hatcher	£ 900
Diesel Powered Generator	£ 2,500
Solar Panels	£ 2,010
Apple store and packing shed 12'x 36'	£ 6,500
Charcoal Kiln	£ 2,500
Post Rammer	£ 1,750
Chainsaw	£ 500
<u>Total</u>	<u>£63,060</u>

APPENDIX 3

Cash Flow Forecast 2007-08
(all figures in £'s)

	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08
Income												
Chicks												
Beef	700.00	702.63	705.26	707.90	710.56	713.22	715.90	718.58	721.28	723.98	878.30	881.59
Lamb	382.66	384.09	385.54	386.98	388.43	389.89	391.35	392.82	394.29	395.77	726.70	729.42
Salad/Watercress						100.00	100.38	100.75	101.13	101.51	397.25	398.74
Soft Fruit		600.00	602.25	604.51	206.78	207.55	208.33				101.89	102.27
Apples					50.00	50.00	50.00	50.00				
Geese								3,150.00				
Single Farm Payment									500.00			
OELS Scheme												
Total	1,082.66	1,686.72	1,693.05	1,699.39	1,355.77	1,460.66	1,465.95	4,412.15	1,716.70	1,221.26	2,104.14	2,112.03
Expenditure												
Chicks												
Beef	175.00	175.66	176.31	176.98	177.64	178.31	178.97	179.65	180.32	181.00	266.75	267.75
Lamb	102.00	102.38	102.77	103.15	103.54	103.93	104.32	104.71	105.10	105.49	181.67	182.36
Salad/Watercress					225.00						105.89	106.29
Soft Fruit		525.48										
Apples				65.00								
Geese	343.94	44.10	44.27	44.44	44.60	44.77	44.94	945.11				
Transport	40.00	40.15	40.30	40.45	40.60	40.76	40.91	41.06	41.22	41.37	41.53	41.68
Insurance	65.50	65.75	65.99	66.24	66.49	66.74	66.99	67.24	67.49	67.74	68.00	68.25
Grazing		1,250.00	1,300.00									
Fuel	20.00	20.08	20.15	20.23	20.30	20.38	20.45	20.53	20.61	20.69	20.76	20.84
Certification									569.00			
Tel	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00
Water	42.00	42.16	42.32	42.47	42.63	42.79	42.95	43.11	43.28	43.44	43.60	43.77
Stationary/Advertising	15.00	15.06	15.11	15.17	15.23	15.28	15.34	15.40	15.46	15.51	15.57	15.63
Bank Loan	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00
Total	1,064.44	2,541.81	2,068.22	835.12	997.03	773.95	775.87	1,677.80	1,303.47	736.24	1,004.77	1,007.56
Net Cashflow Balance	18.22	-855.09	-375.18	864.27	358.73	686.71	690.08	2,734.35	413.23	485.02	1,099.37	1,104.47
Annual Farm Income	7,224.18											
RPI Inflation annual %age												
												4.50%

*Single Farm Payment will vary from year to year and is an estimated figure.

Cash Flow Forecast 2008 09 (all figures in £'s)												
	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09
Income												
Chicks	884.90	888.22	891.55	894.89	898.25	901.62	905.00	908.39	911.80	915.22	918.65	922.09
Beef	732.16	734.90	737.66	740.43	743.20	745.99	748.79	751.59	754.41	757.24	760.08	762.93
Lamb	400.24	401.74	403.25	404.76	406.28	407.80	409.33	410.86	412.41	413.95	415.50	417.06
Salad/Watercress						104.50	104.89	105.29	105.68	106.08	106.47	106.87
Soft Fruit	627.00	629.35	631.71	631.71	216.08	216.89	217.70	101.13				
Apples					100.00	100.38	100.75	3,291.75				
Geese								430.50	500.00			
Single Farm Payment		430.50										
OELS Scheme												
Total	2,017.30	3,082.36	2,661.81	2,671.79	2,363.81	2,477.17	2,486.46	5,999.51	2,684.30	2,192.49	2,200.71	2,208.96
Expenditure												
Chicks	268.75	269.76	270.77	271.79	272.81	273.83	274.86	275.89	276.92	277.96	279.00	280.05
Beef	183.04	183.73	184.41	185.11	185.80	186.50	187.20	187.90	188.60	189.31	190.02	190.73
Lamb	106.69	107.09	107.49	107.89	108.30	108.70	109.11	109.52	109.93	110.34	110.75	111.17
Salad/Watercress					235.13							
Soft Fruit	549.13											
Apples				67.93								
Geese	345.28	46.57	46.75	46.92	47.10	47.27	47.45	47.63				
Transport	41.84	41.99	42.15	42.31	42.47	42.63	42.79	42.95	43.11	43.27	43.43	43.60
Insurance	68.51	68.77	69.02	69.28	69.54	69.80	70.07	70.33	70.59	70.86	71.12	71.39
Grazing		1,306.25	1,358.50									
Fuel	20.92	21.00	21.08	21.16	21.23	21.31	21.39	21.47	21.55	21.64	21.72	21.80
Certification									569.00			
Tel	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00
Water	43.93	44.09	44.26	44.43	44.59	44.76	44.93	45.10	45.26	45.43	45.60	45.78
Stationary/Advertising	15.69	15.75	15.81	15.87	15.93	15.99	16.05	16.11	16.17	16.23	16.29	16.35
Bank Loan	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00
Total	1,355.64	2,915.12	2,421.24	1,133.67	1,303.89	1,071.79	1,074.83	1,977.89	1,602.14	1,036.04	1,038.94	1,041.86
Net Cashflow Balance	661.66	167.24	240.57	1,538.12	1,059.92	1,405.38	1,411.63	4,021.63	1,082.15	1,156.45	1,161.77	1,167.10
Annual Farm Income	15,073.60											
RPI Inflation annual %age												

APPENDIX 3

*Single Farm Payment will vary from year to year and is an estimated figure.

Cash Flow Forecast 2009 -10 (all figures in £'s)												
	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10
Income												
Chicks	925.55	929.02	932.51	936.00	939.51	943.04	946.57	950.12	953.69	957.26	960.85	964.45
Beef	765.79	768.66	771.55	774.44	777.34	780.26	783.19	786.12	789.07	792.03	795.00	797.98
Lamb	418.63	420.20	421.77	423.35	424.94	426.53	428.13	429.74	431.35	432.97	434.59	436.22
Salad/Watercress						109.20	109.61	110.02	110.44	110.85	111.27	111.68
Soft Fruit		655.22	657.67	660.14	225.80	226.65	227.50	200.00				
Apples					200.00	200.00	200.00	200.00				
Geese								3,439.88				
Single Farm Payment		430.50							500.00			
OELS Scheme								430.50				
Total	2,109.97	3,203.60	2,763.50	2,793.94	2,567.60	2,685.68	2,695.01	6,346.39	2,784.54	2,293.11	2,301.71	2,310.34
Expenditure												
Chicks	281.10	282.16	283.21	284.28	285.34	286.41	287.49	288.56	289.65	290.73	291.82	292.92
Beef	191.45	192.17	192.89	193.61	194.34	195.06	195.80	196.53	197.27	198.01	198.75	199.50
Lamb	111.59	112.01	112.43	112.85	113.27	113.69	114.12	114.55	114.98	115.41	115.84	116.28
Salad/Watercress					245.71							
Soft Fruit		573.84										
Apples				70.98								
Geese	347.81	49.11	49.30	49.48	49.67	49.85	50.04	950.23				
Transport	43.76	43.92	44.09	44.25	44.42	44.59	44.75	44.92	45.09	45.26	45.43	45.60
Insurance	71.66	71.93	72.19	72.47	72.74	73.01	73.28	73.56	73.83	74.11	74.39	74.67
Grazing		1,365.03	1,419.63									
Fuel	21.88	21.96	22.04	22.13	22.21	22.29	22.38	22.46	22.54	22.63	22.71	22.80
Certification									569.00			
Tel	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00
Water	45.95	46.12	46.29	46.47	46.64	46.82	46.99	47.17	47.34	47.52	47.70	47.88
Stationary/Advertising	16.41	16.47	16.53	16.60	16.66	16.72	16.78	16.85	16.91	16.97	17.04	17.10
Bank Loan	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00	231.00
Total	1,392.60	3,035.71	2,519.61	1,174.10	1,351.98	1,109.45	1,112.63	2,015.82	1,637.61	1,071.64	1,074.68	1,077.73
Net Cashflow Balance	717.37	167.89	263.89	1,619.83	1,215.62	1,576.24	1,582.38	4,330.56	1,146.93	1,221.47	1,227.03	1,232.61
Annual Farm Income	16,301.81											
RPI Inflation annual %age					4.50%							

*Single Farm Payment will vary from year to year and is an estimated figure.

Appeal Decision

Hearing held on 18 June 2002

by Philip A Goodman BA(Hons) DMS MKTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6RN
Tel: 01477 372 6572
e-mail: requests@planning
inspectorate.gov.uk

Date: 15 JUL 2002

Appeal Ref: APP/V3120/A/01/1078934

Foxcombe Hill Farm, Lincombe Lane, Boars Hill, Oxford

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Ms Shadiya Kingtlee against Vale of White Horse District Council.
- The application (Ref: SUN/16776), is dated 18 January 2001.
- The development proposed is temporary agricultural accommodation—de-mountable structure in compliance with PPG 7.

Summary of Decision: The appeal is dismissed.

Procedural Matters

- The description of development above is taken from the application form. In my view it is more accurately described as erection of a temporary de-mountable agricultural worker's dwelling. I determine the appeal on that basis.
- It is not disputed that the appeal site is located within the Oxford Green Belt as defined in general in the adopted structure plan and in particular in the adopted local plan. The policy implications of this are discussed further below.
- Following submission of the appeal the Council resolved that had it been then able to determine the application it would have refused planning permission because of the prominent siting of the proposed dwelling and its harmful visual impact on the openness and visual amenity of the green belt and the North Vale Area of High Landscape Value.

Main Issues

- The main issues are: firstly, whether the proposal would represent appropriate development in Green Belt terms; secondly its impact on the openness, character and visual amenity of the Green Belt and the North Vale Area of High Landscape Value; and finally, if the proposal is deemed to be inappropriate development in Green Belt terms, whether very special circumstances are present sufficient to outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm identified.

Planning Policy

- The development plan comprises the Oxfordshire Structure Plan 2011, adopted in 1998, and the Vale of White Horse Local Plan adopted in 1999.
- Relevant structure plan policies include G2, G4 and G6. G2 requires all development to be of a scale and type appropriate to the site and its surroundings and to incorporate a high quality of layout, design and landscaping. G4 establishes a Green Belt around the built up

area of Oxford which is to be kept permanently open and wherein development is to be severely restricted. Defined types of development in the Green Belt, including agriculture and forestry, are inappropriate unless they maintains its openness and do not conflict with the purposes of the Green Belt. G6 aims to encourage development to incorporate principles of energy and resources conservation including through passive solar design.

- Relevant local plan policies include G2, H8, C3, C14 and D11. G2 states that within the Green Belt new buildings for agricultural and forestry will be considered under the provisions of C14 and also that the Council will seek to ensure that the openness of the Green Belt is maintained. C14 requires proposals for new buildings not to harm, among other things, the visual amenity of the landscape, and to be located, where possible, in or adjacent to an existing group of farm buildings, or in an existing well screened setting. C3 states that the North Vale Area of High Landscape Value will be protected from development likely to harm its prevailing character and appearance.
- Local plan policy H8 reflects national guidance in Planning Policy Guidance (PPG) 7 that new houses in the countryside away from established settlements will not be permitted without special or exceptional justification. Where a dwelling is permissible so as to meet the justified needs of a particular rural enterprise, control will be exercised over its occupancy and future use to ensure that it is retained for the purpose for which it was originally justified. The policy text refers to Supplementary Planning Guidance (SPG) which gives more detailed guidance on the treatment and justification of dwellings for agricultural and forestry purposes which in turn reflects the detailed guidance in Annex I of PPG7. Policy D11 seeks to encourage the inclusion in development proposals of measures for the reduction of energy consumption by means of location, layout, design, orientation, landscaping or alternative technology.
- Reference was also made at the hearing to the provisions of PPG 2, "Green Belts". This makes clear that the essential characteristic of Green Belts is their permanence and that their protection must be maintained as far as can be seen ahead. It also states that the general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant (or appellant) to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Reasons

First Issue – Whether Appropriate Development in Green Belt?

- Paragraph 3.4 of PPG 2 states that the construction of new buildings inside a Green Belt is inappropriate unless for one of a number of defined purposes including agriculture and forestry. Against this background it is clear to me that the erection of a dwelling in this location in open countryside beyond an identifiable settlement would normally be inappropriate development within the Green Belt. It would only be deemed to be appropriate if it were clearly necessary in connection with a properly justified agricultural need of the type mooted in local plan policy H8 and PPG7 Annex 1.
- An assessment of agricultural need accompanying the application and appeal indicated that the holding consists of 3 fields comprising some 11 hectares of pasture land and that in the

22. I accept that the food production and more general environmental benefits likely to flow from a successful organic agricultural enterprise, and the erection of a dwelling employing 'green' architectural principles, would be positive benefits in line with the government's aims to foster sustainable development in its broader sense. In particular I acknowledge that the siting of the proposed dwelling is intended to minimise disturbance to the nearest neighbour, to help operational efficiency in terms of supervision of the holding, and to maximise the benefits of a south facing location with potential for solar heating and power generation. The latter would be consistent with the aims of PPG 22 and related development plan policies to encourage sustainable forms of renewable energy production. However, there has been no clear demonstration that other less prominent and intrusive locations on the holding would not be capable of providing at least a share of the energy creating benefits being sought by the presently proposed siting.

23. In my judgement the functional, operational and energy benefits likely to arise from the development, though not insignificant, would not constitute very special circumstances of sufficient weight to overcome the serious harm to the preservation of the Green Belt and the character and appearance of the protected rural landscape identified above.

Conditions

24. The imposition of conditions as discussed at the hearing would similarly not overcome the harm I have identified.

Conclusions

25. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

26. In exercise of the powers transferred to me, I dismiss the appeal and refuse planning permission for erection of a temporary de-mountable agricultural worker's dwelling.

Information

27. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

Philip A. Goodman

Inspector