



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 28/07/09

Ymweliad â safle a wnaed ar 29/07/09

Appeal Decision

Hearing held on 28/07/09

Site visit made on 29/07/09

gan/by A D Poulter BA BArch RIBA

Arolygydd a benodir gan
Weinidogion Cymru

an Inspector appointed by the Welsh
Ministers

Dyddiad/Date 27/08/09

Appeal Ref: APP/N6845/A/09/2096728

Site address: Pontygafel, Glandwr, Whitland, Pembrokeshire SA34 0YD.

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Mr Paul Wimbush, of Lammas Low Impact Initiatives Limited, against Pembrokeshire County Council.
- The application Ref 08/0962/PA, is dated 21 November 2008.
- The development proposed is 9 new-build eco-smallholdings, 1 community hub building, 1 seasonal camping area, and 1 welcome point structure.

Preliminary Matters

1. At the Hearing an application for costs was made by Lammas Low Impact Initiatives Limited against Pembrokeshire County Council. This application is the subject of a separate Decision.
2. The appellant has entered into a S106 Unilateral Undertaking, which includes obligations with regard to traffic management, annual monitoring, and productivity.

Background, Planning History, and Application

3. The original application (ref 07/314/PA) was submitted in June 2007 and refused in October of that year. A further application (ref 07/1581/PA), including additional information, was submitted in March 2008 and refused in September 2008. An appeal was lodged against this refusal, but was not validated due to the absence of an access statement. The application was resubmitted with an access statement and changes in November 2008. The changes included: alterations to the Management Plan and Traffic Management Plan; correction of an arithmetic error in the Plot 1 Plan; insertion of a ramp in the design of the proposed dwelling on Plot 5; changes in the design and location of agricultural buildings on Plot 6; and changes in the design of the community hub building. The appeal was made soon after the prescribed period for a decision on an application for planning permission had expired.

4. During the appeal process the business plan was updated (April 2009). Further amendments to the Management Plan were put forward in the Appellant's response to the Council's Statement of Case (Page 14, dated 26 May 2009). All interested persons have had the opportunity to see and comment on the updated business plan and the proposed amendments to the Management Plan. I have taken them into account as to do so would not prejudice any persons' interests.

Decision

5. I allow the appeal, and grant planning permission for 9 new-build eco-smallholdings, 1 community hub building, 1 seasonal camping area, and 1 welcome point structure at Pontygafel, Glandwr, Whitland, Pembrokeshire SA34 0YD, in accordance with the terms of the application, Ref 08/0962/PA, dated 21 November 2008, including the updated business plan and amendments to the Management Plan dated 26 May 2009, and the plans submitted with it, subject to the conditions included on the attached Schedule .

Main Issue

6. In accordance with a signed Statement of Common Ground, it is agreed between the Appellant and the Council that the application revolves around Policy 52 of the *Joint Unitary Development Plan for Pembrokeshire* (JUDP). The Council, as Local Planning Authority (LPA) considers that criterion (vi) of JUDP Policy 52 has not been satisfied because the appellant has not provided sufficient information to justify a 5-year timescale, rather than a 3-year timescale for meeting the 75% requirement. The Council does not consider that criterion (vii) has been satisfied because the appellant has not provided a detailed breakdown of the hours associated with the activities. It considers that criterion (viii) has not been satisfied because the business plan appears to be dependent on grant funding and loans, and the uncertainty associated with this raises doubts about the proposal's ability to deliver criterion (i). At the hearing it was confirmed for the Council that this concern relates to criterion (i), rather than criterion (viii). It was also confirmed that, if the Council was still in a position to do so, it would refuse the application for these reasons.
7. Local residents and others have raised other concerns during the application and appeal process. These include: the viability of the activities that would provide a livelihood for the occupants of the proposed dwellings; the visual impact of the proposals, including buildings and polytunnels; the location of the site in relation to larger settlements and public transport routes; the effects of the proposed development on the local community and the interests of the Welsh language; and highway safety and the free flow of traffic.
8. On the basis of the representations that have been made, I consider the main issue to be whether there are circumstances that would justify an exception to the normal strict control over development in the countryside, having particular regard to relevant local and national planning policies. Other considerations include the effect of the proposed development on the needs and interests of the Welsh language, on the local community, and on highway safety and the free flow of traffic.

Planning Policy

9. The development plan for the area is the *Joint Unitary Development Plan for Pembrokeshire 2000-2016* (JUDP). The most relevant of the policies that I have been referred to is Policy 52, which relates to low impact development making a positive contribution. Other relevant policies include Policy 8, 126 and 100, which relate respectively to development and local culture, the interests of the Welsh language, and means of access.
10. The accompanying text to Policy 52 records that it provides a context for permitting development in the countryside that contributes to the agenda of sustainable development. Proof is required that there would be a positive contribution in terms of the environment, the use of resources, and a combination of social/economic benefits, and that the proposals will achieve a neutral or at least the lowest possible adverse impact. Eight criteria are set, all of which must be met for a development to be permitted. These are:
- (i) the proposal would make a positive environmental, social and/or economic contribution with public benefit;
 - (ii) all activities and structures on site would have low impact in terms of the environment and use of resources;
 - (iii) opportunities to reuse buildings which are available in the proposal's area of operation have been investigated and shown to be impracticable
 - (iv) the development is well integrated into the landscape and does not have adverse visual effects;
 - (v) the proposal requires a countryside location and is tied directly to the land on which it is located, and involves agriculture, forestry or horticulture;
 - (vi) the proposal will provide sufficient livelihood for and substantially meet the needs of residents on the site;
 - (vii) the number of adult residents should be directly related to the functional requirements of the enterprise; and
 - (viii) in the event of the development involving members of more than one family, the proposal will be managed and controlled by a trust, co-operative or other similar mechanism in which the occupiers have an interest.
11. The Council has published Supplementary Planning Guidance (SPG) relating to Policy 52. It was confirmed at the hearing that it has been subject to public consultation and has been formally adopted. Although it does not carry the full weight accorded to the development plan by Section 38(6) of the Planning and Compulsory Purchase Act 2004, it is therefore a material consideration of substantial weight. It sets out the Council's approach to proposals submitted under this policy and the issues that applicants need to address to meet the tests. It advises that a proposal under Policy 52 will need to be accompanied by a management plan, and that an annual monitoring report will be required. A checklist, setting out the issues that the management plan should cover is

provided. Appendix 1 provides guidance on the policy criteria. Amongst other things, it provides advice on the meaning of the term 'low impact' and advises that the phrase 'substantially meet the needs of the residents on the site' in criterion (vi) means that 75% or more of basic household needs will be met by means of activities centred around the use of resources grown, reared or occurring naturally on the site. It is expected that this would be achieved by year 3 of the project. If this is unreasonable given the nature of the project, an explanation must be given in supporting documentation and a timescale as close as possible to the 3-year target must be identified. It is expected that the target would be achieved within 5 years.

12. National planning policy set out in Chapter 2 of Planning Policy Wales (PPW) sets out the Assembly's commitment to sustainable development. *Technical advice Note 6: Agricultural and Rural Development (TAN6)(2000)* does not refer specifically to proposals for low impact development in the countryside. However, a draft revision to TAN 6: *Planning for Sustainable Rural Communities* was published for consultation purposes in July 2009. As this document represents the early stages of planning policy development it carries minimal weight as a consideration in this appeal. It does, however indicate the direction in which national planning policy may be travelling. It takes forward Low Impact Development principles as One Planet Developments. It is in line with the Assembly's *One Wales: One Planet* sustainable development scheme's objective that, within the lifetime of a generation, Wales should use only its fair share of the earth's resources.

Reasons

13. The appeal relates to about 31 Hectares of farmland and woodland, close to the village of Glandwr. It is not disputed that the site is in the countryside for planning purposes. The proposed development would comprise 9 individual plots, with common woodland and grazing. There would also be a communal 'village green' around an existing millpond. There would be 5 individual dwellings, and 4 dwellings within a terrace. The community hub would house facilities including an administrative office, a kitchen, a hall and café, a small 'trading post' shop area, and toilet and shower facilities for visitors. A small seasonal camping area would provide pitches for visitors and volunteers assisting in the initial construction phase. The welcome point structure would serve as a temporary site office during the construction of the hub building. Its permanent function would be as an information and orientation point for visitors, and to provide shelter for a minibus and bicycles. Subject to the necessary licences being obtained, electricity would be generated by a small-scale hydro-electric scheme. In accordance with individual plot plans, residents would grow food and fuel wood in accordance with permaculture principles. A range of land-based activities would generate income, largely though value-added products produced on site. Access to the site is at present via existing farm roads. Permission has been obtained to use those roads for a limited period, but the proposed scheme includes the construction of a new access direct from an adjacent county road.

Public Benefit

14. Funding of the order of £210,000 has been secured to purchase the site, largely through loans from Lammas members and supporters. The April 2009 update to the business plan sets out projected set-up income and expenditures on the basis of optimistic, expected and pessimistic scenarios. Under the pessimistic scenario Lammas would need to borrow approximately £48,000 more to complete the project within the envisaged timescale. It was confirmed at the hearing that even if no grant funding were to be available, the loan required would be of the order of £75,000. Given the past record of being able to raise funds through members and supporters, and the asset value of the land now owned by Lammas, it was accepted by the Council at the hearing that it was likely that funds of this order could be raised. I have no reason to disagree. In a project of this nature contributions of time and effort could be expected on a free or nearly free basis. The proposed buildings and infrastructure would utilise a high proportion of low cost materials and simple technologies. It is therefore likely that project costs would be kept low. I have no firm evidence that contradicts the estimates of cost set out in the business plan. I therefore see no financial reason likely to prevent the proposal being fully implemented.
15. The wider community benefits envisaged in the Management Plan and associated documents include the analysis of dwellings and lifestyles which aspire to a one-planet ecological footprint through research, and feedback to inform practice elsewhere. Visitors would be offered an educational experience. The natural wealth and biodiversity of the land would be enhanced, and a network of permissive footpaths linked to existing public rights of way would be created. A mini-bus service would be provided and would be available to occupants of the proposed dwellings and local residents alike. Surplus products would be sold, and locally produced products and services would be bought, thus boosting the rural economy. The proposal would therefore make a positive environmental, social and economic contribution with public benefit, in line with criterion (i) of JUDP Policy 52 and the SPG.

Environmental Impact

16. The project would be self-sufficient in terms of water supply, electricity generation, sewage treatment, and fuels for heating. For economic reasons, it is envisaged at present that the proposed hydroelectric scheme would not sell surplus energy to the grid. However, if it proved to be economic to do so, the system would have the capacity to make a small but positive contribution to the public electrical supply from renewable resources. Rainwater would be collected for irrigation and some domestic uses on site. A high proportion of proposed building materials would be recycled or locally-sourced and natural, with very low embodied energy. The proposed buildings would be designed to be thermally efficient through orientation, use of glazing, and insulation. Moreover, in accordance with the Management Plan, the lifestyles of the occupants would be highly self-sufficient, with a high proportion of basic needs being met from resources grown, reared or occurring naturally on the site. Little waste would be produced that would not be either recycled or composted on site.

17. Glandwr is not located on a main road and so does not have good access to public transport. However, there is a limited timetabled and 'dial-a-bus' service. It is only about 4 miles from schools and other local services in Crymmych. The Lammas Traffic Management Plan sets out comprehensive measures to mitigate the environmental impact of travel to and from the site, including the provision of the mini-bus service referred to above. Even taking into account journeys by visitors, it is envisaged that the total number of trips per residential unit would be considerably less than the average rural household would be expected to generate. Conditions could be used to ensure that the number of trips generated in practice would be monitored, and remedial or mitigating measures would be taken if necessary. The lack of good access to public transport does not, therefore, turn me from the conclusion that all activities and structures on site would have a very low impact in terms of the environment and use of resources. Indeed, there is a strong prospect that the project's aspiration to achieve a one-planet environmental footprint would be met in practice.
18. The proposed buildings would be constructed largely of natural locally sourced materials, and would have minimal foundations and infrastructure. By their nature they would therefore be easily reversible.
19. I consider for these reasons that the proposed development would be consistent with criterion (ii) of JUDP Policy 52, and with the SPG relating to it.

Opportunities to Re-Use Buildings

20. There are no buildings on the site that could be re-used. However, the project has rights to use a 'leat' (canalised stream) which runs through the site and a generator within a generator house off-site, for the purposes of generating electricity. Wherever possible, advantage would therefore be taken of opportunities to re-use man-made features within and associated with the site. The Council accepts that the proposal complies with criterion (iii) of JUDP Policy 52, and I have no reason to disagree.

Visual Impact

21. A visual impact assessment has been carried out using 'Landmap' data covering the area. It takes into account the proposed polytunnels, which would be well screened small units dispersed around the site. Whilst the proposed development would have a number of effects on the landscape, most would represent a small degree of change. The character of the area would remain largely that of agricultural development within an agricultural landscape. As additional buildings would have sedum roofs and would be constructed of natural materials they would blend into the scenery. It is therefore unlikely that the visual impact of the proposed development would be harmful. Again, I have no reason to disagree with the Council's view that the proposal would comply with criterion (iv) of JUDP Policy 52.

Tie to the Land

22. Concerns were raised at the hearing to the effect that the site had been chosen on the basis of its availability, rather than suitability for development of the type proposed. However, although the land is elevated and likely to have higher than average rainfall, it is largely south-facing and well drained, and has supported

agricultural activities for many generations. Reports prepared by experts in permaculture have examined soil fertility and depths in detail and have not cast doubt on the suitability of the land. As the project is in part intended as a research and educational tool there is merit in the use of land which is not of the highest agricultural quality, to test and demonstrate whether permaculture techniques can be widely applied. The opportunity to generate hydroelectric power is also a considerable advantage to the project. Whether or not the site was chosen for its availability, I consider for these reasons that it is suitable for the proposed use.

23. There is no dispute that the proposal requires a countryside location, is tied directly to the land on which it is located, and involves agriculture, forestry or horticulture. Criterion (v) of JUDP Policy 52 is therefore satisfied.

Ability to Substantially Meet the Needs of Residents on the Site

24. Based on their experience, some local residents have expressed considerable doubt about input costs, practicality and income projections associated with the activities put forward in the individual plot plans. Although they do not form part of the Council's evidence in this appeal, I have also been provided with assessments by ADAS relating to the individual plot plans submitted with the earlier applications, which are similar to the plot plans submitted as part of the appeal scheme. The ADAS reports conclude that some figures used in budgets have been optimistic in terms of sale values and yields, and that some living costs have been underestimated.
25. However, all the residents' water, electricity, sewage and household fuel needs, and a substantial proportion their food needs would be met directly from the site. The cost of their housing would be low. The cost of producing food and other products would be kept low through high inputs of labour. Income would be maximised where appropriate by adding value to products on site and selling direct to customers. There is good evidence to show that permaculture can be more productive than conventional agricultural methods. The income-generating activities proposed in the individual plot plans are diverse, each containing several land-based initiatives. I consider that they are therefore likely to be robust in changing circumstances, and capable of being adapted to respond to successes and failures.
26. In contrast, the ADAS reports are based on experience with conventional agriculture rather than permaculture. Sales values and yields assumed by ADAS are therefore likely to be low in some instances. Even so, ADAS concluded that two of the plots would meet the 75% target set in the SPG. I see no reason why other plot plans could not be adapted to be equally successful if the need arises. I consider for these reasons that there is a strong prospect that once the activities on site are firmly established, the residents of each of the individual plots would be able to meet at least 75% of their basic needs from land-based activities on the site in most years.
27. The Council's case with regard to criterion 6 turns not on the ability to meet the 75% target, but on the envisaged timescale for achieving it. At the hearing, it was argued that temporary housing should be considered, to enable residents to concentrate efforts in the initial years into establishing the land-based activities

rather than building their houses, with the aim of achieving the 75% target earlier. However, whilst TAN 6 advises that a dwelling on an agricultural unit should be provided by temporary accommodation where the case for a dwelling is not completely proven, I find no basis for the same requirement in JUDP Policy 52, the SPG, or, in so far as it relates to 'one planet' developments, in the emerging revision to TAN 6. For these reasons, and as the sustainable design of the proposed dwellings would be integral to the sustainable lifestyles that the project seeks to research and promote, I do not consider that it would be appropriate to require temporary accommodation to be provided in this instance.

28. In accordance with the individual plot plans and other supporting documentation, the permaculture methods proposed would require soil improvements over 2 – 3 years, and the establishment of trees and hedges before the land is capable of approaching full productivity. Many of the planned crops would therefore not approach envisaged yields within a three year period. As advised in the SPG, the appellant has thus explained in supporting documentation why the 3-year target is unreasonable given the nature of the proposal and is unlikely to be met. However, the evidence and individual plot plans all show that the 75% target is likely to be met within 5 years.
29. I consider for these reasons that there is a strong prospect that the proposal will provide sufficient livelihood for and substantially meet the needs of residents on the site. Criterion (vi) of JUDP Policy 52 has been therefore been met. It is also likely that this would be achieved within a timescale acceptable in accordance with the SPG.

Functional Labour Requirements

30. The labour requirements associated with activities envisaged in the individual plot plans have been set out in detail in an independent functional need assessment carried out for Lammas, which was submitted with the application. It concludes that the functional requirement for the management of the whole site meets the target set by JUDP Policy 52, with a total need of 21 Labour Units. In its response to the Council's statement Lammas has shown how the details in the assessment can be cross-referenced to individual plot plans, and therefore how the hours have been attributed to the activities. In my view the conventional methods applied in the earlier ADAS reports are not appropriate to the permaculture systems proposed in this instance, and the assessment carried out for Lammas clearly demonstrates that the number of adult residents would be directly related to the functional requirements of the enterprise. I therefore consider that criterion (vii) of JUDP 52 has been met.

Management and Control

31. It is not disputed that Lammas Low Impact Initiatives Limited is registered as an Industrial and Provident Society. In accordance with the Management Plan it would retain the freehold of the site and retain overall control of the development. Resident families would be members of the co-operative. As the proposal would be managed and controlled by a co-operative in which the occupiers have an interest, criterion (viii) has been satisfied.

32. I conclude for the above reasons that the proposed development would be fully compliant with JUDP Policy 52, and consistent with the advice set out in the associated SPG.

Other Considerations -

Welsh Language, and the local community.

33. The Management Plan commits the proposed settlement to becoming integrated into the local community. It includes a Welsh Language policy which adopts the principle that equal status will be given to the use of Welsh and English in the conduct of public business. It commits to reply in Welsh to correspondence received in Welsh, to make simultaneous translation available at public meetings, for corporate stationery to be bi-lingual, and to display bilingual signage. There is a commitment to making Welsh speaking staff available and to encourage training in the use of the Welsh language. It is likely that resident children would attend local schools where they would learn Welsh. The commitment to give the use of Welsh equal status to the use of English would be monitored annually.

34. I do not consider that the scale of the proposed development would be such that it would imbalance, or otherwise have any adverse effect on the local community. I acknowledge concerns that approval of the proposed scheme could set a precedent for future applications in the area, but as each would be considered on its own merits no precedent would be set for future development that would be harmful.

35. I am satisfied for these reasons that the proposed development takes account of the social, cultural and linguistic characteristics of the local community. It would be consistent in this respect with JUDP Policies 8 and 126. I am also satisfied that the proposed development takes into account the advice set out in Technical Advice Note 20: *The Welsh Language – Unitary Development Plans and Planning Control*.

Highway Safety and the Free Flow of Traffic

36. The proposed permanent access point would be on the outside of a slight bend on a relatively straight and wide section of road. Taking into account the slow speeds favoured by the nature of the road, visibility at the access would be acceptable. Some additional traffic would be generated, but the amount and type would be mitigated by the measures included in the Traffic Management Plan. Subject to conditions relating to this Plan, the Council is satisfied that the network of roads serving the site has the capacity to safely and conveniently serve the proposed development. That is also my view. The Traffic Management Plan makes provision for access by, and facilities for communal transport, pedestrians and cyclists. The proposal as a whole makes provision for access for everyone, having particular regard to the special needs of people with restricted mobility or sensory impairment. I consider for these reasons that there would be no conflict with JUDP Policy 100, or with national planning policy to promote a safe, efficient and fair transport system.

S106 Unilateral Undertaking and Conditions

Unilateral Undertaking

37. The completed S106 Unilateral Undertaking (UU) commits Lammas to pay a 'Productivity Target Contribution' in the event of a failure to meet the target of 75% of basic household needs being met from land-based activities in any one year. However, such a payment would not be necessary from a practical point of view to enable the scheme to go ahead. Nor would it meet or contribute towards the cost of any necessary facility. The Productivity Target Contribution would in my view be unnecessary, not fairly and reasonably related in scale and kind to the proposed development, and would not be reasonable in all other respects. It therefore does not meet the tests set out in paragraph 7 of *Welsh Office Circular 1/97: Planning Obligations*.
38. The UU also commits Lammas to pay a 'Traffic Contribution' to the Council towards the cost of fund highway mitigation works within the locality of the site if the number of vehicular trips generated in year 1 should exceed the target for that year set in the Traffic Management Plan, or the number of vehicular trips generated in year 5 exceeds the target for that year. If traffic movements continuously and significantly exceed the target set in the Plan there would be a need for local road improvements arising from the proposed development. However, as missed targets in years 1 or 5 could be unrepresentative of a long-term pattern, or targets could be missed by an insignificant amount, I do not consider that it would be fair or reasonable for a contribution towards the cost of such improvement to be triggered in the manner set out in the UU. I therefore also consider that the Traffic Contribution fails the tests set out in the Circular.
39. The objectives of ensuring that the proposal would provide sufficient livelihood for, and substantially meet the needs of residents on the site, and that vehicular trips would be minimised are relevant to planning, necessary and reasonable. However, they can be secured through the imposition of conditions. Similarly, the undertaking to provide an Annual Monitoring Report is necessary and reasonable, but can be ensured by condition.
40. For the above reasons I give little weight to the submitted UU, and it has not influenced my decision.

Conditions

41. I have considered the conditions suggested by the Council, and the Appellant's comments and alternative suggested conditions, in the light of *Welsh Office Circular 35/95: The Use of Conditions in Planning Permissions*.
42. A condition requiring the use of the site to be carried out in accordance with the management objectives set out in the Management Plan is necessary to ensure that the development would achieve low environmental impact, and that the public benefits associated with the proposed development would arise. Similarly, such a condition should also require compliance with the Traffic Management Plan, to ensure that there would be no significant impact on highway safety or the free flow of traffic, and that patterns of travel would be sustainable. To ensure compliance, it would also be necessary to impose conditions requiring annual monitoring reports to be submitted. If objectives were not to be met, it would be

appropriate to require corrective or mitigation measures to be put forward and implemented. However, as the activities associated with individual plots would inevitably change with time, it would be unreasonable for such conditions to apply to individual plot plans.

43. Such conditions would provide a mechanism for ensuring that the proposed dwellings would only be occupied by persons participating in the project and substantially deriving their livelihood from land-based activities on the site. An agricultural occupancy condition would therefore be unnecessary and inappropriate.
44. The proposed dwellings are intended to be permanent and would not be needed or justified because of personal circumstances. I find no basis in national planning policy or Circular 35/95 for requiring such dwellings and associated structures to be removed from the land if their initial purpose changes. For the reasons set out above I consider that there is a strong prospect that the objectives of the Management Plan will be achieved for the foreseeable future. In the unlikely event that they are not achieved it would open to the LPA to review the planning permission and determine what action, if any, would be expedient at that time. I consider for these reasons that it would be not be appropriate to impose a condition requiring the use to be discontinued and buildings to be removed if the requirements of the Management Plan are not implemented or achieved within the envisaged timetable.
45. Details of the proposed permanent vehicular access have been submitted, and are sufficient for planning control purposes. It is, however, necessary and reasonable to impose conditions requiring the access to be surfaced for a distance from the highway, and for visibility splays to be kept clear of obstructions, in the interests of highway safety.
46. Conditions requiring parking areas to be kept available for use in connection with the scheme, and that each dwelling should be served by a drained and surfaced track before it is occupied are also necessary and reasonable in the interests of ensuring satisfactory access. However, in accordance with the sustainability principles at the heart of the scheme, it would not be appropriate to require such tracks or parking areas to have a cement or asphalt-based bound surface.
47. There is no dispute that there is a need to control the number of pitches provided by the proposed seasonal camping area and the period during which it is permitted to operate. I consider the maximum 12 number of pitches and the operating season proposed by the appellant to be necessary and reasonable, in the interests of controlling the visual impact and preventing permanent residence of unsuitable accommodation, particularly in the winter months. However, seasonal use and monitoring of the Management Plan would ensure that occupation would be limited to working and educational visitors. I see no other reason to limit the maximum stay of any visitor.
48. Small extensions and alterations to the proposed dwellings would not fundamentally change the sustainable nature of the proposed development or threaten compliance with JUDP Policy 52. I therefore see no reasons sufficiently exceptional to justify the withdrawal of permitted development rights set out in

Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO).

49. Buildings, moveable structures and caravan accommodation needed temporarily in connection with building operations are permitted under Parts 4 and 5 of the GPDO, subject to conditions requiring their removal when operations have been carried out. It would therefore be unnecessary and inappropriate to impose conditions relating to them.
50. Sufficient detail of proposed drainage systems and works associated with the generation of hydro-electric, wind or solar power has been submitted for planning control purposes. As the proposed activities and land use would be predominantly agricultural in character it would not be appropriate to impose normal landscape conditions.

Summary and Conclusions

51. I have concluded that the proposed development would be fully compliant with JUDP Policy 52, which makes an exception to the normal strict control over new development in the countryside for low impact development making a positive contribution. It would also be consistent with the associated SPG. I have not identified any conflict with any other policy contained within the JUDP. In accordance with S38(6) of the Planning and Compulsory Purchase Act 2004, I am required to determine the appeal in accordance with the development plan unless material considerations indicate otherwise. I find nothing in current national planning policy to indicate that the appeal should be determined other than in accordance with the development plan for the area. The recent consultation draft of revisions to TAN 6 indicates that national planning policy relating to similar developments may be travelling in the same general direction as JUDP Policy 52. I have taken into account the concerns of local residents, including concerns that the proposed development would generate smoke and noise. However, I find nothing to turn me from the conclusion that the appeal should be allowed, subject to the conditions imposed in the attached schedule.

A D Poulter

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Paul Wimbush	Lammas Low Impact Initiatives Limited
Mr Simon Fairlie	Chapter 7.
Mr Andrew Goldring	Permaculture Association (Britain)
MR Rupert Hawley	Quiet Waters Consultancy
Mr John Gower	Quiet Waters Consultancy

FOR THE LOCAL PLANNING AUTHORITY:

Mr David Popplewell	Pembrokeshire County Council
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DOCUMENTS

- 1 Notice of the date and venue of the hearing, with a list of list of persons to whom the notice was sent.
- 2 Statement by a local resident read at the hearing, with attached information relating to estimated costs and income.

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.
- 2) The use of the site shall be carried out in accordance with the management objectives set out in Section 2 of the Tir-y-Gafel Management Plan dated March 2008 (incorporating amendments set out at page 14 of the Lammas Low Impact Initiatives Limited's response to Pembrokeshire County Council's Statement of Case, dated 26 May 2009), and the Lamas Traffic Management Plan dated January 2008.
- 3) No later than 1st April each year, commencing in the second year after development commences, the occupiers of the site shall submit to the local planning authority a written report giving details of the activities carried out during the previous twelve months, setting out performance against the management objectives included within the Management Plan, and the number of vehicle trips generated by the development. In the event that the report identifies that any objective has not been met, or that the number of vehicle trips exceeds the targets set in the Traffic Management Plan, a supplementary report setting out corrective or mitigating measures shall be submitted to the local planning authority no later than 1st July of that year. Those measures shall be implemented in accordance with the supplementary report.
- 4) The proposed vehicular access to the county road shall not be brought into use until it has been surfaced with bound paving from the highway to the cattle grid, and the trackway and entranceway has been constructed to prevent loose material and surface water discharging onto the highway.
- 5) No structure or erection exceeding 1 metre in height shall be placed, and no vegetation shall be allowed to grow exceeding 1 metre in height, within sight lines of 2.4m x 70 m at either side of the centre line of the proposed access.
- 6) The parking areas shown on the approved plans shall only be used in connection with the scheme hereby approved, and shall be kept available for such use at all times.
- 7) No dwelling hereby approved shall be occupied until it is served by a track which has been hard surfaced and drained to allow the passage of road vehicles.
- 8) The seasonal camping area hereby approved shall provide no more than 12 pitches for tents, touring caravans or camper-vans. The campsite shall not be open or occupied between 1st January and 1st April in any year.