



# Planning Toolkit

## Planning Matters: Community Groups' Guide to Planning Issues

*When a community group needs to consider  
planning consent and how to go about it*





## **Community Council of Devon**

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## The Community Council of Devon

The Community Council of Devon (CCD) is an independent charitable company, founded in 1961. With over 800 members, including local, voluntary and statutory bodies, CCD “helps communities help themselves”. This is done through direct work with communities on issues including parish plans, rural housing needs, support to playing fields and community building committees and developing social enterprises.

## About Home Grown - Community Owned

Home Grown - Community Owned (HogCO) is a Community Council of Devon programme, funded through the Big Lottery Fund’s Local Food scheme. It is a five year programme working with communities across rural Devon to support local food growing projects. HogCO help groups develop skills and seek opportunities to grow their own food.

## About these toolkits

HogCO has developed three toolkits covering:

- Legal issues – highlighting key issues for community groups to consider when looking to buy, lease, or otherwise gain access to an area of land;
- Planning issues – outlining when a community group needs to consider planning consent and how to go about it;
- Access issues– addressing how community groups ensure that their project benefits from a diverse range of community involvement.

Working with specialists in their fields, these toolkits provide practical advice, examples and signposting for community food growing groups, landowners, local Councils and others in the community who want to help these projects thrive. However, these toolkits do not replace professional advice and we encourage groups to seek professional help before undertaking any major work on their project.

## Finally

HogCO would like to thank Peter Whitehead for friendly, expert work writing the toolkit, the Soil Association for sourcing the case studies, Joanna Brown, Joanna Winterburn and others for photographs, Ed Hamer for kindly providing supporting documents about the Chagfood Project and James Aven of Dartmoor National Park Authority.

**This document is available in large print and alternative formats upon request.**

**Please ring 01392 383443.**

*These toolkits provide practical advice, examples & signposting for community growing groups*



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## 1. Introduction

### How to use this toolkit

This toolkit aims to give groups a basic understanding of the planning process, and provide signposts for further and more definitive advice. However, it cannot hope to provide answers to all the complex planning questions that might arise, and groups are encouraged to satisfy themselves that their projects have all necessary consents and permissions before they commence work.

Planning is a complex discipline, with its own jargon. While this toolkit aims to avoid as many technical planning terms as possible, it is impossible to avoid all of them. A glossary at the back of this toolkit therefore sets out some of the more important terms and definitions.

*This toolkit provides an introduction to deciding when a community group needs to consider planning consent and how to apply*



## 2. Why does my Group need a Planning Toolkit? We're only Growing Vegetables!

Here's a quick quiz. The following photographs show works that may be carried out as part of HogCO projects. Could any of them need planning permission or a similar consent from the Council?

	Planting trees		Putting up a small shed
	Felling a tree		Putting up a greenhouse
	Putting up a fence less than 1 m high		Putting up a polytunnel
	Demolishing a wall		Providing a climbing frame to keep the kids amused
	Putting in a flower bed		Removing a bank to create a new access onto the road
	Putting up a stock fence		Providing a wind turbine

	Laying a tarmac drive		Digging a pond
	Providing a container for secure tool storage		And after all that hard work – providing a bench to sit on
	Providing a few garden gnomes to pretty it up a bit		

**Quiz Answers:**

Would you be surprised to know that all of these works could require planning permission, or a similar consent from the council?

Want to know more? Read on!

*Planning is a way  
to control  
development &  
make decisions  
considered to be  
in the best interest  
of everyone*

### 3. What is Planning?

If you think that planning is just a load of bureaucracy and red tape, think what the country would look like if we had no planning system. If no landscapes or habitats were protected, and we could all just build what we wanted, there wouldn't be the same green spaces or national parks we know and love.

The planning system is a way to control development, and make decisions considered to be in the best interest of everyone.

Planning permission is required for works or a change of use amounting to 'development'.

The definition of 'development' used by planners is wide-ranging and includes many types of work likely to be undertaken as part of a group's food growing project. The definition of 'development' also includes the change of use of a building or land from one use to another and this could impact upon particular projects.

Some minor works are granted planning permission automatically if they meet certain criteria, and avoid the need to make a formal planning application. These rights, termed 'permitted development' rights, will be considered later in this toolkit.

#### What do they mean by 'land use'?

Most pieces of land, or buildings, have a legal use – either permitted via a planning permission, or acquired because it has been used for that purpose for a certain period of time. Unless land has another recognised use (e.g. the garden of a house, a car park, an open yard within an industrial estate), its use is generally held to be agriculture.

The use of land and associated buildings for the purposes of 'agriculture' (see glossary) is not considered to be 'development.' So, in theory, any piece of land can be used for agricultural purposes without the need for planning permission, whether 'agriculture' is currently the recognised use of that land or not.



In practice matters are more complicated.

Whilst local planning authorities may consider many food growing projects to fall within the definition of agriculture, this may not be so in all cases. Some local authorities may consider some projects to amount to recreational or leisure uses of land. In such cases, if the use is to be undertaken on existing agricultural land the local authority may then consider that a change of land use will be involved that requires planning permission. Local authorities are more likely to reach this view if the project includes flower beds, garden ornaments, play equipment and other items commonly associated with domestic garden use.

On the other hand, if the project is to be undertaken in the existing garden of a house or flats and simply relates to the growing of fruit and vegetables for consumption by the group's members and families, the local authority may not consider that this use requires planning permission.



### **What about greenhouses, sheds and other building works?**

In many cases, buildings (sheds, greenhouses, polytunnels, etc.) constructed as part of a group's projects will require full planning permission. Some small-scale buildings or structures may not, for example in cases where the project is to be undertaken within the garden of a house, and householder 'permitted development' rights can be relied upon.

'Permitted development' rights also allow the erection of fences, gates and other means of enclosure on land, and such rights can be used to enclose land. The local planning authority can confirm whether these 'rights' apply to your site/project and if so, the maximum permissible height of such fences, etc.

The definition of 'development' also includes works in or under land and therefore covers the excavation of ponds, ditches and other drainage works, as well as other earth-moving operations such as the construction of bunds/embankments or the re-modelling/re-contouring of land. The provision of paths, roadways, car parking areas and other hard surfaces would also normally fall within the definition of 'development.'



It may be that your project includes the formation of a new access off a road, or alterations to an existing access. Again, such work usually requires planning permission.

## What about moveable objects and temporary buildings?



Some easily moveable objects may not be considered 'development,' and planning permission may not be required to bring them onto the site. Examples include some pig arks, some chicken arks and other small items like compost bins.

Some buildings or structures may only be required for a temporary period. Your local authority can advise on the planning requirements in such cases.

## Trees and plants

The planting of trees and other plants does not fall within the definition of 'development.' That said, how a site is planted can indicate its land use. A field solely planted with apple trees would likely be considered in use for the purposes of agriculture; a field landscaped with ornamental shrubs and flower beds would not.

### Please note:

'Permitted development' rights do not apply uniformly across the country. These rights are restricted in some areas, particularly on areas of land designated for their man-made or natural beauty (e.g. conservation areas, Areas of Outstanding Natural Beauty, National Parks, etc). These also may be restricted or removed by the local planning authority. Your local planning authority can advise further.

Also bear in mind that existing trees, hedges, landscaping, buildings and other structures may be protected, and that their removal, or works to them, can also require the local authority's consent. Here are a few examples. Trees can be protected by Tree Preservation Orders (TPOs) and by their location in conservation areas. Trees, hedging and other planting can be protected by conditions included on earlier planning permissions. Walls and buildings may be listed, or otherwise protected if the site lies in a conservation area.

So before carrying out any work on the site, seek the advice of your planning authority.



## 4. The Development Plan and Other Material Considerations

If your project requires a planning application, you will want to maximise its chance of success. It is therefore important to understand what planners are looking for, and what, to them, makes a good proposal. Our case study includes an example of a letter sent to their local planning authority highlighting how the group met certain criteria and the authority's own strategic objectives.

It is important to remember that the planning system exists to control the development and use of land in the public interest. Planners therefore consider factors such as the size and appearance of the development, the impact on the overall character and appearance of the area, road safety and on neighbours. Planners also consider the likely impact upon wildlife and trees, historic features, archaeology, as well as drainage and flooding issues.

Many of these considerations will be the subject of policies in the local authority's Local Plan, a county-wide Structure Plan or a more recent Local Development Framework (LDF). These documents make up what is known as the 'Development Plan'. A further regional planning document also exists, but rarely provides policies crucial to the consideration of small-scale developments. The local planning authority can advise you what policy documents it currently uses to make planning decisions.

As a general rule, planning applications are decided in accordance with the development plan. In other words, if it is decided that an application complies with the relevant policies, it will likely be approved; if it is considered not to comply with policy, it will not.

Sometimes, the government will have issued new guidance since the publication of the development plan. If policies are outdated and/or out-of-step with government advice, or are outweighed by 'other material considerations' for whatever reason, it may be appropriate for the local authority to make a decision against policy.

*Understand what planners are looking for & what makes a good proposal*



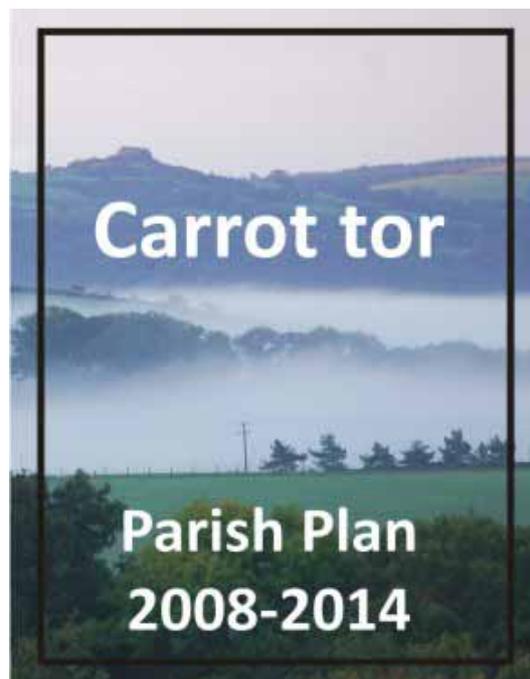
## While we're talking about policy

Your area may also have a Parish or Community Plan. This is a document put together by the community to set out its needs and wishes. For example, the plan could flag up the community's wish to secure land for allotments. These plans can be given some weight in planning decisions, particularly if they have been the subject of wide consultation and comprise the views of the community as a whole.

Parish and Community Plans may also be used to provide evidence to assist the local authority when it is producing documents as part of the LDF process and could lead, for instance, to the allocation of land or a policy supporting the established community need.

Major new developments can put further pressure on local facilities. Planning applications (e.g. for large scale housing development) can therefore provide an opportunity to secure the facilities a community needs, such as the improvement or provision of community gardens or allotments. If planning permission is granted these may be secured by a legal agreement termed a 'Section 106 Agreement'. Talk to your local planning officer if you think this might apply to your area.

If a community's needs have already been established and set out in a Parish Plan, the local authority can easily be made aware of them if and when a suitable planning application is submitted. It is also worth putting pen to paper and writing a letter of representation to the local authority at that time.



## Seeking Advice

Most, if not all, local planning authorities offer pre-application advice, and a meeting with a planning officer may be booked for this purpose. The meeting can be used to clarify whether elements of the project require planning permission and the way to proceed if they do. Whilst such advice is informal and not binding on the authority when it comes to assess the planning application itself, such advice is very useful in pointing you in the right direction, flagging up factors to consider and trouble-shooting possible problems and solutions. You are encouraged to take full advantage of the services offered by the local authority in this regard.

Some authorities may offer the opportunity of a meeting at the site. If this is offered, accept it, as the planning officer will likely gain a better understanding of the proposal on site than in the offices.

It is important that you prepare for the meeting carefully. The better the picture of the proposal you can convey to the planner, the better the quality of response and guidance you are likely to get. So, produce some plans, even rough sketches, of your proposal. Produce a simple layout of the site, showing how it looks now and how it will look later with the development in place.

At the meeting it may be useful to start off by trying to identify any existing restrictions on the site. Go through the site's planning history. Study earlier planning permissions and look for any planning conditions that may restrict what can be done.

Ask the officer about other constraints on the site. Are any trees protected by Tree Preservation Orders? Are any buildings or structures on the site listed? Does the site lie within a land designation where 'permitted development' rights are restricted, or have been removed?

## Take full advantage

*of the services  
offered by the  
local authority*



**Free planning advice can be obtained from Planning Aid**

Explain clearly how you will use the site. This will help the planners better understand whether the intended use falls within the definition of 'agriculture'. Know the dimensions (including height) of any proposed buildings or structures. If the meeting is in the council offices, consider taking a series of photos along, showing the site from different vantage points. If the site is visible in the wider landscape, take photographs to show this.

Try to establish whether planning permission is likely to be required for any part of your project. If permission is likely to be required, ask the officer to set out the key issues that would need to be considered by the council and the policies of the development plan that would be referred to. Your aim must be to understand whether an application stands a reasonable chance of success. Ask the officer whether the proposal is acceptable in principle and if it is, discuss the details. If the officer suggests ways to improve the proposal, take careful note of these. Write down the officer's response to your questions, or ask the officer to set out their views in writing after the meeting.

Equally, if the officer advises that planning permission is not likely to be required for any part of your project, make a written note of the conversation and the advice given.

Besides the local authority, free planning advice can be obtained from Planning Aid. This national charity offers a free telephone helpline service, as well as training to community groups on all planning matters. Suggestions for further reading and further sources of guidance can also be found in section 6 - Signposts and Contacts.



## 5. Making an Application / Lodging an Appeal

It is important to note that anyone can make a planning application in respect of any piece of land or building. You do not need to own the land or building in order to make a planning application.

If you do not own the land, however, you should confirm that the landowner is happy for your project to proceed if and when the necessary planning permission is in place.

Bear in mind that the landowner's approval to proceed with the work does not override the need to apply for planning permission if it is required.

Planning applications may now be submitted online via the Planning Portal (see p. 13) or on paper forms to the local planning authority. The same information is required in either case.

Two different types of planning application may be made; outline applications and full applications. Outline applications are generally associated with large scale building projects, and are used to test the principle of a development ahead of the drafting of expensive architectural drawings. They are unlikely to be accepted in respect of proposals to change the use of land. If outline permission is granted, a second application needs to be made to agree the details of the development (this is known as a 'reserved matters' application). It is considered that full applications are more likely to be made by HogCO groups. These applications need to be accompanied by all the plans and particulars of the development.

A planning application needs to be accompanied by a completed form, ownership certificate (normally part of the printed form), plans and application fee. In many cases a design and access statement will be required too. As the name implies, this document discusses the inspiration behind the design of any buildings, and also sets out how the site and/or buildings will be accessed. Other surveys and other documents may also be required by the local authority. It is useful to clarify what plans and additional information the local planning authority will require as part of the pre-application discussion. Confirm what application fee needs to be paid too.

The local planning authority will try to decide most minor applications within eight weeks of receipt, and most decisions will be taken by planning officers rather than elected councillors. It is possible for you to contact the planner dealing with an application (known as the 'case officer') to check on progress. If it is looking likely that your application might be refused, ask why and consider talking to your ward councillor too. Some applications are decided by elected councillors on the council's planning committee, and a phone call to your councillor to state your case may be sufficient for the application to be referred to the planning committee for its decision. (NB: Different procedures apply within National Parks – contact your local planning authority for further details).



Once the decision has been made, a printed decision notice will be issued by the authority. If the application has been approved, it may well be subject to conditions. Read the conditions carefully; they may require the authority's approval of further details or for certain actions to be carried out before the development is commenced.

If the planning application is refused, the decision notice will set out the reasons why. It may be worthwhile arranging a meeting with the case officer to discuss the way forward. If the authority's concerns can be overcome by amending the proposal in some way, it is open to you to submit a revised proposal and often no application fee is required for this re-submission.

If, however, a revised proposal would not overcome the authority's concerns, or if you do not agree with the reasons given for refusing the application, you can appeal against the decision. Appeals are considered by the Planning Inspectorate, an agency of central government and entirely independent of the local authority that originally considered the application. Contact details for the Planning Inspectorate can be found Section 6.



## 6. Signposts and Contacts

### Your Local Authority

Besides operating a free pre-application advice service, your authority may also publish a range of planning guides relevant to your area.

<b>North Devon District Council</b> 01271 388288 <a href="http://www.northdevon.gov.uk">www.northdevon.gov.uk</a> <a href="mailto:customerservices@northdevon.gov.uk">customerservices@northdevon.gov.uk</a>	<b>Mid Devon District Council</b> 01884 234360 <a href="http://www.middevon.gov.uk">www.middevon.gov.uk</a> <a href="mailto:devcon@middevon.gov.uk">devcon@middevon.gov.uk</a>
<b>Torridge District Council</b> 01237 428700 <a href="http://www.torridge.gov.uk">www.torridge.gov.uk</a> <a href="mailto:planningsupport@torridge.gov.uk">planningsupport@torridge.gov.uk</a>	<b>East Devon District Council</b> 01395 517475 <a href="http://www.eastdevon.gov.uk">www.eastdevon.gov.uk</a> online contact form
<b>West Devon District Council</b> 01822 813600 <a href="http://www.westdevon.gov.uk">www.westdevon.gov.uk</a> <a href="mailto:DC@westdevon.gov.uk">DC@westdevon.gov.uk</a>	<b>Teignbridge District Council</b> 01626 215743 <a href="http://www.teignbridge.gov.uk">www.teignbridge.gov.uk</a> <a href="mailto:planning@teignbridge.gov.uk">planning@teignbridge.gov.uk</a>
<b>South Hams District Council</b> 01803 861122 <a href="http://www.southhams.gov.uk">www.southhams.gov.uk</a> <a href="mailto:developent.control@southhams.gov.uk">developent.control@southhams.gov.uk</a>	

### Planning Aid

08708 509 807 – Planning Advice Line  
[www.rtpi.org.uk/planningaid](http://www.rtpi.org.uk/planningaid)

Planning Aid is a national charity that provides free and independent planning advice and support to communities and individuals. The service offers a planning advice line for specific cases or queries as well as free training workshops. Planning Aid also publishes an excellent 'Planning Pack' giving far more detailed guidance on planning matters than is possible in this toolkit. The Planning Pack is available as a download from the Planning Aid website, or in hard copy upon request.

### **The Planning Inspectorate**

[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

The Planning Inspectorate is the government agency that deals with planning appeals. Full details on the appeal procedure are available on the Inspectorate's website. The Inspectorate also produces a useful guide entitled 'Making Your Appeal.'

### **The Planning Portal**

[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

The Planning Portal is the government's online planning service. It allows planning applications to be made online, but also produces a wide range of guidance for the general public. This is useful, but largely relates to works to houses or within gardens.

### **Urban Forum**

[www.urbanforum.org.uk](http://www.urbanforum.org.uk)

Urban Forum has helped produced a useful guide entitled 'The Handy Guide to Planning' which provides broad advice on the planning system as a whole. It is available either as a download from the Urban Forum website or in hard copy.

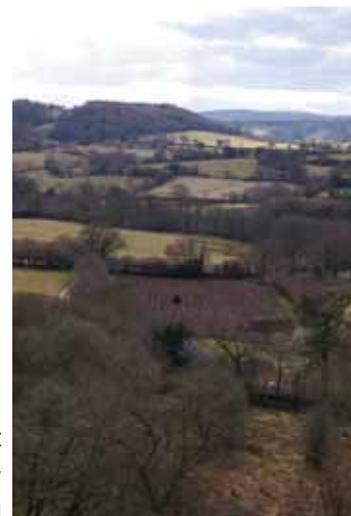


## 7. Case Study - Chagford Community Agriculture

Chagford Community Agriculture was established in June 2009 with the aim of:

- supplying 50 local households with ecologically grown and affordable vegetables and fruit within 3 years
- providing 2 part time growers with a living wage of £9 per hour
- farming ecologically in a way that improves the fertility of the soil

The project is located near Chagford in Devon on 2.5 acres of grade 2 agricultural land within Dartmoor National Park. It took us 18 months from the original concept to making it a reality. We have 2 part time growers but host a work day every month which always attracts lots of volunteers. Now that we have received planning permission for our polytunnels and sheds, we can start growing and already have 25 members signed up.



In early December 2009 we applied to Dartmoor National Park Authority (NPA) for planning permission for:

- 3 polytunnels (2 large at 50 ft x 18ft and 1 small at 20 ft x 10ft) and
- 2 sheds (each 12 ft x 8 ft), one is for an office, one will be used as a packing shed.

The planning officer allocated to our application was invited to the site and was very supportive, giving us good advice on what to include in the application and what to leave out. We also explained our plans to all the neighbours.

The NPA received 10 letters of opposition from neighbours (all very cordial) and so our application had to go to committee. Complaints focused mostly on the unsightly appearance of polytunnels, additional traffic leading to the site and also the negative impact on the existing green grocer in Chagford. The NPA also received 47 letters of support for the community supported agriculture (CSA) project which is the most they've received for any planning application.

The date for the committee meeting was set at which we were expected to give a presentation and put forward our case. The uncertainty of whether we'd be successful made it a very difficult time for us. Also we were hoping to use January to put up the polytunnels and sheds and so be ready to start growing by March.

Another problem we faced was that although our application to the Local Food Fund had been successful, it was dependent on us receiving the planning permission. Leading up to the Committee meeting, we received lots of good advice from local farmers who'd been through similar planning.

In addition, when the planning application was first submitted the group received an immediate objection from Teignbridge District Council regarding the issue of land contamination. As the CSA would be growing vegetables and selling them for human consumption, they insisted we carry out a land contamination survey. We paid £525 for the survey and it took us 4 weeks to get sorted. The land was not found to be contaminated.

Then, in mid February, we were told that due to lack of staff time, the committee meeting was being put back to 9 April. Obviously this would have been disastrous for us so we wrote a letter explaining the need to get going as soon as possible due to the growing calendar. The letter produced a successful result and the meeting was moved back to the March date.

At the meeting our application was approved, but with 3 conditions which we have to meet. These include:

- supplying a sample of the joinery, and a landscaping plan of the new trees to be planted to act as a screen – which includes the varieties, and the spacing
- removing the new structures if the CSA becomes redundant
- retention of existing hedgerows and trees.

Reflecting back on the process, it's actually been quite positive. We've had to make very careful detailed plans right from the start. Also the planning application created a lot of media coverage and publicity for the project as the local press picked up on it and covered the story all the way through the process. It gave us a real presence with the Local Authority. We sent out a template support letter which also provided useful promotion and profiled the CSA.

### **Costs**

At the start of the project we received £1200 from the National Park's sustainable development fund which provided funds for ploughing the land and purchasing green manure seed. We were also able to use it to cover the additional costs of applying for planning permission for an agricultural building (£75), Discharge of Condition fee (£85) and the contamination survey. One of our CSA members is an architect and drew up the plans for the sheds and the landscaping free of charge.

### **Advice for other projects**

I'd recommend starting the planning process well in advance. I'd advise others to get the local planning authority to come and visit the site at the start of the project. Ensure the planners know it's a community enterprise and not a private business. Encourage people to write letters of support as it really helps.

We feel the application went relatively smoothly and we were very impressed with the National Park's positive attitude towards the project – they were very open to our application.

### **Contact:**

chagfood@gmail.com

<http://chagfordhub.typepad.com/home/>

## **Dartmoor National Park Case Officer's perspective on the 'Chagfood' proposal in Chagford, Devon**

### **Planning Application - Three polytunnels and two sheds to be used as part of a community market garden for the local residents of Chagford**

The Dartmoor National Park Authority prides itself on the pre-application service it provides to prospective applicants and I would encourage anyone to seek the opinion of, or discuss their proposals with, the local planning authority prior to submitting an application. I am aware that some authorities/councils now charge for this service but it can save time and money in the long term.

This is something that Chagford Community Agriculture did at an early stage, engaging in discussion with who would later become the case officer for their application and arranging a meeting on the proposed site. Hopefully some helpful advice was given on how to proceed with the application; including suggestions on the design and positioning of the proposed structures, the type and quality of drawings required, the relevant forms to use and additional information to include with their submission. It goes without saying that the more information you can provide at the start the better. In this case, the applicants provided a comprehensive business plan and environmental policy with their application and included a statement on the sustainability of the project.

It is also well worth visiting and speaking to the site's immediate neighbours and Parish/Town Council to explain what you are proposing and ask for their opinion and, if relevant, their advice.

Any comment from the Highways Authority (Devon County Council) carries much weight when considering planning applications due to road safety issues. It is important, therefore, that applicants provide as much detailed information on the potential levels and type of traffic expected to visit the site, and of the method of operation, so that the impact with regard to traffic can be considered.

Another important lesson from this application is that the use of land as a market garden is classed as a 'vulnerable end use' that will require a 'contamination assessment' to be carried out by a suitably qualified competent person in order to avoid an automatic objection from the Council's Contaminated Land Officer. Although this results in additional cost, it does appear to be standard requirement for such proposals.

Fortunately, in this case the contamination assessment indicated that there were no significant pollution linkages but it was recommended that the applicant consult their advisers if contamination is later found. Further information on this should be available from your local Council's Environment and Safety Services.



Whatever your application proposes, it would be very unusual if it did not raise some concern amongst local residents. Several objections were received to this application based on a number of issues, including the site access and increased traffic along the road leading to the site.

They also cited noise nuisance and security issues and stated that the proposed polytunnels would be an eyesore and detrimental to local landscape character. One letter expressed concern about the provision of vegetable boxes locally and the impact that this would have on the existing green grocer business in the local town.

Unfortunately, the details of objections are not always available to the applicant until quite late in the application process but it is important that you do take the opportunity to address these concerns, either directly with the case officer or at the committee meeting if the council's procedures allow you to. The Chagford Community Agriculture representative did speak at the authority's committee meeting and used the three minutes allocated very well. An objector also spoke to the Committee beforehand but the concerns raised were all covered by the applicant's well prepared and thought out presentation. It certainly pays to prepare your speech in advance and to practice it.

I am pleased to say that in March 2010, the Dartmoor National Park Authority's Development Management Committee agreed with the officer's recommendation and conditional permission was granted for the development.

James Aven, Dartmoor National Park Authority



*“Environmental  
sustainability is at  
the heart of our  
social and  
economic  
development”*

## **Presentation made to the Local Planning Authority Committee Hearing by the Chagfood Group**

Chagford Community Agriculture is a community led initiative launched at a public meeting in 2008 which was attended by more than 70 local residents, landowners, farmers and businesses. At the meeting there was a strong consensus that Chagford, as an agricultural community, should act to shorten the distance between its producers and consumers.

Chagford lies at 600 feet above sea level, as such some form of covered propagation will be essential for any local market garden enterprise to operate successfully. The polytunnels we are applying for will enable us to considerably extend the growing season on the site, they will mitigate against losses resulting from frost, and in practical terms the provision of locally produced food would be severely restricted without their use.

The application has attracted several objections, primarily from the site's immediate neighbours. We would like to stress that we have maintained a cordial relationship with neighbouring landowners throughout the application process and have assured them that, if planning is granted, we would like to work with them to minimise the visual impact of the development.

The officer's recommendation highlights several goals of the Authority's own Core Strategy Development Plan will be addressed by the CCA initiative however it is worth noting that the project also directly contributes to 9 of the 16 Sustainability Objectives outlined in the same document.

The food security concerns which originally prompted Chagford's residents to launch this scheme have now been recognised by both regional and national government and are increasingly reflected in policy recommendations. Most recently the government's *Food 2030* blueprint for UK food production over the next 20 years has specifically called for more land to be made available for community food growing.

Having been born and brought up on Dartmoor I feel particularly passionate about the need to conserve and enhance the natural beauty of our landscape, however, I am also aware that we are living in a time of change and our communities must be allowed to demonstrate leadership in adapting to the challenges which we face. I believe that Chagford Community Agriculture is a prime example of a community placing environmental sustainability at the heart of their social and economic development.



In summing up I would like to highlight the view represented by the majority of the 47 letters of support that this application has received: that the necessity of building local food security, in this instance, far outweighs concerns over the minimal visual impact caused, particularly in light of the limitation measures included in the application.

#### **Questions?**

##### ***Is it not possible to grow without tunnels?***

In order to meet local demand for a full range of vegetables, some of these will have to be grown under cover. Without their use only field crops such as potatoes, onions and carrots could realistically be produced as polytunnels are also required for propagation and plant raising for nearly all horticultural crops.

In addition we have recently had a comprehensive evaluation of the sustainability of the enterprise conducted by Tim Deane of Northwood Farm Christow who set-up the first ever organic box scheme in the UK. Tim has been farming a little further down the Teign valley for more than 20 years and it is his professional opinion that the covered propagation area proposed in this application is the minimum required for CCA's goal of 50-boxes/week by 2012.

##### ***Will you be planning further development on the site?***

No. As clearly stated in our management plan the objective of CCA is to supply 50 local households with a weekly supply of affordable vegetables by 2012. The limitations of the site are such that it will not support any more than 50 members and all the remaining land will be required for field production.

##### ***Why do you need year round production?***

Since the initial meeting in February 2008 CCA has held 3 further meetings which have consistently identified a clear demand from within the local community for year round supply of locally grown produce. In the absence of polytunnels this demand could only realistically be met for 8 months of the year. Existing schemes of a similar scale have demonstrated that, with the use of polytunnels, we can expect to supply for 46 out of 52 weeks in the year.

##### ***Competing with existing retailers?***

We are aware that Chagford is unique for a community of its size, in that it already supports an independent greengrocer and wholefood shop. We have discussed CCA with these valued retailers and made it clear that it is not our intention to compete with them, but instead to offer an alternative to those residents currently sourcing vegetables from retailers outside the community.

Very few of Chagford's residents currently source all of their fresh vegetables from a single retailer in the community, as such we have identified a clear gap in the market which will not impact these retailers.

***“Building food security outweighs concerns over the visual impact created”***

### ***Mitigation?***

In drawing up this application we have held 3 public meetings and met personally with the site's immediate neighbours to discuss their concerns and any measures which we could include to minimise the visual impact caused. As I have stated we have maintained a cordial relationship with neighbouring landowners throughout the application process and have assured them that, if planning is granted, we would like to work with them to minimise the visual impact of the development.

The tunnels and sheds will be sited next to an existing hedgerow and will be bordered to the north and west by densely planted broadleaf and evergreen shrubs. They will also be covered with low-gloss polythene, to minimise reflective glare from the sun. Due to the low-lying nature of the site the tunnels themselves will only be visible to the public from a field gateway and cannot be seen from the surrounding landscape or the open moor.

### ***Deer & Rabbits?***

Other market gardens of this scale have successfully limited rabbit damage using small 12" high electric fencing. we would opt for this due to minimal visual impact.

In terms of deer management, we intend to assess the impact of deer grazing throughout the first year's production whilst netting the most susceptible leafy crops. If there is a demonstrable problem we will have to consider deer fencing the site. However through my experience working at the NP Trees & Woodlands department I am aware of several different styles of successful deer fencing some of which are less intrusive than others.

### ***Compatibility with Dartmoor National Park objectives?***

Dartmoor National Park Authority core strategy also highlights the fact that 'diversification into such areas as farm tourism and local food initiatives, has played a part in raising farm incomes', and that 'to assist in sustaining viable farming and forestry systems is a vital element in the local economy'.



### Planning specific questions

The DNP core strategy clearly promotes, under section 1.12, 'Wide ranging planning - going beyond a narrow land-use focus to provide a mechanism for delivering sustainable development objectives by addressing social, environmental and economic issues and relating them to the use of land.'

1.13 government objectives for planning under PPSI: 'Planning should facilitate and promote sustainable and inclusive patterns of rural development by "making suitable land available for development in line with economic, social and environmental objectives: 1. to improve peoples quality of life and, 2. to contribute to sustainable economic development."

### At a regional level?

The South West Regional Development Agency focus on the principles of the EU LEADER programme to deliver axis 4 of the Rural Development Plan for England. The Local Action initiative plays a strong role here. CCA addresses all four of the objectives of Local Action—see below.

- Addressing economic under performance.
- Improving provision and access to services as a means of tackling disadvantage. (CCA will be providing fresh affordable local food and will have a low income option for those who can not afford the fully priced share.)
- Harnessing wider economic value from sustainable environmental quality. (CCA will employ sustainable land management and members will be have access to land for recreation and training activities.)
- Developing local governance and delivering capacity in rural areas. (CCA structure ensures that members are involved in decision making.)



*“The future  
of farming and  
land management  
is fundamental  
to the future  
of Dartmoor”*

The plan’s vision encompasses “a South-West Region that will have a distinctive and sustainable farming and food industry which is profitable and supports viable livelihoods, underpins healthier local communities and enhances the environmental assets that are vital to the region’s prosperity.”

The management plan’s accompanying Environmental Report also identifies the need to ‘implement the strategy for sustainable food and farming’ as identified by SWRDA’s regional economic strategy for the south-west of England.

**At a national level**

The government’s Food 2030 Strategy for the Future was released in January and heralded as the most comprehensive review of UK Food Security for more than 50 years. It sets out a vision for what the UK food system should look like in 20-years time.

Among more predictable recommendations such as maximising sustainable resource use, increasing health and nutrition are included clear targets for making more land available for community food growing initiatives and immediately cutting ecological costs of food transport and production.

Through a community supported approach to local food production Chagfood Community Agriculture represents a part of the future of food production in the UK, and, as identified in section 1.34 of DNP management plan “The future of farming and land management is fundamental to the future of Dartmoor.”



## 8. Glossary and Definitions

**'Agriculture'** is defined at section 336 of the Town and Country Planning Act 1990 as including "horticulture, fruit growing, seed growing, dairy farming; the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur or for the purpose of its use in the farming of land); the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes."

**'Development'** is defined at section 55 of the Town and Country Planning Act 1990 as "the carrying out of building, engineering, mining or any other operations in, on, over or under land, or the making of a material change in the use of any building or other land". Whether a proposal is considered 'development' or not determines whether planning permission is required. In the majority of cases, the decision is straightforward. However, as in other fields of law, there are borderline cases, and some decisions are based on interpretation and legal judgement.

The **'Development Plan'** comprises the key policy documents against which an application will be judged. This will vary from area to area but will likely include a Local Plan and Structure Plan, or a more recent Local Development Framework (LDF).

The **'Local Planning Authority'** is the authority responsible for the consideration of planning applications. Most planning applications are dealt with by the District or Borough Councils, though in National Parks this role is taken by the National Park Authority.

**'Material Considerations'** comprise all the factors that should be taken into account when deciding a planning application. Many of these will have been embodied in particular planning policies of the development plan, but others may not. The government produces a considerable body of documents that also comprise 'material considerations,' e.g. planning policy statements and circulars. Whilst the presumption is that planning applications will be decided in accordance with the policies of the development plan, there may be circumstances when 'other material considerations' are considered to weigh more heavily, and dictate the way the application should be decided. Such circumstances may arise, for example, when the guidance of a recently published planning policy statement is at odds with the policies of a Local Plan or Structure Plan published some years ago.

**'Permitted Development Rights'** give an automatic grant of planning permission for certain minor developments – i.e. compliance with them avoids the need for a formal planning application. These rights are set out in full in the Town and Country Planning (General Permitted Development) Order 1995, and subsequent Amendment Orders. The rights are highly complex, and are restricted in certain areas. They can also be restricted or removed by the local planning authority. For these reasons, groups are advised to obtain professional advice and not to assume that any work can be undertaken without a planning application.







