

- 2: In the same way as used for horses, economies of scale are predicted and with over 20 breeding females labour requirements are reduced by 50%.
- 3: Includes rare-breed point-of-lay hens
- 4: Initial estimate provided

4.17 This estimate of 329 standard man days exceeds the labour provided by one full-time worker (normally assumed to provide 275 SMDs) and demonstrates that this enterprise does require a full-time worker - albeit the marginal increase over one full-time worker in reality represents the casual overtime input of that one worker - not another unit of labour. Similarly, it is important to recognise that labour data can over-state the amount of labour required, but it is reasonable to presume that the business will generate a requirement for a full time worker plus some part-time assistance at peak periods, such as shearing.

Is sound financial planning in place?

4.18 Fundamentally, there will be four main sources of income :

- the breeding and rearing of alpacas for sale;
- the sale of free-range chicken eggs;
- the sale of point-of-lay pullets;
- the breeding, rearing and sale of pygmy goats and rabbits.

4.19 As far as the sale of alpacas is concerned the long-term plan is to build a herd of 30+ breeding females and in Years 1 and 2 there are no sales of any breeding alpacas, only yearling males. In Years 3 and 4 a few sales of breeding females and males are planned, with further sales in Year 5.

4.20 Assuming that 80% of the adult females (2+ years) conceive each year and produce male and female cria in a normal 50:50 ratio (with a 5% mortality rate), it can be estimated that herd numbers will be approximately:

	Year 1	Year 2	Year 3	Year 4	Year 5
Breeding females	19	19	27	31	32
Stud males	2	2	2	2	3
0-12 month female cria	8	8	11	12	12
0-12 month male cria	8	8	11	12	12
Yearling female cria	0	8	8	11	12
Yearling male cria	0	1	0	1	1
Cria mortality	0	1	1	2	3

Breeding female sales	0	0	5	10	10
Male cria sales	6	7	10	12	12
Adults on the holding	21	29	37	44	47
Total on the holding at the end of the year	31	38	43	45	47

- 4.21 Ultimately, provided the performance of the breeding stock follows normal (and natural) patterns - especially with regard to the ratio of male and female cria that are produced, and conception and mortality rates - and based on average prices achieved on the *AlpacaSeller* website at the time of preparation of this budget³, it is estimated that there should be sales of alpacas worth approximately £26,000 in Year 4.
- 4.22 Sales of fibre will also be undertaken, initially as wool, but ultimately as processed garments. The working premise is that 66% of all adult fleeces (from the previous year) will be of useable quality and yield about 2.0kg of wool. This will be spun into wool and the balls will be sold. Initial estimates suggest that the wool will sell for approximately £8.00 per 100g ball, with shearing and processing costing approximately £5.00 per 100g. The 38 adult animals in Year 3 should therefore yield some 500 balls of wool for sale in Year 4 with a value of some £1,500.

Free-range poultry

- 4.23 Sales of free-range eggs will also be established, with 100 laying hens in Year 1 rising to 300 hens in Year 3. Gross margin data is presented at **Appendix 2**.
- 4.24 A point-of-lay (POL) enterprise will be developed over the three years with 7 trios maintained from Year 3 onwards. Sales will comprise POL pullets (eggs laid in December - April) and ready for sale during the period April - August; with free range eggs sold during the period May - November. (The possibility to expanding this element exists as the market is developed.)
- 4.25 The working premise is that each hen will produce 20 eggs per month of which 50% will hatch, and 50% will be female. The 14 hens (in Year 3) will thus generate 70 hatched pullets per month; and 350 for sale between April and August. The value of the pullets is estimated at £15 per pullet which is a conservative estimate.
- 4.26 Bringing these elements together indicates the forecast Gross Margin for the business in Year 3 should be in the order of £26,000 - as set out below - and £40,000 in Year 4.

³ Pregnant females £2,613; Wethers £402; Stud males £3,354

4.27 The figures for the pygmy goats and rabbits are extremely tentative at this stage but estimates are included for completeness.

Forecast gross margin production at "land at Hurley by Atherstone"

	Year 1	Year 2	Year 3	Year 4
Sale of breeding female alpacas	0	0	13,065	26,130
Sale of male alpacas	2,412	2,814	4,020	4,824
Sale of wool	0	830	1,148	1,465
Egg sales	3,900	7,800	11,700	11,700
POL sales	1,310	2,625	5,250	5,250
Pygmy goat and rabbit sales	0	500	1,000	1,500
Total Income	7,622	14,569	36,183	50,869
Costs				
Alpaca feed costs ¹	1,155	1,595	2,035	2,420
Alpaca Vet, Med and sundries ²	370	450	590	680
Eggs	1,432	2,864	4,296	4,296
POL	260	515	1,030	1,030
Pygmy goat and rabbit costs	0	250	500	750
Stock depreciation	445	890	1,780	1,780
Forage costs ³	76	76	76	76
Total Variable Costs	3,738	6,640	10,307	11,032
Gross Margin	3,884	7,929	25,876	39,837

Notes: 1 Feed costs £55 per adult (yearling+).

2 Vet, medicines and sundries (excluding shearing) based £10 per animal for all animals on the holding during the year

3 Taken from *John Nix Farm Management Pocketbook*, 45th Edition.

4.28 Fixed Costs are taken from the *John Nix Farm Management Pocket book*, 45th Edition and, based on a 2.5ha lowland Sheep/Cattle farm, are estimated as shown:

Paid Labour	£25 per ha	£65
Power and Machinery	£240 per ha	£600
Rent	£250 per ha	£625
Notional additional transport costs		£2,000 ⁴
General overheads	£150 per ha	£375
Unidentified sundry extras		£5,000 ⁴
TOTAL		£8,665

⁴ Progressive increase presumed as the unit develops

4.29 If these estimated Fixed Costs are deducted from the gross margin, the forecast Net Profit is approximately £18,000 in Year 3 and £31,000 in Year 4, as sales of alpacas increase.

(£)	Year 1	Year 2	Year 3	Year 4
Farm Gross Margin	3,884	7,929	25,876	39,837
Farm Fixed Costs	5,665	6,665	7,665	8,665
Net Farm Profit	-1,781	1,264	18,211	31,172

4.30 In terms of assessing the likely viability - and thus sustainability - of the business it is necessary to ensure the net profit is sufficient to provide a reasonable return to the inputs deployed in the business - namely, land, labour and capital.

- a reasonable return to the land is considered the rental value of the land, say, £1,000 based on £250 per hectare;
- a reasonable return to labour is the minimum wage, presently approximately £14,000;
- a reasonable return to capital is 2½ percent, which will equate to some £1,250 for the actual and planned investment in the infrastructure (barn, mobile field shelters, services) and alpacas;
- the price of the mobile home is £8,500 which will cost approximately £1,000 per annum to finance, with the assumption made that it will have a re-sale value at the end of the period.

4.31 These total £17,250 and the business ought to be generating sufficient taxable profits to meet the above requirements by Year 3, and beyond.

4.32 Clearly, the success or otherwise of the business - and of the assumptions used - will be tested over the next three-four years, but based on the information thus far available, and Willis' and RAC's knowledge of other similar businesses, there is no reason to suppose that the applicant will not be able to establish a viable rural business at this location.

4.33 Additional profit derived from the diversified activities will also be included in the farm accounts and will contribute towards the long-term sustainability of the project.

4.34 The issue of the financial test was tested at an appeal in Wiltshire⁵ (**Appendix 3**) with the Inspector concluding:

⁵ APP/Y3940/A/13/2200283, Land at Ashley, Box, Chippenham, Wiltshire

"Turning to the proposed viability of the suggested enterprise, the appellant has submitted a Business Plan which sets out estimated costs and revenue for the proposed operation. There is some dispute regarding the trading price of alpacas and the future health of the alpaca industry in this country generally. However regardless of these matters, when taking into account the cost of the labour identified as required (using the minimum wage), the variable and relevant fixed costs and return on capital, the alpaca and small scale rabbit breeding side of the suggested operation would be relatively close to meeting the viability test in year 3 and 4. This would be the case whether the income from the stress therapy sessions for humans, experience days, birthday parties and meditation courses were taken into account or not. Therefore, for the time being it would appear premature to reach a judgement that financial viability for the suggested enterprise would be out of the question at the end of the trial period. Therefore, on the basis that the alpaca and rabbit breeding enterprise is already up and running, there is little reason to dismiss it as not having been planned on a sound financial basis before it has had an opportunity to prove itself during a trial period". (Emphasis added)

- 4.35 Exactly the same reasoning should be applied to this application and there are no reasons to deny the applicants (and their enterprise) the chance of success before it has had the opportunity to prove itself properly.

Is any other suitable accommodation available?

- 4.36 There are no dwellings on the holding and RAC is not aware of any other dwelling available in the locality which is both suitable (in terms of sufficient proximity to land, size and cost) and available to meet the identified agricultural need.

5. Conclusion

- 5.1 This appraisal accompanies a planning application for a rural worker's dwelling at land at Hurley by Atherstone, Warwickshire to enable the establishment of a viable and sustainable smallholding.
- 5.2 In terms of the requirements of the Development Plan and the National Planning Policy Framework, it is concluded that
- (i) there is an essential functional need for a worker to be available at the site at most times;
 - (ii) budgets indicate that the mix of enterprises will be profitable within 3-4 years; and,
 - (iii) the identified functional need could not be fulfilled by another existing dwelling on the unit and no other existing accommodation in the area is suitable and available to meet the functional needs of the enterprise.

APPENDIX 1

Appeal Decision APP/P1133/A/12/2188539:

Little Park Farm, Doddiscombsleigh, Exeter, Devon, EX6 7PZ



Appeal Decision

Hearing held on 1 May 2013

Site visit made on 1 May 2013

by **Mike Fox BA (Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 May 2013

Appeal Ref: APP/P1133/A/12/2188539

Little Park Farm, Doddiscombsleigh, Exeter, Devon, EX6 7PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs J Porter against the decision of Teignbridge District Council.
 - The application Ref 12/02342/FUL, dated 24 July 2012, was refused by notice dated 5 November 2012.
 - The development proposed is the siting of a temporary dwelling for an agricultural worker and an extension to the existing agricultural building.
-

Decision

1. The appeal is allowed and planning permission is granted for the siting of a temporary dwelling for an agricultural worker and an extension to the existing agricultural building at Little Park Farm, Doddiscombsleigh, Exeter, Devon, EX6 7PZ in accordance with the terms of the application, Ref 12/02342/FUL, dated 24 July 2012, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Ref. 2249/01/B *Site Plan and Location Plan*, dated June 2012; Ref. 2249/02/B *Plans of barn as existing and proposed*, dated June 2012; and Ref. 2249/10 *Side elevation of temporary dwelling with balustrades omitted*, dated September 2012.
 - 2) The occupation of the temporary dwelling hereby permitted shall be limited to a person or persons solely or mainly, or last working in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990 (as Amended)), in the locality or to the spouse, widow or widower of such a person and to any resident dependents.
 - 3) The permission for the temporary agricultural worker's dwelling hereby granted shall expire three years from the date of this permission. Thereafter the building hereby permitted shall be removed and the land restored to its former condition on or before the expiry of three years, in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority.
 - 4) Full details of hard and soft landscaping works shall be submitted to and approved in writing by the local planning authority within two months of the date of this decision. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where

appropriate; and an implementation programme and maintenance/management programme. All soft landscape works shall be carried out in accordance with the approved details. Hard landscape works shall set out proposed levels and any areas of hardstanding and access track to include surface finishes associated with the dwelling. The works shall be carried out in accordance with a programme agreed in writing with the local planning authority.

Application for costs

2. At the Hearing an application for costs was made by Mrs J Porter against Teignbridge District Council. This application is the subject of a separate Decision.

Procedural matter

3. The existing barn contains facilities which the appellant has indicated would serve tourists on the site. The proposed tourism business, however, is not a matter which is addressed by this appeal.

Main Issue

4. The proposed extension to the existing barn is not an issue between the main parties, and I see no reason to disagree. The main issue is whether there is sufficient agricultural justification to permit the siting of a temporary dwelling in the countryside, work on which has already been started (but put on hold through a temporary stop notice), in the light of national policy and the development plan.

Planning policy framework

5. In March 2012, the direction of national planning policy changed with the introduction of *the Framework*¹. This revokes a previous raft of national planning policy documents, including Planning Policy Statement (PPS) 7 *Sustainable Development in Rural Areas*, which is referred to by both main parties and in several other representations.
6. At the Hearing, it was put to me that the new policy thrust in *the Framework*, emphasising sustainable economic growth, makes the former PPS7 approach, including Annex A with its 'hurdles' to development, no longer appropriate for decision making in the countryside. Whilst national policy encourages innovation and economic growth in the countryside (and elsewhere), it is clear from reading *the Framework* as a whole that this is not to be achieved irrespective of any environmental cost. In particular, one of *the Framework's* core principles states that planning should recognise the intrinsic character and beauty of the countryside (paragraph 17, 5th bullet point).
7. The proliferation of dwellings in attractive landscapes, such as in the Teign Valley, would, if unchecked, result in visual harm and prejudice this core principle. *The Framework* (paragraph 55) also states that new, isolated homes in the countryside should be avoided, unless there are special circumstances, one of which is the essential need for a rural worker to live permanently at or near their place of work.

¹ Department for Communities and Local Government: National Planning Policy Framework (*the Framework*); March 2012.

8. *The Framework* therefore requires a convincing case for essential need to be made, which implies the need for criteria. Although the tests in PPS7 Annex A no longer have the weight of Government policy, they remain in my view appropriate for assessing whether an essential need can be demonstrated. I do not accept that their use within this context is ignoring Government guidance, especially as no other criteria were put forward by any of the parties. My view also appears to be confirmed in the Statement of Common Ground (SCG)², signed by both main parties, which referred to the PPS7 Annex A tests.
9. Although the Council's adopted *Local Plan*³ has an expiry date of 2001, policies H7 and P3 are broadly in line with *the Framework*, and refer to essential agricultural need. The Council's emerging *Plan Teignbridge*⁴ has progressed through its public consultation stage; policy WE9, which covers rural workers' dwellings, is also broadly in line with *the Framework*, and has not been subject to any objections thus far. However, until *Plan Teignbridge* has been scrutinised through public examination, little weight can be attached to it.

Reasons

10. The appeal site is a holding of about 5.3 ha (13 acres) within the undulating and open countryside of the Teign Valley, an Area of Great Landscape Value. It is located on a hillside, where it can be clearly seen from the village of Doddiscombsleigh, about 0.5 - 1 kilometre to the south and south-west.
11. The appellant farms a herd of 17 alpacas (8 female adults, 2 male adults and 7 crias), and also runs a poultry business, with approximately 250 free range chickens. She lives with her husband, Mr Mark Porter, in a caravan by the access at the northern end of the holding, close to the barn. They have been farming alpacas at Little Park Farm since June 2012. Evidence from consultants and a veterinarian points to the enterprise being well run. Due diligence appears to have been given to health, safety and animal welfare aspects, with every prospect of achieving its Business Plan targets in the near future. The proposal therefore would be in line with *the Framework's* objectives of supporting a prosperous rural economy (paragraph 28).
12. The SCG indicated that, in relation to the proposed temporary agricultural dwelling, there was no dispute regarding the PPS7 Annex A tests (i) intention and ability and (iii) the financial test. No substantive written or verbal evidence robustly challenged these areas of specific agreement in the SCG. On the contrary, I heard that the appellant's egg production targets have been exceeded, and that the alpaca herd was growing at a steady rate, on course to meet its Business Plan targets.
13. The specific disagreements in the SCG related to (ii) the functional test and (iv) if this test is satisfied, whether the need could be satisfied by the appellant residing at Long Park; this latter test also extends to any other existing accommodation in the area.
14. The Council's Agricultural Need Appraisal⁵ concluded that there was no functional need for a rural worker to live permanently at or near Little Park

² Statement of Common Ground between Teignbridge District Council and the Appellant, dated 22/23 April 2013.

³ *Teignbridge Local Plan 1989-2001*; adopted 1996.

⁴ *Plan Teignbridge 2013 to 2033*; adoption programmed for 2013.

⁵ Agricultural Need Appraisal by Sheamus Machin FRICS, FAAV, for the Siting of an Agricultural Worker's Dwelling and Extension to Agricultural Building at Little Park Farm; dated 26 October 2012.

Farm. It cites a recent appeal decision at Bird Farm, Dursley⁶ where the proposal failed the functional test. The decision referred to a relatively small herd of alpacas (no numbers were given), and locally available dwellings, so I am not persuaded that this decision is directly applicable to the appeal before me. The Appraisal also quotes from the PINS Case Law and Practice Guide 7 *Agricultural, Forestry and Other Occupational Dwellings in the Countryside*, although this passage has recently been deleted from the PINS Guide.

15. The Council's Appraisal concluded: "I think it has been stated in many quarters that the management and husbandry requirements of alpacas is very similar to sheep and cattle, and therefore the management of a similar number of such animals would clearly not meet the functional need (functional test)".
16. This conclusion was challenged by the appellant's Statement on Agricultural Need⁷ which together with evidence from an alpaca veterinarian, comprehensively addressed key aspects of alpaca husbandry, such as conception, gestation, birthing, after-birth care, hypothermia, illness and the financial value of the animals. The appellant's Planning Statement⁸ stated that: "There is a common thread of care with regard to the care and welfare of alpacas, which are accepted as having particular qualities which distinguish them from cattle, sheep and horses" (paragraph 7.2). I comment on these aspects below.
17. In relation to conception, alpacas are induced ovulators, i.e. they do not display the normal signs of being on heat, and the mating process has to be actively managed. Conception is further complicated by their variable gestation lengths, potentially from around 330 days to 370 days, unlike most other farm species. This requires extended observation.
18. Whilst the majority of alpacas give birth without complications during the morning and early afternoon, this is not always the case; informed veterinary evidence at the Hearing pointed to around 5-10% of alpacas having difficult births, with a minority born at night. This percentage is probably not significantly different from several other farm animals; however, in my view it is potentially more critical for alpacas, because they nearly always give birth to just one cria, so the loss is proportionately greater than for many other animals, and because they are considerably more valuable than many other British livestock (although I accept that some pedigree breeds of other animals can fetch high prices). I heard that selling prices for alpacas averaged around £7,000 per adult female, a figure that was not challenged at the Hearing.
19. Although evidence pointed to the theoretical possibility of managing all alpaca births within a window of the year, say between March-September, a relatively high number are still imported from the Southern Hemisphere with the likelihood of births occurring at other times of the year. I was informed that the current number of registered alpacas in the UK, about 30,000, still falls considerably short of an economic 'take-off' figure (estimated by the appellant's veterinarian to be 80,000), so that imports from much larger stocks in Latin America and Australia are set to continue for some time. These

⁶ Appeal decision submitted by the Council: Ref. APP/C1625/A/12/2171046; appeal decision dated 2 August 2012; dismissed an appeal for the siting of a temporary agricultural workers' dwelling with treatment plant for a period of 3 years, at Bird Farm, Stancombe, Dursley, Gloucestershire, GL11 6AY.

⁷ Reading Agricultural Consultants: Statement for Hearing; dated 6 February 2013.

⁸ Marc Willis & Co. Chartered Town Planners: Statement on behalf of the Appellant; dated February 2013.

statistics indicate that there are economic reasons to support alpacas birthing all year round, especially given their relatively low rate of reproduction.

20. Regarding immediate after-care following birthing, it is not uncommon for crias to require bottle feeding, for example where their mothers have insufficient milk or have died. During the first month of their lives, crias require feeds every two hours, and for the first 6 months, bottle feeds should still be given last thing at night (at least 22:00 hrs) and first thing in the morning (06:00-07:00 hrs). Unlike calves, with bigger stomachs, it is not possible to reduce the rate of feeds for crias whilst increasing the amount, because 'overloading' causes C1 acidosis, and colic can be life threatening.
21. Alpacas are more susceptible to illness than many native species, due to wet winter climatic conditions in the UK, and it is not uncommon for them to progress from showing no clinical signs to being found dead within a 24 hour period. Although it is commonly assumed that alpacas are hardy species, having originated from the Peruvian and Bolivian Andean Altiplano, the climate in these Latin American countries is generally drier than in parts of the UK such as Devon. I also note that there is a 75% mortality rate in Peru⁹; which would not be acceptable in the UK on animal welfare or economic grounds. Whereas sheep have natural oils, alpacas have no such defence against a combination of rain and the cold. This all points to the need for a high level of round the clock 'hands-on' care and a close understanding of the animals.
22. Although several residents, including local farmers and a vet, challenged the appellant's conclusions on alpaca husbandry, health and welfare, none of them provided firm or specific evidence to seriously challenge these conclusions.
23. The appellant plans to increase the alpaca herd at Little Park Farm from 8 breeding females to around 20 within the next 3-5 years. The size of the holding would enable this number to be accommodated at acceptable densities, and they would require all round day and night care for significantly long periods. This view is reinforced by several of the appeal decisions which have been submitted by the appellant, some of which point to around 15-20 breeding alpacas being an acceptable threshold for requiring care at most times¹⁰, although appeals have been allowed in relation to smaller herds.
24. At the Hearing, other options to residential accommodation, such as making use of CCTV and other automatic surveillance equipment, were suggested. An appeal decision in October 2010¹¹ at Hadenham Farm, Shillingham stated, based on submitted evidence, that the use of remote monitoring systems in the context of an alpaca business was untested; the Inspector at that appeal also made the important point that because alpacas live outside, it would be difficult to use visual monitoring at night due to lack of light.
25. I was also referred to Newcott Farm on Dartmoor where the farmers live approximately 2 miles away from their alpacas. A security camera checks one of their fields. However, a letter from the farmers states that if the weather is bad they have the option of staying in holiday cottages which they own

⁹ Appeal decision submitted by the appellant: Ref. APP/Y1138/C/11/2144082; dated 23 June 2011; quashed an enforcement notice at Middle Moor Farm, Yeoford, Devon, EX17 5HF; paragraph 27.

¹⁰ Appeal decisions (PINS Nos only) all submitted by appellant: 2154297; 2144082; 2133382; 2124091; 2127860; 2123083; 2083511; 2080523; and 2058051.

¹¹ Appeal decision submitted by the appellant: Ref. APP/P0240/A/10/2129850; dated 20 October 2010; allowed an appeal for the siting of a temporary agricultural worker's dwelling, at Hadenham Farm, Gravenhurst Road, Shillington, SG5 3HQ.

- (presumably close to the alpacas). I remain to be convinced, however, that visual monitoring at night is effective for the reasons already given.
26. Another suggestion was that a worker could temporarily stay overnight without the need of proper overnight accommodation, to check on the condition of the alpacas during specific periods, such as birthing. The increasing numbers of stock planned over the next 3-5 years, however, would be likely to result in a significant number of overnight stays. Furthermore, the presence of someone on site at most times of the day and night would mean that any animals in distress could be heard, and thus prompt attention could be given.
27. I therefore conclude that the case for an essential need for someone to be on hand at most times, day and night, is compelling, and that the proposal complies with the requirements of *the Framework* (paragraph 55).
28. I now turn to whether the essential need could be met at either the appellant's previous residence at Long Park, or at other suitable and available dwellings in the area. Long Park is no longer available, and would now be unaffordable for the appellant's family, who could not continue their mortgage payments on this property following the loss of Mr Porter's job with the Devon and Cornwall Constabulary, which forced them to sell the property.
29. The statement by Nash Partnership, on behalf of the Doddiscombsleigh Objection Forum¹², pointed to several available and affordable properties within a 3.5 miles radius around the appeal holding, which it contended would be sufficiently close to enable the functional needs of Little Park Farm to be met. No justification was given for this distance, and it ran counter to the views of several Inspectors who have conducted alpaca related appeals in recent years.
30. These decisions (see footnote¹³) included the following comments: (1) "to enable adequate supervision"; (2) "dwellings need to be within 'sight and sound'"; (3) "a 500m radius is the maximum realistic distance for a property search"; (4) "the livestock needs to be highly visible"; (5) "properties should overlook the land"; (6) "properties which could provide clear views of the livestock"; and (7) "one mile...is too far away to provide an appropriate level of supervision". These views, which are in line with the opinions of the alpaca industry and many veterinary and agricultural experts, point to the need for a close relationship between the dwelling and the alpaca herd.
31. Whilst Long Park, about 350m from Little Park Farm, would be acceptable in relation to the above-mentioned criteria, none of the properties within the Nash Partnership schedule would comply. The nearest, at 9 New Buildings, within the village of Doddiscombsleigh, is about 670m to the south west of Little Park Farm, i.e. well beyond the maximum realistic distance referred to above.
32. Taking these matters together, I conclude that the 'alternative suitable and available' test has been satisfied.
33. Concerns were expressed because the appellant and her husband severed the southern part of their farm holding, nearest the village, when they sold Long Park in July 2012; clearly, such circumstances could point to a possible abuse

¹² Nash Partnership: Hearing Statement of Doddiscombsleigh Objection Forum: Site at Little Park Farm, Doddiscombsleigh, Exeter, dated February 2013.

¹³ Appeal refs. (1) 2080523, para 10; (2) 2083511, para 16; 2123085, para 15; and 2128486, paras 15-19; (3) 2103514, paragraph 28; (4) 2121583, paras 22-24; (5) 2068527 para 21; and (6) 2115187, para 27; and (7) 2075800, para 17.

of the planning system and lack of agricultural need. Linked to this is the scenario of a proliferation of subdivisions, resulting in dwellings pepper-potting the countryside with the loss of its intrinsic character and beauty.

34. From the answers to questions put to the appellant's husband at the Hearing, I am satisfied beyond reasonable doubt that Mr Porter's loss of employment and economic hardship forced his family to sell Long Park, without an agricultural tie; despite his best efforts to find alternative employment, he had no realistic alternative but to sell. I therefore do not consider that an abuse of the planning system has been committed in this case. Regarding the dangers of proliferation, *the Framework* requires exceptional circumstances to be demonstrated to show an essential need for a rural worker to live permanently at or near their place of work. This strict planning framework will continue to curtail sporadic, scattered housing development in rural areas.
35. Bio-security issues were also raised, e.g. from badgers carrying TB. Badger proof fencing with deep foundations has been erected around the holding, and I was informed that since then there have been no badger sightings at the farm. In addition, the usual visitor security arrangements, such as disinfectant trays and locked areas, are in place. I am therefore satisfied that there are no compelling bio-security considerations to justify dismissing the appeal.
36. In relation to crime, anti-social behaviour, vandalism and attacks from animals such as foxes and dogs, no recorded incidents were submitted in evidence, although I accept that rural policing is limited. Regarding theft, I note that micro-chipping alpacas is common practice in the UK and given the value of these animals, the employment of such a device is appropriate and practical. I conclude that these security matters, whilst important, do not by themselves make a compelling case for allowing the appeal.

Other considerations

37. The highway authority, whilst objecting to the appeal application on access and highway safety grounds, stated that should the local planning authority be minded to grant permission due to the need for the development, its objection should not be overriding. The Council's concerns over vehicular access visibility have been addressed in the appellant's revised plans (Drawing Ref. 2249/01/B). The SCG also stated that highways considerations are not an issue between the main parties. I therefore conclude that access and highway safety considerations do not justify dismissing the appeal.
38. The Doddiscombsleigh Objection Forum and individual local residents raised several additional concerns. The barn and partly constructed dwelling can be clearly seen from several viewpoints in the village. The impact, however, can be mitigated by the effective implementation of appropriate landscaping through a condition. From discussion at the Hearing and the site visit, I note that such landscaping could include screening the proposed temporary dwelling by planting trees and other vegetation, together with trees planted elsewhere to soften the impact of other structures and fencing.
39. The landscaping condition could also secure strategic, advanced planting to ensure that the visual impact of any permanent dwelling, in three years' time, would be mitigated more effectively by (partly established) screening. The lean-to western extension of the barn would be relatively small in relation to the existing structure, and its additional impact on the landscape, and from the

Doddiscombsleigh Conservation Area, about 0.5 - 1 kilometre to the south and south-west, would be minimal. I observed at the site visit that the recent approved extension comprises the same material (Yorkshire boarding) as the original barn, with the difference in colour being a reflection of the lack of sufficient time for the extension to weather to the same colour.

40. No concerns were raised by either the Council on drainage matters or the highway authority regarding the alleged poor surface condition of the local highway network. I can see no reason to disagree on these matters.
41. Concerns were also raised over the sustainability of the appeal development, and in particular its remoteness from services and facilities in urban areas. Whilst I accept, on balance, that the number of vehicular trips generated by the day-to-day needs of the Porters would probably outnumber the journeys saved on commuting, any such considerations would be outweighed by the special circumstances which justify the essential need for the appeal proposal.

Conditions

42. The SCG included a list of conditions that both main parties would consider appropriate were I to allow the appeal. These were confirmed during the helpful discussion session held at the Hearing, and I consider them to be in line with the advice set out in Circular 11/95 *The Use of Conditions in Planning Permissions*.
43. Condition (2) underlines that the development is only acceptable in its locality because of the established agricultural need. Condition (3) is to enable the local planning authority to maintain control over development which is temporary in character and to allow a reassessment of the agricultural need for the temporary dwelling. Condition (4) is in the interests of assimilating and screening the development into the wider landscape.

Conclusion

44. I have found that the appellant has made a compelling case to justify the special circumstances required by *the Framework* to demonstrate the essential need for a temporary agricultural dwelling at Little Park Farm. Furthermore, no alternative suitable and available accommodation in close proximity to the appeal site has been identified. I also consider that none of the other areas of concern are sufficient, either individually or cumulatively, to outweigh my reasons for allowing the appeal. The proposal would also further the economic aims of national policy to encourage the growth of the rural economy. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Sebastian Head	Of Counsel, instructed by the appellant
Mr Marc Willis	Willis & Co. Chartered Town Planners
Ms Claire Whitehead	Camelid Veterinary Services
Mr Peter Williams	Reading Agricultural Consultants
Mrs J Porter	Appellant
Mr Mark Porter	Appellant's husband

FOR THE LOCAL PLANNING AUTHORITY:

Ms Helen Shobbrook	Teignbridge District Council
Mr Sheamus Machin	Agricultural Consultant
Mr Steve Hobbs	Teignbridge District Council
Mrs Christine Bolton	Teignbridge District Council

INTERESTED PERSONS:

Mr Julian Kite	Resident spokesperson for Doddiscombsleigh Objection Forum
Mr Duncan Mitchell	Chair, Doddiscombsleigh Parish Council
Mr Charles Withers	Resident
Mrs Jackie Le Marchant	Resident
Mr Michael Moorhouse	Resident
Mr Stephen Le Marchant	Resident
Mr Tony Porter	Resident
Mr Ivor Smith	Resident
Mrs Teresa Sawyer	Resident

DOCUMENTS

1. Appellant's Application for a full award of costs: pre-hearing skeleton.
2. Suggested sites to visit the visual impact of the development and the state of transport connections (locations of viewpoints superimposed on aerial photograph).
3. Map showing locations of Little Park Farm and 9 New Buildings, Doddiscombsleigh, scale 1:5,000.
4. Map showing location of Newcott Farm, Poundsgate, Devon.
5. Extract from Planning R: July 2012, P70.38-39.
6. Notification Letter, dated 3 January 2013.
7. Updated Notification Letter, providing details of Hearing, dated 10 April 2013.
8. Attendance List.

APPENDIX 2 Gross margin data for egg and POL production

Gross Margin for Free-range (hen) egg Production adapted from John Nix Farm Management Pocket book, 45th Edition

(£)	per Bird
Egg returns	39.00 ¹
less depreciation ²	5.00
Output	34.00
Variable costs	
Feed	13.50
Miscellaneous	0.82
Total Costs	14.32
Gross Margin	19.68

Note 1: egg price assumed to be £1.75 per dozen, but reduced to £1.50 to reflect sales of pullet eggs at the beginning and reduced output towards the end of the lay cycle.

Note 2: price of replacement birds increased from £3.67 to £5.00 to reflect actual prices

APPENDIX 3

Appeal Decision APP/Y3940/A/13/2200283

Land at Ashley, Box, Chippenham, Wiltshire SN13 8AN



Appeal Decision

Hearing held on 20 November 2103

Site visit made on 20 November 2013

by R Barrett Bsc Msc Dip UD Dip Hist Cons MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 January 2014

Appeal Ref: APP/Y3940/A/13/2200283

Land at Ashley, Box, Chippenham, Wiltshire SN13 8AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs M Wall against the decision of Wiltshire Council.
 - The application Ref N/13/01146/FUL, dated 18 April 2013, was refused by notice dated 11 June 2013.
 - The development proposed is temporary agricultural workers dwelling, erection of a general purpose agricultural building and formation of hardstanding (revised proposal).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. At the Hearing it was confirmed that the Emerging Wiltshire Core Strategy had been through examination and was awaiting the Inspector's report. The Council attaches very limited weight to those emerging policies at present, a position agreed by the appellant. On this basis, and as those emerging policies are not adopted, I have no reason to take an alternative view on this matter.
3. The suggested enterprise, in addition to the alpaca operation with small scale rabbit breeding, would comprise activities including stress therapy sessions for humans, experience days, birthday parties and meditation courses. The Council suggests that these activities would be non-agricultural. In addition, it considers that, as these activities would generate significant activity, lead to the requirement for the proposed hardstanding and provide almost 50% of the suggested income, they would not be ancillary to the alpaca operation and would constitute a material change of use for which planning permission would be required. On the basis of discussion at the Hearing regarding the suggested scale and intensity of those activities, I consider this likely to be the case.
4. The appeal application, however, is for erection of the building and laying of the hardstanding described above. Whether or not a material change of use has or would take place as a result of the suggested non-agricultural activities in dispute is not for me to determine as part of this appeal. I am therefore determining the appeal on the basis of the above description of development, which does not relate to those activities. In addition, as planning permission is not in place for the scale and intensity of those activities suggested, and is not being sought at this stage, bearing in mind the Council's view above, there is inevitably some level of uncertainty as to whether the suggested scale and intensity of those activities would be likely to obtain planning permission and therefore take place. For the same reason, uncertainty arises regarding the

level of income that would result and the nature and extent of any suggested impact they would have. I have made my decision accordingly.

Main Issues

5. The main issues are:
- Whether the proposal would be inappropriate development in the Green Belt for the purposes of The National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt, the character and appearance of the locality and the landscape and scenic beauty of the Area of Outstanding Natural Beauty (AONB);
 - If the proposal would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Background

6. The appeal site is a parcel of land, which has been in an agricultural use. It slopes relatively steeply from Ashley Lane towards Wormcliff Lane and has a mixture of trees and hedges that enclose its boundaries. It is set behind a relatively high banked verge which fronts onto Ashley Lane.
7. At present there is a static caravan on the appeal site near to the boundary with Ashley Lane, with associated car parking, storage buildings and access. I am advised that this does not have the benefit of planning permission. The appeal site at present accommodates some 36 alpacas, two miniature ponies and some chickens and rabbits. It was confirmed at the Hearing that the appeal development would remove the static caravan and replace it with a single building which would accommodate agricultural storage and a temporary dwelling; the latter accommodated within a defined and separate part of the proposed building.
8. The appeal site is situated in the settlement of Ashley. It is outside Framework Boundaries, in the Countryside, within the Western Wiltshire Green Belt and an Area of Outstanding Natural Beauty (AONB).

Openness and Inappropriate Development

9. The appeal proposal would incorporate a temporary residential dwelling. As this would involve a new building and would not fall within the exceptions set out in Paragraph 89 of the Framework, it would amount to inappropriate development in the Green Belt. In addition, the proposed temporary dwelling would intrude into the area's openness, in as much as development would be present where none was previously, irrespective of the quality of the design and the fact that it would be set behind the agricultural building.
10. For the same reason, the proposed relatively large hardstanding would not preserve the openness of the Green Belt. As the hardstanding would be prominently sited and relatively large it would conflict with the purposes of including land in the Green Belt. In addition, it would be more likely to be used

for parking and storage than open field which would further reduce the openness of the area and increase its visual impact. The area of hardstanding would therefore not fall within the exceptions set out in Paragraph 90 of the Framework. Moreover, neither proposal would fall within the categories of development set out in Policy NE1 of the North Wiltshire Local Plan (2011) (LP), which seeks to preserve the openness of the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, a matter to which I accord substantial weight.

Character and Appearance

11. Even though the proposed hardstanding would be screened in some views by high level planted boundaries, it would be large and relatively prominent, both in views from the entrance to Ashley Lane and longer range views from the higher land at Wormcliff Lane. It would break up the grassed, generally open parts of the appeal site and introduce a distinctly urban feature into this rural setting. Were it to be used to park vehicles, this would add to its unacceptable impact. These matters, together, I accord considerable weight. For the same reasons the proposed hardstanding would fail to conserve the landscape and scenic beauty of the AONB, a matter to which I accord great weight.
12. The Council has also raised concern regarding the therapy elements of the suggested enterprise in terms of additional comings and goings, traffic movements and general activity. However, as that element of the suggested enterprise is not part of this appeal, and I have identified uncertainty regarding its scale and intensity, I have not considered its impact in that regard.
13. I accept that the proposed buildings would be appropriately designed, use suitable materials and colours and would not result in harm to the rural character and appearance of the locality. However, this matter weighs neither for nor against the appeal proposal.
14. I conclude that the proposed hardstanding would result in unacceptable harm both to the character and appearance of the locality and the AONB and would fail to accord with LP Policies C3 and NE4, which together aim, in the AONB, to give priority to the conservation and enhancement of the natural beauty of the landscape, and generally respect local character and distinctiveness. The proposed temporary dwelling would not adversely affect the character and appearance of the locality and would generally comply with LP Policy.

Other Considerations

15. The main parties both refer to Planning Policy Statement 7 (PPS7), which is now superseded by the Framework. However, Annex A to PPS7 provided a well established and understood tool to assist in the determination of these types of appeals; the question of the essential need for a rural worker to live permanently at or near their place of work remains the same and similar questions formed the basis of our discussions at the Hearing. I therefore intend to adopt broadly similar tests.
16. The appellants have already invested significantly in the appeal site, alpaca stock and have moved into temporary accommodation on site. Although they have not run an agricultural enterprise previously, they have demonstrated an ability to run a business and have relevant previous experience. On this basis, I consider that they have demonstrated an intention to develop the appeal enterprise.

17. The Council does not dispute that there would be a functional need for the proposed temporary dwelling in relation to the alpacas. On the basis of the scale of the alpaca operation, the weight of evidence before me points in the direction of a need for some level of ongoing supervision. I make this judgement bearing in mind the animals' high value and risk from theft, that their health can deteriorate quickly with no outward sign of illness or stress and that their mating and birthing are neither seasonal nor predictable. In this respect, I have no reason to take an alternative view to the Council.
18. In addition, the appellants indicate that the alpaca enterprise would in year 4 generate more than one full time job. The Council has not taken issue with these figures. On the basis of the figures provided in the Business Plan, I have no reason to take a different view.
19. Even though a number of suggestions for alternative accommodation were put forward at the Hearing, I have no convincing evidence that there is equivalent accommodation within the locality and that it is available and suitable. In terms of the appropriateness of the size of the dwelling, the proposed temporary timber dwelling would be modest in scale, would accommodate three small bedrooms and I consider that it would relate to the functional requirement of the alpaca operation.
20. Turning to the proposed viability of the suggested enterprise, the appellant has submitted a Business Plan which sets out estimated costs and revenue for the proposed operation. There is some dispute regarding the trading price of alpacas and the future health of the alpaca industry in this country generally. However regardless of these matters, when taking into account the cost of the labour identified as required (using the minimum wage), the variable and relevant fixed costs and return on capital, the alpaca and small scale rabbit breeding side of the suggested operation would be relatively close to meeting the viability test in year 3 and 4. This would be the case whether the income from the stress therapy sessions for humans, experience days, birthday parties and meditation courses were taken into account or not. Therefore, for the time being it would appear premature to reach a judgement that financial viability for the suggested enterprise would be out of the question at the end of the trial period. Therefore, on the basis that the alpaca and rabbit breeding enterprise is already up and running, there is little reason to dismiss it as not having been planned on a sound financial basis before it has had an opportunity to prove itself during a trial period.
21. On balance, therefore, I am persuaded that an essential need for the proposed temporary dwelling has been demonstrated, that it would amount to the type of special circumstances allowed for in LP Policy H4 and paragraph 55 of the Framework. This matter weighs in favour of the appeal and I accord it very great weight.
22. The Council raises concern regarding the unsustainable location of the therapy activities, and the proposed temporary dwelling in the open countryside with very limited local facilities nearby. However, I have found an essential need for the temporary dwelling and even though it would not be near local facilities or public transport, it would accord with the general thrust of LP Policy C3, in this regard, which promotes sustainable patterns of development. However, this matter weighs neither for nor against the appeal proposal. As the appeal does not relate to the suggested therapy activities, and I have identified uncertainty

regarding its scale and intensity, whilst the Council raises objection in this regard, this matter does not weigh in my planning balancing exercise.

23. The appellant suggests that the appeal proposal would further the economic, social and environmental dimensions of sustainable development. It would contribute to the rural economy generally, in as much as it would enable the appellants to support local services and provide jobs in the construction industry. It would also provide a house and a job for the appellant and would provide an appropriately designed building. In addition, there would be no requirement for those who would live at the appeal site to travel to work. Together, I accord these matters moderate weight.
24. That the siting and design of the temporary dwelling would minimise its impact on its surroundings and that it would be screened by the agricultural building are not in dispute. Neither is the suggestion that the appeal proposal would be screened, in part, by the trees and hedges on the boundary. It is also suggested that the appeal proposal would benefit biodiversity, in as much as the existing hedges, trees and other planting would be retained. However, no new planting or other measures to increase biodiversity have been identified. These matters all identify an absence of harm, which would weigh neither for nor against the appeal proposal.
25. The Ashley Fields County Wildlife Site is nearby. However, as it is physically separated from the appeal site and as the proposed building works would have limited site coverage, no adverse effect on the wildlife is suggested. It is also confirmed that the great crested newt populations found locally are unlikely to be significantly affected by the proposal due to their numbers and the nature of the proposal. On this basis, I have no reason to take an alternative view and this matter also weighs neutrally in my decision making.

Very Special Circumstances

26. The proposed temporary dwelling and hardstanding would be inappropriate development, would reduce the openness of the Green Belt and for that reason would cause harm to its visual amenities. The Framework advises that substantial weight should be accorded to harm to the Green Belt when considering an appeal. In addition, I have identified unacceptable harm to the character and appearance of the locality, a matter to which I accord considerable weight. I have also identified harm to the landscape and scenic beauty of the AONB, a matter to which I accord great weight.
27. Even when taken together, the other considerations referred to by the appellant do not, in this case, clearly outweigh the harm to the Green Belt and the other harm identified. Consequently, it has not been demonstrated that the very special circumstances necessary to justify the proposed development exist. The proposal would therefore be contrary to the Framework and to LP Policy NE1, which generally seeks to maintain the open character of the Green Belt.

Conclusion

28. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

R Barrett INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Hugh Richards	of Counsel
Marc Willis	Willis & Co (Town Planning) Ltd
Peter Williams	Reading Agricultural Consultants
Malcolm Wall	Appellant
Catherine Wall	Appellant
Mrs Joanne Hargreaves	Appellants' Daughter

FOR THE COUNCIL:

Chris Marsh	Planning Officer Wiltshire Council
Tony Coke	APA Consultants Ltd

FOR THIRD PARTIES:

George Purser	Local Resident
Charles Freeman	Local Resident
Pauline Lyons	Chair Box Parish Council
Graham Brewster	Local Resident
Richard Campbell	Local Resident
Jo Wells	Local Resident
Hilary Foord	Local Resident
John Connell	Local Resident
Jacky Ceeney	Local Resident

DOCUMENTS SUBMITTED AT THE HEARING

1. A Record of Attendance.
2. Notification letter dated 21 October 2013.
3. Appeal decision letter, dated 3 September 2103 (Ref APP/B3438/A/13/2196351).
4. Extract from Rightmove web site showing two properties for sale in postcode SN13 8AN
5. Extract from Wiltshire Core Strategy Pre-Submission Document (2012) including Core Policies 1,2, 3, 11,48.

6. Schedule of Proposed Changes to the Wiltshire Core Strategy Pre-Submission Document.
7. Wording of additional suggested condition 9, as agreed at the Hearing between the Council and the appellant.

APPRAISAL OF A PLANNING APPLICATION

For the use of land for the siting of a temporary rural worker's mobile home

Lucky Tails Alpaca Farm, Dexter Lane, Hurley CV9 2JG

FOR NORTH WARWICKSHIRE BOROUGH COUNCIL

Application Reference PAP/2015/0227

MAY 2015

Rhodes Rural Planning



Rhodes Rural Planning & Land Management
Church Garth, Church Lane, Stoulton, Worcestershire, WR7 4RE

Neither the whole nor any part of this report nor any references to it should be included in any published document, circular or statement, nor published in any way without our having given prior written approval as to the form and context in which it may appear.

1.0 Introduction

- 1.1 Rhodes Rural Planning and Land Management has been commissioned by North Warwickshire Borough Council (NWBC) to carry out an independent appraisal of a planning application by Ms S Booth for the use of land at Dexter Lane, Hurley for the siting of a temporary rural worker's mobile home.
- 1.2 In accordance with our standard practice we would state that this appraisal is confidential to the party to whom it is addressed and no responsibility is accepted to any third party for the whole or any part of its contents.
- 1.3 This appraisal is by Paul Rhodes MRICS. I am a rural faculty chartered surveyor with thirty five years' experience in the agricultural industry including 15 years as the County Land Agent for Warwickshire County Council managing a 6,000 acre farm estate and carrying out agricultural, equine and other countryside appraisals for District and Borough Councils. I am a consultant in rural planning and land management providing advice to a wide range of rural clients.
- 1.4 This appraisal has been written using information supplied by NWBC which includes a report in support of the application by Reading Agricultural Consultants (RAC), together with information gathered during a site visit to the applicant's land at Dexter Lane where I met the applicant, Ms S Booth, and her agent, Mr Marc Willis of Willis & Co (Town Planning) Ltd who also supplied me with information regarding the application.

2.0 Background

- 2.1 The applicant and her partner purchased the land at Hurley the subject of the application in October 2014 and formally took possession in December 2014. The land is a 2.1 hectare (5.18 acre) field in permanent pasture which was formerly used for equine purposes. The land has the benefit of three stables and a hay store. Mains water is connected, but not electricity.
- 2.2 The applicant is a qualified nurse, but now works in nursing only two nights a week; her partner works in the manufacturing plant of Triumph motorbikes. Prior to moving to the land at Hurley (see 2.4 below) they owned a house in Kings Heath, Birmingham. The applicant has completed a number of courses on alpaca keeping and at the time of my visit had just completed one of these courses.
- 2.3 Since acquiring the land with her partner the applicant has improved access to the site by laying hardcore to form a yard. She has fenced the land into paddocks, commenced the laying-in of water to the newly created paddocks and, due to the wet nature of the land, she has laid in an initial drainage scheme to improve it.
- 2.4 The applicant has purchased her initial herd of 17 alpacas and has stationed a touring caravan on the site to act as a mess room, etc. The applicant has

now installed a mobile home on the site together with a septic tank; a water supply has been connected to the mobile home and a generator provides electricity. The applicant and her partner are currently occupying the unlawful mobile home.

- 2.5 The applicant is seeking planning permission for the unlawful temporary mobile home she has installed on the site to allow her to develop her proposed business.

3.0 Land, Stock, Cropping, Buildings, and Labour

3.1 Land

Land owned

- 2.1 hectares (5.18 acres)

3.2 Stock

- 17 alpacas comprising 14 females (6 pregnant), 2 castrated males and stud male
- small quantity of laying poultry
- 5 female pygmy goats and one billy
- small number of giant rabbits

3.3 Cropping

- The land is down to permanent grass.

3.4 Buildings

- stabling for three
- hay store

3.5 Labour

- The applicant with assistance from her partner.

4.0 Proposed Business

- 4.1 The applicant intends to develop an alpaca breeding business with sales of all classes of alpaca stock and the ancillary production of fleece for processing to produce wool, knitted garments and toys. In addition, a flock of free range hens laying eggs for farm gate and local sales and the rearing of rare breed point of lay pullets is envisaged. In the longer term it is intended to breed

pygmy goats and giant rabbits for sale as pets. It is envisaged that the following stock will be held at Year 3 of the proposed business:

- 27 breeding alpacas
- 2 stud males
- 11 female crias 12 months old
- 11 male crias 12 months old
- 8 yearling females
- *NB It is envisaged that allowing for sales and mortalities, a total of 43 alpacas will be on the holding by the end of the third year.*
- 321 laying poultry
- 21 breeding poultry (an average of 70 poultry for sale each month between April and August)
- breeding pygmy goats and rabbits

5.0 Relevant Planning Considerations

5.1 The application is for a temporary rural worker's dwelling.

5.2 The National Planning Policy Framework (The Framework) cancelled all previous planning guidelines including PPS7 but contains no provision for the assessment of temporary rural worker's dwellings. Paragraph 55 of The Framework contains the guidance for local planning authorities in relation to housing in rural areas and sets out that, with a few exceptions, housing should be located where it will enhance or maintain the vitality of rural communities:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; ..."*

5.3 It is clear in The Framework that rural worker's dwellings are only to be permitted if the need for the rural worker to live on-site is essential. Local planning authorities will no doubt reflect this guidance in the formulation of their new local plans. NWBC will give the weight it feels necessary to existing policies on rural worker's dwellings and will in due course formulate new policy in relation to the guidance set out in paragraph 55.

5.4 Local authorities continue to receive applications for temporary rural worker's dwellings. In my opinion, it is not unreasonable at the present time and until the new local plan is in place, to continue to assess applications such as this utilising the guidance in PPS7 Annex A.

6.0 Appraisal of the Application

6.1 Clear evidence of a firm intention and ability to develop the enterprise concerned

6.1.1 While she has no experience in managing alpacas the applicant has attended courses on alpaca husbandry. She has committed significant expenditure on her proposed business; major expenses to date are:

- £75,000: land purchase
- £46,000: alpacas
- £12,000: installation of mains electricity
- £5,200: mobile home

Total: £138,200

In addition, unquantified costs are as follows:

- land drainage
- hardcore track to yard and mobile home
- new gates
- connection of water supply to paddocks
- fencing (badger proof)
- field shelters
- poultry, incubator and egg grading machine
- stock trailer
- installation of water and electricity to buildings
- additional purchases of breeding alpaca stock
- husbandry courses
- septic tank installation
- installation of water to mobile home
- generator for electricity for mobile home

6.1.2 The land the applicant has acquired at Hurley lies wet, being heavy clay. The applicant has become aware of the propensity for her land to lie wet; at my site visit she informed me that on taking possession of the site in December the land was extremely wet and that she has had to install a shallow drainage pipe to attempt to overcome this problem, although she will still have to carry out additional work.

6.1.3 Alpacas can normally be stocked at between five and eight to the acre (see Nix's Farm Management Pocketbook 45th edition, page 83, attached at Appendix 1). In the case of the field that the applicant has acquired, from my own knowledge of the land at Hurley, in my opinion, the likely stocking rate possible will be five to the acre, and whilst alpacas could be stocked at this level, the land will have to be rested at times to prevent disease build up and to allow for pasture remedial cultivations or reseeding. Renowned alpaca breeder and alpaca judge, Shirley Bettinson, gave evidence in relation to alpaca stocking levels at the 2012 Faerie Tale Farm appeal (copy of the

appeal decision letter attached at Appendix 2). At paragraph 72 of the decision letter, the Inspector noted that, "*Mrs Bettinson noted that she stocks on the basis of a maximum of 5 animals per acre, but reduces this by a third to allow land to recover...*"

- 6.1.4 Therefore, the applicant's proposed business is posited on alpaca stocking rates in excess of what the land is able to support given the ground conditions and the requirement for rotation and resting of land. In addition, the area taken up by the access track, buildings, the mobile home, etc has the net effect of reducing the area of useable grazing land from 5.18 acres to nearer 4.5 acres.
- 6.1.5 The applicant intends to run a free range poultry unit of over 300 laying birds, a point of lay breeding enterprise and pygmy goats. All of this stock will require areas of grass for grazing and rearing purposes which will further impinge on the area of land available for the alpacas.
- 6.1.6 The applicant has one stud male and is intending to purchase another, but she will be unable to physically separate stud males from the breeding females - a necessity when managing alpaca herds - on such a small land holding.
- 6.1.7 Given the land quality, the need for rotation and rest and the needs of the other stock enterprises, the level of alpaca stock proposed cannot be supported on the area of land available. (It follows, therefore, that the forecast gross margins set out at paragraph 4.27 of the RAC report cannot be relied upon.)
- 6.1.8 It also follows that the labour requirement for the business at Year 3 set out in the table at paragraph 4.16 of the RAC report accompanying the application is flawed. The stock levels that the available land can support have been overestimated, and therefore the labour requirement set out in the RAC report is also an overestimation. The RAC reports relies upon what it terms "*Anecdotal figures from Australia of 64 hours per female per annum; 36 hrs for other alpacas.*" This anecdotal evidence has been used in appeal cases to justify that an alpaca enterprise is a full-time enterprise. The keeping and breeding of alpacas is not viewed as a viable part of UK agriculture and therefore no labour studies have been undertaken by UK colleges, universities or research bodies. In my opinion, given the vastly different climatic conditions and the fact that the alpaca industry is far more structured in Australia, little weight should be attached to Australian labour assessments.
- 6.1.9 Given the quality of the land, its need for rotation and rest, together with the needs of the other stock enterprises proposed, the level of alpaca enterprise envisaged cannot be achieved, and therefore the applicant does not have the ability to develop the enterprise concerned.

6.2 Essential functional need

- 6.2.1 The applicant is reliant on some 4.5 acres of land for the herd of alpacas and the other stock enterprises she envisages in years 3 and 4. I have set out above why, in my opinion, her proposed stocking level cannot be achieved and that if the stocking level proposed cannot be achieved, then the labour requirement for the enterprise will be considerably less than that calculated by RAC as set out in the table at paragraph 4.16 of their supporting report. In my opinion, the true labour requirement will be less than one person's full time annual labour equivalent.
- 6.2.2 In terms of the management of the alpaca herd the key issues will be around parturition. The pregnant female alpacas that the applicant purchased are due to give birth between May and August this year. The other eight females will be put in cria during May; either stud males will be delivered to Dexter Lane or the females will be removed to the stud they were purchased from. Particular issues in relation to alpacas are set out at paragraph 4.1 of the RAC report; however, in this case the applicant has decided to arrange for her alpacas to give birth during the best weather. Therefore, much of what paragraph 4.1 refers to is not relevant here.
- 6.2.3 In any event, given the issue of available land area and therefore stocking levels, births are likely to be far less than the 30 planned in year 3.
- 6.2.4 In the Bird Farm appeal (copy of decision letter at Appendix 3), when considering essential functional need, the Inspector stated, *"Reference was made to alpacas generally birthing during daytime on one site and to peer-reviewed scientific papers which have found that the frequency of alpaca birthing problems is very low. The appellants are newcomers to alpaca breeding and, whilst they may be able to call on the advice and support of Mr Atkins, I consider the advice that they should plan for birthing during the spring and summer months, rather than year round, to be sound."* (see paragraph 24 of the decision letter) and at paragraph 29, *"On balance, I am not persuaded from the evidence before me that there is a requirement for the appellants to live on the land. In my judgment, a combination of living nearby and making use of permitted development rights to be on hand during a planned birthing season would enable the appellants to attend to the welfare requirements of their alpacas."*
- 6.2.5 The site is relatively close to the villages of Hurley and Wood End where there is a range of reasonable priced dwellings available for sale or rent, all within minutes of the land and which would allow the applicant to attend the site on a daily basis while taking advantage of permitted development rights by utilising the touring caravan to manage parturition events when necessary.
- 6.2.6 Regarding the other proposed enterprises planned for Dexter Lane, the applicant informed me that she would be utilising a 50 egg incubator and hatcher and that hatched chicks are to be reared under electric brooder lamps. The incubator and the electric brooder lamps will depend on a constant electricity supply. The applicant is installing mains electricity (she

has already paid for this) and her generator can be alarmed to act as a back-up should there be a mains failure. Telephone alarms can be arranged to cover mains and or generator failures.

- 6.2.7 In terms of overall security, the applicant informed me that prior to her and her partner's occupation of the unlawful mobile home she had suffered two break-ins to the premises. However, at that time the property was not alarmed and there is no reason that an alarm system utilising a mobile phone alert could not be put in place to overcome any such issues. It should also be noted that there are no public footpaths across the applicant's land holding.
- 6.2.8 In my opinion, there is no essential need for there to be a dwelling on the land at Dexter Lane.

6.3 Clear evidence that the proposed enterprise has been planned on a sound financial basis

- 6.3.1 As I have set out above, there is a fundamental issue in relation to the stocking of the land. Therefore the forecast gross margins set out paragraph 4.27 of the RAC report are unreliable.
- 6.3.2 In addition to this, it should be noted that sale prices achieved for alpacas have been falling steadily for a number of years now. Attached at Appendix 4 is an extract from the Alpaca Seller web-site showing sales of alpaca stock in 2010 and 2011. In terms of the applicant's budgeted figures for sale of progeny, RAC has utilised current average prices as quoted on the Alpaca Seller web site (see paragraph 4.21 foot note 3 of the RAC report) and these prices are lower still than 2011 prices. It is clear that sale prices across all classes of alpaca stock continue to fall as more alpacas come onto the market as a result of yet more entrants to this business attempting to sell the alpacas they produce to other new entrants; there is no other market for these animals in the UK.
- 6.3.3 With the continuing trend of falling alpaca prices the predicted income set out in the RAC report is not reliable. Indeed, no adjustment has been made by RAC to reflect the trend of falling prices in terms of the income set out in the forecast gross margin table.
- 6.3.4 RAC assess likely viability and sustainability of the proposed business by looking at what they consider to be reasonable returns from land, labour and capital (see paragraph 4.30 of the RAC report). They contend that a reasonable return to labour is the minimum wage, currently £14,333 per annum. For many years an agricultural worker's wage was utilised for assessing return to labour, but the Agricultural Wages Board was abolished in 2013. According to Nix's Farm Management Pocketbook 45th edition the average labour cost for a skilled agricultural worker (which, it is assumed, the applicant is or will become) is £16,794 per annum rising to £22,384 per annum with overtime, and on average, a total average farm worker's gross

wage is £19,448; considerably more than what RAC here considers a reasonable return to labour.

6.3.5 Regarding return to capital, RAC sets out that a reasonable return to capital is 2.5% and quotes a figure of £1,250 based on the actual and planned investment in the infrastructure, which RAC considers to be the barn, mobile field shelters, services, electricity and alpacas. This is an under estimate. The return to capital based on 2.5% of the expenditure figure of £63,200 provided to me by the applicant, would be £1,580 per annum. In addition, the applicant has made, or is committed to, yet further expenditure as listed at paragraph 6.1.1 above, so the figure of £1,580 for return to capital should be even higher.

6.3.6 In my opinion the business has not been planned on a sound financial basis.

6.4 The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned

6.4.1 I set out in paragraph 6.2 above my opinion that the functional needs of the holding could be met from an off-site position.

6.4.2 The land at Dexter Lane is close to the village of Hurley. At the time of compiling this appraisal there is a three bedroom semi-detached house available at Meadow Road, Knowles Hill, Hurley on the market at £134,000. In January 2015 a three bedroom house in the same area of Hurley was sold for £125,000; both of these properties are only 0.4 mile from the applicant's land, being four minutes by foot or two minutes by car. A dwelling this close to the site affords easy access at all times.

6.4.3 It should also be noted that there are dwellings to be rented on the estate where Meadow Road is situated, and new build shared equity dwellings are coming on stream shortly in Hurley and Wood End.

6.4.4 With available dwellings at close proximity, for example, at Knowles Hill, Hurley, enabling the applicant to readily attend the site throughout the day and her ability to utilise the touring caravan under permitted development rights as necessary, there is no need for an on-site dwelling to meet the needs of the applicant's stock.

7.0 Conclusion

7.1 In my opinion, there is no essential functional need for a dwelling to support the proposed business on the land at Dexter Lane.

7.2 In my opinion, the proposed business which the dwelling it is proposed to support is not financially viable or sustainable.

APPENDIX 1

CAMELIDS

Llamas, alpacas, guanacos and vicuñas are collectively known as South American Camelids. Originally they all come from Central America. They are all members of the same family and are related to camels. Camelids are herd animals and should not be kept in isolation but will live happily with other animals.

Llamas

The llama is the largest of the Camelids, weighing up to 180kg (400lbs) and standing 1.25m (4ft) at shoulder height. Llamas are strong animals traditionally used as pack animals and kept in the UK for trekking or pets. They have a life span of 15-20 years. They produce offspring for 10-15 years.

Llamas can be kept at stocking rates of 10-12/ha (4-5/acre). They are generally hardy animals but benefit from an open fronted shelter. They eat grass and hay, with occasional supplements. They can be bought from a few hundred pounds.

Alpacas

Alpacas are smaller with a shoulder height of 1m (3ft) and weigh around 70kg (155lb). They produce an outstanding quality fleece. Their fibres are very fine and exceptionally strong. An annual shearing will produce an average fleece of 0.7 to 4.5kg. The saddle or prime fleece part of the shearing will, when skirted (primary clean), sell to trade processors for:

- Baby Alpaca £8 per kg coloured, £12/kg white (21 micron or below)
- Fine Alpaca £5 per kg coloured, £8 per kg white (22-26 micron)
- Coarse Alpaca £0.40 - £1.00 per kg (27+ micron)
- Retail prices are substantially higher, typically £16-35 per kg

Alpacas require shearing annually with Huacaya (95% of UK alpacas) having a crimped staple style suitable mostly for knitting yarns and Suri with longer curly locks like a Wensleydale sheep suitable for most woven cloth and some knitting.

Alpacas should be kept at 12-20 per hectare (5-8/acre). They are hardy animals well suited to the UK climate, but require shelter. They graze all year, with additional hay and a daily mineral supplement for breeding stock. Their feed and maintenance costs are similar to that of lowland sheep however they do not suffer from foot rot and are unlikely to be fly struck as they are clean under the tail and do not require tail trimming.

An alpaca can cost anything from £200 for non-breeding stock and £500 to £10,000 for female breeding stock. Fibre producing wethers typically cost £200 for coloured rising to £500 for white. Price will vary according to genetics, age, fertility, fibre quality and colour. The alpaca gestation period is 11-12 months.

The earning potential of an Alpaca is dictated by the quality of its fleece and through breeding. The UK alpaca meat market remains small and is generally associated with other on-farm meat products. Typical terminal prices are £60-£75 per live animal. Animals with low quality fleeces may have a value as pets, flock guards or tourist attractions. Alpaca fleece is a luxury fibre thus only the highest quality fleeces and stock command good prices.

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APPENDIX 2



Appeal Decisions

Inquiry held on 10, 11, 12, 13 & 19 January 2012

Site visit made on 11 January 2012

by Clive Sproule BSc MSc MRTPI MIEnvSc CEnv

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 September 2012

Appeal A Ref: APP/T3725/A/11/2159250

Faerie-Tale Farm, Rouncil Lane, Kenilworth, Warwickshire CV8 1NN

- 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 Faerie Tale Alpacas Limited against Warwick District Council.
 - The application Ref W/10/0922, is dated 9 July 2010.
 - The development proposed is the siting of a temporary agricultural workers mobile home (revised proposal).
-

Appeal B Ref: APP/T3725/A/11/2159251

Faerie-Tale Farm, Rouncil Lane, Kenilworth, Warwickshire CV8 1NN

- 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 Faerie Tale Alpacas Limited against Warwick District Council.
 - The application Ref W/10/0923, is dated 9 July 2010.
 - The development proposed is the erection of a general purpose agricultural building (revised proposal).
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Decisions

Appeal A Ref: APP/T3725/A/11/2159250

1. The appeal is dismissed and planning permission for the siting of a temporary agricultural workers mobile home (revised proposal) is refused.

Appeal B Ref: APP/T3725/A/11/2159251

2. The appeal is dismissed and planning permission for the erection of a general purpose agricultural building (revised proposal) is refused.

Application for costs

3. At the Inquiry an application for costs was made by Faerie Tale Alpacas Limited against Warwick District Council. This application is the subject of a separate Decision.

Procedural matters

4. The applications were made in the names of Ms Kierti Vaidya, Faerie Tale Farms Limited and Miss Kierti Vaidya, Faerie-Tale Farm Limited. At the Inquiry

the main parties agreed that the applicant in both cases is Faerie Tale Alpacas Limited.

5. The proposal in relation to the Appeal B scheme was modified through the addition of the existing concrete pad via a letter in August 2010. Although the modified scheme formed the basis of the proposal for the agricultural building before the inquiry, it became apparent that the modified scheme had not been publicised. On completion of the sitting days referred to above, the inquiry was adjourned to enable the modified scheme to be advertised.
6. Responses received in respect of the publicity were addressed through written representations. Following this, the inquiry was closed in writing on 20 March 2012. The National Planning Policy Framework ("the Framework") was published on 27 March 2012. It replaced Government policy that formed the basis of evidence presented to this inquiry, including that within Planning Policy Guidance 2 – *Green Belts* (PPG2) and Planning Policy Statement 7 – *Sustainable Development in Rural Areas* (PPS7). Parties to the inquiry were provided with the opportunity to comment on the implications of the Framework for the cases made by them.
7. Land at the appeal site was the subject of previous appeals (ref: APP/T3725/C/09/2105468, APP/T3725/A/09/2103181 & APP/T3725/A/09/2103183) under sections 174 and 78 of the Town and Country Planning Act 1990. These were the subject of Inspector decisions dated 16 February 2010.
8. In respect to the temporary agricultural worker's dwelling, it was found that due to the particular facts of the case, including how it had been constructed on-site, the structure was a building. It was also concluded that in the absence of evidence to the contrary, it must follow that Section 13 (1) (b) of the Caravan Sites Act 1968 would be met if the dwelling were to be disassembled into 2 sections and moved by road in that form.¹ This is how the temporary dwelling was subsequently removed for storage elsewhere and it is now proposed to return it to the land that is the subject of the Appeal A scheme and reassemble it from the 2 transported sections.
9. In February 2010 the previous Inspector concluded that very special circumstances that outweighed the identified harm (through inappropriateness and other harm) had not been demonstrated. It was also noted that positioning the agricultural building closer to Rouncil Lane would reduce its visibility from public vantage-points in the wider landscape.
10. In the absence of the District Council's determination of these cases, the District Council's Statement of Case confirms matters that are of concern to the local planning authority. These are in relation to the effects of the developments proposed on the Green Belt and the character and appearance of the locality.
11. Local planning policy in relation to protecting the Green Belt was contained within policy DAP1 of the Warwick District Local Plan 1996-2011 (LP). However, the District Council has confirmed that this policy has not been "saved" due to its substantial duplication of national policy within PPG2.

¹ Paragraph 20 of appeal decision letter refs: APP/T3725/C/09/2105468, APP/T3725/A/09/2103181 & .../2103183

12. It was common ground between the District Council and appellant that the proposed temporary agricultural dwelling should be regarded as inappropriate development in the Green Belt for the purposes of PPG2. It was also common ground between these parties that the agricultural building is not inappropriate development and indeed, paragraph 3.4 of PPG2 was clear that a new building inside the Green Belt is inappropriate unless it is for purposes that include agriculture.
13. The concrete pad was laid for the original siting of the temporary dwelling. PPG2 paragraph 3.12 indicated that an engineering or other operation would be inappropriate development in the Green Belt if it did not maintain openness.
14. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate, unless it would be for one of the exceptions listed in the paragraph. These exceptions include buildings for agriculture or forestry.
15. Paragraph 90 of the Framework notes that certain other forms of development are also not inappropriate in the Green Belt provided they maintain openness and do not conflict with the purposes of including land within it. These include engineering operations. In this case the hardstanding is of a form and position that maintains openness. Additionally, throughout this inquiry the stated purpose for the retained hardstanding would be that of an agricultural structure for use in stock management and activities associated with the running of the farm. Accordingly, the Framework does not change the main parties agreed position that the hardstanding is not inappropriate development.
16. As described, the activities on the hardstanding would be sufficiently varied to maintain openness and in this respect, retention of the concrete pad would not conflict with the purposes of including land within the Green Belt. The appellant has emphasised the separation between the applications for the siting of the temporary dwelling within the Appeal A scheme and the development proposed through the Appeal B scheme. On this basis, the retention of the concrete pad is considered not to be inappropriate development.
17. Notwithstanding paragraph 12 above, within the context of paragraphs 89 and 90 of the Framework the appellant now considers that the siting of the temporary dwelling is not inappropriate development.

Appeal A - Main Issues

18. These are considered to be: (a) whether the development proposed would be inappropriate development in the Green Belt (b) the effect of the proposed development on the openness of the Green Belt; (c) the effect of the proposed development on the character and appearance of the locality; and, (d) whether any harm by the reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development proposed.

Appeal A – Reasons

Whether the development proposed would be inappropriate development

19. Five *certain other forms of development* are listed within paragraph 90 of the Framework as not being inappropriate. Previously a material change of use was specifically addressed by paragraph 3.12 of PPG2, but such development