



PERMACULTURE

A NEW APPROACH FOR RURAL PLANNING?

An investigation of the reasons for
the success/failure
of rural Permaculture projects
in England and Wales
to obtain planning permission

Rob Hopkins

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Robert John Hopkins
BSc(Hons) Environmental Quality & Resource Management
University of the West of England
May 8th 1996

This study was completed as part of the BSc(Hons) Environmental Quality & Resource Management at the University of the West of England. The work is my own. Where the work of others is used or drawn on, it is attributed to the relevant source.

.....
Robert John Hopkins, May 8th 1996

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Photographs

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Chapter 1 Introduction

The main hypothesis of this dissertation is simple. It is that there is a need for imaginative and forward looking approaches to Sustainable Development and that at present, in rural areas, these mostly fail to obtain planning permission. This is due primarily to their failure to prove 'agricultural viability'. Establishing this is essential to any development outside designated development areas but its criteria excludes all but the large scale farmer. Intensive agriculture is increasingly seen as a destructive practice, both environmentally and socially (see, for example, Clunies-Ross+Hildyard 1993, FOE 1991). This, together with the UK Government's commitment in policy to Sustainable Development, leads this dissertation to ask why planners are not supporting innovative rural Sustainable Development projects. It looks at 4 recent cases where applicants have used the design discipline of Permaculture to argue that such rural developments can constitute Sustainable Development and then how the planning system has responded to them. The intention is to identify whether such schemes are acceptable to the current planning system and how they may be made more so. It ultimately aims to suggest a new approach to rural planning based on the lessons learnt.

The concept of "Permaculture Land" was first voiced by Tony Wrench in 1994 in his article "Planning for the Future" in Resurgence Magazine. He suggested a new category of land use with Local Authorities being given the power to designate any area of land as such. The article envisaged the scenario if government initiated such a policy. Simon Fairlie of the Tinker's Bubble Trust, while enthusiastic for the concept, is sceptical of the "fairy tale situation" where a "visionary government" introduces a Permaculture land category (Fairlie 1996 p10) and advocates instead a more visionary use of existing planning mechanisms (Fairlie 1996). Whilst deriving much inspiration from Wrench's article, the angle taken in this dissertation has more in common with Fairlie's position (as will be seen). There is very little litera-

ture available relating to Permaculture and rural planning, it is still a very under-researched area and so, to a degree, this dissertation is breaking new ground.

Chapter One provides the background to this, by assessing the current state of affairs in rural planning, the problems that are encountered in rural areas and the current approaches to tackling them.

Chapter Two provides a description of Permaculture, with discussion of how it translates into practice with regards to the issues. Permaculture is the common factor to the four projects under study here so its clear explanation is essential. It also illustrates this with 3 brief examples of the diversity of applications to which Permaculture can be put.

In order to be able to understand how the case studies set precedents, one must first have a clear understanding of the framework within which those decisions were made. Chapter Three examines the British planning system, with the intention of providing a clear and comprehensive description of both Development Planning and Development Control as well as introducing some of the tools it has at its disposal. This then leads into a summary of current Government guidance relating to the issues covered by this dissertation.

Also studied in Chapter Three is the relatively recent concept of Sustainable Development and what bearing it may have on the planning process, particularly in relation to rural planning. This is followed by a review of the literature relating to rural planning, giving an overview of the differing schools of thought on what forms of rural development come closest to achieving Sustainable Development.

Chapter Four introduces the methodology for the case studies, discussing the approach taken and the reasoning behind their selection. Chapters Five to Eight then explore each case study in turn (Tinker's Bubble, Tir Penrhos Isaf, Brickhurst Farm and Hockerton), looking at the proposed schemes, the local planning context, the decisions and an evaluation of the outcome.

Chapter Nine then sets out to make sense of the different case studies. It examines why some succeeded and others did not and whether there are any factors common to the successes which could be seen as a blueprint for a successful application. All the information about the different projects is examined in order to clarify the issues raised leading to conclusions being drawn about what constitutes a successful (or otherwise) application for a rural Permaculture project.

N.B. This dissertation looks solely at planning in England and Wales, as Scotland has a different planning system.

Chapter 2 Current Issues in Rural Planning

The Problems Faced by Present-day Rural Communities

The countryside of England and Wales is undoubtedly among some of the most beautiful in the world. Despite widespread changes, many still view it in terms of the “rural English idyll” popularised in advertising, tourist brochures and nostalgic television (Clope&Little 1990). That this rural idyll is a myth has been widely recognised (Clope&Little 1990, Newby 1991&1980, Evans 1994) and the reality is that present-day rural communities are suffering from a range of problems. Professor Stephen Owen places these into five groups. Firstly, the problems for local people of gaining employment and the poverty and social exclusion which accompanies this (Owen 1995 p1). The conventional approach to rural unemployment, that is relocation of firms to rural areas, is not necessarily effective. Cloke and Little argue that businesses often import their own staff leading to an increase in “the movement of middle-class professional people into rural areas rather than addressing the problems of employment need amongst the rural working class” (Clope&Little 1990 p29). Local job creation schemes also make sense in financial terms. Recent research at the University of Strathclyde has estimated that a multinational corporate job costs £265,000 to create, while a locally generated job costs only £4,500 (Morgan 1996). Clearly, there is a need for a new approach to rural unemployment, one which arises from the community up rather than being imposed from the outside.

The next problem Owen identifies is the reduction in access to homes for low income people. The move of more mobile and affluent middle class professionals into rural areas results in much less low cost housing being available to local people (Clope&Little 1990). The recent government White Paper on Rural Issues attempted to address this by exempting villages of less than 3,000 people from the

proposed new housing purchase grant scheme in order to encourage landowners to bring forward sites on which to build affordable housing (DOE 1995).

Thirdly, a reduction in services which leaves those among the rural population without transport socially and physically isolated. The White Paper notes this and offers some solutions but these are not backed up with policy or financial incentives (Brown 1995 p6). The fourth identified problem is the reduction in accessibility by public transport to services and facilities elsewhere, leading to increased car usage. Clearly this has implications in terms of sustainability and the need to reduce car use. The government promotes the idea of community transport schemes that is, community mini-buses, carsharing and so on, but again offers no financial resources to implement them. The final problem identified by Owen is the reduction in investment rural infrastructure.

These problems have, some feel, been exacerbated by current rural planning practice. The British planning system has many strengths and these should be recognised. Since 1947 it has served to check urban and village sprawl, has conserved some of the UK's most beautiful towns and buildings and has provided a structure which allows impacts of transport, population growth and new development to be considered in their regional and national context. This planning system was established to meet the needs of a country emerging from World War II and its policies have been according to Howard Newby "remarkable coherent and robust" (Newby 1991 p2). However many now feel it is out-of-date and unable to respond to current day problems.

John Holliday writes that the approach of rural planning has become "an amalgam of the old fear of spoilation, old strategies of food production, biological links with and sentiment for nature and the maintenance of some vested interests" (Holliday

1994 p260). Newby argues that since 1947's Town and Country Planning Act and Agriculture Act, rural planning has been based on the need to preserve the 'traditional rural way of life', but that this is no longer relevant. Both Acts, he says, were based on five assumptions, that rural society is still an agrarian society, that rural areas suffer from population decline, that the rural standard of living is lower than in urban areas, that there is a shortage of land and that agriculture is the best protector of the natural environment (Newby 1991). All these, he believes, are no longer valid. The rural economy is now, he says, predominantly a service economy and rural areas are under pressure from population growth. The rural population is now more affluent than the urban, there is now an identified surplus of agricultural land and the environmental impacts of agriculture have been clearly identified (see, for example, Clunies-Ross & Hildeyard 1992 or FOE 1991). He advocates a reappraisal of rural planning policy, the essence of which, he says, should be "placing people back at the heart of our countryside policy" (Newby 1991 p6).

Current rural planning is, according to Simon Fairlie, "based on the implicit assumption that all development is potentially harmful to the rural environment" (Fairlie 1995a p13). It is the aim of this dissertation to explore the argument that development in open countryside need not necessarily be harmful, indeed, it can achieve the reverse. Permaculture (see Chapter 2) could offer a model for bringing people back into the countryside in a way which is sustainable, productive and community enhancing, thereby fulfilling many of the aims of Sustainable Development. The argument here is not that the Planning System is totally outdated and in need of replacement, but that the way it is applied needs reappraisal. The way it is operated is unsustainable, not the system itself. Everything is in place in the Planning System for supporting the radical approach to rural Sustainable Development advocated here. What is lacking is the intention to use it in this way.

Chapter 3 Permaculture

3a Background and Definition

The element common to every case studied in this dissertation is the application of a design system known as Permaculture. Permaculture was initially conceived in the 1970s by Bill Mollison and David Holmgren at the University of Tasmania as a “perennial agriculture for human settlements”(Mollison&Holmgren. 1978 p1), the name arising from ‘permanent agriculture’. Mollison had spent much of the 1960s and 70s involved in the radical environmental/social change movements and had become disillusioned, feeling that confrontational politics was ultimately self-defeating. He decided to withdraw from society and not return until he had a positive alternative to offer. Over the next two years he formulated the Permaculture concept with Holmgren, who was one of his students. The initial concept was that a sustainable agriculture was the essential base to a sustainable society, and that current agricultural practices, dependent as they are on fossil fuels, are doomed to “slow degeneration, or total collapse, as non-renewable resources run out” (Mollison&Holmgren 1978 p4). In a series of books (Mollison 1990a,1990b, 1991) Mollison refined the Permaculture concept to a point where, in 1991, the word Permaculture was redefined as “a contraction not only of permanent agriculture but also of permanent culture, as cultures cannot survive for long without a sustainable agricultural base and land use ethic” (Mollison 1991 p1). Mollison realised that “self-reliance in food is meaningless unless people have access to land, information and financial resources” (Mollison 1991 pv). The concept was expanded to include all aspects of sustainable cultures as well as the agricultural aspects; “appropriate legal and financial strategies, including strategies for land access, business structures, and regional self financing” (Mollison 1991 pv).

Mollison has defined Permaculture as;

“...the conscious design and maintenance of agriculturally productive ecosystems which have the diversity, stability and resilience of natural ecosystems. It is the harmonious integration of landscape and people providing their food, energy, shelter and other material and non-material needs in a sustainable way”.

(Mollison 1990 pix)

Permaculture has an ethical basis, which Mollison encapsulates in three simple principles. The first, ‘care of the earth’ ensures the provision for all life to continue and multiply. The second, care of people, is the providing of access to those resources necessary for human existence, both physical and spiritual. The final principle advocates the devoting of any surplus, of money, information and yields, to further the above two needs (Mollison 1990b & 1991).

Permaculture takes natural systems as its model. A Permaculture system can be seen as “(an assembly) of artificial biological communities which rapidly naturalise, becoming self-maintaining and self-replicating”(Clunies-Ross&Hildeyard 1992 p124). It aims to create polycultural systems which have a diversity of yields. It strives for maximum diversity of species as well as the maximum numbers of beneficial interconnections between species. This emphasis on beneficial connections is at the core of Permaculture design. When designing a Permaculture system, the designer attempts to create the maximum number of ‘beneficial relationships’ between a system’s diverse elements, aiming to create a system in which the natural functions of each element do the majority of the work. The creation of a thorough Permaculture design is a detailed process, examining in depth all aspects of the site with detailed proposals, maps, illustrations, costings and short, medium and long-term strategies.

Permaculture has grown from being a concept to being a global movement.

Permaculture projects are now being undertaken in almost every country in the world. Its emphasis is on empowering individuals to believe that they can make a

difference and that they need not wait for their government to heal their environment, that they can do it themselves. Permaculture has demonstrated its applicability equally successfully in urban settings and rural ones, and its principle of local production for local consumption is fast becoming an accepted sustainable practice (Clunies-Ross&Hildeyard 1992). Its practical application results in, among other things, energy efficient housing, local scale renewable energy projects, water conservation and recycling, local economic systems (such as LETS Systems and Credit Unions) and agricultural systems based on more perennial species, trees, mixed plantings and increased diversity of species.

In the UK, there are now around 52 recognised sites (Pratt 1994 p2) and many more at their initial stages. Many people were inspired to set up such projects by a mixture of a search for a simpler way of life and the desire to create examples for others of how to live sustainably and abundantly. Mollison summed this up when he said;

“For myself, I see no other solution (political, economic) to the problems of man than the formation of small responsible communities involved in Permaculture and appropriate technology, for both individual and competitive enterprise and ‘free’ energy have failed us ... the only response is to gather together a few friends and commence to build the alternative, on a philosophy of individual responsibility for community survival”.

(Mollison 1990a p142)

Permaculture can be applied in many different ways and at many different scales. It may be useful at this point to briefly illustrate the diversity of projects underway in the UK.

3b Urban Permaculture

One of the best examples of urban Permaculture is the garden of Michael and Julie Guerra in Hatfield in Hertfordshire. The Guerras occupy a ground floor maisonette on a new housing estate. The garden is a total of 75 square metres. Once designed, the garden was 'created' over a weekend; all the raised beds were made and the paths were laid. Compost bins were incorporated into a 'hot-box', where the waste heat given off by the compost bins is used to heat a small greenhouse above it, allowing seedlings to be started earlier in the year (Guera 1993). A huge diversity of species was planted and every available growing space utilised.

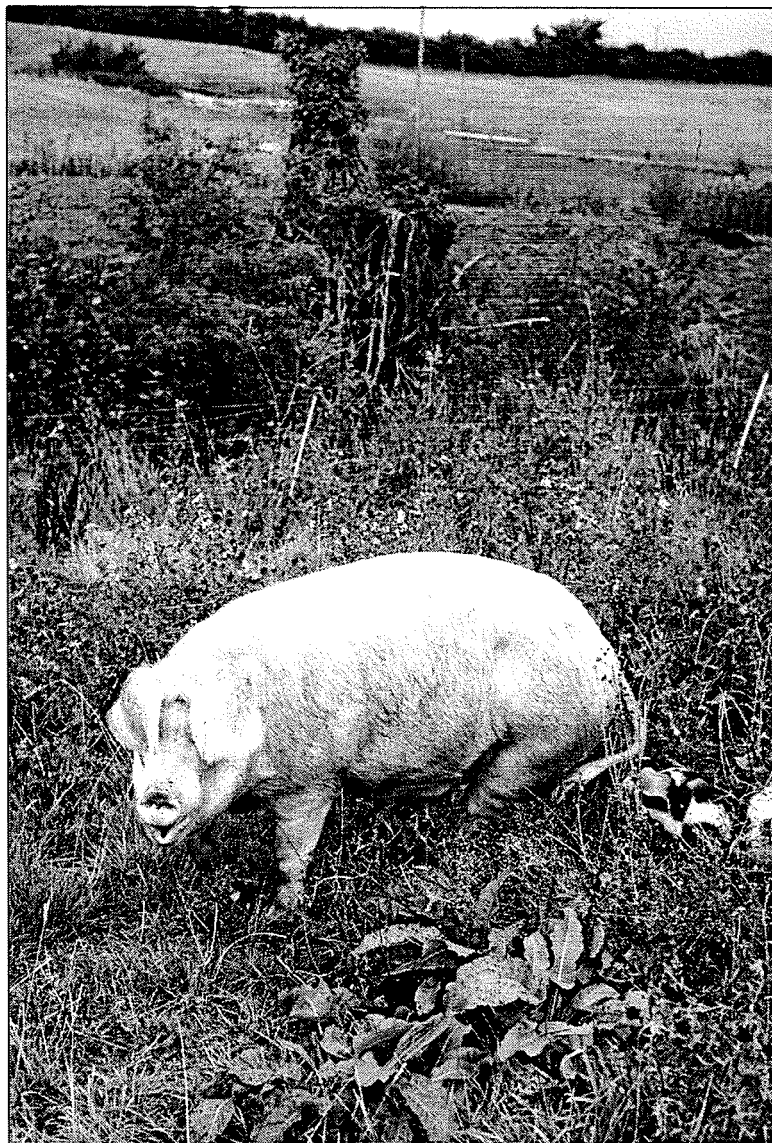


Photograph 1. The Guerras' back garden in Welham Green, Hertfordshire

The Guerras state that during the summer months their weekly food bill averaged £3 a head and required only about 4 hours work a week. The total annual productivity of their garden has been estimated as producing the annual equivalent of 15 tons of food per acre (Garnett 1995a p10). It is an excellent example of how productive a back garden can be.

3c BROADSCALE PERMACULTURE

Ragman's Lane Farm at Lydbrook in Gloucester was acquired in 1990 by Matt Dunwell and Jan Davies. It comprises 50 acres of grassland, and over the past 6 years they have implemented a process they call "creeping Permaculture" (Dunwell 1995 p8). While much of the site is still grazed, they have also integrated an orchard, woodland, pigs chickens, a pond, a blacksmith's forge and intensive vegetable growing.



Photograph 2. A Gloucester Old Spot in an area planted as pig forage with comfrey potatoes and artichokes

Ragman's Lane is a good example of how Permaculture can adapt to the commercial realities of running a large farm. A vegetable 'box-scheme' (see Pullen 1992) is run from the site, supplying 40-50 boxes of seasonal organic vegetables directly to consumers every week. They also sell organic meat directly to customers. Both enterprises have been highly successful. The farm now supports Dunwell, Davies as well as a full-time farm manager and a self-employed blacksmith, and all this on land which the valuer in charge of selling them the farm said could only provide half of one salary! (Dunwell 1995 p8).

3d Community Permaculture

One of the most thriving examples of Permaculture's application at grassroots level is the proliferation of LETS systems in the UK. LETS is essentially a cashless system for the trading of goods and services in a 'currency' which is valid only within that particular community.



**Photograph 3. The Harlands' Permaculture garden being constructed
in a LETS funded activity day**

Many of the UK's LETS systems were begun by Permaculture activists. One of the most successful examples of this is the South East Hampshire LETS group. In 1992, Tim and Maddie Harland, Liz and Glen Finn and Chris Hoppe began a Permaculture group in their area, focused around "Permaculture Magazine" which they had just begun publishing. A LETS system seemed a natural extension of this and this was set up in 1994.

It now has 150 actively trading members, and has led to many other initiatives being initiated; an organic vegetable box wholesale system, an organic food exchange, a seed exchange and a number of Permaculture gardens in the locality. They refer to this as a process of "community retrofit", of recreating the links which their community used to have and the loss of which have been so noticeable and so destructive.

Chapter 4 The Planning Context

4a Development Planning

The British land-use planning system has two key elements. The first is Development Planning which focuses on the scale of development and on patterns of land use, and which aims to provide a system of comprehensive planning (Rydin 1993 p87). The second is Development Control (see below). Development Planning is essentially a three-tier system, of national, regional and local policy and guidance.

National policy is set by the government through a variety of forms of guidance which are to be taken into account both when making decisions about individual planning applications and in the preparation of development plans. The government policy statements to be considered are government White Papers, Planning Policy Guidance Notes (PPGs), Minerals Planning Guidance (MPGs), Regional Planning Guidance (MPGs) (England only), Development Control Policy Notes (DCPNs), Departmental Circulars and Ministerial Statements. The principle of these are PPGs, MPGs and RPGs (Rydin 1992 p90). PPG 12, "Development Plans and Regional Guidance", states that the aim of National Guidance in the Planning System is "to secure consistency of approach to decisions by setting out clearly the government's policy priorities to be applied in each case" (DOE 1992a p1).

At a regional level, policy is defined through the preparation and adoption of Structure Plans. These are prepared by County Councils every 10-15 years and have 3 principal purposes. The first is "to provide the strategic policy framework for planning and development control locally", the second "to ensure that the provision for development is realistic with national and regional policy" and the third "to secure consistency between local plans for neighbouring areas" (DOE 1992 p4).

Local policy is set out by District Councils and National Park Authorities in Local Plans. It sets out detailed policies and specific proposals for the development and use of land and should guide most day-to-day planning decisions.

The other form of development plans, Unitary Development Plans (UDPs) are worth mentioning here but are not of relevance to this dissertation as they only apply to London boroughs and Metropolitan districts (although this is all soon to change with the creation of more of these, including Bristol). They are a single policy document which combines the function of Structure and Local Plans.

As to which plan has precedence, PPG 12 states “in the event of conflict between the provisions of a Local Plan and those of a Structure Plan, the former prevails unless the Structure Plan authority have stated that the Local Plan is not in general conformity with the Structure Plan, and the Local Plan has not subsequently been altered or replaced (DOE 1992b p6).

4b Development Control

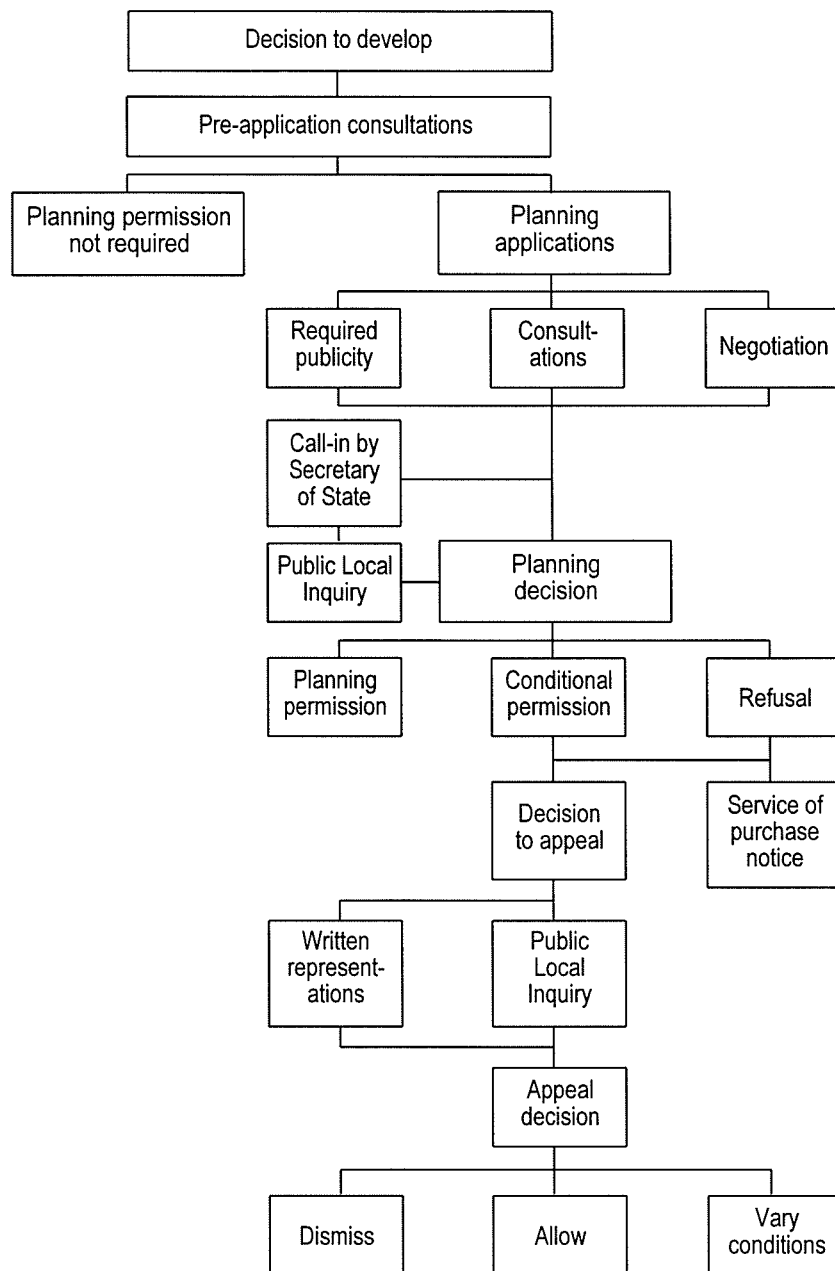


Figure 1. The Development Control Process. (from Rydin 1993 p97)

Most categories of development require planning permission. PPG 1 defines development as “the carrying out of building, engineering, mining or other opera-

tions in, on, over or under land, or the making of any material change in the use of any buildings or other land” (DOE 1992a p2).

The process of Development Control can be seen in its entirety in Figure 1. Once the applicant has ascertained whether the proposal requires planning permission, s/he then applies, either for outline planning permission or for full planning permission.

Once the application has been received, the Planning Officer investigates the case, consulting with any relevant parties. S/he then presents his/her advice to a meeting of the Council's Planning Committee which either makes a decision or delegates it to a sub committee or to the Chief Planning Officer (Rydin 1993 p101). The decision made is based on the National, Regional and Local Guidance and “all other material considerations”(can include fear of creating a precedent, the availability of alternative sites, the risk of piecemeal development, preservation of existing uses and, exceptionally, the personal circumstances of the applicant)(DOE 1992a p2). The first point of reference is Section 55 of the 1990 Town and Country Planning Act which defines the types of development for which planning permission must be sought (Rydin 1993). It also defines types of development which are exempt from requiring development. If the proposed development is seen here to constitute development requiring planning permission, they next look at the Use Classes Order, which defines 16 classes of use to which development may be put. Within those classes, change of use does not require planning permission.

The next relevant document is the General Development Order, which defines minor forms of development which may be undertaken without explicit planning permission (Rydin 1993), even though they constitute development. They then refer to the range of other government guidance. In exceptional cases, the Secretary of State can ‘call-in’ the case prior to a decision being reached and ordered a public local inquiry.

If planning permission is refused or unacceptable conditions are attached, the applicant has the right to appeal to the Secretary of State. An appeal can take one of two forms, either a written representation or a local public inquiry. At an inquiry the decision is reached by an inspector acting on behalf of the Secretary of State. Although the Inspector's decision is binding, the Secretary of State has the right to recover a case for a final decision, but only does this in 5% of cases (Rydin 1993 p103).

If the development has already occurred without planning permission the district authority has certain enforcement powers, which allow them to issue a variety of notices (see Appendix 3).

Development Control contains a number of tools which are relevant to this dissertation and which need introducing at this stage. The first is Section 106 Agreements or Legal Agreements as they are also known, which are a way of binding the applicants to carry out the development in the way specified in the agreement. These can either be insisted upon by the planning authority or at an appeal, the applicant can offer a unilateral undertaking to do certain things which they feel would make their case more acceptable. Recent government guidance indicates a move away from these, believing that a case should either be strong enough to stand independently of such agreements or should not be granted permission at all (Grant 1996).

Often, if planning permission is granted, it is granted subject to Planning Conditions. These are usually of two types, the first is the "Agricultural Tying Clause" outlined in PPG 7, which ensures the site remains in a use related to agriculture. The second, in most initial permissions for a new agricultural dwelling, relates to the permission being temporary, dependent on the venture proving to be viable. In exceptional circumstances other conditions may also be added.

Simplified Planning Zones (SPZs), which were introduced in the 1986 Housing and Planning Act with the intention of streamlining the process of regenerating urban areas by granting a 'blanket' planning permission for a defined area within which any development is allowed as long as it conforms to the conditions of the SPZ. PPG 5 sets out their wide range of applications, including large old industrial areas, new residential areas and 'redevelopment sites'. Although the Thatcher government emphasised their use for urban regeneration, PPG 5 states that "both the size and character of SPZ schemes can be varied to suit different objectives and prevailing local circumstances" (DOE 1992e p5). It also states that "there are no restrictions on the size of SPZs" (DOE 1992e p5). Although local authorities can use them to hasten development they have identified in the Local Plan, other parties who have been finding it difficult to obtain planning permission can apply for them, regardless of their being in a development zone or not. However, SPZs are a tool which has, according to Cullingworth and Nadin, up to now "excited very little interest" (Cullingworth&Nadin 1994 p72) and resulted in very few designations.

4c National Context

The Town and Country Planning Act 1990 is the 'pinnacle' of the hierarchical planning system. It states that "agricultural development" is exempt from development control. The use of land and existing buildings for agricultural purposes does not require planning permission as it is not development. The construction of houses or any permanent dwelling requires permission though. The Act also contains a definition of agriculture which is relevant throughout the whole development control process. The Use Classes Order includes no exemptions for development on agricultural land. The 1995 General Development Order defines development which is permitted on agricultural land and that which requires permission. Holdings of over 5 hectares are granted considerably more freedom than those of less than 5 hectares.

The PPGs which have most bearing on rural planning are PPGs 3, 7 and 13.

PPG 3, "Housing", has 3 paragraphs which relate to rural settlements, Paragraphs 18, 29 and 36 (see Appendix 1). The principal one of these is Paragraph 18, which states "it is important to ensure, through the planning process, that new development in rural areas is sensitively related to the existing pattern of settlement and has proper regard to government policies for the protection of the countryside" (DOE 1992d p3).

PPG 7. "The Countryside and Rural Economy" is the PPG which contains the most reference to rural matters. It contains two paragraphs which encapsulate government thinking on development in rural areas and which, therefore, are included in their entirety.

Paragraph. 1.10.

"The guiding principle in the wider countryside is that development should benefit the rural economy and maintain or enhance the environment. The countryside can accommodate many forms of development without detriment, if the location and design of development is handled with sensitivity. New development in rural areas should be sensitively related to existing settlement patterns and to the historic, wildlife and landscape resources of the area. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans should be strictly controlled. In areas statutorily designated for their landscape, wildlife or historic qualities, policies give greater priority to restraint".

(DOE 1992c. p6)

and Paragraph 2.18.

"New housebuilding and other new developments in the open countryside, away from established settlements should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not by itself a good argument, it could be repeated too often. Isolated new housing in the countryside requires special justification - for example, where they are essential to enable farm or forestry workers to live at or near their place of work".

(DOE 1992c. p6)

PPG 7 contains many paragraphs relating to the area here under discussion, including Paragraphs 2.10, Annexes E4, E8, E9, E10, E11, E13 and E15 (see Appendix 1). The most important of these in relation to how applicants are assessed in terms of their 'agricultural viability' are Annex 4 and Annex 9. The issue of 'agricultural viability' is central to the success or otherwise of Permaculture projects, as it is this which ascertains whether there is a real need for the applicant to live on-site, this being vital to most Permaculture projects. The criteria favours large scale farming enterprises, such as those involving over 50 dairy cows or 160 beef cattle (Fairlie 1995 p4) and requires the generation of the minimum agricultural wage (about £160 per week) (Fairlie 1996 p1). This focus on the large and the monocultural excludes most Permaculture projects, which by their very nature feature a wide diversity of smaller yields and a range of different incomes.

Annex E4 sets out the *Functional Test* for assessing whether the agricultural or forestry worker needs to be present. "A functional test will be necessary in all cases to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times" (DOE 1992c. p22). Reasons given as acceptable grounds for living onsite include care for animals or agricultural processes which may require essential care at short notice or the possibility of emergencies that could otherwise cause serious loss of crops or products, for example by frost damage or the failure of automatic systems (DOE 1992c p22).

A *Financial Test* may also be necessary in order to provide further evidence of genuineness and to judge likely present or future financial viability. Annex E9 sets out the circumstances under which this may be required. It states that a Financial Test "may be relevant where a functional test alone is not conclusive - to provide further evidence of the genuineness of stated intentions to engage in farming or forestry or the size of dwelling which the unit can sustain..." (DOE 1992c p22).

The concept behind the Financial Viability test is that, as Annex E10 states, “applicants who can demonstrate that an existing farm of forestry business is financially sound or that a proposed business has been planned on a sound financial basis are more genuine in their intentions than those unable to produce such evidence” (DOE 1992c p22).

Not every application will need a Financial Test. Annex E11 says “whether it will be appropriate to apply a financial test as well as a functional one, and the rigour with which each test should be applied will depend on the circumstances of each case” (DOE 1992c p23).

Paragraph 3.2 of PPG 13, “Transport”, contains 3 relevant guidances, (see Appendix 1), the most relevant of which aims to “avoid sporadic housing developments in the open countryside, but promote appropriate development within existing communities which can help to sustain local services and employment” (DOE 1994b p5).

4d Issues of Sustainable Development and Agenda 21

Over the past 5 years, sustainability has become a principal, if not THE principal consideration in planning (Owen 1995 p1). Since the publication in 1990 of the government’s White Paper on the Environment, “This Common Inheritance”, the concept of Sustainable Development has been incorporated into government policies, indeed the signing of Agenda 21 at the Rio Summit in 1992 committed the UK government to Sustainable Development in all areas of policy (DOE 1994a). “This Common Inheritance” was described by the government as “Britain’s first comprehensive survey of all aspects of environmental concern” (DOE 1990 p1), but was attacked by some as being a “missed opportunity” (Brown & Schoon 1990 p1) and a “woolly wish-list of what the government might like to see happening towards the end of the century” (Brown & Schoon 1990 p1). Greenpeace even renamed it “This Common Incompetence” (Greenpeace 1991 p1).

Since then, most PPGs now contain references to Sustainable Development, the first being PPG 12 “Development Plans and Regional Planning Guidance”, which stated that the government would “continue to develop policies consistent with the concept of Sustainable Development” (DOE 1992b p1). The UK government’s view of what Sustainable Development actually means in practice can be summarised in their assertion that it has the “objectives of ensuring that development and growth are sustainable”(DOE 1992b p1).

“This Common Inheritance” had very little to say with regards to policies on Sustainable Development which related specifically to rural areas. The three policies they defined intended the encouraging of economic activity in rural areas, the conserving and improving of the landscape and encouraging opportunities for recreation and the conservation of the diversity of wildlife, particularly by protecting and enhancing habitats (DOE 1990 p101).

In 1994, the document ‘Sustainable Development - UK Strategy’ was published as part of the government’s commitments arising from the 1992 Rio Summit. Although criticised for “lacking targets and a clear vision of what Sustainable Development may mean for individuals, businesses and public bodies” (Mayer(ed.) 1994 p18), it was the most comprehensive statement of environmental policy to date. Although many government policies have indicated the principal means of achieving Sustainable Development was reducing the need to travel, the ‘UK Strategy’ goes beyond this (Owen 1995). It calls for a “balanced and measured approach to the need simultaneously to cut down travel and to sustain rural communities” (Owen 1995 p2). It also warns against dispersed settlements, encourages new forms of economic activity to sustain viable rural communities and to encourage the creation of affordable housing (Owen 1995).

PPG 13, ‘Transport’, also includes an important principle, that “Sustainable Development cannot be based wholly on strategies of urban concentration, but requires

an integrated approach whereby jobs, housing and services are located together in rural as well as urban areas” (Owen 1995 p5).

The 1992 Rio Summit also saw the signing and implementation of Agenda 21. This led to each signatory national government preparing a document outlining how it intended to achieve Sustainable Development, and also to Local Agenda 21. Local Agenda 21 obliges each local authority to prepare, in consultation with the local community, a document outlining how it intends to achieve Sustainable Development on a local scale.

The relevance of Local Agenda 21 to the area under study in this dissertation is twofold. Firstly, Structure Plans and Local Plans now contain policies relating directly to Sustainable Development and expressing the intention that the policies they contain constitute moves towards it. Secondly, many Local Authorities are now eager to be seen to be implementing Sustainable Development, so that if proposals are made for sustainable projects within a Local Authorities area they may give it the go-ahead on sustainability grounds. This is in fact what happened in the Hockerton application, discussed in Chapter 7.

The recent government White Paper on Rural Issues reaffirms the Government's commitment to Sustainable Development and includes 6 principles for its realisation in rural areas (see Appendix 7). These advocate the conservation of the character of the countryside, meeting local needs, accommodating change in a sustainable way, empowering local communities, the discouraging of private car use and a recognition of the interlinking of urban and rural sustainability.

4e Different Schools of Thought on Rural Development

There are many different schools of thought about the issue of development in the open countryside. It is an issue which generates a great deal of controversy both within academic circles and among the general public. In essence, the argument

boils down to whether Sustainable Development is best achieved through a 'compact cities' approach or a 'decentrist' approach.

It is the former which is currently most *in vogue*. Here transport is taken as being the principal criteria for Sustainable Development, and its reduction is the principal aim. Proponents of the Compact City approach believe that "stricter urban containment will reduce the need for travel, by facilitating shorter journeys and induce greater supply and use of public transport" (Breheny 1995 p1). This view has been taken up by many world Governments, the European Union and the British Government. Recent UK Government publications, notably "Sustainable Development - the UK Strategy" and PPG13 "Transport", promote it.

The European Commission in their 1990 "Green Paper on the Urban Form" produced one of the strongest advocations of the Compact City principle to date. They wrote "strategies which emphasise mixed use and denser development are more likely to result in people living close to work places and the services required for everyday life. The car can then become an option not a necessity" (EC 1990 p40).

In their 1995 book "Sustainable Settlements", Barton, Davis and Guise state the principle that the percentage increase in new housing should be higher in cities than towns, and higher in towns than villages. Whilst stating that they do not adhere to either position, they also affirm the principle that permission for farm based dwellings should be refused "unless the case for a round-the-clock presence is very clear and likely to be needed indefinitely" (Barton et.al. 1995 p96).

One of the major criticisms of the compact city theory is that it takes transport as its main criteria for the achievement of Sustainable Development. As Professor Stephen Owen points out "this emphasis could have profound effects on policies for rural areas...and should not be seen as the only criteria (Owen 1995 p2).

The opposing school of thought has become less popular as Sustainable Development has become more widely advocated. It is ardently promoted by the Town and Country Planning Association who promote the establishment of new settlements in rural areas as the best way to achieve Sustainable Development.

It is also advocated by John Holliday. He argues for decentralised living - geographically and institutionally, with a focus on rural values. His vision is of geographically dispersed communities in which households have sufficient land to become near self-sufficient in crop production (Holliday 1992). Breheny and Rookwood suggest that in some ways, rural settlements are more sustainable than urban areas in terms of reliance on local sources of energy, food and natural materials and community and home-based employment. There is more scope for recycling, water and energy conservation and sewage treatment (Breheny&Rookwood 1993 p181). Although both sides have their flaws, there is very little middle ground.

John Holliday has proposed “a move from simple ‘protection’ to detailed, sophisticated and productive schemes based on the rich potential of all people (as well as wildlife and other conservation policies) in the countryside environment” (Holliday 1992 p37). However, the UK Government’s current guidance is that development in rural areas should be refused unless absolutely essential to a viable agricultural enterprise. The feeling is that the countryside should be conserved as it is with a thriving agricultural industry. The planning system is at present used to impose this guidance, making it very difficult for imaginative and sustainable rural projects to obtain permission. The planning system contains all that is needed for a ‘greener’ approach to rural planning, the obstacle is the Government’s school of thought.

The ‘to conserve the countryside or to use it sustainably and productively’ argument is one that splits the environmental movement in two. There is as yet no consensus. Perhaps Permaculture with its creation of productive ecosystems could be the answer; as Chris Dixon says “there is no division in Permaculture

between farming and conservation...they are the same thing" (Dixon 1991 p2).

Some Permaculturists believe that a more proactive approach is needed and that LPAs could, through a process of sieve mapping, identify sites within rural areas in which such development could be sited. Such an approach would ensure that the areas indicated would be optimal for both the Local Authority and those who undertook to develop them. The Local Agenda 21 process could be used as the tool for identifying areas where such development would be acceptable and where it would not be acceptable to the local population.

The position taken by this dissertation and by Permaculture is that the concepts of compact cities and of rural decentralisation need not be mutually exclusive. One could have a series of compact cities AND more people living in the countryside, provided any development in rural areas met very strict criteria regarding its sustainability.

Chapter 5 Methodology

The following 4 case studies have been chosen to illustrate the attempts of a range of rural Permaculture projects to secure planning permission. All four are examples of Bill Mollison's exhortation (see Chapter 2) to "commence to build an alternative, on a philosophy of individual responsibility for community survival" (Mollison 1990a p142). They have much in common, yet are diverse enough to provide a range of information.

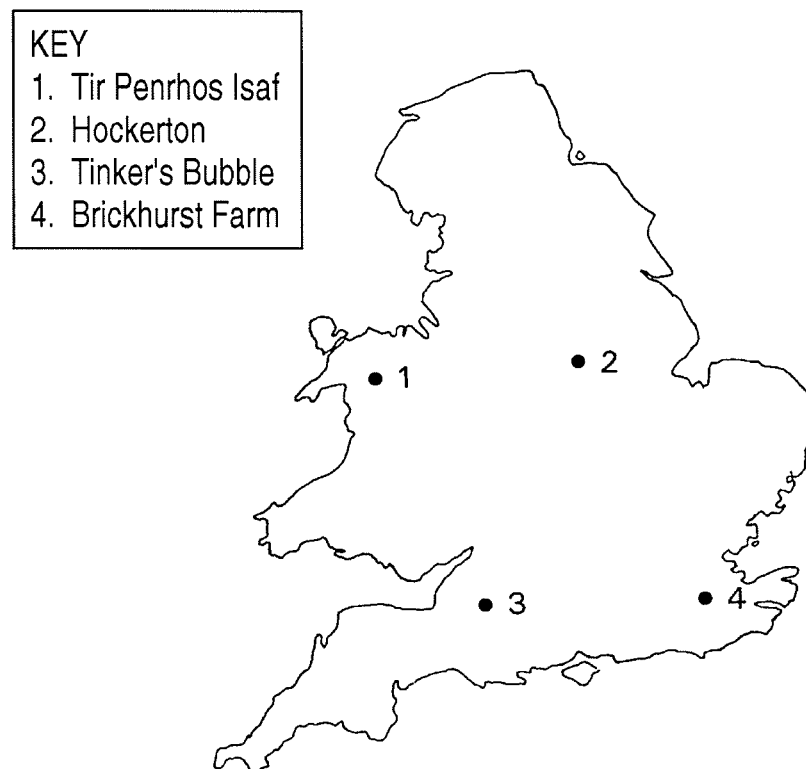


Figure 2. Map of the UK highlighting the case studies

The methodology used in the researching of the case studies was a combination of personal interviews, communications by letter or telephone, the study of each case's planning documents, study of the relevant Structure and Local Plans, relevant newspaper/magazine articles and documents prepared by the applicants in order to support their applications. There were also some site visits where possible.

These case studies are well scattered around the country and so give a good idea of the national, rather than the regional picture (see Figure 2).

They are also situated in a range of land designations, such as Green Belt (Brickhurst Farm), National Parks (Tir Penrhos Isaf), and are all outside development areas. They also represent the range of applications to which Permaculture can be put. Some of them (Tir Penrhos Isaf, Brickhurst Farm) are predominantly agricultural, while others (Hockerton) are primarily ecological housing schemes, but are highly integrated with the landscape.

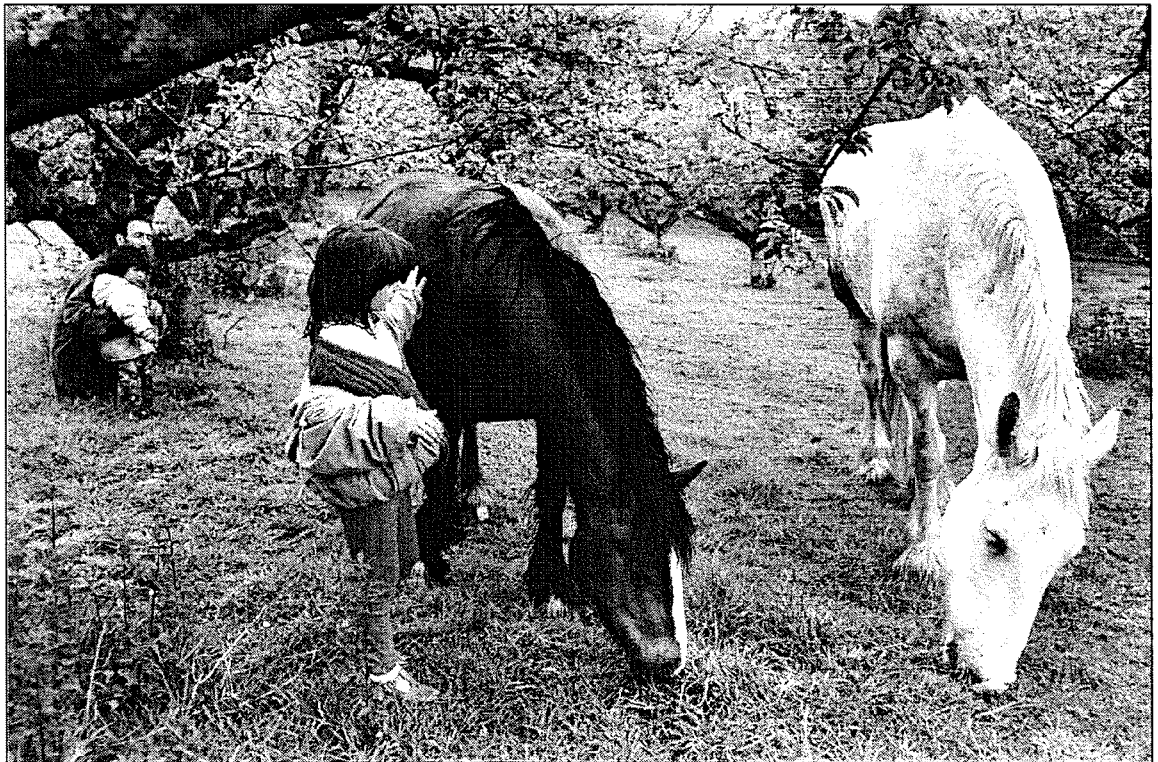
The aim with each case study is to examine firstly its site history and the nature of the development that was proposed for the site. Then the planning background will be looked at, to see within what development plan framework the application was made. Thirdly the history of each application is then analysed, from initial application to final decision. Then, finally, the reasons for the application's success or otherwise are explored. The lessons learnt from these will be examined in Chapter 9.

A wide range of case studies could have been chosen for this dissertation, and if those selected had been chosen so as to reflect the ratio of successful to unsuccessful cases, then more refused applications would have been included. However, it was felt important to have a majority of successful case studies as more can be learnt from them about the 'ingredients' of a successful application.

Chapter 6 Tinker's Bubble

6a Site History and Proposal

Tinker's Bubble is an agricultural smallholding near Stoke-sub-Hamdon in Somerset, adjacent to Ham Hill Country Park. The 39 acre site consists of 26 acres of woodland, mainly conifer plantation, 10 acres of orchard and 3 acres of rough pasture (Tinker's Bubble Trust 1995). A spring rises on the site, hence its name (Fairlie 1994).

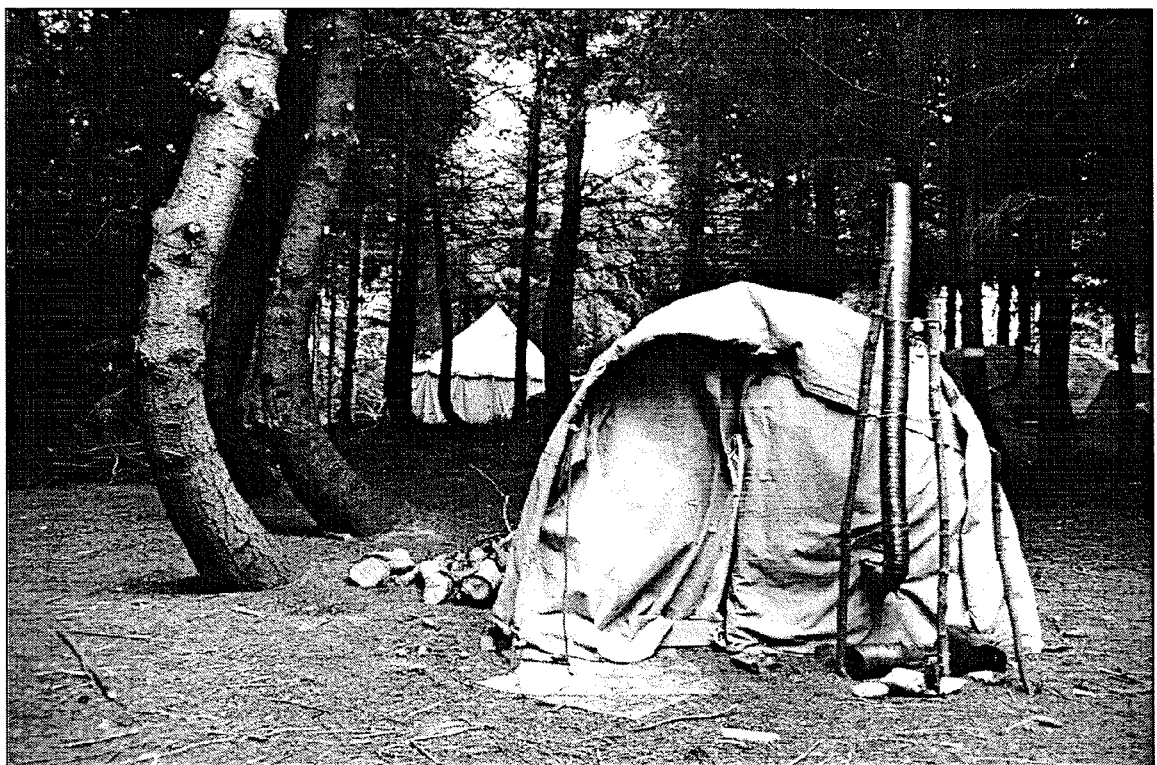


Photograph 4. Horses grazing in the orchards at Tinker's Bubble

The land was acquired in January 1994 and a trust, the Tinker's Bubble Trust, was set up with the broad aim of "establish(ing) a small residential community, supporting itself largely from intensive but sympathetic cultivation of the land" (TBT 1995 p7). By mid-1995 the Trust had 16 members, all of whom are shareholders. Six of

these reside at the property with the non-resident shareholders taking various levels of interest in the management of the property (TBT 1995 p8).

The Trust's specific aims (according to TBT 1995 pp8-9) were firstly "to run the holding on methods derived from Low External Input Agriculture and Permaculture", secondly "to obtain a considerable amount of our produce from subsistence production", thirdly "to demonstrate that humans can live in harmony with nature, rather than opposed to it," and lastly "to develop alternative forestry paradigms".



Photograph 5. A group of benders among the trees of the conifer plantation

The Trust did not disguise the fact that "some of us might be classed popularly as 'travellers' or 'squatters'", and this led to a certain amount of local and media suspicion and hostility.

6b Planning Background

Somerset County Council has a policy of focusing new housing in existing rural centres and larger villages and the Somerset Structure Plan affirms this in policy

6.25 which states “ it is considered that the continuation of a firm policy of restrain on new housing in the countryside is fully justified” (SCC 1993 p22). Policy C4 states that while development in open countryside is to be strictly controlled, any exceptions to this must be assessed against structure plan policies relating to location, intended use, the compatibility of buildings with their surroundings and the provision of adequate landscaping to achieve this (SCC 1993).

The Draft South Somerset Local Plan of September 1994 sets out the District Council's intentions to achieve Sustainable Development, to enhance the social and economic well-being of the area and “maximum benefits from the use of land” (SSDC 1994 p11). It states that all development proposals will be expected to assist in achieving these. In relation to new agricultural or forestry dwellings, policy 1.5.43 asserts that “planning permission will only be granted for dwellings essential to the enterprise concerned and where the enterprise is financially viable” (SSDC 1994 p49). This draft local plan also contained a unique chapter on low impact dwellings (see Appendix 5) but has been shelved pending the High Court appeal decision.

6c Planning History

The initial planning application was made on 31 March 1994 for seven low impact dwellings. The application was refused, based on a wide range of objections. At the same time, enforcement notices were issued. The first notices were issued against 6 members of the Trust, requiring the removal within 6 months of benders (tent-like structures made of wooden poles and tarpaulins) which had been erected without planning permission. The second notice alleged a material change of land use without planning permission. This required cessation of the residential use and the return of the land to its former condition within 6 months.

The Trust then appealed, submitting a 36 page document which went through each reason for refusal one by one, arguing that “some of these concerns are

justifiable and we have taken pains to address them...others we feel are somewhat exaggerated" (TBT 1995 p1).

The appeal against both the refusal of planning permission and the Enforcement Notices was heard at an inquiry in Norton Village Hall by Dr J.R.Frears. He dismissed most of the complaints raised in the initial refusal and recommended the granting of 3 years temporary planning permission. He argued that the Trust had "special need to be on their land", and that "the planning system must not be so rigid that the eccentric or the unusual cannot be accommodated"(Tickell 1995 p5).

However, the decision had already (about a week before the inquiry) been called in by the Secretary of State for the Environment, John Gummer. He decided to overrule Frears' decision, stating "the provision of groups of tents in the open countryside merely to provide a subsistence living for the occupants, is not a practical pattern of land use" (Smith 1995 p1) and that their "merely subsistence" lifestyle constituted only a "personal preference" with "negligible" benefit to the rural economy (Benton et.al. 1995 p14). He also stated that if granted, permission would encourage further applications "which, if allowed, would have a serious cumulative impact" (Tickell 1995 p5).

Gummer's decision was derided by many, including Oliver Tickell, who wrote in the Guardian that Tinker's Bubble "far from being a problem to be stamped on...offers viable, human scale solutions to many of the evils that beset our troubled nation" (Tickell 1995 p5). The situation at present is that as of August 1995, the residents have been given 6 months to leave the property. They are currently planning a judicial review.

6d Reasons for Failure

Tinker's Bubble would appear to have been unfortunate in its failure so far to secure planning permission. Most of the complaints raised against it were dismissed at the planning inquiry. The Inspector even called the proposal an example of

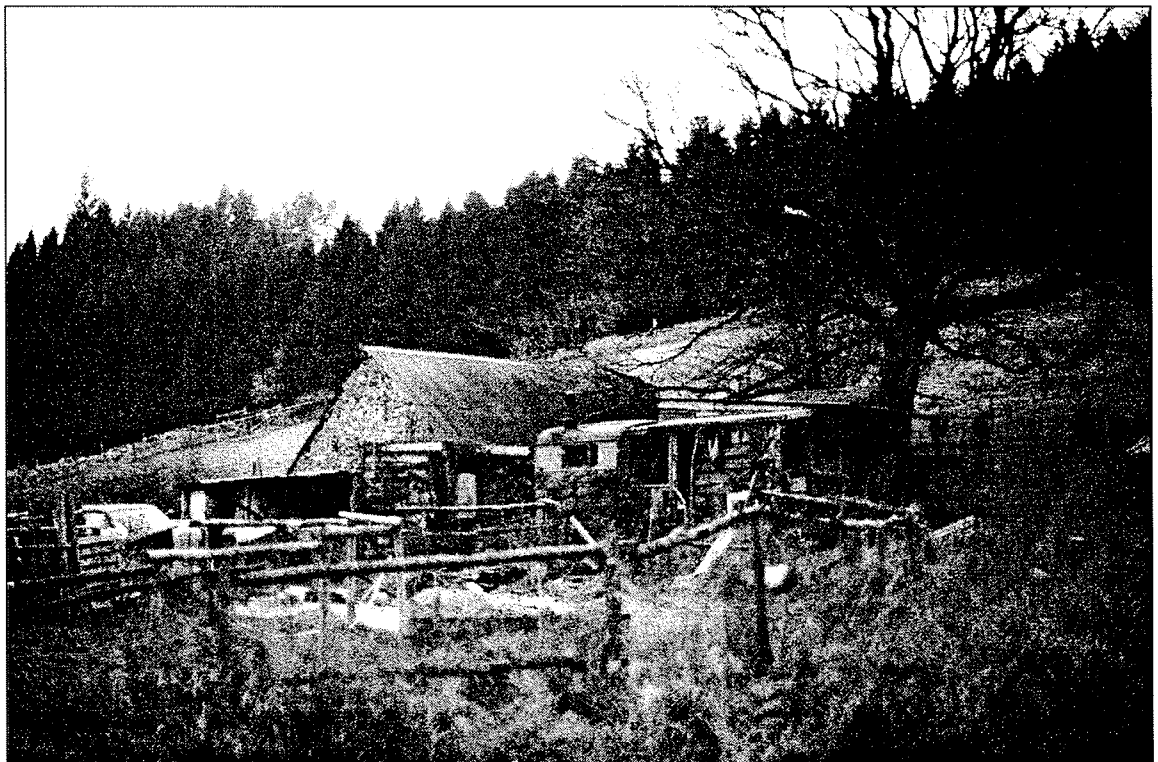
Sustainable Development. For John Gummer to personally intervene and overrule the Inspector's decision is a quite extraordinary move. The principle reason would appear to be the political unpopularity of appearing to condone 'New Age Travellers' settling on a piece of land. Indeed, in a speech to the Conservative Party conference just a few weeks after his ruling on Tinker's Bubble John Gummer said "there's no-one who knows more about nuisance neighbours than those decent honest country people whose lives are made miserable by ravers, trespassers and hippy camps. You name it, villagers all over the country have had to put up with it... but what a difference Conservative action has made" (Gummer 1995 p4). The current political climate, with the recent introduction of the Criminal Justice Act, is very hostile to overtly 'alternative' lifestyles. John Gummer voiced his concern that permission "would have a serious cumulative impact" (Tickell 1995 p5), echoing many locals' fears that the granting of permission at Tinker's Bubble would lead to a South Somerset countryside swarming with travellers. Simon Fairlie of the Tinker's Bubble Trust believes the "hippy invasion" reason to be the only one for refusal, saying "I can't think of any other very convincing reason why Gummer should have overturned the Inspector's decision" (Fairlie 1995c p1). One could say however that in an area with a Conservative council and a strong agricultural community, any project which states that they are "travellers and squatters" and that they aim to "live in harmony rather than opposed to it" sets itself apart from the conventional and is likely to induce fear and hostility. Maybe a more co-operative approach (as can be seen in some of the other case studies) would have been better (although in the current political climate it is clear even that may have been unsuccessful).

Gummer's arguments for refusing the appeal on technical grounds, based on National and Local guidance and policy are debatable, as the same criteria was used by the Inspector to grant the proposal permission.

Chapter 7 Tir Penrhos Isaf

7a Site History and Proposal

Tir Penrhos Isaf is a 7 acre site situated in Coed Y Brenin in the Snowdonia National Park. It is between four and five hundred feet above sea level and is an officially recognised holding with its own holding number. The site's original house is at a considerable distance from the site, is presently owned by the Forestry Commission and leased to the Mountain Bothy Association (Dixon 1991 p3).



Photograph 6. The barn and temporary caravan at Tir Penrhos Isaf

In 1985, Chris and Lyn Dixon and their son Sam bought the site with the intention of running it as a “sustainable holding which incorporated agriculture, horticulture, forestry and conservation elements” (Dixon 1995b). Their initial application was unsuccessful and between 1985 and 1989 they ran the holding from a rented house four miles away (Dixon 1995b).



**Photograph 7. Fruits, herbs and vegetables growing together
in the Dixon's intensive vegetable garden**

In 1989, Chris Dixon attended an introductory Permaculture course taught by Andy Langford. It was during this course that the Dixons' design strategy for the site fell into place. This was then worked on over the next 2 years, combining their observations of the natural processes of the site and the principles and applications of Permaculture design (Dixon 1995b).

By 1991 their intention was to set up a Permaculture system which integrated intensive food gardens, orchards, fuel/forage forests, aquaculture and livestock. The intensive garden was designed to include a wide range of vegetables and soft fruit interspaced with hard fruit (Dixon 1991 p4). The orchards comprise a wide range of fruit and nut trees, mostly species suited to the locality, underplanted with a variety of soft fruit. The forest areas would principally consist of native species but include some introduced species too. Their uses would be multifold, such as timber, coppice, charcoal, shelter belts, human food (nuts etc.) and animal fodder (Dixon 1991b p5).

The aquaculture system would combine the provision of valuable on-land water storage, the trapping and redirection of run-off waters and the production of edible plants and fish. The Dixons designed around rather than onto the land, and incorporated Permaculture principles, principally that “all elements in a system, be they plants, animals or buildings, are arranged so as to be of mutual benefit to each other (Dixon 1991 p15). The eventual aim was to build a new house on-site. The Dixons were initially advised by the Planning Officer to apply for temporary permission for a caravan in order to demonstrate the viability of the project.

7b Planning Background

There are two documents which are of relevance to the Tir Penrhos Isaf Application. The first is the Parc Cenedlaethol Eryri (Snowdonia National Park) Local Plan, and the other is the Gwynedd Structure Plan.

The principal policy in the Eryri Local Plan relating to housing in the countryside is Policy T2, which states;

“Beyond the housing development boundaries of all settlements defined in Policy T1 (see Appendix 6), new build dwellings, including replacement of former houses, will not be permitted. In exceptional circumstances where it is necessary to meet the essential and proven needs of a full time agricultural worker employed on a registered full time agricultural holding or a forestry worker, who cannot find suitable housing in a nearby settlement, consent for a new dwelling may be permitted provided the proposal satisfies all the criteria and tests outlined on policy AM2”

(PCE 1995 p16)

Furthermore, the Local Plan defines, in Policy AM1, the criteria which have to be satisfied in order to obtain permission for developing agricultural land or buildings (see Appendix 2). It also, in Policy AM2 lists the criteria to be met in order to obtain permission for an agricultural worker’s dwelling and in Policy AM4 sets out the criteria to be met for agricultural diversification (see Appendix 2).

The Gwynedd Structure Plan contains policy A6, which asserts that;

“New dwellings in the open countryside will be permitted only in exceptional circumstances, in particular where a dwelling is essential to house a farm or forestry worker who must live on the spot rather than in a nearby settlement”.

(GCC 1993 p3)

7c Planning History

Upon purchasing the land, they immediately applied for planning permission, an application prepared without any knowledge or understanding of the planning system, indeed as Chris Dixon writes, “we did not even know what a Structure Plan was” (Dixon 1992 p6). The application was refused and they had to commute to the site from a rented house.

In July 1991 they resubmitted their application with a comprehensive 30 page document covering the following subject areas; the philosophy of Permaculture, Permaculture Strategies (included water management, forest, pasture as clearings, wilderness regeneration/management, invasive species, intensive gardening), balance sheets showing existing and potential incomes from the site, the practical application of Permaculture at Tir Penrhos Isaf (included the intensive garden, orchards, fuel/forage forests, aquaculture, livestock, yields and sales, education opportunities) and comparative studies with other Permaculture sites (Dixon 1991 p1).

This application was successful and temporary planning permission was granted on 18 October 1991 (GCC 1991 p1). The Dixons moved onto the site and lived in a caravan. In November 1994 this temporary permission was due to expire, and rather than apply for permission for a permanent dwelling, they decided to apply to renew the temporary permission. The thinking behind this was that a further 3 years work on the site implementing the design would develop a stronger case for a permanent dwelling as well “as allowing for changes within the existing legislation

due to awareness of Local Agenda 21 etc. which should favour our position more over the next few years”(Dixon 1995b p1).

In their renewal application (Dixon 1994) they thanked the authority for allowing them to stay on the site and described all the work that had been undertaken since the previous application. They also included all their accounts detailing incomes from both produce and education (courses etc.). While considering the application, the Park felt it had insufficient experience to assess whether a holding was sustainable or not, and Chris Dixon was asked to define a set of criteria which he did (Dixon 1995a). In June 1995, temporary planning permission was granted (GCC 1995 p1) with the authorities stating in writing that they will “look favourably on an application for a permanent dwelling when the temporary permission runs out” (Dixon 1995b p3).

7d Reasons for Success

Chris Dixon feels there are 4 main strategies he and his family employed which resulted in their application being successful. Firstly they were honest with the LPA and made a conscious decision that they would do everything openly. Secondly they accepted the roles of the planners and, as Chris Dixon puts it “we let them know that whatever the drawbacks or failings of the National Park we considered that they were doing their best in a difficult situation and that they deserved recognition for that” (Dixon 1995b).

Thirdly they presented good arguments, a case for a project which would benefit the landscape, community, traditional values, local economy and so on (Dixon 1995b). Finally, they involved the Authority, they asked them for help and “to participate in developing a sustainable project” (Dixon 1995b).

From the Authority’s point of view, officers were divided over whether to grant permission or not. Some of the officers at the council were sympathetic and felt that the type of development proposed could be an improvement from both a

landscape and an ecological view. Some planners were unsure about it as they felt it would create a precedent and there were fears about allowing different types of agriculture. In the end permission was granted with the project being viewed as a demonstration project, with the onus on the Dixons to 'sell' Permaculture to the council (Henderson 1995).

Chapter 8 Brickhurst Farm

8a Site History and Proposal

Brickhurst Farm is a 9.5 hectares smallholding situated in Green Belt and in a Special Landscape Area near Pembury in Kent. The farm's original farmhouse was destroyed in 1969 by fire. The site was acquired by Peter Mann, who intended to develop the site through the principles of Permaculture and to use Brickhurst as a source of produce for a direct farmer/consumer link system.



Photograph 8. The Brickhurst Farm site showing the mulched vegetable beds in the foreground and the caravans behind

There are 3 types of direct farmer to consumer link systems (see Pullen 1992). The one which was adopted at Brickhurst, the 'Standard Ordering System', involves the delivery of standard boxes/parcels/bags of seasonal vegetables and fruit, usually on a weekly basis, directly to consumers. Contact between farmer and consumer is usually through regular newsletters inserted into the boxes, or occasional farm walks (Pullen 1992 p3).

The South-East London Permaculture Community, based at the Brockley Bean in Brockley, South East London, provided Brickhurst with the outlet it needed. The aim is by late 1995 to be providing 150 people with weekly organic fruit and vegetables all year round at £4 per head (Berens 1993 p22). People joining the scheme pay an annual membership of £10 for individuals and £15 for families. As well as becoming a member of the box scheme, members also have free access to the farm's woodland and 'wilderness areas' (Berens 1993 p22).

At the farm, the aim was to set up vegetable plots to the equivalent of 24 allotments "set among orchards of mixed fruit and nut trees" (Mann 1993b p1). The intention is also to include bees and 200-300 free range chickens. Eventually the aim is also to rebuild the farmhouse in traditional style, as similar to the original as possible.

8b Planning Background

There are 3 principal documents which are of relevance to Brickhurst Farm. The first is Kent County Council's "The Planning Strategy for Kent. 1990". As Brickhurst Farm is situated within the Green Belt, Green Belt policies also are of relevance. Policy RS 1 states that ;

"All development permitted at villages and small rural towns and in the open countryside should be well designed; appropriate in location, scale, density and appearance to its surroundings; acceptable in highway and infrastructure terms; have particular regard to countryside conservation policies; and preserve and where possible enhance the character, amenity and functioning of settlements and the countryside and in the Green Belt will be subject to Policy MGB 2"

(KCC 1990)

Policy RS 6 states the exceptional circumstances under which permission will be granted for development outside villages and small rural towns. One of these is that it must be "demonstrated to be necessary to agriculture, forestry, the winning or import of minerals or other land use essentially demanding a rural location.." (KCC 1990).

The Green Belt policy which is of most relevance, Policy MGB 2, states that;

“within the Green Belt, there will be a strong presumption against permitting new development outside the presently defined extent of urban areas and the present built-up extent of any village, unless it conforms with the open recreation functions of the Green Belt or is directly related to agriculture or other uses appropriate to a rural area.”

(KCC 1990)

There is also a policy, Policy 7.5, which relates to the reuse of redundant rural dwellings, and states that reuse is acceptable unless there are “specific and convincing” reasons to the contrary (KCC 1990).

The Kent Structure Plan (Third Review - Deposit Plan and Explanatory Memorandum. May 1993) essentially repeats the policies outlined in “The Planning Strategy for Kent”, although it takes account of the 1992 Rio de Janeiro conference of the United Nations and HM Government recognition of the concept of Sustainable Development resulting in a new set of policies which outlined Kent County Council's environmental policies.

Policy ENV 1 says;

“The countryside will be protected for its own sake. Development which will adversely affect the countryside will not be permitted unless it can be demonstrated, to the satisfaction of the local planning authority, that there is an overriding need for the development which outweighs the requirement to protect the countryside.”

(KCC 1993)

The Local Plan which applies here is the Tunbridge Wells Borough Council Local Plan (Deposit Copy). Its Policy H 17 states that outside designated development zones proposals for “the erection of a key worker's dwelling” (TWBC 1994) will not normally be permitted unless a range of criteria are met. These criteria relate to it being essential for the applicant to reside onsite, to the application's location, scale, design, landscaping and to its successful assessment for ‘agricultural viability’ (TWBC 1994) (see Appendix 4).

The Local Plan also asserts that “in all cases, the granting of planning permission will be subject to conditions restricting the occupancy of the dwelling or conditional upon the applicant entering into a legal agreement which would restrict the occupancy of the dwelling to a key worker”.

The Country Strategy Review resulted in a study conducted by ADAS in 1991 called ‘Agricultural Change and Diversity in Kent’. This showed that Kent agriculture has declined over the past decade in terms of both output and the number of producers. The number of full-time farmers and people employed on the land is likely to continue to decline at an accelerating rate. It would appear that agriculture in Kent is not sustainable in its present form without considerable redesign.” (ADAS 1991 p3).

8c Planning History

The initial planning application for “the placement of a caravan for an agricultural worker prior to rebuilding the farmhouse after a period” (Mann 1993a p1) was refused on 31 July 1992. It was resubmitted on 25 July 1993 with 3 changes. The first stated that one full-time and two part-time farm workers would be employed, the second that a barn for centralised storage would be built and the third that a second access to the site had been secured.

The second application was accompanied by information relating to Community Supported Agriculture, articles relating to similar projects, designs for the intended house, information relating to the financial potential of vegetable plots and cash flow forecasts. Also submitted were letters of support from Agricultural Development and Advisory Service, the National Farmers Union, Soil Association, HRH The Prince of Wales and the Kent Farming and Wildlife Advisory Group. Planning permission was refused on 18 February 1994 on two grounds.

Firstly, as the site is in Green Belt it is contrary to Policy MGB2 of Kent Structure Plan 1990, Policy MGB 3 of Kent Structure Plan 1993 and Policy MGB1 of the

Tunbridge Wells Borough Local Plan - Deposit copy April 1993. All state a strong presumption against allowing development outside village development zones unless it is essential to agriculture. The second reason was that it was not considered "that the agricultural claim in this case is sufficiently strong to outweigh the planning policy objections, having regard to the advice in Annex E of PPG 7 (TWBC 1993 p1).

Mr Mann then appealed and a local inquiry was held on 23 November 1994 by the inspector Mr John Hayward. Mr Hayward, in his statement of decision, stated that he felt the main issue to be "whether the proposal would conflict with local policy, and if so, are there convincing reasons why such policy should not prevail". He rejected the Council's argument that "the activities proposed did not make it essential for a worker to be readily available at most times"(Hayward 1995 p1). With regards to the functional test for the holding, Mr Hayward stated, "I regard the intended farming method as a material consideration, and from the evidence about Permaculture, I believe that this holding should not be approached on the basis of a traditional farm. I find that this, coupled with the...husbandry needs of the flocks of hens and the remoteness of the location, together justify residence on the holding, which otherwise could not be established or operated" (Hayward 1995 p2). In terms of financial viability, the Inspector pointed out that organic produce is currently a 'niche market' and that as there is "a prospect of viability...the situation falls within para.E13 of Appendix E to PPG7".

He concluded that approval would not conflict with local policy. He also mentioned Permaculture in relation to Sustainable Development, saying "the caravan would enable a holding to evolve of a type in tune with the Sustainable Development approach of both the government and the County Council in the light of Agenda 21 from the Rio conference". He also said the farm's role as a demonstration of new systems of agriculture could have a "positive benefit (for) the future of agriculture in Kent" (Hayward 1995 p2).

Temporary planning permission was given for 3 years in order to give further time to assess the viability of the holding. Two conditions were attached, both relating to the occupancy of the caravan.

8d Reasons for Success

Mann himself feels the principal reason for the success of the Brickhurst proposal was the “inherent rightness of our case” (Mann 1995). He also made a point of being well prepared to counter any objections to the proposal. During the hearings and meetings with planners he always had a loose leaf binder at hand which contained easily referenced supporting information to back up any arguments that may have arisen. He also took a variety of friends and colleagues to the Appeal hearing, who testified in turn about what Permaculture was and what it meant to them. The Inspector admitted he had no knowledge of Permaculture, and the County Council’s Agricultural expert, it became clear, had similarly little knowledge. It was, according to Martin Howard, the Chartered Town Planner who represented Mr Mann at the appeal, “good theatre” (Howard 1995). They also showed up the flaws in the Council’s Agricultural expert’s case when they referred to the ADAS study mentioned above, of which he had no knowledge. The Inspector had also received over 40 letters of support from various individuals and organisations.

Mr. Mann was also careful to “cultivate the local newspapers or radio programmes” (Mann 1995). With a grant from Shell Better Britain Campaign he planted all the local varieties of fruits and nuts alongside the public footpath which crosses his land and this was featured in the local media. The biggest lesson, says Mann, was to “learn and implement the idea of co-operation rather than confrontation”, because ultimately, “most councils are keen to be seen to do the right thing”.

Chapter 9 Hockerton

9a Site History and Proposal

The Hockerton housing project in Nottinghamshire could be seen here as the 'odd-development-out', in that it does not strictly speaking refer to itself as a Permaculture project. It does however include all of the interconnection of elements of a Permaculture system and the architects say their ideas for energy conservation and independence have "been complemented by green philosophies such as Permaculture...which attempts to minimise human disruption to nature" (Nicholson-Lord 1995a p7). It is of relevance also in that it has set new precedents for sustainable land-use policies.

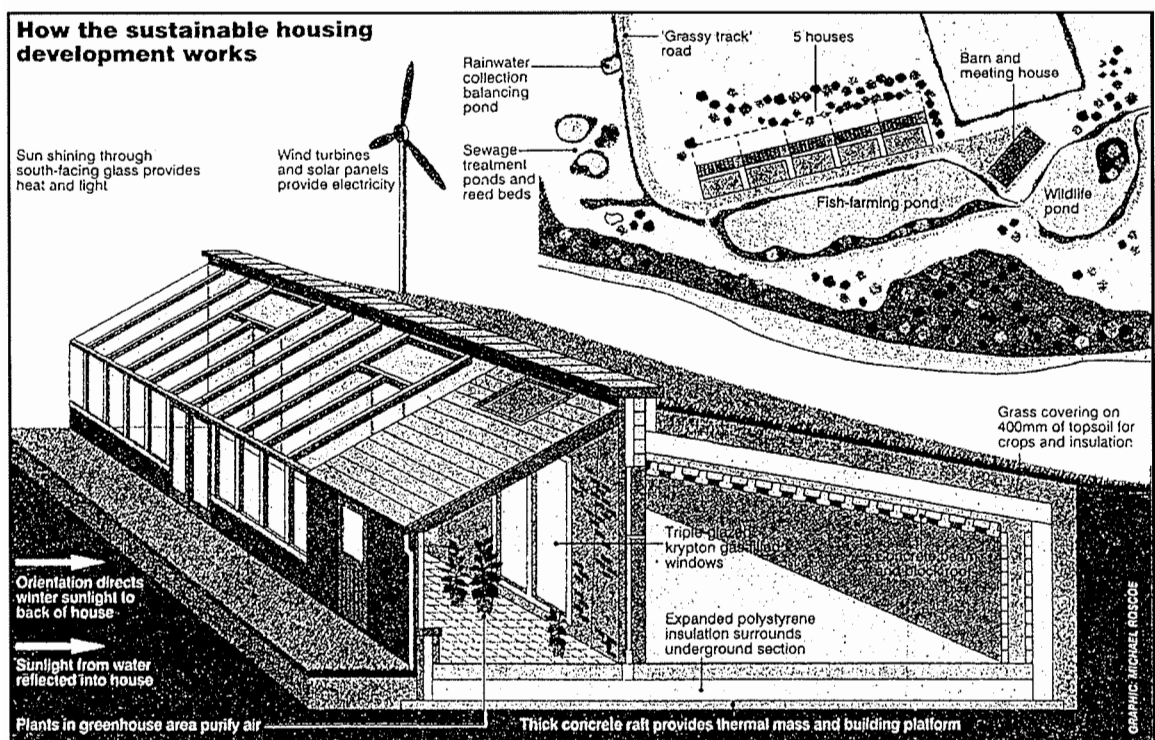


Figure 3. A diagram of the Hockerton development showing the details of the individual houses and of the site as a whole
(Nicholson-Lord 1995 p8)

The project was designed by Brenda and Robert Vale of the University of Nottingham and conceived by Nick Martin, a Nottinghamshire builder who is a resident of the village and has family living there. The Vales have already planned, built and now live in the UK's first 'autonomous house' at Southwell in Nottinghamshire (Hawkes 195 p37), which supplies its own energy and water and includes a composting toilet (Vale 1995a. p16) and have won awards for their work (Nicholson-Lord 1995a p7). The Hockerton project was conceived as being 5 units of "autonomous low-cost, earth-sheltered housing ...deliberately intended to be relatively low in construction cost and (with)...minimal or even zero...running costs (Vale 1995b p1). Also included are a reed bed system for treating sewage, a 5Kw wind turbine, photo voltaic cells, storage and use of rainwater and the growing of food onsite (Vale 1995b p1). The houses are to be run as a Trust and rented in perpetuity. The intention is that the occupants of the dwellings will work towards a system of self-sufficiency on the site through sustainable employment with low impact on the environment. The existing organic small holding is intended to be expanded to a co-operative (Vale 1995b p4). The proposed scheme was displayed in the local pub for comments from local people and in the hope of obtaining local support (Vale 1995c).

9b Planning Background

There are two previous projects that are of relevance to the Hockerton proposal. The first was an application in 1992 for a dwelling which while not on the Hockerton application site itself was within the owner's land. This was refused as being "contrary to the Structure Plan, and outside the main built up area of Hockerton" (Vale 1995b p3).

The second was the granting of planning consent for Brenda and Robert Vale's autonomous house in Southwell, Hockerton's nearest town. Both developments are under the jurisdiction of Newark and Sherwood District Council. As the Vales point out, "the relevance of the autonomous house to the Hockerton project is that it gave the Council confidence in the project" (Vale 1995b p2).

Newark and Sherwood District Council has taken a national lead in energy conservation, and aims to build 100 autonomous homes by the end of the century (Nicholson-Lord 1995 p7).

The Nottinghamshire Replacement Structure Plan contains two policies which have a bearing on the Hockerton development. Policy 10/2 states that “permission will not be given unless, *inter alia*, the development is necessary for rural activities, including agriculture”.

Policy 9/3 states that;

“in considering proposals for development, preference will be given to the establishment of energy efficient land use patterns. These should discourage low density development, promote some concentration of principal employment activities, ensure the development is convenient for public transport routes and encourage energy-sensitive siting, orientation and layout of new development particularly”.

(Vale 1995b p4)

As the Vales point out, these two policies “do not appear...to be very favourable to a basically non-agricultural low density housing development in the countryside”(Vale 1995b p4).

The Newark Area Local Plan contains 3 policies which were also of relevance. The first, policy H26 states “new residential development in the open countryside will not be granted planning permission unless there is an agricultural need for it” (Vale 1995b p5), the second, policy M2 states that “the District Council will encourage the creation of energy efficient forms of development through the control of design, siting, orientation and layout” (Vale 1995b p6) and the third, policy PM 14/11, states that “the District Council will encourage the use of renewable energy sources” (Vale 1995b p6). They state that when considering applications for renewable energy use developments there are four criteria it will take into account.

The first of these is the visual impact of the development on the landscape, the second is the environmental benefits of utilising renewable energy sources, the

third is the effect on the amenities of local residents and the fourth is the effect on nature conservation interests (Vale 1995b p6).

9c Planning History

The application was considered at a meeting of the Planning Committee on 10 May 1994. In his report to the Committee (Agenda Item No. D6), the Chief Planning Officer first looked at the relevant material in the Structure Plans and Local Plans (see above). He then discussed objections and support that had been received from various quarters. He then evaluated the scheme in terms of policy. He stated that just the fact that the proposed houses were to be energy efficient did not “in itself make the scheme one which would normally be encouraged (as) Policy 10/2 of the Structure Plan and H26 of the...Local Plan discourage housing in the countryside” (Vale 1995b p6). However, he felt that viewed in its entirety, the proposal should be viewed as “a move towards Sustainable Development” (Vale 1995b p7) and therefore the policies which were of relevance were those relating to energy efficiency and renewable energy sources. He pointed out that the development “could be seen as complementing the Council’s own energy / environmental activities”(Vale 1995b p7).

In his summary and conclusion, the Chief Planning Officer said that as the scheme represented a move towards Sustainable Development, “it could be accommodated in the terms of the energy conservation policies within the Structure Plans and Local Plans”(Vale 1995b p9).

He also made a very strong point that if permission were granted it should not in any way be seen as setting a precedent. He also made clear that any permission should be accompanied by a Section 106 Agreement ensuring that the houses could never be sold for speculative purposes and that the project’s sustainable aims should be enshrined in a legal document.

The Chief Planning Officer's recommendations were agreed, and the meeting gave the project planning permission, subject to the conditions suggested above. Following the granting of permission, David Pickles, the chief architect with Newark and Sherwood Council was quoted as saying the project "broke all the planning rules" but would create a "fine" landscape (Nicholson-Lord 1995a p7).

9d Reasons for Success

In their report on the Hockerton development's planning process, Brenda and Robert Vale define what they feel to be the factors that may have helped the project to gain approval. Firstly, the Council to whom the application was made was very committed to energy conservation. Secondly the applicants produced very detailed reports and drawings showing it to be a serious proposal and they had an excellent track record in 'ecological' design and construction. Discussions were held with the Council's officers before the application was submitted which established a good working relationship and allowed any problems to be ironed out early in the process. The houses were to be rented in perpetuity and owned by a Trust, not for profit or speculation and some employment was to be provided on site. The project attempted to deal in a serious way with issues of sustainability, integrating the design, servicing, food production and site management. The houses were also to have minimal visual impact because they were earth sheltered and would have no carbon dioxide emissions in use. The long-term ownership and management of the scheme were covered by a legal agreement (Vale 1995b).

David Pickles summed up the reasons for the success of the Hockerton application when he said, "the Council has viewed this project as having considerable relevance to issues of sustainability, and because of the quality of the designs, they granted planning permission for a project ... that in all other circumstances would have been rejected" (Webb 1996 p11).

Chapter 10 Evaluating the Case Studies

The aim of this chapter is to evaluate the main lessons learnt from the case studies. As each one is an example of (to varying degrees) a Permaculture project, and as each one has passed through the planning system, they can each give insights into how the planning system responds to such applications.

Clearly Hockerton, Tir Penrhos Isaf and Brickhurst Farm have all set precedents with regards to rural planning, and Tinker's Bubble may yet do so if its judicial review is successful. The intention in this section is to appraise what can be learnt from these case studies, what are the similarities and the differences between them and what can be learnt from studying these cases which could then be of relevance for the broad issues under study here and for new applications for similar types of development.

They are all in rural areas, in zones where development is only allowed in exceptional circumstances. They have all, to varying degrees, incorporated the principles of Permaculture into what they're doing. Of the four, Tir Penrhos Isaf and Hockerton produced the best designs. Tinker's Bubble produced a detailed management plan which while it contained elements of Permaculture, was not an integrated Permaculture design as such. Indeed, some of those involved felt the word Permaculture was only used as a 'trendy buzzword' which was neither integrated nor understood. The Tir Penrhos Isaf design is an excellent example of Permaculture design and was very well and clearly presented to the planning authorities.

The credentials of the applicants is also a relevant issue, that is, the confidence that the relevant authorities could have that the applicants actually knew what they were talking about. Brenda and Robert Vale are internationally respected archi-

pects and designers who had already worked with the local authority. Chris Dixon had qualified for the Diploma of Permaculture Design (one of only 15 people in the UK at that time to have been awarded) as well as being the Chairman of the Permaculture Association (Britain) from 1993-94. Peter Mann had trained in Biodynamic Agriculture as well as Permaculture. One of the problems at Tinker's Bubble was a lack of 'experts' or qualified people whose experience and qualifications would stand out on paper and engender confidence in the project.

The ability to provide employment beyond the project itself and into the local community is one which is very popular with LPAs, indeed the failure to do so was one of John Gummer's reasons for refusing the Tinker's Bubble application ("negligible" benefit to the local economy (Benton et.al.1995 p14)). Brickhurst Farm aimed to employ one full-time and two part-time farm workers. Hockerton may also eventually be in a position to employ people too.

In terms of ownership, Tir Penrhos Isaf and Brickhurst Farm are both privately owned and Tinker's Bubble is owned by a Trust. At Hockerton, the families occupying the houses will rent from a Trust of which they are also all members which will ensure that the houses will always be occupied by like-minded people (Nicholson-Lord 1995b p7). Brenda and Robert Vale identify this as one of the reasons for the project's successful application (Vale 1995b.).

One of the most important aspects influencing the granting or not of planning permission is the disposition of the local authority. In the case of Hockerton, the Council had a stated energy efficiency policy and were committed to achieving certain standards. The Hockerton proposal was therefore made to a Council which was already "very committed to energy conservation"(Vale 1995b. p8). The Tir Penrhos Isaf application was made to an authority which was looking for experimental models for alternative ways to use its land (Henderson 1995 pers.comm.).

	Tinker's Bubble	Tir Penrhos Isaf	Hockerton	Brickhurst Farm
A P/C Design	Detailed management plan with Permaculture elements	Very detailed	Very detailed	Good, but not in depth
Housing type	"Low Impact Dwellings"	Temporary (caravan) with proposal for permanent Low Impact Dwelling	Autonomous Houses (earth sheltered)	Temporary (caravan) with proposal for traditional farm house
Attitude of Local Authority	Conservative	Looking for new agricultural forms	Committed to energy efficiency	Looking for new agricultural forms
Credentials of applicants	None	Holder of P/C diploma; P/C Assoc	Well-known ecological architects	Qualifications in Biodynamic Farming and Permaculture
Consultation with LPAs	Only once established on site	Yes	Yes	Yes
Ownership	Trust	Private	Trust	Private
Employment provided	To members	To family	To members and maybe to outsiders	To resident and outsiders
Sold as sustainable development?	Yes	No	Yes	Yes
Visual Impact	None	None	None	None
CO2 emissions	Very low	Below average	None	Below average
Local integration	Variable	Very good	Good	Good
Water	Own supply	Own supply	Self-sufficient?	Mains
Number of people	15	3	5 families	3-4
Energy	Mostly from wood harvested on-site	Windmill, solar panel, petrol generator back-up	Self sufficient (wind turbine)	National Grid?
Section 106 Agreement	Yes	No	Yes	No

Table 1. Table showing the differences and similarities between the case studies

Kent County Council were, in theory, in the same situation, but in reality, as was revealed at the inquiry, the Agricultural Department were unaware of a study commissioned by the Countryside Department relating to the dire state of agriculture in Kent! South Somerset District Council is quite conservative and this can be seen in each stage of their handling of the Tinker's Bubble application.

Both Tinker's Bubble and Hockerton were subject to Section 106 agreements, which bind the signatories to carry out the development in the way specified in the agreement.

Housing development being earth-sheltered would appear to be a contributory factor to successful applications. Peter Carpenter of the British Earth Sheltering Association states that by 1995, out of 75 applications for earth-sheltered buildings, 48 were successful. Of these, 38 had been recommended for refusal by the LPA and 15 were contrary to the Local Plan (Fairlie 1996c.). The principal reason for this would appear to be that it overcomes the issue of 'visual impact', indeed Brenda and Robert Vale identify this as one of the reasons for Hockerton's success.

Planners' fear of the unknown is also an important factor. The type of development advocated here is one of which there are very few examples, and so every attempt not to 'frighten them off' is essential. In the Hockerton case, discussions were held before the application was submitted and a good working relationship was established. Peter Mann states that his approach to the planners was one of "co-operation rather than confrontation" and the Dixons stated that they were honest with the LPA and made a conscious decision to do everything openly. The Tinkers' Bubble Trust on the other hand, made a conscious decision not to talk to their LPA until they were already established on the site and a healthy working relationship of the types above wasn't cultivated.

Sustainable Development ought to be a more important factor than it actually is. It would appear to not yet carry the weight that it should as a factor in determining planning decisions. In the Hockerton case study it was shown that the objectives of Sustainable Development, actively pursued by Newark and Sherwood District Council, were a material consideration in their decision. The other Authorities studied here did not appear to consider it as an issue unless prompted by the applicants. In both the Brickhurst Farm and the Tinker's Bubble cases it was the Inspector at the appeals, not the Local Authority, who considered Sustainable Development as a strong reason for approval. It would appear that some planners know the term and understand its implications while some others just know the term. In terms of appeal inspectors, again, whether one is appointed an inspector with an understanding of and a commitment to Sustainable Development (or not) is purely a matter of chance. In view of the Government's recent "conversion" to Sustainable Development, both in terms of rhetoric and policy, there is a strong argument for more education for those involved in implementing Development Control as to what it actually means and entails.

The issue of precedent creation is both important and complex. Graham Holt writes that "fear of precedent creation is a material consideration to be given weight in the decision making process where it is being debated whether to grant permission contrary to established planning policy or principles" (Holt 1995 p 155). If permission has been granted for a particular type of development, and a later application for the same type of development at another location with similar circumstances is received, the applicant will have a strong case for there being an established precedent. If however the location and the circumstances are different, then only certain aspects of the decision may be taken as being precedent creating. The fear of precedent creation is at its strongest in rural planning and is summed up by para.2.18 of PPG 7, which says "the fact that a single house on a particular site would be unobtrusive is not of itself a good argument, it could be

repeated too often” (DOE 1992c. p6). Local Authorities are also wary of setting precedents which may undermine emerging Local plan policies (Holt 1995 p115).

The Tir Penrhos Isaf approval was the first positive decision in October 1991. The Authority believed that the value of the site as a one off experiment outweighed any possible danger of precedent on a larger scale (Henderson 1995b). This was to a degree true in that although the decision was noted in the Permaculture movement it had no impact beyond that and was not quoted as a precedent in any subsequent hearings.

The Hockerton decision set a precedent in that it was the first instance where PPG 7 was completely bypassed and the application approved solely under energy conservation policies. The decision statement said that the decision “should not be considered a precedent to allow other housing developments in the countryside..... it is doubtful whether such schemes would show the same commitment to carry out development in this way” (Vale 1995b p8). However, it is clear that if any other schemes were to show such commitment they would have a case that can be used as a precedent. To date, the Hockerton hearing has yet to be quoted as precedent in any hearing.

It was the Brickhurst Farm appeal decision which set the least precedent in this area. The inspector stated in his decision letter “I regard the intended farming method as a material consideration, and from the evidence about Permaculture, I believe this holding should not be approached on the basis of a traditional farm” (Hayward 1995 p1). This was the first time Permaculture had been recognised as a valid form of agricultural practice and the first assertion that it ought not have to meet PPG 7 functional and financial viability criteria. The decision was hailed by ‘Permaculture Magazine’ as offering “real prospects that planning laws may be adjusted to provide scope for more diverse, more equitable and more environmentally sensitive forms of rural development” (Harland 1995 p21). It was also the subject of an article in the highly influential ‘Planning Week’ in which Tunbridge Wells

Borough Council's senior planning officer was quoted as saying "if there was a similar application made in the borough we'd have to take it into consideration" (Taylor 1995 p7)

It has also been used as precedent in subsequent hearings. In the Tinker's Bubble appeal decision the Inspector wrote "I agree with the Inspector in the Pembury (Brickhurst Farm) appeal that the agricultural method being used (Permaculture) is a legitimate material consideration and that such a project should not be judged by the criteria of a traditional farm" (Frears 1995 p13). Had the Tinker's Bubble successful appeal not been overturned it too would have set precedents. Firstly it would have seen Permaculture reaffirmed as deserving criteria different to that set out in PPG 7's tests and secondly, had it be approved, South Somerset District Council would have included a section on low impact dwellings in the South Somerset Local Plan (and may still do so if the High Court appeal is successful).

Clearly there is no blueprint for a successful application. Each case is unique and each LPA and/or Inspector is also unique. What has been identified here however, is a range of factors which, it would appear from the case studies, contribute to the projects' likelihood of obtaining planning permission outside a development zone.

Chapter 11 Summary, Conclusions and Recommendations

11a Summary

The opening chapter looked at the problems currently faced by rural areas in the UK. Among these were the problems of a lack of availability of affordable housing for local people, high levels of unemployment and a reduction in the provision of services. It was seen that, although in many ways it has been successful, the British planning system is seen by some as having compounded these problems by not being flexible enough to adapt to changing social trends. The need was identified for a change in focus, for a move away from restrictive and reactive policies towards more flexible and proactive policies which truly address the needs of the present day reality.

Chapter 2 examined the design system of Permaculture showing it to be a concept which encompasses all aspects of Sustainable Development and which has a highly developed and practical approach towards agricultural systems.

Permaculture is increasingly being adopted in a wide range of environments throughout the UK and its combination of energy efficiency and generation, ecological housing, the regeneration of local economies, sustainable agricultural practices and reforestation have much to offer in addressing the problems of rural areas outlined in Chapter 1.

Chapter 3 began by exploring the British planning system and its relationship to rural issues. The system of development planning was outlined showing the hierarchy of policy making from Government guidance down to District Council policy making. Development control was shown to be the system which regulates development by making sure all applications for planning permission accord with relevant guidance and policy. PPGs (Planning Policy Guidance notes) are the Gov-

ernment Guidance which, in effect, define policy at County and District level. It was shown that these advocate the strict controlling of development in the open countryside, unless it can prove itself to be 'agriculturally viable'. The UK Government, since 1992, is committed to Sustainable Development in all areas of policy and this is beginning to have an effect on the system. Chapter 3 also examined the range of opinions on the allowing of development in rural areas. Some feel that the needs of Sustainable Development are best served by concentrating development in compact cities and towns in order to reduce the demand for transport, while others feel dispersed rural patterns offer more scope for the realisation of Sustainable Development. Much of this rests on whether one believes transport to be the principle criteria for assessing sustainability or just one of many.

Chapter 4 examined the case study of Tinkers Bubble; an application in Somerset for a small group of people to live on the 39 acre site and to support themselves through the use of Low External Input Agriculture and Permaculture for food production and forestry. The application was refused, was successful on appeal but the Secretary of State, John Gummer, took the unusual step of overruling the Inspector's decision. There were strong fears about setting a precedent combined with a fear that for a Conservative Government it would not be electorally popular to be seen to condone "new age travellers". Tinker's Bubble's failure at this point has more to do with Government prejudice than a reasoned assessment of the issues regarding Sustainable Development in the British countryside. It could also be said however, that the Trust's approach was somewhat confrontational and that that, combined with their lack of 'experts', the perceived absence of any 'community benefit' and their being identified at an early stage as 'travellers and squatters' made a knee-jerk negative planning decision inevitable.

Tir Penrhos Isaf, in the Snowdonia National Park, illustrates a well thought out and well designed Permaculture smallholding. The National Park Authorities have the policy of only allowing building in open countryside where it is seen to be essential to have a worker living on site. The Dixons presented an excellent design for the

ite and argued a convincing case. In the end permission was granted, the application being judged not solely on PPG 7 economic criteria but being seen also as a one-off experiment in sustainable land use.

Brickhurst Farm in Kent is also an example of a successful application. The farm was intended to be the centre of a community supported agriculture scheme, providing fresh fruit and vegetables to its members, mostly in London. The relevant development plans all opposed development in open countryside but the case was successful principally because they presented a good case and argued it well. The Inspector judged that a Permaculture holding should not have to prove its 'agricultural viability' in the same way as a conventional farm has to. This decision was a first and set an important precedent which has had repercussions beyond this case.

The final case study shown in Chapter 7 is of a proposed group of five earth sheltered houses in Hockerton in Nottinghamshire. This case also set a precedent although when granting permission the local authority was adamant that it should not be seen as such. The houses were designed to be completely autonomous and the application was made to an authority with very clear and innovative policies on energy efficiency. The application was precedent setting in that it was approved not through PPG 7 criteria but through the Council's energy conservation policies as they felt it represented a move towards Sustainable Development.

As regards all of these cases, there is a degree of luck involved. Peter Mann was fortunate at the Brickhurst Farm inquiry to have an inspector who was open to the arguments he put forward and Tinker's Bubble was unlucky in having its appeal decision overturned.

11b Conclusion

This dissertation has argued the case for a radical new approach to using the countryside. It has argued that the current rural planning system is not being used in the pursuit of Sustainable Development, but is instead being used to maintain a status quo and is based on an out-dated and environmentally harmful view of how the countryside should be used. The result has been the refusal of planning permission for many worthy developments in rural areas and an increasing decline in rural areas. The alternative advocated here is to allow more imaginative development in the countryside if it satisfies the requirements of Sustainable Development. Permaculture, it has been shown, is a very useful discipline for achieving this, and (as has been illustrated by the case studies), it is beginning to be recognised by planners as worthy of consideration as an alternative approach to land use.

Moves towards this in terms of policy could either be initiated at Government level and then filter down through to Local Plan level or initiated at Local Plan level. The essence of such a policy change is that Permaculture is a valid land use, it is sustainable, it can become, with time, as viable as intensive agriculture if not more so and it is therefore to be encouraged.

If such a policy shift were to occur, it is very unlikely that there would be a tidal wave of people applying for permission. By making the criteria strict, only people with a genuine commitment to Permaculture and/or Sustainable Development would apply. Rather than 'opening the floodgates', such a policy would simply open the door to a small number of people who, until now, have been largely excluded by the Planning System. It could also encourage Councils to experiment with sustainable projects by, for example, designating areas as Simplified Planning Zones with strong criteria relating to the sustainability of the development permitted.

What such a policy change would mean for rural areas and the rural economy is difficult to say with any degree of precision, but it is hard to believe that allowing

such projects would have a detrimental effect. Local markets, particularly in fresh produce, would be strengthened, local economic systems could be created and any projects such as these would invariably attract visitors who would bring money into the local area.

While the issue of reducing private car use is of great importance, to make it the only criteria by which Sustainable Development is judged is dangerous. As has been shown, well designed and implemented Permaculture schemes in rural areas, while they may result in more car use than the resident of, for example, a 'compact city', have much more potential to achieve Sustainable Development in many other ways. Also, the logical result of transport being the only criteria is rural depopulation which would again have negative environmental consequences.

For Planners, such a move would give them much more scope to actually implement the spirit of Agenda 21, and would also clarify how they should respond to unusual applications in rural areas. One can imagine problems arising similar to those which have been seen in this dissertation because planners have little understanding of what Sustainable Development or Permaculture actually mean in practice. It is essential that there is a clear definition in the relevant documents. Also the existence of examples which planners could be shown would be a help.

Such a move would be consistent with other current trends. The recent Government White Paper, "Rural England - a nation committed to a living countryside" is the most recent Government statement of policy relating to rural and sustainability issues. It contains a number of policies and sentiments which could indicate a tolerance and even a move towards many of the principles that have been outlined in this dissertation.

Firstly, the Government is committed to doubling the level of woodland in England over the next 50 years (DOE&MAFF 1995). This they intend to do largely through the establishment of National and Community Forests (DOE&MAFF 1995). The

encouragement of more Permaculture systems, with their emphasis on tree crops, could make a small but significant contribution to this.

Secondly, the Government has made commitments to the conservation of Biodiversity. It has been noted that conventional intensive agriculture has, at best, a diminishing and at worst a devastating effect on Biological Diversity (Jenkins 1992). Permaculture, with its creation of ecosystems which maximise Biodiversity, can design highly productive agricultural systems which safeguard the nation's Biodiversity resources. The UK Government took the lead in this field by being one of the first countries to produce a Biodiversity strategy in January 1994 (DOE&MAFF 1995). Maybe they should also take a lead in innovative approaches to its implementation.

"Rural England" also contains a number of phrases which could just as easily be used to describe Permaculture development; "maintain the diversity of rural landscapes", "reverse the decline in wildlife", "acknowledge and exploit the interdependence of environmental protection and economic development" (DOE&MAFF 1995). It contains policies which advocate LETS Systems, neighbourhood energy efficiency projects, environmental job creation, the encouragement of pesticide minimisation techniques, the promotion of traditional apple orchards, the promotion of renewable energy sources and a "high water quality environment" (DOE & MAFF 1995 p138).

Permaculture can be seen as an overall design discipline which offers the potential for integrating many of these things and creating self-reliant, highly productive and sustainable systems. It differs from conventional approaches in that it integrates people as part of the system, a Permaculture system will be far less effective if its operator lives 5 miles away.

Ultimately, what all this boils down to is, as Simon Fairlie puts it, "sooner or later all development will have to be sustainable" (Fairlie 1996c p10). This is unavoidable

and is a reality which Government should be seriously addressing. Indeed, it has said almost the same thing itself, "Sustainable Development challenges us all to accommodate development in ways that enhance or protect the environment" (DOE+MAFF 1995 p129). Its overruling of the Tinker's Bubble approval shows it to be more interested in responding to political appeasement than a long term view of rural Sustainable Development. Everything is in place already within the British Planning System for Britain to take an international lead in rural Sustainable Development. The knowledge of how to achieve this is in place, the committed individuals with the experience of it are there, it is the visionary hand at the helm of the Planning system which is lacking. The destruction of the countryside for the erection of soul-less suburban estates, out-of-town office and retail developments and new motorways and 'bypasses' has continued seemingly unimpeded, while most applications for Permaculture development, low-impact developments and so on, are met with an almost blanket refusal. For the three positive decisions included here, many more have been refused.

In order for Permaculture, as was discussed in the previous chapter, to gain official recognition by Government and the Planning System, there is the need for good working examples of Permaculture systems. This is, in a sense, a Catch-22 situation. The Planning System is wary of granting permission to projects which could serve as examples because they themselves have not seen any working examples. In this sense, the successful case studies examined in this dissertation are a 'cutting edge'. They have 'slipped through the net' and are breaking new ground. It shows great farsightedness by the Snowdonia National Park Authority to have granted Tir Penrhos Isaf planning permission in order to assess it as a trial of Permaculture. If the Government and the Planning System are as committed to Sustainable Development as they claim to be, then they ought to give their support to approaches which are at variance with conventional ones.

11c Recommendations

Changes to the planning system in order to achieve more development of the type advocated in this dissertation could be instigated either at local level or at national level.

National Level

In terms of the hierarchical system of policy formulation, the starting-point for such a policy would be the Town and Country Planning Act 1990. This could be updated so that para.55e. included the term Permaculture together with agriculture and forestry. Permaculture would then be defined in para.336, the section on interpretations and definitions. Thus a definition and a validification of Permaculture would be included at the very outset of the process. The Town and Country Planning (General Permitted Development) Order 1995 would alter the title of part 6 to read "Agricultural and Permacultural Buildings and Operations", thus making the section responsible for the two.

The Government then could alter PPG 7 so as to introduce the possibility for Local and District Authorities to both permit and encourage sustainable rural projects. It could state that while PPG 7's viability criteria still applies, certain exceptions would be allowed where they met another set of similarly strict criteria relating to their sustainability. The need for applications for new development in open countryside to fulfil the criteria for functional and financial viability could be reappraised if the Local Planning Authority feel an application makes a substantial contribution towards Sustainable Development. Such applications would have to meet very strict criteria relating to levels of environmental impact, sensitivity of siting, water reuse and storage, Biodiversity conservation and energy conservation and generation as well as demonstrating a commitment to community integration. They would also have to be able to generate part of an income sufficient to sustain the applicants and for the continuation of the project. Applications which could be included in this

criteria include Permaculture projects, organic farming/horticulture venture and low impact dwellings/travellers' sites.

Local Level

Local Authorities could either await such changes at national Government level, or could act independently by making alterations to their Local Plans. There would be a risk of proposing policy in contradiction to Government policy, although this is unlikely. The Secretary of State for the Environment does have the power to call in Development Plans for alteration but rarely does so. Such policy would not be in contradiction to Government policies on rural regeneration, sustainable agriculture, reforestation, energy efficiency and Sustainable Development in general. Local Authorities often formulate policy which, while not going against Government guidance, is based upon its own interpretation of it. LPAs could take a proactive rather than a reactive approach, by stating in their Local Plan that Permaculture is a valid category of land-use and including criteria for its implementation. They would have to be careful, however, to show that this did not mean they were discouraging Permaculture development elsewhere, and therefore they would perhaps say something like "areas where Permaculture will be actively promoted will be allocated in the Local Plan, but this doesn't infer that Permaculture proposals will be unwelcome in other areas". In this way they would be actually encouraging sustainable projects. The Local Plan-making process is, according to PPG 12, one which is supposed to consult and integrate the views of the local community. Permaculture activists could get involved at this level, attending the meetings and trying to gain recognition for Permaculture. Another way change could come about would be if an applicant for this type of project was refused on appeal but the applicant was successful on appeal to the High Court. This precedent would then have to be taken into consideration in the PPG-making process.

A New Local Plan Policy

District authorities could then interpret the new Government guidance into a set of policies in their Local Plans which would allow Permaculture development in rural areas. A possible set of criteria could be as follows;

Proposals for Permaculture development in open countryside will be encouraged where they conform with other Local Plan policies and, in particular;

- 1) All applicants shall provide a strategic Permaculture Design for the site which includes strategies for the following;**
 - a) the sustainable management and improvement of soil structure,
 - b) the conservation and increase of the site' Biodiversity,
 - c) the increase of biomass,
 - d) the use and reuse of water as well as increasing the water holding capacity of the site,
 - e) the reduction of dependence on non-renewable energy sources to a point where the site produces more energy than it consumes,
 - f) the integration of the site into the local economy and community,
 - g) the site shall generate a substantial proportion of the income necessary for the residents' personal needs and the continued implementation of the design (at minimum the current level of income support).

The design shall also be flexible enough to adapt to changing circumstances.

- 2) The site, if not already connected to the utilities, shall aim over time for the autonomous provision of water, energy and sewage disposal and shall make no demands on the existing infrastructure.**
- 3) An overall tree coverage of at least 20% shall be achieved.**
- 4) Buildings/dwellings shall not be visually intrusive and any activities pursued on the site shall cause no nuisance to others.**
- 5) Priority will be given to applications aiming to provide low cost housing to local people and to applications where the land is held as a Trust.**
- 6) Buildings shall be constructed from materials with low embodied energy (and/or from the closest source available) and respect local traditional architecture.**
- 7) Priority will be given to applications which take innovative approaches to reducing private car use.**

Planning permission will be granted for a temporary trial period of, in the first instance, 5 years in order for the tenants to establish their credentials. The application for renewal shall be accompanied by an evaluation of how successfully the achievements match the aims and timetable of the original design.

These criteria are strict but they need to be. If an Authority is to adopt such a policy it needs to be very clear about what it wants to see. The Council will encounter opposition to such a policy and so needs to be able to defend it in terms of Sustainable Development and community regeneration. By making the criteria this strict, the possibility of people using it to gain permission for unsuitable or speculative development is overcome. There will now be an explanation of some of the points above which may require further clarification.

Firstly the need for a Permaculture Design (para.1.). This serves a role very similar to an Environmental Assessment, which states that particular projects which are likely to have a significant effect on the environment should produce an environmental statement. This process emphasises the negative, showing that what one intends to do won't have unacceptable effects on the environment. It has, for a long time, been a source of controversy that agriculture does not have to provide such statements apart from the recent addition of "installations for intensive rearing of poultry or pigs above certain thresholds" to the list (Grant 1996 p7). A Permaculture Design is, in effect, a positive version of an Environmental Assessment, requiring the outlining of strategies for the productive, ameliorative and sustainable use of a site. The authority should realise that the design has to be able to adapt to situations as they arise and to changes arising from a deepening understanding of the land only possible through long-term observation.

One may ask, in relation to para.3. "why 20 percent tree cover?". A certain level of tree cover is desirable in terms of both Permaculture and of reforestation. A defined number makes such a policy clearer, and 20% seems a reasonable figure.

The issue of how much income should be generated from the site (para.1f.), and what the Permaculture version of MAFF's viability criteria should be is a difficult one. It is addressed here in such a way that applicants still have the possibility of working off-site for part of their income but still means at least some income must be generated from the land. By setting the minimum level of income as being that of income support, the Government are thereby setting their own criteria. The applicants should also be encouraged to state by which point in the design they aim to have achieved this.

By placing the emphasis for displaying strategies for community integration (para.1f.) and reducing private car use (para.8.) on the applicant, creative strategies suited to the specific site are encouraged. It is very difficult to formulate criteria for the realisation of these as every site is different. It could be suggested that

the success of community integration should be gauged through local parish councils or some similar community body. This could however be problematical, as a situation may arise where a Permaculture smallholding, despite the owners' best efforts, is viewed with suspicion and hostility by locals, either due to their being 'outsiders' or their feeling threatened by their unconventional approach to agriculture. Leaving the initiative to the applicant is therefore more creative. The text prior to this policy would contain information relating to what is meant by Permaculture and why the Local Authority feels it to be of value as an approach to rural land-use.

Simplified Planning Zones

LPAs (as has been shown) are fearful of permitting applications which could set precedents. The application of Section 106 Agreements, Agricultural Tying Clauses and the attaching of conditions to planning consents, while all ways of allowing Permaculture development via conventional planning, all carry the potential 'stigma' of precedent creation. One possible way around this is through the application of SPZs. This may appear an unusual tool to consider in the context of Permaculture development, as it was introduced to hasten and assist approvals for urban regeneration. Until recently no-one had connected the two, but Simon Fairlie in his forthcoming paper on Low Impact Development and Andy Langford of Designed Visions, have both raised this possibility. The 2 main advantages Fairlie outlines are firstly, once given permission, "the occupants of the SPZ are free to build anything, anywhere, within the constraints laid down by the scheme" (Fairlie 1996 p8) and secondly each development is viewed as a 'one-off', which in no way can be seen as creating a precedent (Fairlie 1996). Langford suggests that LPAs create SPZs with the specific intention of encouraging Sustainable Development (Community Council of Devon et.al. 1995 p33); this would, he believes, "provide a wonderful opportunity for planning professionals to become conversant with sustainability" (Community Council of Devon et.al. 1995 p33).

SPZs would be most applicable to Permaculture applications which are of a larger scale than the cases which have been studied here. They would be particularly relevant to projects to sustainably develop old air fields, waste ground and areas where authorities are keen to see such developments. It is feasible that councils could designate such areas with a view to using them as an experiment into the practical application of Sustainable Development. There would be no fear of precedent creation and ingenuity and innovation would be encouraged.

The only problem one can conceive with such a strategy is the difficulty of enshrining Sustainable Development in an SPZ agreement. In order to ensure that all aspects of Sustainable Development were adhered to, such an agreement would be very lengthy and complex. This, some may argue, runs contrary to the notion of 'Simplified' Planning Zones and their principle of 'streamlining' and simplification.

Planning Conditions

Any planning permissions should be subject to at least two basic conditions. The first is the standard safeguard against changes of use, the "Agricultural Tying Clause", outlined in PPG 7, which ensures that the site remains in use related to agriculture. This could be rephrased as "the occupation of the dwelling hereby permitted shall be limited to a person solely or mainly or last working on the site of the application in Permaculture, or a widow or widower of such a person or any resident dependents". An important difference between the above and that included in PPG 7 is that in PPG 7 it is stated that the agricultural worker can work anywhere, as long as it is within agriculture. However, in Permaculture the need of the system for people on-site as an integrated part of the system is very important and this is reflected in the tying clause being site-specific.

The second condition would relate to the permission being temporary, being based on the site's viability over a period of 3-5 years. In the case of the Brickhurst Farm permission, the conditions were not tied to the site, but were tied instead to Peter

Mann, stating in effect that Peter Mann is, for the purposes of the clause, Permaculture. Until Permaculture is more recognised by Local Authorities, such an approach is quite acceptable. This would then function in the same way as currently operates regarding agriculture, in that if someone who occupied a dwelling permitted under an agricultural tying clause ceased to fulfil its conditions, they would be served an enforcement notice. In terms of the Permaculture version outlined above, occupants would be bound to practising Permaculture on the site.

Section 106 Agreements

The other option available to Local Authorities, if worried that the original intended use may not be adhered to, is a Legal Agreement, otherwise known as a Section 106 Agreement. One example of how a Section 106 Agreement could operate is the case of a proposed golf course in rural Derbyshire. The Inspector at the Appeal felt the proposal would be acceptable if it was designed, maintained and operated in the way it had been described. The developers offered a unilateral undertaking obliging them and their successors to carry out the development in accordance with the design (Holt 1995 p45).

There is no reason why a Permaculture application could not sign a similar agreement binding it to the principles and objectives of its design, indeed Newark and Sherwood District Council used one in the Hockerton case. Planning permission was given subject to a Section 106 Agreement termed so as “to ensure that the way in which the application has been presented is the way in which it is carried out and maintained in the future” (Vale 1995 p11). The Inspector at the Tinker’s Bubble appeal said that he felt permission should be granted subject to a Section 106 Agreement to ensure that the development on the site was carried out in the way the Tinker’s Bubble Trust had specified it would. Section 106 Agreements could also be used to ensure that Permaculture schemes which included low-cost housing or held land and buildings as a Trust continue to do so.

Appendices

Appendix 1

Relevant passages from PPGs

PPG 7. 'The Countryside and the Rural Economy'. January 1992

Para. 1.10.

"The guiding principle in the wider countryside is that development should benefit the rural economy and maintain or enhance the environment. the countryside can accommodate many forms of development without detriment, if the location and design of development is handled with sensitivity. New development in rural areas should be sensitively related to existing settlement patterns and to the historic, wildlife and landscape resources of the area. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans should be strictly controlled. In areas statutorily designated for their landscape, wildlife or historic qualities, policies give greater priority to restraint".

Para. 2.10.

"If a development is 'reasonably necessary for the purposes of agriculture' it may qualify under the Town and Country Planning Act General Development Order".

Para. 2.18.

"New housebuilding and other new developments in the open countryside, away from established settlements should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not by itself a good argument, it could be repeated too often. Isolated new housing in the countryside requires special justification - for example, where they are essential to enable farm or forestry workers to live at or near their place of work".

Annex E4. "...important to establish that stated intentions to engage in farming or forestry are genuine....will be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby".

Annex E4. sets out the *Functional Test* for whether the worker needs to be present. "A functional test will be necessary in all cases to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such requirement might arise, for example, if workers are needed to be on hand day and night.

- in case animals or agricultural processes require essential care at short notice,

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

Annex E8. assesses whether the people could just as well live in a nearby village.

Annex E9. a *Financial Test* may also be necessary in order to provide further evidence of genuineness, to judge likely present or future financial viability. “may be relevant where a functional test alone is not conclusive - to provide further evidence of the genuineness of stated intentions to engage in farming or forestry or the size of dwelling which the unit can sustain...

The purpose of applying such a financial test...is to consider the land use implications for the site, which may include the likelihood of the proposed development being carried into effect and the size of the dwelling.

Annex E10. Assumes that applicants who can demonstrate that an existing farm of forestry business is financially sound or that a proposed business has been planned on a sound financial basis are more genuine in their intentions than those unable to produce such evidence.

Annex E11. Whether it will be appropriate to apply a financial test as well as a functional one, and the rigour with which each test should be applied will depend on the circumstances of each case”.

Annex E13. If supporting evidence is inconclusive....the LPA will wish to consider whether to grant permission for the provision of a caravan or other temporary accommodation on the site to allow time for such prospects to be clarified (2-3 years) and the requirements will have to be met when it expires for permanent permission to be granted.

To grant successive extensions to temporary permission will ‘normally be unsatisfactory’

LPAs should not normally grant temporary permissions in locations where they would not permit a permanent dwelling.

Annex E15. For agricultural and forestry dwellings there will be a need to maintain that use must be retained for those working in agriculture.

PPG 3. Housing

18. It is important to ensure, through the planning process, that new development in rural areas is sensitively related to the existing pattern of settlement and has proper regard to Government policies for the protection of the countryside.

29. The case for releasing additional land which could not normally receive planning permission for housing, in order to secure provision of low cost housing for local needs, will be essentially a matter for local judgement.

36. Where the land availability study shows an inadequate supply of available land to meet the 5 year requirement, LPAs should consider what action they should take to increase the supply.

PPG 13. Transport

On housing it proposes;

- promote land for housing in locations capable of being well served by rail or other public transport
- avoid sporadic housing developments in the open countryside, but promote appropriate development within existing communities
- allocate sites unlikely to be served by public transport solely for uses which are not employment or travel-intensive.

Appendix 2

Relevant policies from Eryri Local Plan Consultation Draft. October 1995

Policy AM1

Development of Agricultural Land

The LPA will support the development of agricultural land or buildings provided all the following criteria are satisfied:

- I) The development is located as unobtrusively as possible in the landscape.
- II) Any buildings or structures are of a design, scale and use materials which are sympathetic to or enhance the surroundings.
- III) The development does not result in the significant loss of land in agricultural category U1 or U2¹.
- IV) The scale, location and nature of new roads required to serve such development or built for any other agricultural operation have the minimum possible impact on the landscape and ecology of the Park.
- V) The siting and extent of excavations or waste deposits have the minimum possible impact on the environment of the Park.
- VI) The proposal does not conflict with other Local Plan policies.

Where necessary, conditions will be imposed to mitigate any detrimental effects of such operations. Where proposals are considered unacceptable, the LPA will seek to negotiate a redesign or relocation of the development to safeguard the environment of the Park.

Policy AM2

Agricultural Workers Dwellings

The LPA will support a proposal for an agricultural worker's dwelling provided all the following criteria are satisfied:

- I) The building is essential for the functioning of a registered, full time agricultural holding and the need for such accommodation can be proven by a justifiable manpower requirement.
- II) The accommodation needs cannot be met by existing property or through the sympathetic adaptation or more efficient use of existing buildings.

- III) The availability of suitable buildings for conversion have not been prejudiced by the recent sale or disposal, by the applicant, of existing buildings capable of meeting the accommodation requirements of such a worker.
- IV) Consent for the use of the building as an agricultural workers home will be the subject of a non-severance agreement, tying the building to the land and vice-versa.
- V) The property will be used solely for the residential use of an agricultural worker and not as tourist accommodation.
- VI) The proposal accords with policies AM1 and T7 and does not conflict with other Local Plan policies.

Policy AM4

Agricultural Diversification

The LPA will support proposals for farm diversification, which assist in sustaining agriculture as a primary land use, provided all the following criteria are satisfied:

- I) It is sympathetic to the visual, ecological or cultural character of the surrounding countryside.
- II) It is ancillary to the agricultural operation of a registered full time farm holding.
- III) It involves the sympathetic reuse of existing redundant farm buildings subject to policy AM5 or in the case of a new building subject to AM1.
- IV) It does not conflict with the amenity of local residents.
- V) The proposal does not conflict with other Local Plan policies.

Where the reuse of redundant buildings cannot be achieved, new building proposals must accord with policy AM1.

Appendix 3

The Four Types of Notice Local Authorities may issue

- 1) An Enforcement Notice requires “the developer to comply with a particular planning permission including its conditions, or to discontinue an existing use” (Rydin 1993 p104). This can be appealed against.
- 2) A Breach of Condition Notice requires any conditions that were attached to a positive planning decision to be complied with by a given date. In this case there is no right of appeal, non compliance is an offence.
- 3) A Stop Notice is issued only if a previous enforcement notice has not been complied with and requires the cessation of all activities which break planning legislation.
- 4) A Completion Notice seeks to encourage completion, it says planning permission will lapse after a certain time unless development is begun.

Appendix 4

From Tunbridge Wells Borough Council Local Plan (Deposit Copy)

- “1) It will be essential for the person(s) to reside on the site to provide essential or emergency on-site care for human life or for agricultural or forestry purposes, as defined in PPG 7, which could not be carried out satisfactorily by the person living off-site, and no existing accommodation suitable, or potentially suitable for the purpose, or suitable building that could be converted, would be available in the near vicinity;
- 2) A dwelling has not been sold off separately from the site or holding during the previous 10 years, nor has the site formed part of a larger unit previously served by such a dwelling at any time during this period;
- 3) Where possible the dwelling would be located within an existing well-established operational complex of buildings or adjacent to an existing dwelling or dwellings, and would be unobtrusive within the landscape;
- 4) The scale and design of the new dwellings would be appropriate for the purpose for which it was required;
- 5) Existing landscaping would be retained and enhanced; and,
- 6) In the case of an agricultural or forestry workers dwelling, a functional and, if inconclusive, a financial test will be necessary to establish whether it is essential for the proper functioning of the enterprise”.

“In all cases, the granting of planning permission will be subject to conditions restricting the occupancy of the dwelling or conditional upon the applicant entering into a legal agreement which would restrict the occupancy of the dwelling to a key worker”.

Appendix 5

Draft South Somerset Local Plan. September 1994

Draft policy on “Low Impact Dwellings”

This proposed that if sites met the following criteria, they could be permitted;

- “1) All structures are temporary, are not visually intrusive and their removal will restore the site to its former condition;**
- 2) The site is occupied in a manner and density which satisfies environmental requirements;**
- 3) Vehicle movement, noise, fumes and subsidiary activities would cause no nuisance to others;**
- 4) The site is reasonably related to schools and other community facilities;**
- 5) No serious highway problem would result; and**
- 6) There is minimal adverse effect on the amenity of occupiers of adjacent properties”.**

It was proposed that planning permission be temporary in order to provide a period of time to assess the effect of the proposal on the area. This policy was shelved and its reinstatement depends on the Tinker’s Bubble High Court appeal being successful.

Appendix 6

Policy T1 from Snowdonia National Park Plan

New House Building

New housing development will be supported within the housing development boundaries of focal centres, larger villages and smaller villages provided all the following criteria are satisfied:

- I) It is located on sites allocated for housing as indicated on the proposals maps

Or constitutes infilling of vacant land between existing development or the small scale rounding off of:

Up to 15 houses in a focal centre

Up to 10 houses in a larger village

Up to 5 houses in a smaller village

Or comprises the conversion or change of use of existing buildings or parts of buildings subject to the retention of their architectural character in Policy TA6

Or subdivides an existing dwelling house

Or enhances settlement character by redeveloping under-utilised or derelict land or buildings (without conversion potential)
- II) The development is carried out to the highest reasonable standard of design in accordance with policy T7
- III) The development does not unduly affect neighbouring residential amenity or cause the unreasonable loss of healthy trees or hedgerows or damage an important open space within a settlement
- IV) The development will constitute the principal residence(s) of the occupier(s) owner(s)
- V) The proposal does not conflict with other Local Plan policies.

Appendix 7

Six Principles for Sustainable development in Rural Areas

from “Rural England - a nation committed to a living countryside”

- 1) meeting the economic and social needs of people who live and work in rural areas, ensuring that rural businesses are as efficient and competitive as they can be;
- 2) conserving the character of the countryside - its landscape, wildlife, agricultural, recreational and natural resource value - for the benefit of present and future generations;
- 3) accommodating necessary change while maintaining and enhancing the quality of the environment for local people and visitors;
- 4) encouraging active communities which take the initiative to solve their problems themselves;
- 5) improving the viability of existing villages and market towns by promoting opportunities for both housing and employment, thereby discouraging increased commuting by car to urban centres;
- 6) recognising the interdependence of urban and rural policies, as it is only by encouraging urban regeneration and promoting attractive urban areas that we will reduce unacceptable pressures on the countryside.

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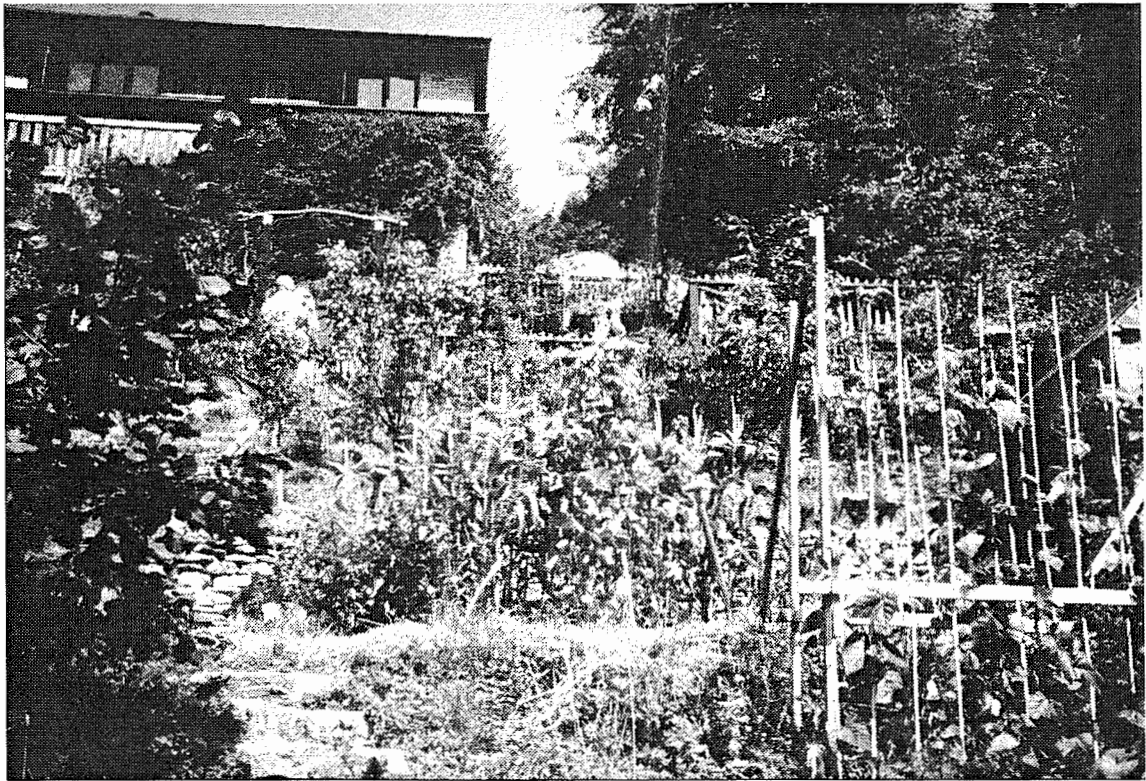
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Getting planning permission in the countryside of England and Wales is almost impossible. The criteria which applicants are expected to meet effectively excludes all but the large-scale farmer. This paper argues that this state of affairs runs contrary to Government commitments to Sustainable Development and that a new approach is needed. This approach, it is suggested, should come from Permaculture, a sustainable design system rapidly becoming established in the U.K. By examining four case studies of Permaculture projects which have applied for planning permission in rural England and Wales, it analyses what makes some cases successful and others not. It also suggests ways in which Permaculture could be integrated into the planning system in order to encourage sustainable rural development. There is an urgent need for models of rural sustainability, and these, it argues, should be nurtured and encouraged rather than suppressed.