



beauty & style, naturally

Planning Assistance Information sheet 4 (Smallholding)

Generally speaking there is a presumption against development in open countryside including greenbelt. Paragraph 10 of [Planning Policy statement 7](#) makes it clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full time workers to live at or in the immediate vicinity of their place of work. There are many rules which need to be met to qualify.

Conservation areas, AONB's (areas of outstanding natural beauty), National Parks & SSSI's (site's of special scientific interest) have their own additional problems and we assume that unless you point it out to us initially, then your site does not fall into any of these special areas.

To live on your smallholding it is best to improve your chances of success by providing substantiation of a special case. Possibly a modest agricultural or other land related business which in the long term provides a modest income for at least one person. The type of business can vary from say a small scale egg business, pig breeding and rearing for meat, a livery, a riding school for disabled persons, a wormery, a holistic treatment service for the local community, a fishery/hatchery, a smallholding, or a blacksmith. Within the rules mentioned above, the list is almost limitless. Our advice is to find something that you are good at, can make money from and that you are committed to and then once you do this you must stay with it and carry it through.

For instance National Planning Policy is supportive of agricultural workers dwellings being provided where there is a proven need. It is necessary to meet five criteria : **(1)** a clear intention and ability to develop the enterprise concerned, which amongst other things requires you to have sufficient land and buildings under your control to substantiate an agricultural business, **(2)** a functional need, requiring you to show that you need to be on the holding at all times of the day and night throughout the year. For instance this could be shown if you were farrowing/lambing and caring for young livestock, **(3)** evidence that the proposal has been planned on a sound financial basis, **(4)** whether the need could be met by existing accommodation in the area, and **(5)** other normal planning issues such as siting and access are satisfied.

Unless the business is already very well established and able to meet the criteria in paragraph 3 of Annex A of PPS7, it is likely that the LA in granting any permission would stipulate a temporary building i.e. a static caravan or Transportable Home. Our Transportable Log Homes are a mainstay of our domestic business. Essentially they weigh four to five times more than their ugly aluminium predecessor because they are far more solid and of higher quality. Unless the customer specifically specifies that they do not want it, our Transportable Homes are made to comply with Building Regulations. We have a [PDF report](#) on our website giving a definition of what constitutes a Transportable (Mobile) Home and another [PDF document](#) that talks about the rules on transportable buildings which are zero rated for VAT subject to certain criteria.

We have several background stories on people who have gone through this process with us and are now living happily on their land, these stories are on our website in the [“News”](#) section of www.rural-log-cabins.co.uk. By clicking on the [“Transportable Homes”](#) section on the LH side you will also see that there are many existing designs. The choice of options and costs are shown. Do remember that as we make each cabin to order, and can adapt any of these designs to include whatever feature you want, or if you want we can make it to your design we can visit site and sit down with you starting with a blank piece of paper and develop your own design.

If you decide that you would like us to get involved and make the application for you we would need to visit site and meet you to see where the development is proposed and to take some reference photographs. At that time we would need to discuss in detail your business plans sufficient to make an application.

Because we have been disrupted in the past and wasted our time on many occasions, please be sure that you have thought it through and that you do not change your mind. We are here at the other end of the telephone and ready to discuss things and give our view based on many previous experiences. By ordering the visit, you will be committing to pay for our time but all of the initial costs are deductible from any order you place for a cabin. Please do not regard this as a threat or sharp practice, we have a business to run and our time is valuable to us.

During our initial visit we would want to view & discuss site access, cabin siting, provision of services (electricity, water & foul waste disposal + telephone if required – please advise) and the type of base required taking into account the structure you want, the topography and your soil type/bearing capacity.

The cost of this visit for us and our Planning Consultant would be £550 - £700 depending on distance and we would want you to write to us please confirming your wish for us to visit. We do not make profit from the charge as a large part of this price is taken up in travelling and subsistence costs but there is a small contribution towards our normal commercial hourly rate.

We would at your request give an approximate total cost for preparing and submitting a planning application including cabin drawings (it is assumed that you will provide the site O/S plans unless we show that cost separately), the obligatory design & access statement, possibly a Rural Business advisors report to substantiate the functional need, correspondence and liaison with the LA officers throughout the processing of the application. Wasted time if, for instance you then change your mind and put on hold or cancel will be payable at £65/hour plus expenses.

On leaving site we would do further research and give you our opinion as to the likely success of the application but would not normally even visit a site if we thought by talking to you in detail over the telephone that it was not worthwhile to both sides. It is normal that we would only recommend proceeding if we felt that there was at least a 70% chance of success, you may want to proceed if the perceived likelihood is of a lower order. This is a judgement however and even if we were exactly right it would still mean that there would be a possibility that you may be refused.

Subsequent to the site visit we would write to you quantifying our costs to prepare: cabin plan drawings, the Design and Access Statement (required for all applications now) and the Application itself. If the application is complicated or the impact of what you are doing would be significant then It may be necessary to commission other specialist reports and accompanying documents obviously these would be at a further cost, but we would agree the details and get clearance on the cost before proceeding.

We will administer the application through the Local Authority planning process and if necessary intervene when circumstances allow us to prevent unnecessary “political shenanigans or chicanery”. On placement of an order with Rural Leisure Limited these costs would be deducted from the cabin price.

We will do everything we can to put your case over in the best possible light, and so you need to give us all of the relevant information please. Along the whole process human beings interrelate in an unpredictable fashion and are required to make many judgements which at times are surprising, this makes the process indeterminate. If you decide to go-ahead be aware that these affairs do not proceed with haste! Planning information sheet 1 gives some idea of the process. If the application is refused you will usually have grounds to appeal. Appeals have a relatively high success rate, they do however take a long time to be heard, up to 12 months or more and so it is best that you allow us to present the initial application in the best possible light and are prepared for the worst but hope for the best. Typically an appeal can cost up to £9000 for a one day session, this is normally the time these types of cases take. We have copies of many appeals some of which, will be closely relevant to your case. If you would like to read some we can forward them on to you.

This advice document is given free and is intended only as a guide. The decision in the end is with you, which means that you should take whatever legal advice is necessary and will then presumably make a risk; to cost; to benefit judgement. Obviously if you get permission the value of your property would almost certainly increase significantly. We will not pressurise you because this is a complex matter requiring careful consideration and if you go-ahead, you will definitely need to have an unswerving commitment to your project. Please contact us to let us know either way once you have come to a final decision. In the meantime if you have any queries do not hesitate to ask.

Other related papers: **Mobile Home definition,**
 VAT rules,
 Planning sheet 1 general information.