



beauty & style, naturally

Planning Information sheet 4 (Smallholding)

Generally speaking there is a presumption against development in open countryside including greenbelt. 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 showing a special case, this could be, for instance, to propose embarking on a large scale business, offering significant employment in the area (e.g. JCB, whose factories are in some instances in open countryside in the Staffordshire Moorlands). Or more likely a modest business which is in some way tied to the land and provides a modest income for at least one person.

The type of business can vary from say a livery, to a riding school for disabled or an holistic treatment room, a fishery, a smallholding, or a blacksmith. The list is almost limitless, but our advice is find something that you are good at and 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 first necessary to meet the functional test, which requires you to have sufficient land and buildings under your control to substantiate an agricultural business. It then requires us to show that you need to be on the holding at all times of the day and throughout the year. For instance this could be shown if you were farrowing/lambing and caring for young livestock.

Unless the business is already very well established 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 three to four times more than their ugly aluminium predecessor because they are far more solid and of better quality. They are usually made to comply with Building Regulations as well. We have a PDF giving a definition of what constitutes a Transportable (Mobile) Home and another 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 living happily on their land. There are many stories 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 designs. The choice of options and costs are shown.

Do remember that as we make each cabin to order, we can adapt any of these designs to include whatever feature you want, or if you want we can make it to your design or sit down with you and just start with a blank piece of paper.

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 access onto the site, 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 £430 and we would want you to write to us please confirming your wish for us to visit and giving an acceptance of this cost. 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 the obligatory design & access statement, correspondence and liaison with the LA officers throughout the processing of the application. Wasted time if you, for instance have a change of mind after instructing us to proceed and then change your mind 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 (often this is from £2- 3.5k) to prepare: cabin & ordinance survey scale 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 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 and unpredictable, 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 18 months or more and so it is best that you are prepared for the worst but hope for the best. Typically an appeal can cost up to £7000 for a one day session, this is normally the time these types of cases take. We have copies of many appeals some of which are closely relevant to your case and a few of which we have been successfully involved in. If you would like to read some we can forward them on to you.

The decision in the end is with you, which usually means that you will make a risk; to cost; to benefit judgement. Obviously if you get permission the value of your property would greatly increase. 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. Also if you have any queries do not hesitate to ask.

Other related papers: **Mobile Home Definition,**
 VAT rules,
 Planning Sheet 1 General Information.