



Lammas Low Impact Initiatives Ltd

**A Commentary on the**  
**PLANNING AND RIGHTS OF WAY COMMITTEE**  
Report of the director of development  
(9<sup>th</sup> of September 2008)  
Considering application no. 07/1581/PA

**November 2008**



Site Model of the Lammas Planning Application

## **Intro**

The Lammas project is proposing a development of nine eco smallholdings and community hub building in Pembrokeshire under the new low-impact policy, policy 52 of the Joint Unitary Development Plan (JUDP) for Pembrokeshire. Its first application was refused in October 2007. Lammas resubmitted its application in March 2008 and was again refused. This document considers the planning report to committee, prepared by David Popplewell (Development Control Officer) on behalf of the Director of Development, Pembrokeshire County Council (PCC) dated September 9<sup>th</sup> 2008.

This document will focus on those criteria which the planning report considers contentious and/or relevant to its subsequent recommendation for refusal.

## **Criterion 1**

*“The proposal will make a positive environmental, social and/or economic contribution with public benefit.”*

The Lammas proposal was considered to have met criterion 1, however further information on some of the social and economic contributions and public benefits was required.

## **Composting scheme**

The situation regarding Community Composting provision has changed since the application was resubmitted in March 2008. Pembrokeshire Council are now providing every household with a free compost bin, which would allow people to recycle kitchen waste at home. This is a great thing. At the time research was undertaken into the viability of a community composting scheme and accompanying vermiculture operation (winter 07/08), the options were to take garden waste to the amenity centre or put it in a green sack and have it sent to landfill. However, the free compost bin scheme does not seem to include restaurants, schools, shops, or any businesses, which are all apparently still having their organic waste taken to landfill. To quote directly from the Council website:

*“If you are unable to compost at home or at one of our six Civic Amenity and Recycling Centres, you can place the waste inside authorised green sacks purchased from the Authority. Green waste placed in green sacks that do not show a Pembrokeshire County Council Logo and were purchased from other sources will not be collected.*

*What happens to green waste collected from the kerbside?*

*Garden/green waste collected by the authority in green bags is NOT composted but sent to landfill.*

*If green waste was collected separately from the kerbside it would necessitate the use of dedicated vehicles and a dedicated collection schedule; both deemed environmentally and economically unsustainable by the Authority.”*

([http://www.pembrokeshire.gov.uk/content.asp?nav=107%2C559%2C1298&parent\\_directory\\_id=646](http://www.pembrokeshire.gov.uk/content.asp?nav=107%2C559%2C1298&parent_directory_id=646))

As the report to the Planning and Rights of Way Committee (hereafter referred to as 'the report') notes:

*'Policy 132 of the JUDP sets the criteria for considering a composting scheme permitting them unless, amongst other things, there is an unacceptable impact on access, traffic generation and the capacity of the local road network.'*

The main issue that the report raises regarding the proposed Lammas composting scheme is related to traffic generation. In many areas the report repeats verbatim the original report to the Planning and Rights of Way Committee. Points such as this one regarding traffic generation of the composting scheme were written in relation to the original planning application, but have less relevance for the re-application which has been entirely re-written in order to address the concerns raised in the original report. The number of journeys the community compost scheme would require is taken into consideration in the proposal's traffic management plan in the re-application, for example. Indeed, the consultation response from the Head of Highways raises no concerns regarding traffic generation of the composting scheme, contrary to the report which, repeating the original report suggests:

*'the Head of Highways and Construction has concerns regarding the impact the proposal, as a whole, would have on the local highway network..'*

The report also suggests that collecting compost rather than having it delivered to the site will increase the traffic generated and that these issues have not been thought through in the Management Plan:

*'It is unclear but appears unlikely that these collections have been accounted for in the traffic targets set out in the management plan.'*

Again this appears to have been taken from the original report and is not pertinent to the re-application, which explicitly discusses these issues and proposes a collection service so that journeys are minimised (one round trip each week with a low impact renewably powered vehicle, rather than an uncontrolled number of trips if people bring their compost to the site).

It is clear that the change in PCC policy, which makes home composting bins available, would not affect the viability of a small-scale community composting operation. Such an operation is based on neighbourly relations and direct interaction & exchange. Perhaps it would even be possible for Lammas to process some of the waste that PCC collects and puts to landfill?

Referring to the proposed community composting scheme within the Lammas planning application, the planning report states;

*'the revised application omits reference to community composting'*

This is completely wrong and provides a good illustration of the numerous errors which appear throughout the report.

The community composting scheme is an integral part of plot 4's business plan, where twelve pages of detail are supplied (see plot 4 Management Plan, pages 15 to 27). It is also referred to throughout the plot 4 Management Plan.

It is also discussed within section 11 of The Management Plan.

It is also considered in section 3 of the Permaculture report.

It would seem that the author of the planning report has not actually read the application he is recommending for refusal.

### **Community Mini-bus**

In the first paragraph on this the report suggests

*'There is no information on whether it will be a timetabled or dial up service,'*

whilst in the second paragraph the report correctly notes that

*'clarification has been provided that the service would be open to non-residents. Information in the form of a timetabled service is provided and this indicates settlements that the service would connect to.'*

However, the report fails to then draw the on this conclusion that this aspect of the proposal represents a net benefit. This is also true of the Trading Post discussion in the report.

### **Affordable housing**

The report describes the PCC definition of affordable housing as

*'that which is for sale or rent below market cost in perpetuity available for local people in unsuitable accommodation who are unable to meet their needs on the open market'.*

The report repeats the first report verbatim and thus describes the Lammas project as not meeting local need. Lammas contests this point, having adapted its application procedures to ensure the affordable housing criterion are met. Three of the Lammas families are currently living locally and fit this criterion perfectly.

In addition, whilst some of the Lammas prospective residents live outside Pembrokeshire, a purposive local weighting was adopted in the selection process to encourage residents from the local area. Indeed, after the first planning refusal four local families, disillusioned with the planning process, dropped out of the project. This is not entirely surprising given the ever-increasing bureaucratic load required in submitting the planning application along with the commitment to a demanding lifestyle independent of mains services. All available plots are advertised locally initially. Only once as many local people as possible have been

engaged does Lammas then widen the search, as is best practice in affordable housing policies .

Lammas is committed to making sure that future plots, when they become available, are made available to local people before being made available to those from further a field and has a clear policy to this effect, drawn up in part through negotiation with the Design Commission for Wales (DCFW).

## **Training and education**

On this point the report considers not only the traffic generation implications of running courses (which is actually covered in the traffic management plan and subsequent highways report) but also the apparent lack of consideration of methods such as videos, training manuals and on-line courses, which are seen as lower in impact.

However, Lammas actively provides a wealth of information online, including a series of documentaries on the project. Lammas has high quality web-pages updated regularly by volunteers, several dissertations have been and are being made for and about Lammas, there are plans of ongoing research involving publications once the project has started and Lammas will shortly be providing a new 'low impact development' book online.

We consider these criticisms unfounded. Whilst Lammas will continue to use on-line, video and other resources to the full, a key part of the project's contribution is the practical demonstration of sustainable ways of working with the land. As such a certain level of hands on engagement with the project by students, researchers and other stakeholders is inevitable and indeed desirable. Rather than hide this fact Lammas has taken active steps to minimize all transport related impacts.

## **Criterion 2**

***“All activities and structures on site have low impact in terms of the environment and use of resources”***

There are six points for consideration in this criterion

***1. “Development will be expected to provide their own water, sanitation and energy on site and not rely on use of mains sources”***

### **Water and sanitation**

The planning officer's recommendations rely entirely on the ADAS report, which concludes that they are areas of concern that may need more attention.

ADAS recommends the undertaking of another water survey, but acknowledges the existence of an updated water survey report.

According to the Lammas water report (Appendix 4) there is more than three times the volume of water available to meet even the most conservative estimates of the project's water needs. This is based on bottling rates from the water bottling plant at Pont-y-Gafel farm when the spring is at its lowest ebb. The report was written by a fully qualified water engineer.

When it comes to sanitation, ADAS suggests that care should be taken not to contaminate the spring water supply by grey water.

The grey water treatment areas all lie well outside of the spring catchment area, lie physically below the spring and are in any case lined and regularly tested. The importance of not contaminating the spring water supply has been a high priority for the project from the outset and is addressed thoroughly, drawing on the advice of a range of experts over a two year period.

The failure of both Planning Reports to consider these points further illustrates the flaws they contain.

## **Energy**

The report questions the viability of the proposed energy sources.

There are three different sources of energy for the project. These are the hydro (as the primary source), solar power and wind generation (as secondary sources). There is an assessment of the viability of the hydro scheme in the planning officer's report but large parts of it are based on an outdated report submitted with the original planning application; for example there are no longer questions about the possible ownership of the hydro, even when the report suggests so. This is a further illustration of the way in which the second report repeats the first verbatim, even when the text concerned is no longer relevant.

Doubts are also raised about the reliance on funding; the funding of the hydro refurbishment has been discussed with funding advisors and they have presented a number of viable leads to attaining 100% grant funding.

It is unclear whether an abstraction licence for the hydro is required as the information given by The Environment Agency is contradictory. Appendix 11 of the Application (along with a supplementary report) clarifies this topic, although this evidence is overlooked in Mr. Poppelwell's report.

### ***2. "Buildings are to be constructed from materials that are recycled, reusable and have low embodied energy or are from sustainable sources"***

The planning report considers that Lammas meets this point

### ***3. "Traffic generation targets must be well below what would be expected from a similar development operated in a conventional way"***

In the first submission (2007), Lammas had been advised that consultation with Highways would be handled by our case officer (David Lawrence). This consultation never took place. Thus when highways commented on the proposal, there was not enough detail in the application for their assessment. Highways subsequently used figures of “ordinary” levels of traffic generation in its assessment and ended up concluding that the highway network could not sustain the amount of traffic generated by a project of this scale.

Subsequently, a traffic survey has been carried out by the local residents of the area and a traffic management plan with clearly defined targets has been created by Lammas.

It has been agreed with Highways that the traffic generation of the project would be well below previous expectations and therefore would meet this criterion. Highways officers have recommended conditional approval for the scheme.

The Planners report refers to both, the 2007 and the 2008 consultation responses from The Head of Highways and Construction and thus seems to contradict itself. Once again the application has been tightly revised and only the 2008 response from the Head of Highways and Construction (PCC) is relevant.

#### **4. “The development satisfies criterion 4 in terms of landscape impact”**

This point is considered not to be contentious.

#### **5. “The project must be reversible, insofar as new buildings can be easily dismantled and the land easily restored in the event of the collapse of the project”**

The Planning Report text, despite new evidence provided by Lammas, remains unchanged since the 2007 report:

*‘Due to the amount of labour required for the construction, the materials used for the buildings, the time spent during the construction and the permanent nature of some of the buildings the Planning Authority considers that they may not necessarily be low impact.’*

This statement was considered very vague when first used in 2007. The wording ‘may not’, for example is unclear and non-committal. Given the significant revisions to the application following both the PCC first report and the DCFW report, it is entirely unsatisfactory that the same text has been used with no further clarification. It is not clear what aspects of time, labour or material choice the planning officer considers contentious.

In response to the 2007 planning report the largest and most technically advanced structure (the terrace) was redesigned to create a much simpler low-impact structure that relied upon self-build power and expertise rather than brought in skill. This change has not been acknowledged by the planners.

In a further attempt to resolve this issue, Lammas will also be submitting a revised hub design which will create a much more low-impact building.

The residential buildings applied for have been designed by individual households with the help and advice of experts. In selecting materials and building techniques, the low impact and reversibility requirements have remained a high priority.

Below we consider the four themes raised by the planning officers in this statement to question the low impact nature of the buildings:

### **Labour;**

No building, what ever the construction methods or ethics behind it, can be built without labour. It could reasonably be said that traditional low impact building methods are more labour intensive than conventional methods due to the minimal use of heavy machinery and the use of human labour to minimize the embodied energy of materials used.

The planning report refers to outside professional help being an issue. It would be foolish not to use the knowledge of experts specialized in low impact building techniques and materials. Surely the involvement of professionals should be encouraged? Indeed, this was the view of the DCFW review panel.

The concerns about the labour use and the traffic generated by the construction of the buildings would only be a short term issue and cease to be a concern once the main structures have been completed. In any case these issues have been addressed by Highways.

### **Materials;**

It was established in the consideration of point 2 (above) that the planners are happy with the chosen materials of the buildings, yet the inclusion 'materials' in the rather imprecise sentence quoted above appears to contradict this. The application employs the fullest use of locally sourced, natural, reclaimed and recycled materials.

### **Time;**

As with labour; most low impact building techniques require more time than their respective counterparts. For example, the application sets out how the majority of the project's timber needs will be derived from the site. This timber will be harvested in a sensitive manner integrated into a comprehensive woodland management plan which maximises biodiversity alongside productivity and added value. Timber will thus be cut to order, rather than bought in pre-fabricated timber sections. This will take more time and labour. Some low-impact materials, such as earth/ lime plaster, wood finishing products, limecrete and straw clay take longer to dry or set and hurrying may be destructive. The greater the use of raw natural materials, the greater the labour and time implications of the build. The report appears to completely

miss this key aspect of Low Impact Development generally and this application specifically.

### **Permanent nature;**

The report on this point it appears to misinterpret Policy 52 and its associated SPG. As a consultee to the SPG Lammas successfully demonstrated that Low Impact Development need not necessarily be temporary. Indeed, in recognition of this the SPG Consultation Draft appendix referring to benders at Kings Hill was removed as this presented an unduly temporary picture of low impact structures.

In Section 11 of the Management Plan Lammas thoroughly explained the balance of considerations regarding this issue within the application. As the application makes clear, heavy structures, such as passive heat storage systems (“thermal mass”), masonry stoves, turf roofs and water accumulator tanks contribute to lowering the energy demands of buildings and by their nature demand appropriate foundations.

Lammas residents plan to use the most low-impact building options available to them, whilst working within the constraints of building control. Cement products will only be used where absolutely necessary due to the high level of embodied energy within cement. Current proposals suggest that this will be restricted to strip and pad foundations. The presence of concrete/ limecrete foundations for the houses may make reversing the project and restoring the land to its previous condition somewhat onerous. Nonetheless, in the unlikely event of it being required, it is entirely possible.

It is, however, worth considering that digging ponds, planting trees/ hedges and rebuilding stone walls/ banks can have the same difficult-to-reverse impact on land. Indeed, there is growing recognition within the Low Impact Development movement that Low Impact Development can be permanent and that in some situations the most beneficial approach will be to leave a development to decompose, thereby creating new habitats.

### ***6. “The development must be of a scale no greater than is necessary to meet the needs of the development”***

The Planning Report does not directly address this point, instead it contests it on three unrelated grounds:

- “The scale of the proposal in terms of its activities and building proposals are demonstrably beyond the capacity of the residents...”

This point is not expanded upon or justified, but simply repeated from the original report. The report thus fails to specify what it means by “the scale” of the project. It could mean the amount of land required for the whole project, the number of people involved, the

number of buildings necessary for the livelihoods of the people or something else entirely. A huge amount of effort and an uncounted number of working hours from countless people has been poured into the Lammas proposal. All the plans have been well researched and discussed at length with a range of experts from within the LID movement and beyond. The application demonstrates that Lammas is a strong network of intelligent, hard working people ready to work together and ensure the success of this proposal, rather than demonstrating any lack of capacity.

The project is ambitious, but 9 dwellings is actually not very many, even next to a village of the size of Glandwr (76 households). Indeed the scale of the project has been modified over a two and a half year process of consultation and engagement with people from the area in order to complement the existing settlement. The original concept of thirty units on 180 acres has thus been amended to the present highly honed application for 9 units on 76 acres.

The size of the plots has been carefully calculated to be no greater than is necessary to meet the needs of the development; on average there are 8 acres of land for each household, which is enough to meet each household's needs. John Seymore<sup>1</sup>, for example, suggests that 5 acres is sufficient to meet one household's needs.

Policy 52 and the associated SPG contain no suggestion that labour cannot be brought in (both skilled and unskilled) to establish and run a low-impact project. In fact this is one of the areas in which the application can significantly contribute to the local economy (through paid employment) and also educate for sustainability (through volunteer posts and courses). Nonetheless, now that the Community Hub has been redesigned, all the buildings can be constructed using on-site skills and labour.

- The report challenges the travel implications of the project.

The report suggests that the project will require people to commute from afar to support it. It reasons that this would create a problem for the local road network. The Lammas Business plan makes it clear that recruiting new employees in Lammas will have a bias towards people who live locally and can travel sustainably to minimise transportation issues. The Lammas Traffic Management Plan clearly explains how much traffic Lammas is expecting to generate, how it is monitored and what kind of strategies are being used to keep traffic generation to a minimum. PCC Highways Department have seen the plan and given it their conditional approval.

- The report then goes on to criticise the lack of shared structures,

According to the planning officer's report, the number of buildings on site should be minimized by maximising the sharing of workshop, storage and polytunnel space. This need to share structures is not something that is mentioned anywhere in Policy 52 or the supporting SPG.

We are 9 individual households with individual needs, lifestyles and dreams. We do not want to establish a commune, rather a collective of individual smallholdings that support each other, and that can also function independently from each other. Lammas has

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<sup>1</sup> John Seymour (2003) *"The New Complete Book of Self Sufficiency"* Dorling Kindersley Limited, London

deliberately not taken the approach of centralising all the activities on site, but has followed the model of the traditional Welsh hamlet or cluster of rural smallholdings.

The application creates a situation where the sharing of tasks and facilities will naturally emerge, rather than being artificially imposed by a central organisation. It is a social approach that we chose to adopt after extensive research into community models. Undoubtedly this approach may not have the inherent efficiency of some intentional community models such as Brithdir Mawr, but in place of that it will have a social diversity and an ethos of empowerment and independence which we consider important. Over time this approach will enable the project to integrate more naturally into the wider community as it will not be a commune with a single voice, but a collection of individuals each setting up their own businesses and households and interacting with *all* their neighbours in the process.

Having said that, there are areas of shared facilities that have been organised. Namely:

- The organisation and management of the communal woodland.
- The creation of a shared water and electricity network.
- The creation of a health and safety certified kitchen for the residents to add-value to their produce.
- A shop and cafe to sell produce from.
- A campsite to accommodate visitors.
- Marketing cooperation (through logo, promotion, online sales).
- Traffic cooperation.

Plus the terrace will share all their fuel production (miscanthus and SRC willow).

Informal sharing of facilities that have already arisen include:

- A market stall for produce (organised by plot 7)
- A meat processing kitchen (plot 9)
- A green woodworking area (plot 7)
- A cow-share club (plot 6)
- A tractor-sharing club (plot 9)
- A community composting facility (plot 4)
- A woodworking workshop (plot 9)

This is in addition to the wide range of shared services and facilities which will emerge organically, ranging from childcare to the growing of staples and specialist crops. Research suggests this is best achieved through inspiration and on-going process of responding to opportunities and needs as they arise, rather than a predetermined and fixed obligation or plan.

Lammas would have liked to have created a more extensive shared grazing facility, but have found it impossible to do so under the current livestock regulations.

To return to the actual point being considered and answer it directly, all the buildings have been carefully designed to efficiently fulfil the roles for which they have been created. None of the buildings could be considered unnecessarily large; rather they have all been designed to accommodate the various physical and functional needs that are expected to occur on the site and are very efficient uses of space.

### Criterion 3

**“Opportunities to re-use buildings which are available in the proposals area of operation have been investigated and shown to be impracticable”**

The report’s coverage of this criterion further illustrates the way in which the original report is often repeated verbatim in a rather indiscriminate way, weakening the quality of the report. In this instance the original report’s paragraph referring to several Pont-y-Gafel farm outbuildings with residential planning permission is repeated. This paragraph goes on to suggest

*‘...the applicants state that these buildings are not available to them. The reasons for this are however not fully explained and there is therefore doubt about compliance with this criterion.’*

As this concern was raised in the original report the re-application addresses this point more fully. Indeed, two reasons are given to explain why the buildings in question cannot be used in the LID application;

- 1) They are not available to be used by Lammas because the owner does not want to sell them. Rather they are to be used to house the landowner’s large family.
- 2) Using these buildings would, by virtue of their capital and renovation costs, require income of a level which could not be supported from the land under the current policy requirements.

The landowner, Su Burke, has now provided two statements which clearly demonstrate that the buildings are not available to Lammas.

The report’s second paragraph dealing with criterion three acknowledges this additional information and makes no reference to there being any doubt as to the validity of these points. Despite this, in its conclusion the report, attaches more weight to the first paragraph, which in fact is not relevant application, than to the second which refers directly with the re-application and its additional information on this point. This is most alarming as it represents at best a degree of opacity within the report and at worst unsubstantiated bias against the scheme. For example, in the report’s second introductory section **‘2. Description of the site, proposal and planning history’** these outbuildings are prosaically described as ‘attractive’. Such a subjective description has no relevance for this application, particularly given that the outbuildings themselves cannot and do not in any way form part of the application! If further evidence is required to demonstrate the fulfilment of this criterion it should be made clear in the report. However, it appears that ample evidence is already provided within the re-application.

### Criterion 6

***“The proposal will provide sufficient livelihood for and substantially meet the needs of residents on the site”***

The planning report takes four approaches to considering whether Lammas meets criterion 6. Once more some of these appear to be repeated from original report and are thus self-contradictory and can be discounted <sup>2</sup>:

- Firstly, it states that evidence supplied by ADAS suggests that there is insufficient evidence to assess the project. However, ADAS did carry out an assessment which is later referred to in the report. Thus it would seem that this reasoning refers to the original application and is no longer relevant.
- Secondly, the report maintains that Lammas has provided insufficient evidence to justify why it is unable to meet 75% of its household needs in the recommended 3 year period.

Policy 52's SPG requires that the 75% requirement mentioned above should be met by the year 3 of the project or “as close to that target as possible with reasons why a shorter timescale is not appropriate”. The application makes clear that by year 3 it will derive 30% of the basic needs and the produce will increase to meet the 75% by the end of year 5. A clear justification for this is given in the application even though the report claims the opposite. The report appears to be assessing a permacultural, low impact scheme without fully understanding the principles behind such an approach. For example, the report suggests:

*‘Given the importance of proving that the proposal can be largely self-sufficient and the fact that permaculture, soil, geological, hydrological and other surveys have been carried out there appears no justification for observing the land or delaying the horticultural and other land based activities in favour of an initial construction phase.’*

This statement flies in the face of research and best practice of permaculture and low impact development specifically and small holding establishment more generally. The existence of the various reports referred to demonstrate that the application is based upon sound research, design and planning. However, in no way is this research a substitute for the more detailed observations and study that permaculture requires before commencing the implementation of permaculture designs for a site. The report specifically refers to and questions Plot 5's plan to spend the first year observing the site. This period of one year, however, allows the detailed observation of the land, its soils, flora and fauna through the full cycle of four seasons and is the standard minimum period recommended within international permacultural standards. To suggest that the existence of an extensive array of reports and studies of the site as part of the *planning application* can substitute for

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<sup>2</sup> The report's tendency to repeat verbatim and rather indiscriminately from the original planning report can be seen in the opening paragraph to this section which begins with a sentence which is clearly lacking previous, contextualising text.

this detailed and intensive observation demonstrates a complete misunderstanding of permaculture. Furthermore, as any authoritative text on establishing small holdings makes clear, it is best practice to establish an efficient and functioning infrastructure before commencing land based production (Thear, 2002; Seymour, 2003). Failure to do so is inefficient and leads to reduced productivity and the failure of many smallholdings. In building housing, barns and similar infrastructure before commencing full land based activities therefore, the application complies with best practice in this field and, indeed the highest temporal efficiencies. For example, once residents are living on site they will be able to begin detailed daily observations, so that this can actually take place simultaneously with the initial building programme. Furthermore, one of the key factors necessitating a five years period is the establishment of trees and other plants which take several years to reach productive maturity and the initial planting of these trees is planned as soon as possible, again bringing the time scales forward as far as possible. Indeed, residents are currently in the process of purchasing the land in order to allow those initial plantings which are practicable at this stage. Clearly, the applicant and all those represented in the application are completely committed to 'proving that the proposal can be largely self sufficient'.

In addition the specific reference to plot 5 is inaccurate and misleading.

*'...and the plot 5 individual management plan suggests the first year will be spent observing the land to assess its permaculture potential.'*

Whilst a technically correct statement, what it does not say is that the plot 5 Management Plan (section 10) describes extensive tree-planting, SRC planting, hedge planting, coppicing and soil improvement programs during that first year along with creating temporary accommodation, reclamation and preparatory works for their build.

The report goes on to suggest that the failure to meet the 75% of needs in 3 years is grounds for refusal. However in accordance with policy guidance, Lammas has supplied ample reasoning to justify why the three year target is inappropriate in this case. The ADAS report (Section 3) confirms this, suggesting that it will take 4 years or more before any noticeable improvement in soil quality is apparent.

- Thirdly, the report uses the fact that some of the prospective residents plan to supplement their income by offsite employment as evidence to maintain that criteria 6 will not be met.

According to policy 52 and its associated SPG, 75% of basic household needs will have to be derived from the land.

This would imply that 25% of household needs could be derived from off-site or non land-based activity, so long as the functional need principle was not violated (see criterion 7). Indeed, as a consultee to the SPG Lammas successfully argued for a change in the wording of this requirement from 75% of household 'income', as appeared in the first consultation draft of the SPG, to 75% of 'household 'needs'. This change was argued for and agreed on the grounds that as long applicants can meet 75% of their needs they should be free to earn outside income. Indeed, this

change from 'income' to 'needs' in the SPG specifically ensured that there need be no restrictions on the ability of applicants to earn outside income beyond the requirement that they be working the land sufficiently to derive 75% of their household needs. Notwithstanding this, the application is clear that the small quantity of off-site employment undertaken by residents will be part-time as their primary focus and commitment is ensuring the success of the project and its compliance with the 75% requirement.

- Fourthly, the report leans heavily upon the findings of the ADAS report. In fact it includes a summary of 10 out of 11 of its conclusions.

In a minuted pre-application meeting with Lammas PCC Planning Department agreed with Lammas, that conventional agricultural methods would not be used for the assessment of the proposal and that whoever undertook the tailored assessment would be fully briefed on permaculture and LID. The use of ADAS in this application contradicts both these assurances from PCC Planning Dept and the ethos behind policy 52. ADAS's expertise lies within conventional agricultural assessment. They have been provided with no briefing from PCC on Permaculture or LID. This has led to a series of misunderstandings within the ADAS assessment of the application. Despite this, the ADAS report provides the core reasoning behind the recommendation for refusal of planning permission.

These limitations in the ADAS report are entirely overlooked by the planning report, even though it contains explicit statements that contradict the ethos of Policy 52. For example, point 18 of Policy 52's SPG clearly describes how value-added processes are considered an integral part of a low-impact proposal. The ADAS report consistently fails to understand point 18, however. In using conclusion 7 from the ADAS report, which appears as conclusion 6 in the planning report, the planning report supports an interpretation of Policy 52 which does not include value-added processes. This argument is completely unjustified and directly contradicts the SPG.

The ADAS report is highly questionable in its approach and this is considered in the document "A commentary on the ADAS report".

More importantly however, both the ADAS report and the planning report fail to do consider the evidence supplied in section 11 of the Management Plan. Were the planning report to tally the project's land-based produce compared with its household needs, it would in fact be forced to concede that, even with all the ADAS amendments (which are highly questionable in themselves), the project meets more than 75% of its needs from the site, thus satisfying this criterion.

## **Criterion 7**

***"The number of adults should be directly related to the functional requirements of the enterprise"***

The planning report adopts three arguments to support its conclusion that Lammas does not meet this criterion:

- Firstly, drawing on the ADAS report it suggests there is insufficient evidence to assess the functional need. However, once again it appears that this reasoning refers to the original planning application and is no longer relevant because ADAS did undertake a functional needs assessment in response to the re-application and the planning report later refers to this..
- Secondly, the report suggests the fact that residents are planning to supplement their income using off-site employment indicates that there is not a functional need.

This argument raises serious questions about the interpretation of the SPG and Policy 52, as noted above. Furthermore, it is clear that all such off-site employment would be part time.

The policy has clearly been written to make a provision for truly committed people to live a sustainable lifestyle on the land. A functional need element has been included to ensure that all adult residents have a functional role within the project. It does not preclude supplementing income with part-time off-site employment. Indeed the fact that criterion 6 insists on 75% of household needs being met from the project rather than 100% reinforces this interpretation.

The application provides substantial evidence that all the adult members involved in the project will be engaged with the project on a full-time basis.

It is important that a realistic and pragmatic approach is taken when considering low-impact development. If, as the planning report implies, off-site employment is not allowed, a social barrier would be created between the project and the wider world.

There is also the challenge of how the project will meet its needs whilst it is setting up. If off-site employment was not allowed an intractable contradiction would arise as every adult is needed on the site during the time of the establishment of the project, whilst the project has not yet reaching the stage of meeting the needs of all of the residents. Starting the project will require a significant amount of capital to build infrastructure as well as income to meet families' day to day needs. Thus a degree of flexibility around this issue would be reasonable and indeed this is set out in the SPG as the consultation process involving Lammas made clear, rather than the overly restrictive approach suggested by the planning report.

- Thirdly, the report argues that the ADAS report concludes there isn't sufficient functional requirement for the adults to live on site.

The report makes no attempt to question the methodology behind the ADAS report, accepting its conclusions with blind faith. The report does not question why there are no value-added processes included in this calculation, despite the fact that these are specifically provided for in point 18 of the SPG. Equally, the report fails to consider why fuel management and the many other varied tasks that contribute to the running of a successful holding are omitted from the ADAS calculation.

Had the author of the planning report taken time to consider the evidence supplied in section 11 of the Management Plan and the Permaculture report, then he would have reconsidered the ADAS figures which, by their own admission are based on conventional agri-data statistics.

## **Consultation Response - Letters of support/ opposition**

There were 865 letters of support for the resubmitted application. This is an enormous body of input. There were responses from people from all walks of life from countries all over the world and yet the text representing this vast volume of evidence is virtually identical to the text in the original planning report. The only addition is the line '*Project is a template that will inspire other similar schemes*'.

One does question whether this evidence has really been considered. Indeed, the report's bias towards a recommendation of refusal can be seen in the way the consultation responses are summarised in the report, with just 11 points being drawn from the 865 submissions in favour of approval and 19 points of objection being drawn from 119 objections! Indeed the report gives details of the points raised by those bodies objecting, such as Crymych Community Council and the CPRW, even when the points raised are not material planning concerns. It then fails to provide such a summary for those bodies supporting the application including the AM for Mid and West Wales.

The report completely fails to mention the Design Commission for Wales report, despite the case officer responsible for compiling the report having attended the Design Review itself! Equally, expert representations from The Permaculture Association (Britain), IWC Media and Patrick Whitefield (all offering evidence of material planning considerations) are overlooked entirely in the report.

## **Breakdown of Report**

In light of a report that mixes references to a previous application and a previous decision with current comment and analysis, Lammas decided to look more closely at the roots of the report.

It would appear that the majority of the text has been copied directly from the 2007 planning report. Approximately 74% of it (6,018 out of 7,771 words). Given that the Lammas planning application was completely rewritten on resubmission, large parts of the report are thus completely out of date and irrelevant. In fact due to their positioning within the report they are actually misleading and anyone who was not familiar with the application would be left thoroughly confused and misled by the report.

Of the new text, a considerable portion of it refers directly to the ADAS report (approximately 10%, 766 words) which, as previously mentioned, seems to have been accepted without question, despite directly contradicting Policy 52's SPG. This portion of the text substantially provides the argument and reasoning behind the subsequent recommendation for refusal.

The remaining text (approximately 16%) is broadly factual reporting of the content of the planning application. It contains mistakes, omissions and misunderstandings sufficient to raise doubt as to the extent to which the author has actually read and understood the application.

## **Conclusions**

The report of the Director of Development of Planning and Rights to Way Committee, Pembrokeshire County Council in response to the Lammas Planning Application (no. 07/1581/PA) for nine new build eco-smallholdings and associated infrastructure is found to be contradictory, misleading and frequently inaccurate.

- Despite repeated requests from Lammas for a speedy planning decision, the planning report took six months to write.
- The report repeats large sections of the 2007 planning report verbatim, resulting in misleading and irrelevant content.
- The report's reasoning is based heavily upon the ADAS assessment.
- The ADAS assessment has been accepted without question, despite overtly contradicting Policy 52's SPG, failing to understand permaculture and LID and inappropriately applying conventional agricultural assessments.
- It is clear that the report fails to take into account Plot Management Plan 4, The Permaculture Report, section 11 of the Management Plan and the Supplementary report to Appendix 11, leading one to question whether the report's author has even read this key data.

## **Questions**

This analysis of the planning report to committee raises serious questions about its handling:

- 1) Why did the report take 6 months to write?
- 2) Why did the authors request a conventional agricultural assessment of the proposal when it had been previously agreed that this approach would be inappropriate?
- 3) Why did the report not question the ADAS methodology or reasoning in any way?
- 4) How is it that the author was not aware of the proposed community composting scheme?
- 5) How much of the planning application did the author actually read?
- 6) Why did the author copy large sections of outdated text from the 2007 report, when it was clearly irrelevant to the current application?
- 7) Why did the author simply copy the arguments given in the 2007 report without any consideration of the additional evidence supplied (most notably in section 11 of the Management Plan)?

And most importantly:

**8) Has the application actually been given fair and due consideration?**

From the above it appears that the application has not been given fair and due consideration.

When Lammas formed in 2005, it was done so with the explicit aim of working within the planning system. Lammas has undertaken every step possible to accommodate PCC Planning Department, agreeing to each request for time extensions, despite the considerable costs this imposed upon Lammas' members and providing additional information in a timely and comprehensive manner, for example. In light of this report, and subsequent analysis by Lammas and an independent assessor, there is no longer any doubt that Lammas has been continuously misinformed, misled and misrepresented throughout the application process.

The planning report is confusing, misleading and self-contradictory. This served to reinforce the planning officer's case in recommending refusal to the planning committee.

As public servants and representatives of the planning system, the author of the report and the director of development (in whose name the report was written) have a responsibility to give planning applications unprejudiced and fair consideration. In presenting this report to committee they clearly demonstrate that they have not given this planning application fair consideration.