

Planning Consultancy Advice for Farm Diversification

Specification

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Introduction

1. As part of DEFRA's support for farm diversification activities, we are making available a land use planning feasibility study to those farmers who intend to pursue a viable diversification project under the Rural Enterprise Scheme. Further details are contained in the *Guidance notes for applicants*. It is a requirement that the planning feasibility study must be undertaken by a suitably qualified planning consultant. This booklet provides planning consultants and others with a simple specification of the advisory package we are prepared to fund and guidance on the process to be followed.

The administrative process

2. In summary, farmers will be authorised by us to select a source of consultancy advice from the membership of one of four appropriate professional bodies (see paragraph 7). Once selected, the consultant is required to give appropriate professional advice within a set specification and timeframe, to professional quality standards, and within a set cost ceiling. **Authorisation to make use of this free planning advice does not guarantee that the eventual fully worked-up RES project application will itself be approved for support.** Farmers may normally benefit from this service on only one occasion.

3. To access this free planning advice service, farmers must submit a simple application to their local DEFRA office. This application must include a summary of the proposed diversification project which provides sufficient detail to allow us to assess whether or not the project would be viable and eligible, in principle, for RES funding.

4. If the application for free planning advice is accepted, the farmer will be authorised by us to approach one or more of the professional bodies for details of qualified consultants operating in the area. Where a farmer wishes to use a specific consultant without contacting the professional bodies (for example, on the basis of past service), this will be acceptable provided that person meets the specified requirements

and will deliver the agreed advice package. The client/adviser relationship will rest between the farmer and the professional consultant at all times.

5. Once a satisfactory consultant's report has been provided, the farmer should pay the consultant for their services within the limits set out in paragraph 12. The farmer may then obtain reimbursement from us by submitting a claim form, together with: (i) a copy of the feasibility study prepared by the consultant; (ii) evidence of the consultant's qualifications; and (iii) the consultant's itemised receipted invoice.

6. Once full planning consent has been obtained the farmer will be in a position to make a formal RES application for the diversification project itself, supported by an appropriate business case.

Eligible consultants

7. Under these arrangements, authorised applicants will be able to approach one of the following professional bodies for details of qualified consultants active in their area:

- ▲ British Institute of Agricultural Consultants;
- ▲ Royal Institute of British Architects;
- ▲ Royal Institution of Chartered Surveyors;
- ▲ Royal Town Planning Institute.

Consultants must be a member of one of these bodies and be able to provide the following information:

- ▲ Full title and relevant professional qualification(s);
- ▲ Membership number for the professional body;
- ▲ Evidence of five years' experience in town and country planning, particularly in the rural context (a statement confirming the nature and extent of the experience will normally be sufficient).

Eligible projects

8. Advice will be given in respect of those projects which require full planning permission, usually because they involve (with few minor exceptions) diversification out of agriculture into alternative economic activities. ‘Diversification’ includes on-farm tourism projects.

Planning advice may also be relevant to those farmers undertaking diversification into alternative agricultural activities in sensitive areas such as National Parks and Areas of Outstanding Natural Beauty.

Advice to be provided

9. We will fund a standard advisory package containing the following outputs:

- ▲ One site visit (including travel time and expenses);
- ▲ An appraisal report/feasibility study;
- ▲ Site plans and sketches (but **not** detailed technical drawings).

10. As a consultant prepared to deliver the standard advisory package, within the limits set out in paragraph 12, you are required to appraise the planning aspects of the project, and detail all relevant issues in a report, in the light of the following factors:

- ▲ The planning history of the site, including permissions granted for changes of use or new developments, any restrictive conditions or Section 106 legal agreements;
- ▲ National planning legislation and guidance (including the General Permitted Development Order 1995; PPGs¹) and Regional Planning Guidance;
- ▲ Structure and Local Plans;

- ▲ Other non-statutory plans which have been adopted by resolution of the Local Planning Authority, or produced by other organisations, e.g. the Environment Agency;
- ▲ Implications of local non-statutory designations in force and adopted by resolution, e.g. Area of Landscape Importance;
- ▲ Implications of European and National statutory environmental designations, e.g. LNRs, SSSIs, National Parks, AONBs, candidate Special Areas of Conservation;
- ▲ Change of use restrictions;
- ▲ Specific restrictions relating to relevant aspects of the property or project (e.g. listed buildings, trees with preservation orders, hedgerows, rights of way, advertising, scheduled monuments);
- ▲ Possible need for further assessments (for example, Environmental Impact Assessment, Listed Building Consent, Traffic Impact Assessment, etc);
- ▲ Issues related to access onto the public highway.

Where appropriate, you (as the consultant) will suggest options for amending the project so that the best possible planning application can be made.

Exclusions

11. We will **not** fund the following:

- ▲ Completion of planning application forms;
- ▲ Production of Environmental Impact Assessments, or any other detailed studies;
- ▲ Detailed technical drawings or detailed site plans;
- ▲ Any discussions with planning officers and/or rural planning liaison officers;

¹ For Example PPG1 – General Policy and Principles, PPG2 – Greenbelts, PPG3 – Housing, PPG4 – Industrial and Commercial Development in Small Firms, PPG7 – The Countryside: Environmental Quality and Economic and Social Development, PPG9 – Nature Conservation, PPG13 – Transport, PPG17 – Sport and Recreation, PPG20 – Coastal Planning, PPG21 – Tourism, PPG23 – Planning and Pollution Control, PPG24 – Planning Noise and PPG25 – Development control and flood risk.

- ▲ Follow up visits to the project site;
- ▲ Revisions of the project in the light of discussions with planning officers;
- ▲ Consultation with neighbours or statutory bodies, such as the Environment Agency or English Nature;
- ▲ Advice for planning appeals;
- ▲ Any additional work requested by the applicant that is not covered in paragraph 10.

Time and cost limitations

12. As the consultant, you are expected to charge for the minimum amount of work necessary to fulfil the requirements of paragraphs 9 and 10 above to a professional standard. The work must, however, be completed within a limit of one day's time input and a cost ceiling of £800 (excluding VAT), including all necessary expenses. You should note that we will only pay claims for complete advisory packages which meet these limits. We will not pay a contribution towards a more expensive advisory package and, where a farmer wishes to engage a more expensive consultant, they must meet the full cost themselves. In exceptional cases, for particularly large or complex projects, a longer period of consultancy input may be given prior authorisation. Eligible costs will be reimbursed by us on the basis of itemised receipts and invoices accounting for the time spent on relevant activities. Any disagreements arising between the farmer and you as the consultant over the nature or quality of the work done must be resolved between the two parties.

Quality assurance

13. We will work in liaison with the four professional bodies to ensure that work is carried out to a satisfactory standard.

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