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**CPRE (Campaign to Protect Rural England) response to the Department for Levelling Up, Housing and Communities (DLUHC) open consultation on additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons; and a call for evidence on nature-based solutions, farm efficiency projects and diversification.**

**Deadline 25th September 2023** [PDRconsultationsummer2023@levellingup.gov.uk](mailto:PDRconsultationsummer2023@levellingup.gov.uk)

### Summary

The Government is consulting on proposed additional flexibilities to existing Permitted Development Rights (PDR) through changes to the Town and Country Planning (General Permitted Development)(England) Order 2015, which CPRE is strongly opposed. This is because the existing PDRs have already caused problems and they undermine the democratic local plan-led approach to decision taking. If enacted, the additional flexibilities to PDR would further undermine the plan led approach and lead to irrevocable damage to our countryside, especially our most treasured and protected landscapes.

### About Us

We are CPRE, the countryside charity. We believe in countryside and green spaces that are accessible to all, rich in nature and playing a crucial role in responding to the climate emergency. For almost a 100 years CPRE has engaged with government with success to ensure the planning system responds to the needs of rural communities and protects our thriving landscapes.

In addition to this consultation, CPRE has responded to the consultation on the operational reforms to the Nationally Significant Infrastructure Project (NSIP) consenting process and it is drafting a response to implementation of plan-making reforms. For the planning reform, CPRE, jointly with the *Better Planning Coalition*, called for six key tests to be met when reforming the planning system, for it to:

- I. Be democratic;
- II. Deliver enough affordable homes to meet local needs;
- III. Tackle the climate emergency;
- IV. Tackle the biodiversity crisis;
- V. Ensure beautiful places and protect heritage; and
- VI. Secure good health and well-being through access to green space.

Sadly, the proposed additional PDR fail against all the six tests.

The proposals represent a major step-backwards for society as they severely curtail the public's rights to be consulted, which have been well established in planning law since the Town and Country Planning Act 1947.

Of course, CPRE agrees enough homes should be built to respond to local needs, but affordable housing is not delivered through PDR leading to the least well off being excluded from rural places. CPRE, recognising the struggles faced by farmers in the current economic situation, supports farm diversification, but it is concerned that the proposed concessions to owners to change use and build extensions to property without scrutiny is problematic. As most planning applications are consented anyway, CPRE does not accept that these additional PDR are even necessary.

PDRs are an uncontrolled type of development and CPRE has witnessed the harm that they have caused to our countryside, and the wider community, contrary to national and adopted local plan policies. If anything, the government should limit the existing PDR in rural areas and repeal them outright in our protected landscapes of National Parks and Areas of Outstanding Natural Beauty.

Loosening the rules to allow open prisons, markets, paintballing, motor sports, housing estates and leisure parks to pop up in an ad hoc way is the antithesis of sound town and country planning and it will result in unsustainable development to the detriment of rural landscape character. CPRE believes opportunities to avoid harmful effects, that would otherwise be gained through aspects of location, design, mitigation, and compensation when seeking permission will be lost.

Enhancing nature, ensuring beautiful places, reducing our greenhouse gas emissions and ensuring our health and well being through improved quality of life are outcomes that CPRE wants to see the planning system deliver, yet PDRs avoid the system entirely, making it impossible for local planning authorities to function properly.

Below we provide information about CPRE, and more detailed comments under each sub-section.

## Design codes

In answer to Question one, CPRE's answer is no. It is not clear how consideration of design codes would be worded in any new regulations. Would design still be a consideration even when a local authority does not have an up to date and adopted design code in place? To cover such situations CPRE recommends that the regulations should also require local planning authorities to have regard to the National Planning Policy Framework (NPPF) so that developments are always evaluated on design grounds.

CPRE agrees that design codes could improve the quality of development, but proposals should be made via application to be considered by a suitably qualified professional to ensure places are well designed in the future.

CPRE welcomed the *Building Better, Building Beautiful Commission* based on the urgent need for better design, as evidenced by our research<sup>1</sup> undertaken by Place Alliance, based at UCL (University College London), in 2019. It found a worrying proportion of developments that should never have gone ahead and the design of new housing developments in England was overwhelmingly ‘mediocre’ or ‘poor,’ with ‘could be anywhere’ pattern book housing and less-affluent communities were the worst affected.

The research highlighted the worst aspects of design included schemes dominated by access roads and the poor integration of storage, bins, and car parking, leading to unattractive and unfriendly environments with negative health and social implications. Also, when the wrong type of boundary treatment or security measures are installed to a rural development it can lead to landscape and visual amenity harm and problems from light pollution.

All areas have unique characteristics that should inform the design of a new development, especially our rural places. CPRE advocates parish councils and neighbourhood forums progress neighbourhood plans, which were introduced by the Localism Act in 2011 to identify local area design codes.

### Supporting housing delivery through change of use PDR

CPRE disagrees with all the propositions of question three and urges for the existing PDR regime to be limited, certainly in rural areas and repealed outright in protected landscapes. CPRE receives many enquiries about PDR from members of the public who complain about the opaque way dwelling houses crop up in the countryside. The labyrinth of PDR (MA, M, N, G, H, Q, etc of Part 3 categories) and prior approvals is confusing to navigate, and additional PDR will make the problem worse.

The Government’s own statistics show 86 per cent of applications are granted in England, and a staggering 91 per cent for National parks (in England 96,000 applications received and 75,000 granted, in National Parks 1,800 applications received and 1,300 granted<sup>2</sup>). The justification for the additional PDR does not stack up.

CPRE considers the planning of rural areas to be important and prefers for development proposals to be scrutinised by local planning authorities. Changes to an existing property can be dramatic, and buildings exist in various locations, some prominent, and in most cases are permanent.

CPRE asks how many of the 94,000 dwellings delivered through PDR since 2015 are affordable, in line with the minimum ten per cent standard of national planning policy? CPRE is also concerned that few if any dwellings delivered through PDR are sustainably designed or well-located in proximity to bus services or local shops and other community

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<sup>1</sup> <https://placealliance.org.uk/research/national-housing-audit/>

<sup>2</sup> <https://www.gov.uk/government/statistics/planning-applications-in-england-january-to-march-2023/planning-applications-in-england-january-to-march-2023-statistical-release>

facilities, such as doctors and schools. Opportunities to deliver what is needed locally in rural areas have been lost because of PDR. No monitoring of the adverse consequences arising from PDR since they came into effect in August 2021 has occurred.

Allowing the range of uses commonly found on the high street to become a dwelling house extends to 1,500 square metres is already a considerable amount of development to be built without the 'checks and balances' afforded by a formal planning application. The impacts arising from twenty homes (two-bed) are significant as it relates to a large amount of people, with associated vehicles, and infrastructure requirements such as access, water, energy, waste, and servicing demands. CPRE thinks this level of PDR is already with problems. Doubling the scale of development to 40 homes would double the level of harm.

Most local plans contain a retail hierarchy policy to ensure high streets, including those in towns and villages, thrive with amenities such as seating, landscaped areas, car parking, litter bins and other supporting infrastructure. Where there is an issue of vacant premises, this should be managed with carefully considered and appropriate scale rationalisation. This may lead to action to stimulate inward investment, consolidation, and targeted change of use back to residential. CPRE is concerned that in the absence of rules, the focus of shops and services, away from key service centres of towns and village centres will occur. Piecemeal changes, in a 'willy-nilly' fashion, will reduce footfall to existing businesses will not support infrastructure provision via the local plan.

There are public transport deficiencies too. CPRE has been campaigning for a bus every hour<sup>3</sup> to tackle issues of rural isolation and village high streets can be important hearts of communities. CPRE thinks the proposals would lead to the reduction in people using village centres to the detriment of the rural economy and the wider community.

CPRE does support 'living over the shop' to make the best use of wasted upper floor space for affordable housing. However, replacing ground floor commercial premises with residential uses could permanently kill off a village centre, leaving rural areas without a convenient local hub.

### Vacancy requirement

In answer to Question four, CPRE says 'no.' Three months allows for businesses to be made aware of opportunities locally in advance of commercial premises being allowed for alternative uses. Although a short window of time, it is a small safeguard to providing needed premises to local business opportunities, if anything the period should be extended.

Example: During the Covid pandemic, lockdowns forced many hospitality businesses to close. Property was vacated. But many businesses have since reopened, or been replaced by new market entrants, some who have a street and online presence.

### Prior approval – Conservation Areas

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<sup>3</sup> <https://www.cpre.org.uk/resources/every-village-every-hour-2021-buses-report-full-report/>

CPRE answers no to Question five as it believes all development within a Conservation Area should be subject to a rigorous planning application exercise as per the statutory duty conveyed by the designation. High levels of harm that can arise to our heritage assets from inappropriate design and materials that would detract from the historic character even on small scale development. Without prejudice, if PDR continue to apply in Conservation Areas, CPRE would prefer a prior approval process to limit harms.

Example: CPRE in Lancashire, Liverpool City Region and Greater Manchester group was approached for planning advice by Wiswell Parish Council in Ribble Valley when it received a prior approval notification concerning a large dance studio to be constructed in the rear garden of a tiny one bedroomed cottage. Despite the cottage being within a Conservation Area, the Article 4 Direction removing PDR only applied to the building frontages, so the dance studio was automatically allowed despite it being inappropriate. Not only was the studio of a modern construction, in a prominent location, it caused problematic parking, associated with dance classes. This shows development of housing, literally, through the 'backdoor.' It undoubtedly spoilt the setting of the Conservation Area. CPRE Hampshire has also a similar experience of a threat posed by a proposal to develop an agricultural barn in a historic deer park, which lies within the Odiham Conservation Area. Our heritage assets are at risk under the proposals.

### **Agricultural buildings to dwellinghouses (Class Q of Part 3)**

CPRE opposes all the options in Question twenty-five. It is particularly concerned about the proposed change to Class Q of Part 3, which already allows agricultural buildings to change to residential use because of the risk to our landscapes. Ten homes per farmstead represents a significant increase, effectively doubling the harmful impacts, which are unsustainable promoting remote rural dwellings, that are car dependent with no local services, and this would increase travel demands and greenhouse gases.

CPRE is aware of harms that have arisen already, and therefore it considers the existing PDR to be harmful to rural areas and it urges the Government to limit them and in protected landscapes repeal them outright. Pleasant rural landscapes have been spoilt as farmsteads have developed small housing estates (currently limited to five houses) with associated garden equipment for children, pets and vehicles. Security equipment, boundary treatments, lighting, roof extensions that can be insensitive to their setting have eroded our sense of rural place. Our countryside is being damaged with each small PDR, and ultimately the ruination of our beloved rural idylls by a thousand cuts.

PDR dodge qualified planning professionals, many of whom are chartered members of the Royal Town Planning Institute. Chartered planners have the requisite professional experience and are subject to a code of ethics. They are experts and they benefit from continuing professional development, so are aware of best practices for delivering sustainable development through the plan-led system.

Planners work with wide ranging experts, including architects, conservation officers, ecologists, and transport consultants, all offering specialist advice and guidance. The value

of planner input to development is to secure better and more sustainable outcomes in the public interest, which is immense. This sentiment is echoed by the Royal Town Planning Institute and Town and Country Planning Association which also see the proposals as problematic.

Whereas, PDR convey a narrow return to property owners, they cannot ensure affordable housing is delivered, even when the national minimum standard in the National Planning Policy Framework is set at 10 per cent. The same is true for biodiversity net gain, which requires at least 10 per cent (and more in some local authority areas) as the Environment Act 2021 comes into force in November this year. Many agricultural buildings due to age and location are of heritage value and are listed. They are known to attract protected species, such as bats, and birds, including barn owls. Many farm bird species have rapidly declined and there is an urgent need to stop any further losses.

CPRE recommends development benefits from a proper environmental assessment carried out in accordance with good practice of the Chartered Institute of Ecology and Environmental Management (CIEEM) and Association of Local Government Ecologists (ALGE). For the most part, PDR offers no mechanism to ensure the statutory requirements for British Standards (BS42020<sup>4</sup>) are being met and most people are oblivious of good practice, and the required standards. The planning application process is advantageous as it provides the mechanism to raise awareness of the ecological, and other, material planning considerations to be addressed through design, mitigation, and compensation.

CPRE believes the text in paragraph 55 of the consultation is entirely disingenuous as there is no need for new development on greenfield land considering two important factors. The first is local housing needs should be based on best available data, which is the Census 2021 (collated two years ago, checked, and published). It shows a much lower national housing target, half of that forecast using Office of National Statistics (ONS) 2014 based data, which has been declared as obsolete by the Office for Statistics Regulation. Secondly, as evidenced in CPRE's brownfield land update<sup>5</sup> there is enough brownfield land for 1.2 million homes. This wasted brownfield land should be reused as a priority, and this is what local planning authorities aim to do through local plan policy.

Four metres translates to a considerable amount of space. Many farm buildings, such as barns might only be single storey, but the height of the roof may be as high as a three-storey dwelling and the elevation may be many metres so an extension the full length might be extremely bulky and prominent in a rural landscape, so it is important to limit the scale. The defining of previously developed to the hard surface, such as a farmyard, would be fraught with difficulties and incredibly difficult to police by planning enforcement. It is also likely that buildings will be surrounded by mature trees, hedgerows and other vegetation that may be lost, which leads to loss of nesting, foraging habitat to the detriment of many species, some that are threatened.

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<sup>4</sup> <https://www.bsigroup.com/en-GB/standards/bsi-knowledge/sustainability/the-little-book-of-biodiversity-net-gain/>

<sup>5</sup> <https://www.cpre.org.uk/resources/state-of-brownfield-report-2022/>

If DLUHC forges ahead with these 'reckless' proposals, CPRE recommends that prior approvals are essential to make sure the rights of neighbouring businesses, the planning function of councils and the residential amenity of neighbours are considered and not infringed. It is clear throughout the consultation document, (especially paragraph's 69 and 71) that DLUHC itself is aware that there would be adverse impacts arising from the extension of PDR, but it seeks to limit it to prior approval, or to a 37 sqm minimum floorspace to prevent harms or to a limit the damage to the open countryside from isolated small buildings leading to sporadic dwellings popping up across our rural landscapes. What would be better is if all relevant matters were properly dealt with by going through a thorough planning application process.

In addition, there are cumulative impacts to consider, social and environmental and not least economic. What will farmers do in the future when every agricultural property is at risk of being lost from agricultural use? CPRE is concerned about how future generations will be able to produce food if there are no buildings for agricultural purposes.

By the government's own admission, the PDR regime is overly complex and confusing and adding to them in the proposed way will lead to adverse outcomes. Many planning bodies, including the Town and Country Planning Association, and other environment stakeholder groups consider the existing size limits are too big and already cause problems, and any additional PDR are widely strongly opposed.

Example: CPRE Somerset voiced concerns about two applications to convert a dilapidated chicken house for housing in a very prominent location in The Quantocks AONB, due to landscape harms arising and the officer agreed and refused consent. Under the proposed additions these would have been allowed. This illustrates that the negative issues leading to a refused application by the AONB officer would no longer be prevented as the PDR would leapfrog the officer and be allowed, leading to harm to a nationally significant landscape.

### Article 2(3) land

CPRE is opposed to Class Q in Article 2(3) land, so it answers 'no' to Questions 31, 32 and 33 and it urges for the existing rights to convert farm buildings to housing be repealed with immediate effect and not extended to National Parks and Areas of Outstanding Natural Beauty (AONB). Given our recommendation for Class Q to be repealed, in answer to Questions 34 and 36 CPRE answers 'yes'.

CPRE shares the concerns expressed by the National Parks and Areas of Outstanding Natural Beauty authorities in England. The biggest threat from the proposed additional PDR concerns this proposal for Class Q PDR being extended to protected landscapes, including National Parks and AONB.

The proposals do not accord with the recommendations of the Glover Review<sup>6</sup> and fail to value our protected landscapes, which are designated because of their national importance. It is extremely important that National Parks and AONB can function to prevent harmful

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/833726/landscapes-review-final-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf)



developments that ruin the rural character and beautiful landscapes that are enjoyed by local people and visitors from near and overseas. The value to natural capital and businesses reliant on the visitors who enjoy spending holidays and weekends should not be underestimated. In addition, Green Belt land should also be exempt from change of use from agricultural buildings to residential (Class Q of Part 3).

Based on the above, CPRE answers 'no' to Questions 35 and 39, as both the respective proposals will reduce the scope for rural exception sites to bring forward sites mainly or wholly of affordable housing.

On questions 37(a) and 38, CPRE advises that the scope of building operations is removed as part of removing Class Q PDR altogether.

Examples: In National Parks, many barns exist, and in the case of the Yorkshire Dales, they relate to sheep farming, and they are often at a distance from existing roads and so there would be major concerns if the conversion of barns were allowed without a condition that they must already have suitable access to a public highway. And even when there is access to a highway, the PDR will encourage the building of remote car dependent houses of the type that blighted North Cornwall in the early 1990s.

In the South Downs National Park an application for the conversion of stables and other agricultural buildings associated with a Grade II listed building to dwelling use in Buriton, a village to the south of Petersfield was refused by the Planning Committee of the National Park Authority on grounds of harm to the landscape character. Under the addition of PDR, they would have been developed, irrespective of the harms and this will happen across every National Park and AONB with adverse impacts to the countryside character and all the people who enjoy using the rights of way.

### Supporting the agricultural sector through additional flexibilities

CPRE would prefer to see the agricultural sector better supported through the planning application process when seeking a change of use of a building in a rural area to other commercial use, such as storage, hotel, to conserve and enhance the environment, particularly landscape value to ensure better outcomes, rather than loosen the rules entirely with the adverse consequence that would surely follow.

Where proposals adhere to local plan policies and yield positive economic, social, and environmental benefits in the round they are granted consent. An application enables a record of what is agreed so that later for enforcement purposes the authority can keep track of what was agreed, such as discharging requisite conditions to mitigate and compensate for any environmental losses, not limited to the loss of trees, harm to landscape or visual impacts, or potential nuisance arising from the change of use or extension, such as noise, dust, or light pollution.



The PDR, set out under part 6 of the General Permitted Development Order, already allow for agricultural units of more than 5 hectares to erect and extend agricultural buildings under PDR of 1,000 sqm on a rolling 2-year programme, which is a substantial area of land. Increasing to 1,500 sqm would be tripling the PDR scale since 2018, harms will be tripled. For smaller agricultural units of less than 5 hectares PDR allow agricultural buildings to extend up to 1,000 sqm or 20 per cent, capped to the lower of the two. Increasing to 1,250 square metres will exacerbate problems in the future.

With regards to Question 52, CPRE agrees that additional PDR would harm a scheduled monument and should be prohibited. More broadly, than that agricultural PDR should be further restricted in rural areas, especially protected landscapes, and to improve planning outcomes be progressed through a planning application process.

Concerning Question 44, CPRE is opposed to this proposal for additional outdoor sports and recreation, such as paintballing, but it would be less opposed to allowing changes of use to recreational uses if local authorities can refuse applications where the proposed access is insufficient. Impacts harming tranquillity would need to be controlled as not to ruin the important characteristic disturb important wildlife or near neighbours.

For Questions 51 and 53 concerning agricultural development, CPRE is opposed to these proposals, but it is less concerned about them compared to those relating to Class Q or the proposed further widening of Class Q. Some of our concerns arising from Questions 51 and 53 would be addressed if local authorities can refuse applications on design or access grounds or harm arising to countryside character, including on tranquillity, including light pollution, which has harmful impacts on wildlife and prevents people enjoying stargazing in dark sky areas.

CPRE has considered the proposals for industrial and warehousing. In response to Questions 58 and 59, it is opposed. Without prejudice, the proposals would be improved if they were made subject to the property owner being required to install solar panels and comply with the Future Buildings Standard, whichever makes the building highest performing in carbon emission terms.

### Supporting businesses and high streets through greater flexibilities

CPRE considers the approach to supporting businesses and high streets is a matter for local plan policies.

#### **Markets - temporary use of land (Class B of Part 4)**

CPRE recognises that markets are something we can all enjoy, and it provides a mechanism for producers to have direct access to market. Under the proposals a market could operate for 28 days, equating to one day every two weeks, a regular occurrence, or a significant period if taken on consecutive days. It is easy to see how difficulties may arise particular at peak periods such as during the annual harvest, or in peak summer holiday season. So long

as markets take place in the high streets and local centres as paragraph 150 of the consultation document suggests, CPRE is supportive.

In other locations there should be some safeguards for traffic and highway safety to be considered and assured. Traffic flows and problems of congestion can grind local lanes and agricultural and food processing businesses to a halt. Congestion can stop emergency vehicles attending accidents, residents accessing local services, and visitors from enjoying leisure time and holidays, particularly at peak periods for many rural locations.

Understanding fully the operational issues is important, but avoidance of a formal planning process means that the usual planning consideration and imposition of conditions that would ordinarily accompany a planning application, to limit opening hours, require replacement planting, travel plans to manage flows of traffic, or limits to noise levels and other nuisances such as night lighting would not happen, leading to problems.

Motor racing and other outdoor sports can be tremendously noisy and have other potential risks to health and safety, and other nuisance arising from dust, odours, lighting, among other issues. An application ensures the interests of everyone are considered in advance of consent, and conditions applied to avoid unnecessary 'likely' harms.

### Ensuring the sufficient capacity of open prisons

Although PDR exist for the expansion of closed prisons, it is not true to say this is problem free. CPRE thinks closed prison expansion should be subject to proper planning application processes and ought not to be allowed via PDR, the same goes for schools and hospitals. The impacts of additional PDR to open prisons would be similarly problematic.

CPRE recommends the additional needs of prisons to accommodate Category D prisoners within an existing estate happen through a formal planning application process to allow communities to fully engage. Even through the formal application route mistakes might occur if there is a flawed assessment, as evidenced the example, below. However, the consultation stage allowed local people to comment and pick up on important issues that the applicant might be unaware of.

More prisoners require more staff, servicing, and visitor travel to be accommodated and the additional journeys impacts highway safety. Such issues are better considered in a transparent way with effected communities so issues can be resolved satisfactorily. This is particularly so in protected landscapes, where the narrow country lanes and high hedgerows at the field boundaries reduce visibility and associated safety. The public interest case must be the priority.

Example: CPRE Lancashire, Liverpool City Region and Greater Manchester supported Walton and Ulness action group with planning advice when it objected to an application by the Ministry of Justice to develop a new prison building outside the curtilage of existing HMP Garth and Wymott prisons. The county highway authority had concerned about the capacity

of the local road network to cope with the additional demand. Chorley Council found a negative planning balance and refused the application. At an appeal inquiry<sup>7</sup> it was clear that there would be harm to Green Belt purpose, and the benefits did not clearly outweigh the benefits, which is necessary to establish very special circumstances. The local group evidenced why the MoJ's traffic assessment was flawed, and the inspector recommended refusal. Currently, the Secretary of State has reopened the Inquiry to allow the MoJ to present additional highway evidence. However, this case shows that even government departments can benefit from the involvement of local community input to avoid harmful impacts arising.

### Call for evidence - nature-based solutions, farm efficiency projects, and diversification

CPRE supports nature-based solutions<sup>8</sup>, farm efficiency projects, and diversification in rural areas. It recognises the vital role of farmers in agriculture producing our food, environmental stewardship via improved land management practices, and the value of diversification and associated need for flexibility. But always a change to our environment must be considered in the locational context and the proposal advanced should be appropriate for the countryside location and CPRE is aware of many examples where PDR have resulted in unfortunate unanticipated consequences, some dramatic and hugely damaging for those involved, as shown in the example below.

Even small-scale field ponds need to be planned and engineered with due diligence as there can be negative impacts identified by a professional engineer or hydrologist but not by an inexperienced person lacking the requisite knowledge. Recently many farm properties have been sold on to people who have no experience of land management, ponds, or ecology and this is likely to continue with ongoing economic uncertainty.

Extension to PDR is not the best solution, rather CPRE recommends supporting applicants to access expertise and knowledge via an iterative and better resourced planning application process. When proposals are submitted for assessment based on latest guidance, policy, and legislative requirements, a qualified planner can make applicants aware of requirements and latest best practice to encourage refinements to avoid problems, and maximise benefits, leading to more positive outcomes. This would lead to more proposals being consented and better outcomes on the ground. The funding timescales of environmental schemes of DEFRA (Department for Environment, Food and Rural Affairs) could have extended timescales to allow for better outcomes. CPRE considers nature based solutions should be carefully considered and not rushed through via PDR that will deliver poor outcomes, that would otherwise be refused at application stage.

Example: In Dorset, CPRE is aware of an example in the small village of Winfrith where a retired head teacher experienced a devastating flood of their cottage, which was caused

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<sup>7</sup> Chorley Planning Application Ref: 21/01028/OUTMAJ Planning Inspectorate Ref: APP/D2320/W/22/3295556

<sup>8</sup> The British Ecological Society definition: "work with and enhance nature to mitigate or adapt to climate change while simultaneously providing benefits to biodiversity and people". See page 3. At report here: <https://www.britishecologicalsociety.org/wp-content/uploads/2022/02/NbS-Report-Final-Updated-Feb-2022.pdf>

when a neighbouring farmer decided to dig a field pond to serve cattle and for well-intended ecological outcomes. The change to the landform resulted in more than 1,000 gallons of rainwater, (containing soil, slurry, and other farm waste) to run-off from the field, devastating the garden and flower beds, and cause the entirety of the ground floor of the cottage to be flooded. In this instance the farmer accepted fault and set about restoring the damage at his cost, but it took many months to dry out the damp from the masonry, replace damaged floorboards, walls, re-plaster, and replace ruined carpets, furniture, and repair the garden. Not all farmers would have accepted responsibility so readily or have been able to afford to repair the damage and restore the cottage to its previous condition.

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25<sup>th</sup> of September 2023