

## Warwick District Local Plan 1996 - 2011

### Topic Response Analysis – First Deposit Version

#### Topic: Chapter 8 Introduction

##### Summary of matters raised in objections.

1. The introduction should include a sentence to the effect that the chapter should be read alongside other relevant policies in the plan.  
*294/AB British Waterways*

##### Response of Head of Planning & Engineering to matters raised

1. The User Guide explains how to use the Local Plan and makes this point clear. It is not considered necessary to repeat this in every chapter

##### Recommended revision(s)

1. No change

#### Topic: RAP1 - Development within Rural Areas

##### Summary of matters raised in objections.

1. Section 54A of the Town & Country Planning Act requires all proposals for development to be determined in accordance with the development plan and other material considerations. This policy is therefore superfluous  
*4/AB Arlington Planning Services, 117/AQ Langstone Homes, 142/AG A.C.Lloyd, 187/AN Countryside Agency (West Midlands Region), 208/AB Pettifer Estates, 214/AC J. Biles, 239/AD D. Austin, 288/AB Warwickshire Police Authority.*
2. Radford Semele should be included within the urban area.  
*256/AJ T & N Ltd*
3. Land at Golf Lane, Leamington should be included in the urban area.  
*227/AD David Wilson Homes (East Midlands) Ltd*
4. The policy is more restrictive than national Green Belt policy, national guidance on local designations and DAP 1, 2 & 3. As such it is contrary to PPG2 and PPS7. The policy should be worded more positively.  
*256/AJ Gallagher Estates*
5. Policy will not allow Bishop's Tachbrook to gradually evolve over time to meet the changing need of the community – in particular the policy should allow for affordable housing and changes of use.  
*250/AE A & J Day*

6. The policy will put more pressure on those rural areas outside the Green Belt and therefore it should apply the same strict rules to all rural areas.  
*115/AB Alan Roberts*
7. Parish Plans should have status under Local Plan  
*52/AA Barford, Sherbourne & Wasperton Joint Parish Council*
8. The Reasoned Justification in para 8.7 should refer to the acute need for affordable housing in the rural area.  
*228/BG West Midlands RSL Planning Consortium*

#### **Response of Head of Planning & Engineering to matters raised**

1. The purpose of the policy is to make it clear that development will only be permitted in the rural area in the circumstances outlined in this chapter of the plan where it can be demonstrated that the development meets the needs of the local population or supports local communities.

Radford Semele is a settlement in its own right which is separated from the built up area of Leamington by a wedge of open land. This wedge is designated as an Area of Restraint under Policy DAP2 the purpose of which is to prevent settlements merging into each other, to prevent urban sprawl and to preserve the open character of land surrounding settlements. The Plan has identified sufficient housing land to meet the strategic housing requirement of 1,240 dwellings up until 2011. Commitments at April 2004 were 3,058 dwellings. There is no need, therefore, to extend the existing built up area of Leamington to accommodate further development.

2. The land at Golf Lane is greenfield land, on the southern edge of the built up area of Whitnash, which is designated as an Area of Restraint under Policy DAP2. The Plan has identified sufficient land to meet the strategic housing requirement of 1,240 dwellings up until 2011. Commitments at April 2004 were 3,058 dwellings. There is no need, therefore, to extend the existing built up area to accommodate further development.
3. The policy reflects the development strategy in the adopted Warwickshire Structure Plan as outlined in policies GD.3, GD.4 and GD.5 which direct most new development to previously-developed land within the existing built up areas of towns over 8,000 people. Within rural areas, Structure Plan Policy RA.1 allows only for development which meets the needs of the local population and supports rural communities. Guidance is given in paragraphs 2.3.13 -14 in the Structure Plan as to the level of housing development which is appropriate in rural areas. This is, at the very maximum, the equivalent of the local growth in households attributable to the rural community in any rural location. In Warwick District this equates to 420 dwellings between 1996 and 2011 using the worked example in paragraph 2.3.13. By April 2004, 1027 dwellings had been completed in the rural areas of the District. Policy RAP1, therefore, applies the Plan's rural housing policies to the whole of the rural area. The rural policies which follow, however, do allow for limited development proposals where these meet local needs such as conversions of existing buildings, new shops and services, housing for rural workers, affordable housing and farm diversification

schemes.

4. The policy applies Policy RAP2 to housing proposals, however this does allow for conversions in certain circumstances and affordable housing. The Council accepts that Policy RAP2 may be over-restrictive in the Limited Growth Villages. (See Policy RAP2)
5. In terms of housing development, the rural areas outside the Green Belt will be subject to the same restrictive policies.
6. Parish Plans can play a useful role in identifying development which meets the needs of the local community or supports rural communities. They are a material planning consideration. Reference could be made to them in the justification.
7. I accept that there should be a reference here to the acute need for affordable housing in the District

**Recommended revision(s)**

1. No Change
2. No Change
3. No Change
4. No Change
5. No Change
6. No Change
7. Make reference to Parish Plans/Appraisals at the end of paragraph 8.7 as follows: "Parish plans, appraisals and surveys, carried out by the local community, will be taken into account when considering the need for the development and the extent to which it supports a community."
8. Make reference to the acute need for affordable housing and cross reference to Policy SC9 and paragraphs 5.42 to 5.55 and 5.58. Add new para 8.6a as follows:  
"House prices throughout the District have risen sharply over recent years so that in smaller settlements, where housing choice is limited, it has become increasingly difficult for local people to find suitable, affordable housing. Research by the Centre for Urban and Regional Studies for the Regional Housing Partnership in July 2003 showed that the average sales price for non-detached properties in Warwick District was the highest in the region. Further, the income required to purchase a non-detached dwelling was £39,744, also the highest in the region. (See also Policy SC9 and paragraphs 5.42-5.55 and 5.58.)"

## Topic: RAP 2 Directing New Housing

### Summary of matters raised in objections.

1. The Policy is too restrictive and should allow market housing on previously-developed land within the built-up areas of Limited Growth Villages in order that
  - local needs for a range of housing can be met
  - local services can be supported and improved
  - affordable housing can be cross-subsidised

*5/AB Christa Knight-Adams; 118/AD Mr & Mrs G.Bull; 199/AA J.S.Bloor (Tamworth) Ltd; 134/AA David A. Ellwood; 135/AC Bishop's Tachbrook Parish Council; 142/AF A.C. Lloyd; 167/AA Mrs E. Brown; 187/AD Countryside Agency; 208/AC Pettifer Estates; 214/AD Mrs J. Biles; 278/AA Shirley Estates (Development)Ltd; 286/AA Earlplace Ltd; 288/AD Warwickshire Police; 289/AD Taylor Woodrow Ltd; 293/AD Oldhams Transport Ltd.*
2. The Plan is too restrictive and should allow limited development, including market housing, in all villages.

*25/AA M.J.Maguire; 54/AK Conservative Group; 57/AA & 278/AA Shirley Estates; 117/AR Langstone Homes; 121/AA Rowington Parish Council; 135/AC Bishop's Tachbrook Parish Council; 155/AF Punch Taverns; 213/AU Warwickshire Rural Community Council; 239/AC D.Austin*
3. Restore original Village Envelopes or Settlement Boundaries.

*10/AC Bubbenhall Parish Council; 117 AR Langstone Homes; 123/AA Robin Hedger; 132/AD KB Benfield Group Holdings Ltd; 239/AC and AO D.Austin; Mr & Mrs M Evans*
4. Policy should be less restrictive in terms of conversions to residential use of buildings in other uses/ redundant buildings.

*72/AB Saville Estates; 158 AF Tyler-Parkes Partnership; 224/AA Mr & Mrs R.M. Orr; 187/AO Countryside Agency.*
5. Policy should include replacement dwellings.

*220/AG Cala Homes Ltd*
6. Plan should be more pro-active and allocate sites to meet local needs.

*118/AD Mr & Mrs Bull; 155/AF Punch Taverns; 187/AO Countryside Agency*
7. In Limited Growth Villages, affordable housing should be restricted to local needs only.

*52/AF Barford, Sherbourne and Wasperton Joint Parish Council*
8. Policy and reasoned justification should define "rural workers"

*148/AW CPRE*
9. Clarification needed as to whether paragraph 8.15 is referring to Limited Growth Villages only.

*148/AW CPRE*

10. There should be a cap on the number of affordable homes because of the effect on services to which the development does not contribute.  
*68/AB D. Eggby*
11. In Bubbenhall affordable housing should only be allowed within the Village Envelope.  
*10/AC Bubbenhall Parish Council*
12. Rowington and Lapworth need quality homes for the elderly and people wishing to stay in the village.  
*112/AC Jeffrey Masters*
13. Plan should consider the impact of increased car use in town centres which will result from the policy of directing all growth to towns.  
*191/AD Robin A. Richmond*
14. Eathorpe should be a Limited Growth Village  
*237/AA J.R.Reeve*
15. Radford Semele should be included within the urban area  
*256/AJ T & N*
16. Bishop's Tachbrook does not meet the criteria in para 8.14 to qualify as a Limited Growth Village.  
*34/AB Peter Hitchin*

#### **Response of Head of Planning & Engineering to matters raised**

1. I accept that the policy will not allow for the development of market housing even when this has been identified in a local appraisal or assessment. It may also be the case that without market housing it will be difficult to finance affordable housing unless exception sites come forward. A limited amount of market housing may help to meet a local need particularly in villages which do not currently have a choice or range of housing to meet all needs. Further, I accept that new development helps to support existing shops, primary schools and public transport. However, the policy does need to ensure that new market housing meets the specific needs of local people. I propose a change to the policy to allow market housing on previously-developed land within the Limited Growth Villages where it meets a proven local need and other environmental considerations.
2. Structure Plan Policy GD.3 allows for *most* new development to be directed to towns and defines *most* housing as being a level based on the proportion of population residing in towns in 1991. This equates to 2,380 dwellings between 1996 and 2011 with the remaining 420 to serve the needs of the rural area. However by 2003, 949 dwellings had already been built in the rural area. The Local Plan, therefore, seeks to restrict development in the rural area to housing to meet local needs for affordable housing for which there is an acute need. The Structure Plan allows for development in the rural area to be directed according to a hierarchy of settlements where the level of growth is related to the level of services. The Plan identifies Limited Growth Villages in the

hierarchy as being settlements with a basic level of services and therefore capable of accommodating affordable housing. Elsewhere, villages outside the hierarchy will be able to accommodate affordable housing to meet their specific needs. However the Plan considers that it would be inappropriate to allow market housing because this has already been provided for to a greater extent than planned for in the Structure Plan.

The Structure Plan does, however, allow for development in all settlements, regardless of whether or not they fall within the hierarchy, to satisfy local needs as identified within a community appraisal or assessment. However, it states that this may be “limited by the local plan if this is considered appropriate” (paragraph 3.3.2).

3. See 2 above. The adopted Local Plan was produced within the context of the previous Structure Plan and the, now outdated, national planning guidance for housing. It identified a need for 1,190 dwellings in the rural area between 1989 and 2001 of which 540 would be provided for in the seventeen “Limited Infill Villages”. The village envelopes in the adopted Local Plan were drawn up to identify the existing built up areas of these seventeen villages. The national and strategic guidance at the time placed less emphasis on the need for sustainable development. Development within villages was primarily determined according to environmental considerations. This approach is now inappropriate when considered within the context of the current Structure Plan and national planning policy in the form of Planning Policy Guidance 3:Housing.
4. The Council supports the re-use of vacant or redundant buildings in rural areas. However, in order to achieve a balance of different uses and retain existing employment and service uses, the Council wishes to resist changes of use to residential except in circumstances where all other uses have been fully explored. The policy allows for changes of use to residential where the housing would meet a local need and where all other options are either unviable or inappropriate.
5. Policy RAP4 deals with replacement dwellings
6. I agree that it would be desirable to allocate sites for affordable housing to meet identified needs. However, in practice this is not a realistic option unless the Council or a registered social landlord already owns the site. In other cases, the agreement of the land owner would need to be obtained and the price of the land would have to be at a level which would enable a registered social landlord to deliver homes at affordable rents. The identification of such sites is usually more effectively carried out at local level outside of the local plan process.
7. Structure Plan Policy RA.3 requires new development to be related to a hierarchy of settlements, as determined by local plans, whereby growth is related to the level of services. New development should be directed to those settlements with a basic level of services. The Limited Growth Villages will be the focus for the limited amount of development, mainly affordable housing, which is directed towards the rural area. This is because the rural area has, since 1996, already experienced a level of growth in excess of that expected by the Structure Plan.
8. I agree that the Local Plan should define “rural workers” in the text.
9. I agree that it needs to be clarified that paragraph 8.15 is referring to the Limited Growth Villages
10. Within the Limited Growth Village envelopes there are limited opportunities for

affordable housing. Large scale developments would be inappropriate and therefore would not be granted planning permission.

11. Bubbenhall is located within the Green Belt and as such development for affordable housing on the edge of the existing built up area would only be appropriate in very exceptional circumstances as outlined in paragraph 8.37.
12. I agree that in the Limited Growth Villages (e.g. Lapworth) some market housing may be appropriate if evidenced by a local needs assessment. (See item 1.)
13. The aim of sustainable development policies are to direct growth to areas which have a range of services and public transport. This not only gives people a choice of transport but leads to shorter trips being generated than if new development was located in the countryside.
14. The Structure Plan directs new development to locations in a settlement hierarchy where the levels of development relate to the level of services. At the very least these should include a shop, primary school and a bus service. Eathorpe does not have this level of services.
15. The urban area in the local plan reflects the criteria in the Structure Plan for directing growth. This is aimed at towns with a population of over 8,000 in 1991. Radford Semele is included within the rural area because it is a settlement in its own right and had a population of under 8,000 in 1991.
16. Bishop's Tachbrook contains a shop, school, post office, community building and hourly daytime bus service.

#### **Recommended revision(s)**

1. Amend Policy RAP2 sub section a) to :  
    "a) it is on previously-developed land within the Limited Growth Villages of Barford, Bishop's Tachbrook, Hampton Magna, Lapworth (Kingswood), and Radford Semele, as defined on the Proposals Map, where any market housing meets a specific local need as identified by the community in an appraisal or assessment.

Amend paragraphs 8.12 and 8.13 accordingly.

#### **N.B. For other changes to Policy RAP2 see Chapter 8 Omissions**

2. No change except for 1. above
3. No change
4. No change
5. No change
6. No change
7. No change
8. Define "rural workers" in policy justification for RAP6
9. Amend first sentence of paragraph 8.15 as follows:  
    "Development within the Limited Growth Villages will be permitted on previously-developed land within the boundaries defined on the Proposals Map."
10. No change
11. No change
12. No change
13. No change
14. No change
15. No change
16. No change

## Topic: RAP3 Extensions to Dwellings

### Summary of matters raised in objections.

1. The guideline proportions, in paragraph 8.24, for acceptable increases to dwelling floorspace of 30% in the Green Belt and 40% elsewhere in the rural area are too low and should be increased to 50% or removed altogether.  
*4/AF Arlington Planning Services; 28/AA Hatton Parish Council; 207/AC Mrs J Biles; 236/AB Graham Jones; 287/AA Wood Frampton*
2. The guideline proportions, in paragraph 8.24, for acceptable increases to dwelling floorspace are too high and should be reduced.  
*115/AD Alan Roberts; 148/AX CPRE*
3. The policy should recognise the fact that extensions to dwellings are appropriate as a matter of principle in the Limited Growth Villages.  
*207/AC Mrs J. Biles*
4. The policy should state that there may be circumstances where even small extensions are not permitted due to appearance or the loss of an affordable unit of accommodation.  
*148/AX CPRE*
5. The policy discriminates against those living in rural areas.  
*28/AA Hatton Parish Council*
6. Paragraph 8.25 should state that there will be strict control over extensions to barn conversions  
*4/AF Arlington Planning Services*

### Response of Head of Planning & Engineering to matters raised

- 1.&2. Planning Policy Statement 12 (PPS12) states that planning authorities should ensure that development respects and, where possible, enhances the historic and architectural character of country towns and villages. PPS12 goes on to say that development should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location. Scale is an important element of any proposal to extend a dwelling since it is often the case that the size of the existing dwelling is an important part of its historic and architectural character e.g. farm worker's cottage or farmhouse. The proportions in paragraph 8.24 are given as a guide to the likely acceptable level of increase in existing dwelling size. The text also states that each case will be considered on its merits.
3. The policy does not exclude extensions as a matter of principle in any location.
4. Paragraph 8.26 states that all applications will be considered having regard to Policies DP1 and DP2 of the Plan. These policies are concerned with design, layout and amenity and apply whatever the size or scale of the proposal. However I consider it inappropriate to restrict extensions to dwellings in order to prevent those dwellings from increasing in value.
5. Planning Policy Statement 12 recognises the considerable historic and architectural value of country towns and villages and the contribution which they make to the character of the countryside. It states that development should respect these qualities.
6. Paragraph 8.25 states that, in the case of barn conversions, the Council is "extremely unlikely to grant approval for any extensions". This is because an



extension to a barn conversion will, in most cases, harm its integrity. By implementing the policy, therefore, strict control will be operated in respect of barn conversions.

**Recommended revision(s)**

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change

**Topic: RAP4 Replacement Dwellings**

**Summary of matters raised in objections.**

1. The policy is contrary to government guidance  
*4/AC Arlington Planning Services; 236/AA Graham Jones*
2. The policy should recognise the need for the modernisation or replacement of low quality dwellings  
*121/AB Rowington Parish Council*
3. Poor architectural design should not be a factor  
*220/AH Cala Homes (Midlands Ltd)*
4. The policy is too prescriptive and negative towards new development  
*287/AB Wood Frampton*
5. The policy fails to recognize the fact that it may be possible to construct a dwelling of superior quality to the one it replaces.  
*236/AA Graham Jones*

**Response of Head of Planning & Engineering to matters raised**

1. It is stated that the policy is contrary to paragraph 3.6 of Planning Policy Guidance 2 (Green Belts) which states that : "The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development Plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable." This implies that it is for local authorities to decide the circumstances in which replacement dwellings will be appropriate according to the circumstances in their particular area. Policy RAP4 recognises the contribution that existing rural dwellings make to the appearance and character of the rural environment in Warwick District and seeks to retain that character where possible. Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that the replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape. It goes on to say that authorities should also set out in their LDD's the criteria they will apply to the replacement of countryside

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| <p>buildings, the circumstances where replacement would not be acceptable and the permissible scale of replacement dwellings.</p> <ol style="list-style-type: none"> <li>Where dwellings are of low quality and incapable of being brought up to standard without demolition, the policy allows for replacement. Similarly, where a dwelling is of poor design and does not contribute to the character of the environment, the policy allows for its replacement.</li> <li>The Council recognises the special quality of the rural area in the District and seeks to retain this where possible. Design is a factor because this contributes towards the character and appearance of the rural area.</li> <li>The purpose of the policy is to retain the special character of the rural area by protecting its special qualities, which include its villages and isolated dwellings in the countryside. The accumulative effect of the loss of rural dwellings and their replacement with modern equivalents could seriously harm the character and appearance of the rural area. The policy seeks to control this by allowing dwellings to be replaced in circumstances where there is no realistic alternative.</li> <li>The “quality” of a dwelling is only a material planning consideration in terms of design and “fit for purpose”. These aspects are given consideration in the policy.</li> </ol> |
| <p><b>Recommended revision(s)</b></p> <ol style="list-style-type: none"> <li>No change</li> <li>No change</li> <li>No change</li> <li>No change</li> <li>No change</li> </ol>   |

## Topic: RAP5 Providing Rural Affordable Housing

### Summary of matters raised in objections.

- The policy is too prescriptive, unrealistic and impractical.  
*5/AD Mrs Christa Knight-Adams; 117/AS Langstone Homes Ltd; 142/AE A C Lloyd Ltd; 155/AC Punch Taverns; 208/AD Pettifer Estates; 213/AV Warks Rural Community Council; 239/AB D Austin; 240/AG George Wimpey Strategic Land; 288/AF Warks Police Authority*
- Affordable housing should only be allowed within village envelopes.  
*10/AD Bubbenhall Parish Council; 115/AE Alan Roberts; 148/AY Campaign to Protect Rural England; 135/AF Bishop’s Tachbrook Parish Council.*
- Planning permission for affordable housing should be linked to improvement in local facilities and infrastructure.  
*34/AA Peter Hitchin*
- The Policy should recognise the fact that discounted sale / low cost market housing can meet a local need.  
*109/AA Warks CC (Planning, Transport & Economic Strategy); 155/AC Punch Taverns; 240/AG George Wimpey Strategic Land*

5. Outline Planning applications should be considered  
*117/AS Langstone Homes; 142/AE A C Lloyd; 208/AD Pettifer Estates; 239/AB D Austin; 288/AF Warks Police Authority.*
6. Para 8.35 should state that affordable housing should only be located in areas where a need has been identified  
*123/AB Robin Hedger*
7. The policy should exclude Bishop's Tachbrook  
*135/AF Bishop's Tachbrook Parish Council.*
8. The affordability criteria in para.8.36 should be rigorous and robust over time.  
*197/AE Norton Lindsey Parish Council*
8. The requirement for development to start within twelve months is unreasonable and should be increased to two/three years.  
*142/AE A C Lloyd; 201/AD House Builders Federation; 216/AA A E Cox; 240/AG George Wimpey Strategic Land; 155/AC Punch Taverns; 208/AD Pettifer Estates; 288/AF Warks Police Authority.*
10. In the final sentence of paragraph 8.36, it should state that full applications will only be accepted and the word "normally" should be deleted.  
*148/AY Campaign to Protect Rural England.*
11. Policy should clarify who can commission a local needs survey  
*216/AA A E Cox*
12. In sub-section a) of policy, "parish or village surveys of housing need" should not be only means by which need is identified.  
*142/AE A C Lloyd; 208/AD Pettifer Estates; 288/AF Warks Police Authority.*
13. In sub-section c) of policy, the requirement for applicant to enter into S106 Agreement is contrary to government guidance and ultra vires.  
*142/AE A C Lloyd; 208/AD Pettifer Estates; 288/AF Warks Police Authority.*
14. The phrase "very exceptional circumstances" is over restrictive..  
*142/AE A C Lloyd Ltd.; 201/AD House Builder's Federation; 228/BJ West Midlands RSL Planning Consortium; 288/AF Warks Police Authority.*
15. Policy should be more pro-active  
*142/AE A C Lloyd; 187/AP The Countryside Agency; 208/AD Pettifer Estates; 240/AG George Wimpey Strategic Land; 288/AF Warks Police Authority.*
16. The policy itself should refer to affordable housing.  
*This is an informal comment from Government Office for the West Midlands*

### Response of Head of Planning & Engineering to matters raised

1. The policy follows government guidance in Planning Policy Guidance 3: Housing (paragraph 18 and Annexe B)
2. Paragraph 18 of Planning Policy Guidance 3: Housing states that local planning authorities may adopt “exception policies” which enable them to grant planning permission for land **within or adjoining** existing villages which would not normally be released for housing.
3. Planning permission for affordable housing under this policy will only be for developments which are “small in scale” and therefore will not lead to an increase in pressure on existing facilities.
4. Sub section c) III of the policy states that forms of tenure other than social rented will be considered provided that they achieve weekly outgoings significantly below the maximum affordable to households in housing need. This would not necessarily exclude low cost market housing provided that it met a local need and met the test of affordability. It would be contrary to government guidance in Planning Policy Guidance 3: Housing to grant permission for housing under an “exception policy” if the development was not for affordable housing to meet local needs in perpetuity.
5. Only detailed permissions which are valid for a period of 12 months will be granted because the development relates to a specific local need which may disappear over time. An outline permission would not be appropriate in these circumstances as it would have a potential life of 5 years (with the Reserved Matters) and would not state the sizes and types of dwellings which is essential in order to ensure the development meets an identified need.
6. Reword paragraph 8.35 to state that normally the housing to be provided should meet the needs of households from the parish in which the development is located although where relevant it may also meet the needs of households of neighbouring parishes.
7. Planning permission for housing under the “exception policy” will only be granted if local need can be demonstrated through a local needs assessment. If no such need exists in Bishop’s Tachbrook there will be no justification for exception housing.
8. It is not possible for the Policy to be more specific about the affordability criteria because these will change over time. Sub section c) III of the policy relates weekly outgoings to the income of households in housing need. Further details will be provided in the Council’s “Developer’s Guidance for Affordable Housing” and in the Supplementary Planning Statement when produced by the Council. The justification in paragraph 8.36 could be strengthened.
9. It is considered that the requirement for development to commence within twelve months is reasonable since most of the preparatory work would have been carried out prior to submitting the planning application.
10. I agree that the justification in paragraph 8.36 regarding detailed applications should concur with the policy.
11. I agree that further guidance is required on who should carry out a local needs survey
12. See 11 above
13. It is agreed that a requirement for a Section 106 planning agreement should not be made. Re-word sub-section c) of the policy.
14. The nature of a rural exception policy is that it allows planning permission to be

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| <p>granted in exceptional circumstances to provide affordable housing to meet an identified need in areas where housing would not normally be allowed.</p> <p>15. This is a rural exception policy and is applied where sites come forward in areas where permission would not normally be granted for housing development. It closely follows government guidance in Planning Policy Guidance 3: Housing (paragraph 18 and Annex B). It is not the purpose of this policy to identify sites for affordable housing.</p> <p>16. It is agreed that the policy itself should refer to affordable housing.</p>   |
| <p><b>Recommended revision(s)</b></p> <ol style="list-style-type: none"> <li>1. No change</li> <li>2. No change</li> <li>3. No change</li> <li>4. No change</li> <li>5. No change</li> <li>6. Amend the second sentence of the first bullet point of paragraph 8.35 to read:<br/>“These should normally be the parish within which the proposal is to be located, but may also include neighbouring parishes where relevant.”</li> <li>7. No change</li> <li>8. In the second bullet point of paragraph 8.36, add “affordable” after “remain”</li> <li>9. No change</li> <li>10. In the last sentence of paragraph 8.36 delete “normally”.</li> <li>11. No change</li> <li>12. No change</li> <li>13. Amend first part of sub-section c) of the policy to read:<br/>c) the following principles are established:-<br/>Insert the following sentence at beginning of paragraph 8.36:<br/>“The Council will seek to enter into a Section 106 planning agreement with the applicant to establish the principles of occupancy, tenure, housing type and availability in perpetuity.” Delete: “Furthermore...” and substitute: “Accordingly..”</li> <li>14. Delete “very” in first sentence of policy</li> <li>15. No change</li> <li>16. In the first sentence of the policy, delete “Residential...” and insert “Affordable housing...”</li> </ol> |

## Topic: RAP 6 Housing for Rural Workers

### Summary of matters raised in objections.

1. The policy should clarify “rural workers” and “farm workers”  
*110/AF Government Office for the West Midlands; 154/AJ National farmers Union*
2. Policy should relate only to “agricultural workers”  
*148/AZ Campaign to Protect Rural England*
3. Policy should include the last sentence of paragraph 8.43 which states that permission will not be granted for housing which is required for security purposes  
*148/AZ Campaign to Protect Rural England*
4. The last sentence of paragraph 8.43, which states that permission will not be

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| <p>granted for housing which is required for security purposes, should be deleted. Security is one of the main reasons why workers need to live on the farm holding and this is recognized in Planning Policy Guidance 7.</p> <p><i>154/AJ National farmers Union</i></p> <p>5. The size limit of 140 sq.m. in the policy is unnecessary as size is dealt with in sub section d)</p> <p><i>110/AF Government Office for the West Midlands</i></p> <p>6. The size limit of 140 sq.m. may need to be exceeded in certain circumstances such as where there is a large family or a need for a large office.</p> <p><i>154/AJ National farmers Union</i></p>   |
| <p><b>Response of Head of Planning &amp; Engineering to matters raised</b></p> <ol style="list-style-type: none"> <li>1. I agree that for consistency the policy should just refer to rural workers and the term should be defined in the text.</li> <li>2. Planning Policy Statement 7 states that concessions for housing in the countryside can be given, in special circumstances, for workers connected with any rural-based enterprise.</li> <li>3. The circumstances in which permission will be given are stated in sub sections a) to e) of the policy. It is not considered necessary, therefore, to state all the circumstances when permission will not be granted. The statement is made in paragraph 8.43 for guidance purposes as this is a common misunderstanding.</li> <li>4. Planning Policy Guidance 7 states in paragraph 6 of Annex A that “the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one.” If an applicant can satisfy sub section a) regarding the need to be readily available on the site then permission may be granted. It will be for the applicant to make a sound case. Paragraph 8.43 could more accurately reflect this guidance.</li> <li>5. This could be moved to the text for guidance purposes</li> <li>6. As above</li> </ol> |
| <p><b>Recommended revision(s)</b></p> <ol style="list-style-type: none"> <li>1. In the first sentence of the policy substitute “rural” for “farm”. At the beginning of paragraph 8.40, add “For the purposes of this policy, rural workers are defined as workers engaged full-time in farming, forestry, or any other rural-based enterprise. The functional need for a dwelling for a rural worker can be determined if...”</li> <li>2. No change</li> <li>3. No change</li> <li>4. In the last sentence of paragraph 8.43, delete “primarily” and insert “solely”.</li> <li>5. Remove the last sentence of the policy and insert it at the end of paragraph 8.41.</li> <li>6. As above</li> </ol>   |

## **Topic: RAP7 – Directing New Employment**

### **Summary of matters raised in objections.**

1. The policy should give greater support to schemes that meet the needs of local people (213/AX – Warwickshire Rural Community Council)
2. The policy should allow other non “B” class employment uses in rural areas (147/AD – Sundial Conference & Training Group).
3. The policy should allow the limited expansion of existing lawful uses where this would support the local economy (147/AD – Sundial Conference & Training Group).
4. The policy should support the development of small rural sites on previously developed land within or adjacent to limited growth villages (119/AC – Bloor homes, 118/AA – Mr & Mrs. Bull)
5. The first sentence of paragraph 8.49 is unclear (148/BA - CPRE)
6. Criterion (a) should include a note that the proposals should not have a detrimental effect on the local environment (234/AL – Mrs. A. Gordon)

### **Response of Head of Planning & Engineering to matters raised**

1. It is appropriate that the policy makes reference to meeting a local need. This could help amplify and clarify the reference to conversions being of “small scale or a low intensity”.
2. The local plan does not rule out non B class employment uses in rural areas in appropriate instances. These may include (in appropriate instances) the expansion of an existing non B class employment use, development on major developed sites or the conversion of a rural building.
3. The policy does allow the limited expansion of existing lawful uses where this would support the local economy, however, does so in the context of Green Belt policy which operates over much of the rural area. Under Green Belt policy, unless a site is an identified major developed site (SSP2) then any expansion or redevelopment is inappropriate development.
4. Although there is little evidence of there being demand for new employment areas within villages in the rural area, I would agree that it is reasonable to permit new employment uses within suitable villages where a local need can be clearly demonstrated. Suitable villages should be defined as the limited growth villages, and suitable sites should be restricted to previously-developed land.
5. This sentence could be redrafted to make it clearer.
6. It is important that policies exist to protect against detrimental affects from new employment opportunities, however these arise. All proposals in rural areas would be subject to all relevant other policies in the local plan, including policies DP1-14 which cover these and other issues.

### **Recommended revision(s)**

1. The policy and supporting text are amended to make reference to meeting local need.
2. No change
3. No change
4. Amend policy to allow for development on previously-developed land within the limited growth villages for new employment uses.

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| <ol style="list-style-type: none"><li>5. The first sentence of paragraph 8.49 is re-drafted to improve clarity.</li><li>6. No change</li></ol> |
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## **Topic: RAP8 – Converting Rural Buildings**

### **Summary of matters raised in objections.**

1. The policy should have an additional criterion to protect the historical or architectural interest of historic buildings (302/AX – English Heritage).
2. The ability to provide affordable housing should be an additional criterion (228/BL – West Midlands RSL Consortium, 187/AR – Countryside Agency).
3. Policy should make reference to the protection of bats ((210/AN – English Nature, 150/AE (Warwickshire County Council – Museum Field Services)
4. The final sentence in 8.56 should be deleted as being unnecessary as it repeats the policy (154/AK – NFU).
5. The policy should not cover isolated buildings in the countryside (148/BB – CPRE)
6. There should be a definition of rural buildings that should exclude modern buildings (115/AF – Alan Roberts)
7. A clearer definition of “permanent and substantial” should be given in the policy (7/AA – Ramblers Association)

### **Response of Head of Planning & Engineering to matters raised**

1. The district does contain a significant number of historic rural buildings and it I agree it is appropriate that the policy should reflect this.
2. This policy considers only the capability of the building to be re-used or adapted, not the use to which the building should be put. The approach of the local plan to supporting affordable housing in rural areas is contained in policies RAP2 and RAP5. This would allow the conversion of a rural building for affordable housing in appropriate cases.
3. It is important that an appropriate reference is made to protecting bats in the local plan. This is done elsewhere in policy DAP4 and a further reference in the policy is therefore not necessary. A cross reference in the text would, however, be helpful.
4. I consider this sentence is helpful in explaining the approach that the Council will take towards extensions to rural buildings.
5. The policy should be applied across the rural area. As noted above, the policy considers only the capability of the building to be re-used or adapted, not the use to which the building should be put. Whether or not an isolated rural building should be put to another use is a matter for other policies of this local plan.
6. Government advice in PPS7 makes no distinction between modern and traditional rural buildings and previous guidance in PPG7 specifically included modern buildings in its definition of rural buildings suitable for re-use. It would therefore be inappropriate to make a distinction in this case.
7. The objector wishes to see a definition of “permanent and substantial” which excludes any prefabricated building or one with cladding. This is considered to be too narrow a definition. Government definitions of rural buildings include modern buildings and paragraph 8.55 makes it clear that in assessing the appropriateness of a building for re-use of adaptation, the council will consider its condition and will



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| require evidence, substantiated by a structural engineer's report, that the stability of the building is adequate.  |
| <b>Recommended revision(s)</b> <ol style="list-style-type: none"> <li>1. An additional criterion is added to the policy to reflect this point.</li> <li>3. A reference to bats has been included in the supporting text.</li> </ol> |

## **Topic: RAP9 – Farm Diversification.**

### **Summary of matters raised in objections.**

1. Object to the final paragraph of the policy which does not allow any new buildings in the green belt. In accordance with the final version of PPS7 limited new buildings within the green belt should be allowed for farm diversification purposes (NFU ref: 154 AL). Policy should permit new buildings in the green belt to replace existing buildings of equal or greater size (D H Smith ref: 127 AC).
2. Isolated buildings in the countryside should be excluded from development (CPRE ref: 148 BC).
3. It should be made clear that 'best and most versatile land' has the meaning specified in GD4 (g) of the Warwickshire Structure Plan (CPRE ref: 148 BC).
4. It should be made clear that despite diversification the land itself will be well managed (CPRE ref: 148 BC).
5. Object to use of the word 'however' which should be replaced with the word 'but' in paragraphs 8.58 and 8.59 (CPRE ref: 148 BC).
6. Policy should refer to the outcome of meetings held with the NFU on the need for farm diversification (Conservative Group - Warwick District Council ref: 54 AL).

### **Response of Head of Planning & Engineering to matters raised:**

1. Paragraph 30 (iii) of PPS7 (final version) states that well conceived farm diversification proposals may constitute the 'very special circumstances' required by PPG2 to permit the development of new buildings in the green belt. Based on this revised guidance it is agreed that the last paragraph of the policy should be amended to allow new buildings in the green belt if they form part of farm diversification schemes which constitute the 'very special circumstances' required for development in the green belt.
2. Government guidance set out in paragraph 30 of PPS7 supports the reuse and development of buildings in the countryside as part of well conceived farm diversification schemes irrespective of location. On these grounds there may be circumstances where certain isolated buildings may be suitable for conversion or development in accordance with other policies in the plan.
3. It is considered unnecessary to refer to the standard of land meant by 'best and

most versatile land' as this is set out in the Structure Plan.

4. Planning can not require that agricultural land is well managed. The local plan can however provide a planning framework to consider the likely effects of a proposed farm diversification scheme on the quality of the land. For example, Para 8.58 sets out the council's support for *well conceived schemes* providing they are *consistent in scale with the rural location*. Other policies to consider where appropriate would include DP3, and DAP1 to DAP5.
5. It is not accepted that rewording the policy as suggested would add to the clarity of the policy. The local plan has been written to be as concise as possible.
6. The policy has been formulated to reflect the issues raised in the discussions with the NFU and guidance set out in PPG/PPS7. As these meetings were intended as 'informal' it would be inappropriate to specifically refer to the outcomes within the policy.

#### **Recommended revision (s)**

1. Extend the last sentence of the policy to read 'No new buildings will be permitted in the green belt except in very special circumstances'.
2. No changes required.
3. No changes required.
4. No changes required.
5. No changes required.
6. No changes required.

#### **Topic: RAP10 – Safeguarding Rural Roads.**

##### **Summary of matters raised in objections.**

1. Object that the policy does not prevent vehicles from taking short cuts along rural lanes and through villages where the infrastructure is not equipped to deal with the increased capacity (Mr. A Moore ref: 156 AC).
2. It is requested that the policy refers to the hazard and damage caused by large and heavy vehicles on country roads. They should only be allowed on narrow lanes for access (CPRE ref: 148 BD).
3. Policy should prevent the erection of over-elaborate gateways for houses on rural roads (CPRE ref: 148 BD).

### **Response of Head of Planning & Engineering to matters raised**

1. In order to safeguard rural roads RAP10 sets out the planning framework to resist development that would require the major modification of surrounding roads or change the character of rural roads in the vicinity. Elsewhere in the plan DP6 requires development proposals to demonstrate that they would not cause harm to highway safety. Although these policies seek to resist proposals which would have an unacceptable impact on the local road network the local plan cannot prevent vehicles from taking short cuts along rural roads. Traffic management and infrastructure are dealt with by Warwickshire County Council Highways Department.
2. Traffic restrictions on minor roads are dealt with by the County Council highways department and would not be considered through the local plan.
3. Proposals for gateways, requiring planning permission on rural roads would be assessed through policy DP1 which considers the design and layout of a proposal and any effects on the character and quality of an area. Structures exempt from planning permission would not be considered through the local plan.

### **Recommended revision (s)**

1. No changes required.
2. No changes required.
3. No changes required.

## **Topic: RAP 11 - Rural Shops and Services**

### **Summary of matters raised in objections.**

1. This objection believes that RAP11 does not provide the correct balance between seeking to support the retention of local facilities and recognizing the commercial and economic realities of operating businesses at rural settlements. The objector believes the 'lack of positive planning' will mean the creation of eyesores within rural settlements rather than seeking the reuse of these as previously developed sites. The policy should be amended to introduce a positive approach to the re-use of sites where businesses have failed and are very unlikely to recommence. This objection also states that there should be a distinction between community uses and retail operations (in that community uses are of greater value and should be defended more rigorously), and would like to see explicit reference to the protection of social / community uses in the policy / reasoned justification. *ref: 155 /AD Punch Taverns.*
2. Isolated buildings in the countryside should be excluded from development. There should be a policy to prevent successive

developments on the same site. ref:148 / BE Campaign to Protect Rural England ( Warwickshire Branch).

3. Policy RAP11 should strongly resist changes of use for single general stores in villages. Support should be given to petrol stations or pubs (located on suitable sites) that wish to develop as post offices / general stores in villages where there are no others. *ref:109 / BB Warwickshire County Council.*
4. It is contended that that the required demonstration of all three criteria under the policy is too restrictive, in that it takes no account of similar premises nearby that already provide an adequate service to the community. *ref: 72 /AC Saville Estates.*

#### **Response of Head of Planning & Engineering to matters raised**

1. The primary objectives of this policy are to provide a positive framework for the introduction of new retail enterprises (of an appropriate scale), whilst seeking to defend existing rural facilities (shops and services). I do not think that the objection is correct in its statement that a 'lack of positive planning' will create eyesores within rural settlements. The Council will always consider proposals for re-use positively as long as compelling evidence to support the cessation of a shop or service has been provided.
2. This objection would like to see isolated buildings in the countryside excluded from development; however this would be contrary to PPS7 and its support for appropriate farm diversification proposals. Policy RAP8, 9 and 12 set out the control / criteria that could be applied in considering any successive expansion proposals.
3. Rap 11 defends all A class operations (including single general stores in villages).
4. I do not agree that the required criteria are too restrictive. I appreciate that the policy does not take into account of similar premises nearby when assessing applications to change to non retail uses. The most important factor is to ensure that adequate opportunity is provided for a similar or alternative use because when the shop design / layout has been lost to a change of use ( usually to take advantage of domestic property values) it is very rare that investors will be prepared to put a shop back into operation due to the cost of such works.

#### **Recommended revision(s)**

1. No change.
2. No change.
3. No change
4. No change

### **Topic: RAP 12 – Farm Shops**

#### **Summary of matters raised in objections.**

1. Isolated buildings in the countryside should be excluded from development and there should be a policy to prevent successive developments on the same site. *ref: 148 / BF*

*Campaign to Protect Rural England (Warwickshire Branch).*

**Response of Head of Planning & Engineering to matters raised**

1. This is contrary to the provisions of PPS7 that promote farm diversification proposals.

**Recommended revision(s)**

1. No change.

**Topic: RAP13 – Directing New Outdoor Leisure and Recreation Development**

**Summary of matters raised in objections.**

1. The CPRE (148 BG) made the following objections:
  - It is requested that criteria a) is deleted on the grounds that it is not understood why sports facilities are required in the countryside when most people live within 5 miles of a town.
  - It is requested that a sentence is introduced to state that major profiling of land will not be permitted for recreational use.
  - Provision should be added within the policy to prevent noisy sports (also Alan Roberts ref: 115 AG).
  - Paragraph 8.73 should include a reference to PPG2 and the use of the word 'however' should be replaced with the word 'but'.
2. Sport England (37 AJ) raised concern regarding the prohibition of development within the open countryside unless it is part of a farm diversification scheme. This could create a dichotomy between any identified need and the time lag of suitable schemes being brought forward. In order to prevent this the second sentence of criteria b) should be amended to state that wherever possible proposals should form part of a farm diversification proposal.
3. It is requested that an additional criteria is added to RAP13 to allow the site at Oaklands Farm to be allocated for leisure and recreation development to include a marina, budget accommodation and a pub / restaurant (R Butler ref: 279 AC).

**Response of Head of Planning & Engineering to matters raised**

1.
  - The nature of certain types of outdoor recreation and leisure facilities means that these can not operate effectively within urban areas (i.e. lack of space). It is considered that criteria a) acknowledges this and as such should not be deleted.
  - It is inappropriate to state that major profiling will not be permitted in any instance as when it is carried out sensitively and in accordance with the Warwickshire Landscape guidelines it has the potential to add to the quality of the environment.

- Any noise pollution likely to result from a proposal would be considered through other policies in the local plan in particular DP2 Amenity and DP9 Pollution Control.
- It is considered that there would be no merit in replacing the word 'however' with the word 'but'. For comprehensiveness it is agreed Para 8.73 could include a reference to PPG2.
- 2. It is agreed that the policy is too restrictive in only permitting the development of leisure facilities in the open countryside as part of farm diversification proposals. To address this, an additional criteria should be included to allow the development of small scale proposals in the open countryside to meet a local need in the absence of more suitable sites being available. The reason justification should be amended to reflect this.
- 3. RAP13 is applicable throughout the rural area and does not allocate specific sites for leisure and recreation development. The main issues related to this objection will be dealt with elsewhere as an omission to chapter 10.

#### **Recommended revision (s)**

1.
  - No changes required.
  - No changes required.
  - No changes required.
  - Amend the third sentence of Para 8.73 to state ' This applies in all rural locations however Government guidance contained in PPG2 gives particular advice for within green belt areas.
2. Delete second sentence of criteria b) and add new criteria c) which allows the development of small scale proposals in the open countryside to meet a local need where there is no more suitable site.

The reason justification should be expanded to state 'The applicant will need to provide evidence to demonstrate local need either through a village appraisal using criteria agreed in advance with the Council or through the outcome of the Open Space Audit the Council is undertaking'.

3. No changes required.

#### **Topic: RAP14 – Golf facilities**

##### **Summary of matters raised in objections.**

1. English heritage (302 AY) raised concerns regarding the potential impact of golf courses on the historic environment both in terms of specific sites and the

landscapes they form a part of. It is requested that the policy is amended so that proposals are required to demonstrate that there are no unacceptable impacts on the environment.

2. CPRE raised the following objections:

- It is requested that the policy is amended to prohibit golf courses in the green belt.
- Objection is raised to the second sentence of paragraph 8.78 which supports proposals for golf facilities– it is suggested that this is deleted.
- The policy should require golf courses to be self-sustaining without the need for additional facilities (also raised by 115 AH).

3. Sport England (37 AK) support policy but request that two further issues are considered when dealing with proposals for new golf facilities:

- Accessibility by those on a low income.
- The need for a business plan to demonstrate the long term viability and sustainability of a proposal.

**Response of Head of Planning & Engineering to matters raised**

1. It is agreed that the impact of golf courses on both the natural and historic environment is an issue which the policy should address. The last sentence of the reason justification refers to the need for careful consideration to be given to the environmental impact of the proposal. It is however considered that the policy may be strengthened by requiring applicants to ensure that the environment has been protected and enhanced.

2.

- Guidance set out in PPG2 allows the development of facilities for outdoor sport and recreation providing this does not have a detrimental impact on the openness of the green belt. It does not prohibit the development of golf courses.
- Paragraph 8.78 only supports the development of golf facilities in appropriate locations where there is an identified need.
- The reason justification of the policy should be expanded to require applicants to submit a business plan as part of the assessment of need which sets out development requirements for the future.

3.

- Through the policy proposals are required to comply with RAP13 which seeks to locate significant proposals in more sustainable locations adjacent to urban areas and be accessible by public transport. Ensuring that facilities are accessible for those on all incomes (in terms of pricing strategies) is not a land use planning matter. However this issue may form part of the assessment of need.
- There is merit in requiring the applicant to submit a business plan as part of the assessment of need to ensure the long term viability of the proposal.

**Recommended revision (s)**

1. Include sentence at the end of Para 8.78 to state 'The Council will require applicants to demonstrate that the environment has been protected and where possible enhanced'.
2.
  - No changes required.
  - No changes required.
  - Add sentence in reason justification to state 'In most instances the Council would expect this to be demonstrated through the submission of a business plan to ensure the long term viability of the scheme'.
3.
  - No changes required.
  - See above response to representation 2.

**Topic: RAP15 – Camping and Caravanning Sites.****Summary of matters raised in objections.**

1. The Environment Agency objects on the grounds that the policy fails to state in accordance with PPG25 that camping and caravanning sites should not be permitted within areas at high risk of flooding (226 AP).

**Response of Head of Planning & Engineering to matters raised**

1. It is agreed in accordance with paragraph 70 of PPG25 that RAP15 should state that camping and caravanning sites will not be allowed within high risk flood zones and acknowledge the special problems associated with these sites in relation to flooding.

**Recommended revision (s)**

1. Extend the first line of the policy to state 'and are not in areas of high flood risk'. Insert new paragraph to refer to the special flood risks associated with camping and caravanning sites and to require sites in other flood risk areas to prepare a flood warning and evacuation plan in accordance with PPG25 (See wording below).
- 8.81 a Caravanning, camping and other temporary occupancy sites give rise to special problems in relation to flooding. The instability of caravans places occupants at special risk and it may be difficult to operate an effective flood warning system. In accordance with PPG25 the development of these facilities will not be permitted in areas of high flood risk and in other flood risk areas applicants will need to prepare a flood warning and evacuation plan.



## **Topic: RAP16 – Directing New Visitor Accommodation**

### **Summary of matters raised in objections.**

1. Object that the policy fails to recognise the benefits of visitor accommodation in diversifying the rural economy. It is requested that a criteria is included to allow limited extensions and infilling to existing visitor accommodation outside urban areas in particular to permit the provision of on-site accommodation for training and conference facilities outside of use class C1. The policy should include a cross reference to objective 1C 'diversification of the rural economy' and policy SSP2 'major developed sites in the green belt' (Sundial Conference and Training Group ref: 147 AC).
2. It is requested that the first sentence of the policy is deleted. This should be replaced by a statement permitting new visitor accommodation where it is related to leisure and recreation facilities in association with visitor attractions and should refer to Oaklands Farm as a suitable location for such development (Mr. R Butler ref: 279 AB). It is requested that the final paragraph is deleted.

### **Response of Head of Planning & Engineering to matters raised**

1. In accordance with PPS7 RAP16 permits limited extensions to existing tourist accommodation where the scale is appropriate and where the proposal would contribute to the future viability of the business. In terms of the provision of other uses (In particular conference and training facilities outside of Use Class C1) the plan would seek to concentrate these types of uses to sustainable locations within or adjacent to urban areas. In other areas proposals for such facilities may be considered where they are small scale, in keeping with the surrounding area and do not significantly intensify uses on the site.
2. It is not accepted that the first sentence of the policy should be deleted. In the green belt PPG2 considers the development of new buildings to be inappropriate development unless they form part of a farm diversification proposal. Elsewhere, in accordance with PPS7 the local plan directs new visitor accommodation to locations within or adjacent to town centres or public transport corridors through UAP8 and allows for the conversion of appropriate rural buildings in accordance with RAP8. It is not accepted that the final paragraph of RAP16 should be deleted as this is in accordance with PPS7 (paragraph 38) which directs planning authorities to adopt a supportive approach to extensions to existing tourist accommodation where the scale of the extension is appropriate and where it would contribute to the future viability of the business. RAP16 applies throughout the rural area and does not allocate specific sites.

### **Recommended revision (s)**

1. No changes required.
2. No changes required.

## Topic: Rural Area Omission Policies

### Summary of matters raised in objections.

1. The chapter should include a policy on best and more versatile agricultural land. *110/AG Government Office for the West Midlands*
2. The chapter should include a policy for agricultural development. *127/AA Mr D. H. Smith; 148/AV Campaign to Protect Rural England*
3. Plan should support the continued use of existing non Class B employment uses in the countryside which assist in the diversification of the rural economy. *147/AG Sundial Conference and Training Group.*
4. The Rural Area Policies should include a policy which relates to development near motorways. *148/CB Campaign to Protect Rural England*
5. The Plan should allow the provision of moorings/marinas to be considered as an acceptable use in the rural areas and the green belt. *294/AB British Waterways*

### Response of Head of Planning & Engineering to matters raised

1. Planning Policy Statement 7: Sustainable Development in Rural Areas was introduced in August 2004. On the subject of “best and most versatile agricultural land”, paragraph 28 states that this should be taken into account in determining planning applications. Where the development of agricultural land is unavoidable, local planning authorities should seek to use land of a poorer quality (Grades 3b, 4 and 5) in preference to land of a higher quality. Paragraph 29 states that development plans should identify any major areas of agricultural land that are planned for development and they may also wish to include policies to protect specific areas of best and most versatile agricultural land from speculative development. It is proposed to add a sub-section to Policy DP3 (Natural Environment) to include the protection of best and most versatile agricultural land and to cross refer from relevant Rural Area policies.
2. Agricultural development would be considered according to other policies of the plan. This could be made clear in the reasoned justification to Policy RAP1.
3. Where an existing use has the benefit of planning permission, there is no need for a policy to support its continued use.
4. It is not considered that the rural areas near motorways require special protection over and above other rural areas. Much of the M40 motorway traverses green belt.
5. Moorings and marinas for recreational use will be considered under Policy RAP13. The reasoned justification could be amended to state that while small scale moorings may be appropriate in the rural area, marinas with associated buildings are more likely to be appropriate in the urban areas.

### Recommended revision(s)

1. Amend Policy DP3 as follows:  
“Development will only be permitted which protects important natural features and positively contributes.....”  
Insert additional criteria g) as follows:  
g) protect best and most versatile agricultural land.  
In paragraph 8.7 add to end of third sentence “including rural enterprises.” At

the end of the paragraph add:

“Parish plans, appraisals and surveys, carried out by the local community, will be taken into account when considering the need for the development and the extent to which it supports a community.”

2. Delete paragraph 8.8 and insert new paragraph 8.8 as follows:

“The policies which follow, RAP2 to RAP16, set out the criteria whereby development will be permitted in the rural areas. In the case of agricultural development, which is intrinsic to the maintenance and management of the countryside, proposals will be considered with reference to other relevant policies of this Plan, in particular, Development Policies and Designated Area Policies.”

3. No change

4. No change

5. Insert new paragraph 8.76a as follows:

“Small scale mooring facilities are likely to be appropriate in the rural area. However, large scale marinas with associated buildings are more likely to be appropriate in urban areas.”

### **Amendments to align the Plan with new government policy in PPS7**

6. New policy to meet the requirements of PPS7 (para 19) to state the criteria that will be applied when considering applications to replace existing buildings in the countryside for economic development purposes or for farm diversification projects.

#### **New Policy RAP8a Replacement of Rural Buildings**

The replacement of existing rural buildings will be considered favourably for employment or farm diversification proposals provided that:

- a) the building to be replaced is of permanent and substantial construction;
- b) it can be demonstrated that replacement is preferable to conversion in terms of the appearance of the existing building and its suitability for the proposed use; and
- c) the replacement building is not materially larger than the building it replaces, is of a design and scale appropriate to its rural location and has no greater impact on the character and openness of the rural area.

Employment proposals should accord with Policy RAP7 and farm diversification proposals should accord with Policy RAP9. The replacement of rural buildings will not be appropriate development within the Green Belt.

Reasoned Justification:

8.57b The Council favours the re-use of existing rural buildings wherever possible since they are often of a scale and design which complement their rural surroundings. However there may be circumstances where a rural building is of poor quality in terms of design and its effect on the surrounding area and it may not easily lend itself to re-use. Where such buildings are the subject of proposals for new employment development or farm diversification proposals, which satisfy the criteria in Policy RAP7 or RAP9, it may be more appropriate to replace the building. Consideration will be given to such proposals where it is demonstrated that replacement is preferable to re-use.

8.57c Where the replacement of the building is considered to be the favourable option, the new building should be of a scale and design appropriate to a rural location and should not be materially larger than the building which it replaces. This will ensure that the character of the rural area is retained or enhanced. Such proposals, however, will not be permitted in the Green Belt where only the replacement of existing dwellings is appropriate.

Amend sub-section a) of Policy RAP7 as follows:

“conversions or replacement of appropriate rural buildings in accordance with Policy RAP8 or RAP 8a where these are of a small scale or low intensity;...”

Amend the second sentence of paragraph 8.47 as follows:

“With regard to the conversion, re-use or replacement of rural buildings....”

Amend sub-section b) of Policy RAP9 as follows:

“proposals to convert or replace rural buildings comply with Policy RAP8 or RAP8a; and ...”

7. Amendments to meet the requirements of PPS7 (paras 17 & 18) whereby LDD's should set out the criteria for permitting the conversion and re-use of buildings in the countryside for economic, **residential** and any other purpose, including mixed uses.

Amend RAP2 sub-section d) as follows:

**d) it is the conversion or subdivision of appropriate rural buildings in accordance with RAP8 where the all the following additional criteria are met:**

- I. the building is located within or adjacent to a village;**
- II. the housing meets an identified local need; and**
- III. outside of the Limited Growth Villages, the applicant can demonstrate that other uses (as identified by policies of this Plan) or a mixed use (where the residential element is subordinate to a business use) are not appropriate or viable.**

Amend paragraph 8.17 as follows:

In first sentence, after “may be permitted” add: “within, or adjacent to, villages”