
ROCHFORD DISTRICT REPLACEMENT LOCAL PLAN DRAFT POLICIES - RURAL ISSUES CHAPTER

1 SUMMARY

- 1.1 The purpose of this report is to seek Members approval for a number of policies to be included in the First Deposit Draft of the Replacement Local Plan. The policies all deal with Green Belt and rural conservation issues, and are to be contained within the Rural Issues chapter of the Plan.
- 1.2 The preparation of a Local Plan is a statutory function for the authority.

2 INTRODUCTION

- 2.1 The Local Planning Authority is preparing a Replacement Local Plan to supersede the Rochford District Local Plan First Review adopted in April 1995. The replacement Plan will provide planning policies for the District up to 2011.
- 2.2 The attached appendix details a number of policies dealing with Green Belt and rural / nature conservation matters. Whilst such policies are contained in two separate chapters in the current Plan (Green Belt and Rural Conservation), given that many of these policies have common themes, it is felt appropriate and 'user friendly' to combine both chapters in a single chapter in the replacement Local Plan. This chapter will be entitled Rural Issues.
- 2.3 It should be noted that the attached policies do not comprise all those to be included in the Rural Issues chapter. Members will note the absence of policies relating, amongst other things, to rural exception housing, farm diversification, stables, cemeteries, protection of woodland and preserved trees, flood risk and Nature Conservation Zones. Policies relating to these and other issues are currently being formulated, and will be presented to Members for consideration in due course. The numbering of the policies presented in the appendix is not sequential: the gaps will be filled by the further policies mentioned above.

3 THE POLICIES

- 3.1 Policy R1 - Development in the Green Belt

This policy replaces Policy GB1 in the First Review. The wording of the policy has been amended to reflect the wording of PPG2 (Green Belts), published in 1995, and that of Structure Plan Policy C2, published

earlier this year. However, although the wording of the policy has changed, the thrust of the policy is essentially the same. It is no more or less restrictive than the policy it replaces.

3.2 Policy R2 - Rural Settlement Areas Within the Green Belt

This policy replaces Policy GB2 in the First Review. It is considered that the policy has operated successfully and, therefore, the content of the policy has not changed.

3.3 Policy R4 - Agricultural Workers Dwellings

This policy replaces Policy GB3 of the First Review. The policy has been rewritten to reflect the guidance of PPG7, published in 1997.

The most notable change is the introduction of a criterion to limit the size of the dwelling. Until now, the issue of size has been considered having regard to the guidance of PPG7 - which states that the size of dwellings should be 'commensurate with the functional need of the holding' and that the requirements of the enterprise, rather than those of the owner/occupier, should govern the size of dwelling. In reality it has proved difficult to agree a size of dwelling with applicants based on this guidance and, with hindsight, it is felt that there has been a tendency to accept dwellings that are more generous in scale than their respective businesses truly justify.

Accordingly, the replacement policy incorporates a criterion to restrict the floorspace of new farm dwellings to 140 sq.m (This corresponds with the size of several modest farm dwellings that have been recently approved).

The replacement policy also permits new farm dwellings to be extended by the same amount (35 sq.m) as other dwellings in the countryside. If the applicant wishes, however, this allowance can be rolled into the floorspace of the new dwelling to give a total floorspace of 175 sq.m. This follows the approach used in the policy relating to replacement dwellings.

Finally, although PPG2 and PPG7 both state that new dwellings should serve agriculture or forestry uses, a large number of appeals have been permitted elsewhere relating to the provision of dwellings to serve equestrian and other animal-related enterprises. This is not surprising given the parallels between such uses and, indeed, in the light of government's drive for rural diversification. Thus, whilst this policy is primarily aimed at dwellings to serve agricultural units, the preamble to the policy will make clear that applications for new dwellings to serve equestrian and other allied uses will be considered on their individual merits having regard to the policy.

3.4 Policy R5 - Temporary Accommodation for Agricultural Workers

Policy advice relating to the siting of mobile homes previously formed part of the policy relating to agricultural dwellings. However, given the number of criteria to be met (set out in PPG7), it is considered preferable to set these out in a separate policy.

3.5 Policy R6 - The Extension of Dwellings in the Green Belt

This policy replaces Policy GB7 of the First Review. Policy GB7 has been successfully operated since 1988, and has been well supported on appeal. Nothing has been produced by the government or the County Council that renders the policy out-of-date, therefore other than minor changes to its structure and layout, the policy remains largely as before. The criterion relating to the removal of 'permitted development' rights has, however, been altered. Moreover, for the purposes of clarification, the definitions of certain terms used in this policy (and the next policy) have been amended. This follows several appeal decisions which, it is felt, may have been allowed due to the Inspectors' misinterpretation of the policy.

3.6 Policy R7 - The Replacement or Rebuild of Existing Dwellings

This policy replaces Policy GB8 of the First Review. The policy is largely the same as before. However, a criterion has been introduced to control the height of the replacement dwelling and, as above, the criterion relating to the removal of 'permitted development' rights has been altered.

3.7 Policy R8 - The Extension of Domestic Gardens

The policy replaces Policy GB9 and has not been changed.

3.8 Policy R9 - New Agricultural Buildings

This policy replaces Policy GB11 in the First Review, and has been amended to better reflect the guidance of PPG7.

3.9 Policy R11 - The Re-use and Adaptation of Existing Rural Buildings

This is one policy area where government thinking has altered significantly over the past decade. Current guidance (PPG7), which is underpinned by the government's drive towards more sustainable patterns of living and the diversification of the rural economy, urges a flexible approach towards the re-use of rural buildings. The guidance favours the re-use of buildings for business use, both to assist the rural economy and avoid the provision of dwellings in unsustainable locations.

In addition, whereas the County Council previously supported the re-use of listed rural buildings (e.g. 'Essex barns') as a means of securing a future for such buildings, experience of insensitive conversions in the County as a whole has led to the County Council to think again. Indeed, the policy contained in the recently adopted Replacement Structure Plan states that the residential conversion of listed farm building will not be permitted.

Policy R11 replaces Policies GB4 and GB5, relating to the re-use of listed and non-listed buildings, and takes on board the points outlined above.

3.10 Policy R15 - Areas of Ancient Landscape

This policy replaces Policy RC6 of the First Review, and remains unchanged.

3.11 Policy R16 - Special Landscape Areas

This policy replaces Policy RC7. The wording of the policy has changed slightly, but its essence remains the same.

3.12 Policy R17 - Landscape Improvement Areas

This policy replaces Policy RC8, other than cosmetic changes, the policy remains the same.

3.13 Policy R18 - Agricultural Land

This policy replaces Policy RC1.

3.14 Policy R21 - European and International Sites

A large part of the District's coastline is designated as a Ramsar site, Special Protection Area and candidate Marine Special Area of Conservation in recognition of its contribution as a breeding ground for wildfowl and waders, and the fact that it accommodates a habitat (and species) that is becoming increasingly rare. Policy R21 has been produced to reflect the planning implications of these designations, and has been drafted mindful of the advice of English Nature and Policy NR6 of the Replacement Structure Plan.

3.15 Policy R22 - Sites of Special Scientific Interest

This policy replaces Policy RC3 and has been redrafted mindful of a model policy recommended by English Nature, and by Policy NR6 of the Replacement Structure Plan.

3.16 Policy R23 - Local Nature Reserves and Wildlife Sites

This policy replaces Policies RC2 (Local Nature Reserves) and RC4 (SINC sites), and has been redrafted in the light of a model policy recommended by English Nature, and by Policy NR6 of the Replacement Structure Plan. Moreover, SINC sites are now known as Wildlife Sites.

4 ENVIRONMENTAL IMPLICATIONS

As above.

5 LEGAL IMPLICATIONS

The preparation of a Local Plan is a statutory function for the authority.

6 RECOMMENDATION

It is proposed that the Sub-Committee **RECOMMENDS**

That the policies in attached appendix be approved for inclusion in the Replacement Rochford District Local Plan First Deposit Draft. (HPS)

Shaun Scrutton

Head of Planning Services

For further information please contact Peter Whitehead on:-

Tel:- (01702) 318002
E-Mail:- peter.whitehead@rochford.gov.uk