

## **Chapter 3 – Shaping the Settlement Pattern**

### 3 SHAPING THE SETTLEMENT PATTERN

#### 3.1 Introduction

3.1.1 The Council's intention to create more sustainable patterns of development is expressed in the objective for this chapter which is:

**To shape the settlement pattern by concentrating new development in and around existing built-up areas and protecting the countryside from inappropriate development.**

3.1.2 This chapter includes policies relating to:

- development within settlements;
- development in the countryside;
- Strategic and Local Gaps between settlements; and
- existing development in the countryside.

3.1.3 This chapter establishes the basic principle that development and redevelopment within built-up areas should be encouraged, in broad terms, but that development and redevelopment outside them should be strictly controlled. In practice, this can be achieved by drawing policy boundaries around towns and villages on the Inset Maps and by applying certain policies within these 'settlements' and other policies outside them (i.e. in 'the countryside'). This approach helps to encourage the regeneration and re-use of urban land and reduces the need to develop greenfield sites. On the Inset Maps the areas where development, particularly for housing, is acceptable in principle have been defined. They are not intended to be read as village or town boundaries.

3.1.4 Some areas of countryside between towns and villages have been identified as Strategic or Local Gaps on the Proposals and Inset Maps. These areas have been defined because of their important role in maintaining the physical and visual separation of settlements.

3.1.5 This chapter also sets out the Council's approach to proposals affecting existing development in the countryside. It establishes the criteria by which proposals for residential infilling within existing developed frontages, the redevelopment of existing employment sites and farm diversification schemes will be judged and includes policies which permit the re-use of existing buildings and the alteration, extension and replacement of existing dwellings. Other policies relating to particular types of development that may be appropriate in the countryside, such as tourism, recreation facilities and infrastructure projects, are included in Chapter 6: Meeting Economic and Social Needs.

#### 3.2 Development within settlements

3.2.1 The Council is committed to creating more sustainable patterns of development and the regeneration of existing built-up areas is one way in which this can be achieved. The development of land within settlements, particularly previously-developed sites, reduces the need for greenfield development, but needs to be

undertaken in ways which create or maintain well designed living environments.<sup>13</sup> Policy SET 01 is consistent with the Government's overall approach and encourages the development and redevelopment of sites for housing within settlements, subject to certain criteria. Policy SET 02 seeks to ensure that particular Residential Areas of Special Character are protected from inappropriate development.

### **SET 01: HOUSING WITHIN SETTLEMENTS**

**Within the boundaries of settlements shown on the Inset Maps, development and redevelopment for housing will be permitted provided that:**

- a) it would not result in the loss of land proposed or protected for other uses by the policies and proposals of this plan;**
- b) it would be in keeping with, and not cause harm to, the character of the surrounding area; and**
- c) the site would be laid out and accessed in a manner that would not prejudice the development or redevelopment of adjacent sites.**

- 3.2.2 The promotion of housing in built-up areas helps to make effective use of land within settlements, however, some land needs to be retained for other uses. Residents of towns and villages need to have access to shops, offices, employment land and a range of other services and facilities. Land is also required for recreational and leisure purposes. The Council will not permit housing where the other policies of the Plan seek to protect or allocate land for other uses within built-up areas.
- 3.2.3 Areas of predominantly open and undeveloped land are an essential part of the structure of settlements and contribute significantly to their character. Any new housing should respect the character of the area in which it is located and should be sensitively designed to integrate into the immediate surroundings. In order to make the most effective use of urban land any new housing within settlements should be laid out to ensure that the potential to develop or redevelop other adjacent sites is not compromised. Sites should be laid out and designed to enable future links to vehicular and pedestrian route networks to be formed.
- 3.2.4 Uses other than housing will also be permitted within settlements. Policies relating to particular uses are included in Chapter 6: Meeting Economic and Social Needs. In Chapters 10 and 11 certain sites in Andover and Southern Test Valley are allocated for specific uses.

### **SET 02: RESIDENTIAL AREAS OF SPECIAL CHARACTER**

**The following Residential Areas of Special Character have been identified:**

**The Avenue, part of Whynot Lane, Bishops Way, The Pines and Croye Close, Andover (see Inset Map 1);**

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<sup>13</sup> Para. 7, PPG 1: General Policy and Principles, 1997, DoE.

**Winchester Road and Winchester Gardens, Andover (see Inset Map 1);**

**Winchester Hill, Romsey (see Inset Map 3);**

**Nos. 4-20 Southampton Road, Romsey (see Inset Map 3); and**

**Chilworth (see Inset Map 6).**

**In order to protect their special character, the sub-division or redevelopment of plots within these areas will not be permitted unless the following criteria are met:**

- a) the size of any proposed sub-divided plot is not significantly smaller than those in the immediate vicinity of the site;**
- b) the proposal does not involve the loss of, or prejudice the retention of existing healthy trees on the site;**
- c) the development's size, scale, layout, type, siting and detailed design are compatible with the overall character of the area; and**
- d) it would not be poorly screened or intrusive in views from areas of adjoining countryside.**

- 3.2.5 Test Valley's settlements contain a number of areas, which are characterised by low-density development often dating from the Victorian, Edwardian or inter-war periods. These areas typically have larger than average plots and now support mature trees and other vegetation. Such areas have been identified on the Proposals and Inset Maps as 'Residential Areas of Special Character.'
- 3.2.6 The special character of each area is described in detail in Appendix 8 and each one has one or more of the following key characteristics:
- a recognisable pattern of development which is not repeated on the same scale elsewhere in the settlement;
  - they occur within the settlements of the Borough but outside Conservation Areas where other special controls apply;
  - they are homogenous areas with a recognisable development pattern and cohesive architectural character or style;
  - they consist mainly of low density developments of substantial houses generally set in mature landscaped settings;
  - they currently enjoy a special character and high level of residential amenity which should not be harmed through unsympathetic redevelopment;
  - they are located on a major approach to a built-up area.
- 3.2.7 In these areas the Council will seek to control the sub-division of plots or redevelopment to a higher density as this would seriously threaten their character. The Council will seek to maintain the sense of spaciousness in these locations, and ensure that where development does take place, it does not involve the loss of trees or hedgerows. The design, layout and size of any proposed development should be compatible with the character of the existing

built development in the area and should be landscaped to a high standard. Occasionally buildings have been demolished in Residential Areas of Special Character prior to planning permission for redevelopment being sought. The Council does not consider that the unsightly appearance of such vacant plots, which may temporarily detract from the character of these areas, is sufficient reason to justify densities of development higher than those that normally would be permitted by the policy.

### 3.3 Development in the countryside

3.3.1 PPG7 provides “*guidance on land use planning in rural areas of England*”<sup>28</sup> and discusses ‘the countryside’ both in terms of undeveloped rural land and rural towns and villages. In the context of this broad definition, the Government states that “*the countryside should be safeguarded for its own sake*”<sup>29</sup> and establishes the guiding principle that “*development should both benefit economic activity and maintain and enhance the environment.*”<sup>30</sup> The Government advises that new development should be concentrated in and around existing settlements and states that “*building in the open countryside, away from existing settlements, or from areas allocated for development in development plans, should be strictly controlled.*”<sup>31</sup>

3.3.2 This general approach is reflected in the policies of this plan which indicate that development and redevelopment is broadly appropriate within settlements, including rural towns and villages, but should be strictly controlled in the open countryside. In this plan the countryside is defined as all the land outside the boundaries of the settlements shown on the Inset Maps (see Policy SET 01).

#### **SET 03: DEVELOPMENT IN THE COUNTRYSIDE**

**Development in the countryside (i.e. outside the boundaries of settlements defined by Policy SET 01 and shown on the Inset Maps) will only be permitted if:**

- a) there is an overriding need for it to be located in the countryside; or
- b) it is of a type appropriate in the countryside as set out in Policies SET 06 – 13, ESN 05-09, ESN 11, ESN 13 - 14, ESN 23 -25 and ESN 27 - 33.

**For developments that require a building or buildings, it must be demonstrated that in the locality there are no existing buildings:**

- c) which are adequate for the proposed use;
- d) which reasonably could be made available;
- e) which have been severed from an existing farm unit; or
- f) which have recently changed from the proposed use.

<sup>28</sup> Second para. of the Summary to PPG7: The Countryside - Environmental Quality And Economic And Social Development, 1997, DoE.

<sup>29</sup> para. 2.14, *op.cit.*

<sup>30</sup> para. 2.2 *op. cit.*

<sup>31</sup> para. 2.3, *op.cit.*

- 3.3.3 Within the countryside, development will only be permitted if a countryside location is essential or if there is a clear justification for an exception to the general policy of restraint. For some developments a countryside location is essential. For example, developments required for agricultural purposes<sup>32</sup> (including farm buildings and agricultural workers' dwellings) need to be based in the countryside. Other examples include countryside tourism and recreation facilities, transport infrastructure and telecommunications equipment.
- 3.3.4 Some exceptions to the general policy of restraint in the countryside may be acceptable if they help to meet the social or economic objectives of rural communities. It may be appropriate to permit affordable housing outside existing settlements to meet clearly identified local housing needs that cannot be met in other ways. Similarly, it may be appropriate to permit the small-scale redevelopment of established employment sites in the countryside to support the rural economy, or farm diversification schemes to support agriculture. Where existing development already exists, it can be re-used or redeveloped to help support rural communities and where there are gaps in otherwise built-up frontages, it may be possible to accommodate limited infilling without harming the wider countryside. Frontage Infill Policy Areas (see Policy SET 06) where residential infilling may be permitted as an exception to the general policy of restraint are shown on the Inset Maps.
- 3.3.5 In addition, there may be requirements for the provision of other facilities and services (for example places of worship, doctors' surgeries and village halls) which cannot be met within settlements. Within the countryside, such proposals may be justified where: there are no sites available within the relevant settlement to provide the facility or service; there is a genuine need for the facility or service; and the facility or service would benefit a large section of the local community. Proposals of this nature would be considered as departures from the countryside policies of this Plan.
- 3.3.6 Where there is sound justification for development in the countryside and a building or buildings are required, the Council will need to be convinced that there are no existing buildings in the locality that could be used for the proposed use. Developers will be expected to demonstrate not only that there are no existing buildings that are immediately available, but also that there are no buildings nearby that reasonably could be made available. The Council will also seek to prevent attempts to circumvent the general policy of restraint. New buildings will not be permitted where existing buildings, which could have been used for the proposed use, have been recently severed from an existing farm unit or have recently changed from the proposed use.
- 3.3.7 Examples of the types of development that may be appropriate in the countryside, either because a countryside location is essential or because they can be justified as exceptions to the general policy of restraint in the countryside, are summarised in Figure 3.1 below.

Figure 3.1: Examples of Development Which May Be Acceptable in the Countryside

<sup>32</sup> Agriculture is defined under Section 336(1) of the Town and Country Planning Act 1990 as including: horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or furs, or for the purpose of its use in the farming of land), the use of land as grazing land, meadowland, osier land, market gardens and nursery grounds, and the use of land for woodlands (where ancillary to other agricultural purposes).

**WHERE A COUNTRYSIDE LOCATION IS ESSENTIAL:**

- Development for the use of land for agriculture, forestry or horticulture;
- Dwellings for agricultural workers or other key workers in the countryside (see Policies ESN 07 - ESN 09);
- Recreation developments including noisy sports and those related to the keeping of horses (see Policies ESN 23 - 25);
- Rural tourism facilities and tourist accommodation including caravan sites (see Policies ESN 27 -29); and
- Infrastructure developments, including telecommunications equipment, renewable energy schemes, advertisements or directional signs (see Policies ESN 30 - 33).

**AS AN EXCEPTION TO THE GENERAL POLICY OF RESTRAINT:**

- Development to meet identified rural housing needs such as the need for local affordable housing or sites for gypsies, travellers or travelling showpeople that cannot reasonably be accommodated within existing settlements (see Policies ESN 05, ESN 06, ESN 13 and ESN 14);
- Infill housing within Frontage Infill Policy Areas (see Policy SET 06);
- The sensitive small-scale redevelopment or expansion of existing employment sites (see Policies SET 07 and SET 10);
- Farm diversification (see Policy SET 08); and
- The reuse of existing rural buildings, the alteration, extension or replacement of existing rural dwellings or the extension of existing nursing and residential care homes in the countryside (see Policies SET 09 - SET 13 and ESN 11).

**DMC Dean Hill**

- 3.3.8 DMC Dean Hill is a former munitions depot, which closed in April 2004. It is located close to West Dean on the Hampshire / Wiltshire border. Approximately two-thirds of the site lies within Test Valley Borough with the remainder falling within Salisbury District. The majority of the site is undeveloped although there are many unoccupied buildings present including former offices, workshops, laboratories and stores. There are also 24 underground bunkers cut into Dean Hill itself, towards the site's southern boundary. Most of these buildings and structures are capable of reuse.
- 3.3.9 The site falls within the countryside and the normal policies of restraint apply. However, a comprehensive approach to the future use of the site may help to secure a number of local community benefits that could not otherwise be achieved. In order to secure a comprehensive scheme for the whole site, the Council may permit a limited amount of small-scale development linked to a defined range of community benefits, as an exception to the normal policies of restraint.
- 3.3.10 A planning position statement<sup>33</sup> has been prepared by the Council as

<sup>33</sup> DMC Dean Hill, West Dean – Planning Position Statement, 2005 Test Valley Borough Council

supplementary guidance, setting out the key components of a comprehensive package. Salisbury District Council has also prepared a separate planning position statement for the part of the site in Wiltshire. A development brief or masterplan for the site should be produced by prospective developers in consultation with the local community and agreed prior to the submission of a planning application for a comprehensive scheme. Any development that does not form part of a comprehensive package for the whole site will be considered against the countryside policies of the Plan.

### 3.4 **Strategic and Local Gaps**

3.4.1 Areas of countryside between existing built-up areas play a particularly important role in maintaining the physical and visual separation of settlements. These areas have been defined on the Proposals and Inset Maps as Strategic and Local Gaps and are given an additional layer of protection by Policies SET 04 and SET 05.

#### **SET 04: STRATEGIC GAPS**

**Strategic Gaps have been identified between:**

**North Baddesley and Valley Park (see Inset Map 3);  
Southampton and Eastleigh (part) (see Inset Maps 3  
and 6); and**

**Southampton and Totton (part) (see Inset Map 5).**

**Within Strategic Gaps development will only be permitted if:**

- a) it cannot more suitably be located elsewhere;**
- b) it would not diminish the gap physically or visually; and**
- c) it would not, either individually or cumulatively with other existing or proposed development, compromise the integrity of the gap.**

3.4.2 In Hampshire strategic gaps have been identified only in the densely urbanised southern and north-eastern parts of the County. In these areas it is strategically important to maintain areas of open and undeveloped land between settlements, even where the land is not particularly visually attractive, in order to keep individual settlements separate and distinct. In South Hampshire they provide clear visual and physical breaks in an otherwise continuous built-up area with a population of over one million people.

3.4.3 The broad location of strategic gaps is established in the Structure Plan<sup>34</sup> and their detailed boundaries were first established in the previously adopted Test Valley Borough Local Plan.<sup>35</sup> These boundaries have been re-examined and amended as part of the plan review process. The revised boundaries are shown on the Proposals and Inset Maps. In re-drawing the boundaries no more land than is required to prevent coalescence and retain the separate identities of settlements has been included in the gaps. Each gap is described in Appendix 2

3.4.4 The Council will seek to protect the strategic gaps from further built development in order to retain their predominantly open and, in certain areas, rural

<sup>34</sup> Policies G1 and G2, Hampshire County Structure Plan 1996-2011 (Review), 2000, Hampshire County Council, Portsmouth City Council and Southampton City Council.

<sup>35</sup> Test Valley Borough Local Plan, 1996, Test Valley Borough Council.

appearance. When considering development proposals, the Council will consider the need for the development to be located within a strategic gap. Developers will be expected to demonstrate why it could not be more suitably located elsewhere. The Council will not permit development that would physically or visually diminish the Strategic Gaps. Development on the edges of settlements will reduce the physical extent of the Gaps. Also peripheral development or development anywhere else in the gaps could reduce the visual separation of settlements in a variety of ways. For example, development could introduce urban features into a predominantly rural landscape, it could be visually prominent, it could require the removal of trees, woodland or other topographical features that perform an important screening function or it could reduce the feeling of openness or the undeveloped character of the Gaps. The Council is also concerned about the cumulative impact of developments that could, over time, reduce the effectiveness of the Gaps in maintaining the separation of settlements.

#### **SET 05: LOCAL GAPS**

**Local Gaps have been identified between:**

**Andover and Anna Valley / Upper Clatford (see Inset Map 1,7 & 10);**

**Andover and Enham Alamein / Smannell (see Inset Map 1);**

**Andover and Abbots Ann (see Inset Map 1 and 7)**

**Andover and Weyhill / The Pentons (see Inset Map 1);**

**Ampfield and Valley Park / Chandler's Ford (see Inset Maps 3 & 8);**

**North Baddesley and Chilworth (see Inset Maps 3 & 6);**

**Nursling and Southampton (see Inset Map 5); and**

**Romsey and North Baddesley (see Inset Map 3).**

**Development within Local Gaps will only be permitted if it would not diminish the gap physically or visually.**

- 3.4.5 The Structure Plan recognises that there are many open and undeveloped areas of countryside, which are locally important in maintaining the separation of settlements and establishes the principle that local gaps can be defined in local plans.<sup>36</sup> In the Borough, the separation of settlements is an important issue both around Andover and in Southern Test Valley.
- 3.4.6 Andover has grown considerably since the 1960s and further planned expansion is proposed in this Plan. Local Gaps are important to ensure that the separate physical identity of nearby villages is maintained. In Southern Test Valley the gaps between Romsey and North Baddesley and North Baddesley and Chilworth are vital to prevent a continuous built-up area from being formed along the A27 between Romsey and Southampton. The Ampfield and Valley Park / Chandler's Ford Gap is important in retaining an open, undeveloped area of considerable rural character between the settlements. The Gap between Nursling and Southampton occupies an area of largely undeveloped land between the village and the boundary of the nearby City. The detailed boundaries of the Local Gaps

<sup>36</sup> Policy G3, Hampshire County Structure Plan 1996 - 2011 (Review), 2000, Hampshire County Council, Portsmouth City Council and Southampton City Council.

are shown on the Proposals and Inset Maps. In drawing the boundaries no more land than is required to prevent coalescence and retain the separate identities of settlements has been included in the gaps. Each gap is described in detail in Appendix 2, both in terms of its importance in maintaining the separation of settlements and the character of the countryside within it.

- 3.4.7 As with Strategic Gaps, the Council will not permit development that would physically or visually diminish the Local Gaps. The Council is concerned both with the impact of development on the edges of settlements which will physically reduce the extent of the gaps and with development elsewhere within the gaps which could reduce the visual separation of settlements.

### 3.5 Existing Development in the Countryside

- 3.5.1 The re-use or redevelopment of existing developed sites in the countryside can enable rural communities to meet their needs, help to maintain the rural economy and reduce the amount of greenfield land lost to development. However, development in the countryside can also have adverse impacts. It can detract from the rural character of an area and generate traffic problems on rural roads. In general terms the policies in this section seek to encourage the reuse or redevelopment of existing developed sites in ways that support rural communities and do not harm the wider countryside.

#### **SET 06: FRONTAGE INFILL POLICY AREAS IN THE COUNTRYSIDE**

**In the countryside, within the Frontage Infill Policy Areas shown on the Inset Maps, development and redevelopment for infill housing will be permitted provided that:**

- a) it comprises frontage development only and would not result in backland or tandem development;**
- b) the proposed dwelling(s) will have a curtilage similar in size to those in the immediate vicinity; and**
- c) it would be in keeping with and would not cause harm to the character of the immediate area or the Frontage Infill Policy Area as a whole.**

- 3.5.2 In Test Valley many small villages are linear in form and other, larger settlements have strips of residential development that radiate from a central core. These areas form part of the countryside and have been identified as Frontage Infill Policy Areas on the Inset Maps. Some additional housing could be accommodated within the gaps in these frontages without harming the rural character of the wider countryside, provided that it is sensitively designed.

- 3.5.3 Within the Frontage Infill Policy Areas the other countryside policies of the Plan will apply but development and redevelopment for infill housing will be permitted, subject to certain criteria. Any infill housing should face onto the road along which the Frontage Infill Policy Area line is drawn to create a frontage onto the highway. Where frontage development already exists, additional properties in rear gardens (i.e. backland development) will not be permitted. In some locations, existing properties will be set well back from the highway with large front gardens. In such cases frontage development would create two properties in tandem on an existing plot. Such 'tandem' development would also be unacceptable.

- 3.5.4 In order to maintain the rural character of the Frontage Infill Policy Areas,

development should be of a similar density to that which already exists in the surrounding area. To achieve this the size of any new curtilage or curtilages created should not be significantly smaller than those of other properties nearby. New infill housing should respect the character of the immediate surroundings and the character of the wider area in all aspects of design including issues such as the siting of buildings on plots, scale, architectural detailing and materials.

#### **SET 07: EXISTING EMPLOYMENT SITES IN THE COUNTRYSIDE**

**The redevelopment of established employment sites within the countryside will be permitted provided that:**

- a) the existing use is lawful; and**
- b) a substantial net gain will be achieved in relation to visual or landscape impact, reduction of traffic or other disturbance or adverse impact on the character of the area or nearby properties; and**
- c) the redevelopment scheme deals comprehensively with the full extent of the existing site; and**
- d) the volume of replacement buildings is no greater than those which already exist on the site; and**
- e) the extent of the site in employment use (and ancillary uses) is not increased.**

3.5.5 There are a number of sites within the countryside used for a variety of industrial or storage activities, which have a long established lawful non-agricultural use. These sites often accommodate uses which are a necessary part of the economy and provide rural employment opportunities. Also, because of their appearance and other associated environmental nuisances they create, they can be difficult to accommodate within the existing urban areas or on allocated industrial land. Thus where such sites have adequate access, are not obtrusive in the landscape and are not causing any serious nuisance to nearby properties there is no reason to encourage the removal of their existing use. Indeed, redevelopment of the site with a more intensive, more modern, or more general office/light industrial use would be out of character generally with the rural environment. Such redevelopment is more likely to attract firms, which will add to rural housing pressures rather than primarily provide opportunities for those already living in the countryside. There are ample opportunities for such firms to locate and expand within urban areas and on allocated sites.

3.5.6 However, in some cases the particular uses on the site may be causing such serious environmental harm that their removal may be desirable and redevelopment of the site for more sightly and neighbourly business, industrial or storage activities may be justified as an exception to the countryside policies. It would need to be demonstrated that the displaced use would not be seeking an alternative site which would simply mean the removal of the environmental problem to another countryside location and that the redevelopment proposals would result in a substantial net gain in terms of traffic and visual impact and other potential nuisances.

#### **SET 08: FARM DIVERSIFICATION**

**In the countryside, proposals for farm diversification will be permitted provided that:**

- a) the proposal is directly linked to an existing agricultural enterprise;**
- b) it is demonstrated that the development will assist in maintaining the long term economic viability of the enterprise;**
- c) any conversion, extensions or new buildings are not detrimental to the character of the area or the amenities of nearby residents;**
- d) it does not include outside storage where this would be visually intrusive;**
- e) it is appropriate in scale to its rural local location; and**
- f) there is no significant detrimental impact resulting from vehicle movements.**

3.5.7 This policy sets the principles under which proposals for farm diversification will be appraised, allowing farms the scope to diversify and improve their income. It reflects the updated Government guidance in PPS 7 which has been amended to reflect the significant changes shaping the agricultural industry and the importance attached to sustainable farm diversification projects and the re-use of redundant farm buildings. The revised guidance promotes greater flexibility in the re-use of redundant farm buildings to assist farmers in setting-up new, diversified businesses.

3.5.8 Proposals should be directly linked to the existing farm holding. Supporting information should be provided with any application, indicating the relationship between the proposal and the remainder of the farm. It should be demonstrated how the diversification scheme will assist with maintaining the unit's viability.

3.5.9 It is desirable for farm diversification proposals to be accessible by public transport, walking and cycling. However, due to location, access by such modes may be limited. Any increase in vehicle movements should not result in significant detrimental impact, taking account of those generated by any existing use on site.

#### **SET 09: THE REUSE OF BUILDINGS IN THE COUNTRYSIDE**

**In the countryside, the change of use of a non-residential building will be permitted provided that:**

- 1 the building:**
  - a) is of permanent and substantial construction, with a reasonable expectation of life;**
  - b) is not derelict and can be brought back into use or converted without substantial reconstruction or alteration; and**
  - c) is appropriate in its form and general design, and is in keeping with its rural surroundings; and**
  - d) has been in agricultural or other lawful use for**

- at least four years; and**
- 2 the proposal is for:**
  - a) small scale employment generating uses;**
  - b) local tourist facilities which will not detrimentally affect either the character of the building or its setting, or detract from the rural amenities of the area;**
  - c) residential use, including tourist accommodation but only if:**
    - i) there is no other means of protecting and retaining the building (or its setting) which is of architectural or historic interest; or**
    - ii) there is no other means of ensuring the protection of the amenities of nearby housing and the rural environment; or**
    - iii) a dwelling is essential as an integral part of a comprehensive scheme for an otherwise appropriate change of use; and**
- 3 the proposed use is restricted primarily to the building and does not require:**
  - a) replacement buildings or outside storage; or**
  - b) changes of use on the site which are not ancillary to the building being converted; or**
  - c) an extension of the curtilage of the development into the surrounding countryside; or**
  - d) ancillary uses, such as car parking, if they would have an unacceptable impact; and**
- 4 where an individual building has an identifiable character which contributes to the locality, the proposed conversion should respect the character of the building; and**
- 5 the proposed use would not result in the requirement for another building to fulfil the function of the building being converted.**

3.5.10 The purpose of Policy SET 09 is to allow opportunities for changes in the rural economy to take place while minimising the impact of development on the countryside by permitting the re-use of suitable rural buildings. The policy:

- allows a beneficial change of use for permanent, non derelict buildings, providing their conversion would not cause environmental problems or significantly alter their impact on the countryside; and
- allows an increase in rural employment opportunities and local services without new buildings in the countryside.

3.5.11 The policy accords with Government advice in PPS 7, which seeks to encourage activity in rural areas, while at the same time conserving and improving the landscape, protecting habitats and encouraging opportunities for recreation.

- 3.5.12 There is scope for some existing buildings in the countryside to be put to alternative use particularly during a period when agricultural production has been reduced and farmers are being encouraged to set aside agricultural land and consider farm diversification. Encouragement and support for rural diversification needs to be balanced with long term conservation of the countryside. The character of the countryside would be jeopardised if the many buildings, which are still capable of continued agricultural use, were put to other more lucrative uses, thereby generating the potential demand for new agricultural buildings. Many agricultural buildings can be erected without planning control.<sup>37</sup> It is therefore important not to permit a change of use of an agricultural building if a new building would be required on the farm unit to fulfil the function of the building being converted.
- 3.5.13 It is also important to reduce the risk of an agricultural building being erected under permitted development rights with the aim of re-using it in the short term for other uses not normally permitted in the countryside; the building to be converted should therefore be at least four years old. In cases where it is clear that a building was erected genuinely for an agricultural use, but where that use is no longer relevant to current agricultural circumstances, then an exception to this requirement may be justified. If it is suspected that an application for a change of use of a recently erected building may be an attempt to abuse the planning system, the planning history of the building will be investigated, in line with the advice in PPS 7. This limitation does not however supersede the exercising of any permitted development rights.
- 3.5.14 Buildings constructed of temporary or short-life materials, or which are derelict or in an advanced state of disrepair, are not considered suitable for reuse (unless of architectural or historic merit and capable of effective restoration). Such buildings contribute little to and often detract from the character of the countryside. The extent of adaptation required to bring them into use is likely to have an impact on the rural scene similar to that of a new building. A change of use of an open-sided barn (or one which has been recently clad) is unlikely to be acceptable because of the amount of reconstruction and alteration required to convert it to a new use. Furthermore, in many cases such buildings can be dismantled and sold or used elsewhere. A structural survey of the building to be converted may be necessary. The re-use of buildings with architectural or historic merit will be positively encouraged; the retention of buildings which are not in keeping with their rural setting or are visually intrusive because of their location, form, bulk or general design will be discouraged.
- 3.5.15 Wherever possible buildings suitable for conversion should be put to small scale employment uses to provide scope to sustain the rural economy without creating the need for new buildings in the countryside. Many buildings are capable of conversion to provide an efficient working environment attractive to firms and staff. Employment uses will often require only minor alterations to the structure or exterior of the building, thereby maintaining its traditional appearance in the rural scene and, in the case of buildings of historic or architectural merit, its original character. Care will need to be taken to ensure that uses ancillary to the new use of the building, such as car parking and open storage, do not have an intrusive impact on the rural environment. Where the impact is unacceptable, this may result in planning permission being refused. The Council may require applicants to enter into planning agreements to control the extent, design and

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<sup>37</sup> General Permitted Development Order 1995.

landscaping of ancillary uses. In granting permission for a change of use care needs to be taken to ensure that the proposed use will not detract from the rural amenities of the area in respect of noise, smell, safety, health or inappropriate traffic generation. Over-illumination of the proposed use is also unwelcome in the countryside, because it introduces an urban element, which should be avoided. Precise details of extended curtilages (where appropriate) will be required to assess the acceptability of development proposals.

- 3.5.16 Conversion to residential use will not normally be allowed. There is a general policy constraint on new dwellings in the countryside, which would be circumvented if the residential conversion of farm buildings were generally allowed. The objective of allowing scope for changes in the rural economy would also be thwarted. In addition, residential conversion often requires changes (such as windows, garden and garage) which are out of character with the building and its setting. In the case of historic buildings the internal structure and character may also be lost. However in certain circumstances residential use may be justified. Residential use of a building of particular architectural or historic merit, such as a listed building, may in some instances better retain the character and original features of the building and provide the only means of funding its restoration, but these instances are rare. Residential use can destroy the features worthy of retention resulting in de-listing of the building. In some cases residential use may also be appropriate where an employment use may threaten the amenities of nearby residents, for example if immediately adjoining and sharing an access or open curtilage with existing dwellings, or harm the rural environment (for example by the widening of narrow country lanes). Where a dwelling needs to be provided in any event, such as for an agricultural worker in accordance with Policy ESN 07 conversion of a suitable existing building will be preferable to allowing a new building. Similarly where a dwelling is required as part of a comprehensive scheme or a change of use (for example where a farm complex is involved) then it should be incorporated within an existing building to avoid the need for a new building.
- 3.5.17 Where there are buildings suitable for residential conversion on the edge of a village, the use for an affordable housing scheme will be encouraged thereby avoiding the need to use a greenfield site. Such proposals would be contrary to policy, and the requirement to establish need as set out in Policy ESN 05 would apply. At times of low market demand for conversion of rural buildings for business use, affordable housing may be commercially feasible.
- 3.5.18 Tourist facilities may be an acceptable use for rural buildings. Holiday accommodation can assist farm diversification and, as a form of tourist facility, it will be acceptable provided that:
- there is an assured means, which is of reasonable practical application by the Council, of restricting occupation solely to tourists; and
  - the form of the conversion does not introduce into the rural scene domestic features similar to those associated with permanent residential use.
- 3.5.19 The aim is to keep the amount of new building required in the countryside to a minimum and to protect the character of the existing building, in the latter instant by maintaining its original structure, built form, architectural detail, materials and general design. New buildings and extensions will not normally be permitted in association with a change of use. A new use will therefore only be acceptable if

all its accommodation requirements can be met within the existing buildings (other than modest ancillary extensions such as a fire escape, an entrance lobby or external corridor where it is undesirable to sub-divide the internal space). The Council may require a legal agreement to prevent subsequent extension and intensification of use and to control changes of use on the site which are not ancillary to the building being converted. In some cases, consideration will be given to the withdrawal of permitted development rights and the removal of inappropriate structures and uses.

**SET 10: EXPANSION OF EXISTING EMPLOYMENT SITES IN THE COUNTRYSIDE**

**In the countryside, proposals for the extension of existing buildings or construction of new buildings as expansion of existing employment sites will be permitted provided that the building(s) and their use;**

- (a) are appropriate in scale to the site and a rural location;**
- (b) are appropriate in scale to the curtilage and contained within it;**
- (c) are well related to existing building(s) and would be in keeping with their character;**
- (d) would not have a significant detrimental impact on the character and appearance of the surrounding area and the wider countryside;**
- (e) does not include outside storage where this would be visually intrusive; and**
- (f) would not lead to a significant detrimental impact resulting from vehicle movements.**

3.5.20 Businesses in the countryside comprise an important element of the rural economy and provide local job opportunities for those living in rural areas. These may have been established following permission granted for business use according to Policies SET08 or SET09 and have since grown into established and successful business concerns. In many cases, their limited expansion through the extension of existing buildings or by the addition of new ones can take place without a significant impact or harm to the protection of the countryside. Growth contained within the curtilage, which is of an appropriate scale and design to its context, provides the ability for an appropriate degree of expansion to be accommodated without encroachment into adjoining open countryside.

3.5.21 However, any further expansion beyond the scale appropriate to a rural location would generally necessitate relocation to alternative premises in a more suitable location, where there is an absence of such constraints.

**SET 11: REPLACEMENT DWELLINGS IN THE COUNTRYSIDE**

**The replacement of an existing dwelling in the countryside, which has previously been occupied, will be permitted provided that either:**

- 1 the existing dwelling has a curtilage abutting a Frontage Infill Policy Area (see Policy SET 06) as defined on the Inset Maps; or**
- 2 a) the existing dwelling:
  - i) is long established and is not****



**that of the existing dwelling and uses complementary materials; and**

**e) the extension would not create a separate dwelling or be capable of severance from the existing dwelling; and**

**f) the existing dwelling is constructed of permanent materials with a reasonable expectation of life.**

- 3.5.26 An extension would not be acceptable if it would: significantly alter the impact of the dwelling on its surroundings; be out of keeping with the character of the area; be visually intrusive in the landscape; have a detrimental effect on a sensitive area of countryside; be of insensitive design in relation to the existing building; or does not comply with design policies.
- 3.5.27 The larger the extension the more difficult it will be to fulfil these criteria. The increase in size will be assessed in terms of volume (measured externally). As a general guide, an extension is unlikely to be acceptable if its impact on both the existing dwelling and its surroundings is considerable and the dwelling is out of scale with its plot. In considering an application for an extension account will be taken of previous extensions to the property. The cumulative impact of incremental extensions can significantly alter the impact of the original dwelling over time. Original dwelling is defined as the dwelling as it stood on 1 July 1948 or as first built, if constructed more recently.
- 3.5.28 There may be cases where a larger extension is acceptable. For example where its impact would be minimal because of the position of the dwelling or because it would result in a dwelling of similar character to its immediate neighbours. Conversely a small extension might have an unacceptable impact. Where a property is particularly small a proportionately large extension may be permitted to bring it up to modern standards.
- 3.5.29 An extension will only be permitted if it is designed as an integral part of the dwelling and not readily capable of severance to form a separate dwelling. This part of the policy is designed to prevent the creation of new dwellings in the countryside when other policies in the Plan strictly control such development.
- 3.5.30 In order to prevent what would be in effect the creation of a new dwelling, an extension will only be permitted to a dwelling which is not temporary or derelict in nature (for example buildings that would qualify as existing dwellings which would qualify for replacement).

### **SET 13: BUILDINGS IN DOMESTIC CURTILAGE IN THE COUNTRYSIDE**

**In the countryside, proposals for ancillary domestic buildings or extensions or alterations to them, within the curtilage of an existing dwelling will be permitted provided that the building;**

- a) would not have a significant detrimental impact on the character and appearance of the surrounding area or the wider countryside;**
- b) is well related or linked to the existing dwelling and would not detract from its character; and**
- c) is not used for any purpose other than incidental to the enjoyment of the existing dwelling or as a**

**residential annex to the dwelling.**

- 3.5.31 Ancillary domestic buildings within the residential curtilage of dwellings in the countryside although acceptable in principle, can have an adverse impact when not sensitively designed and positioned to take account of the dwellings and their rural location. They can be used for a various domestic purposes or activities such as for a hobby room or workshop, or as a residential annex for dependent relatives (granny annex) or domestic household staff. Any such buildings should not result in harm to the rural landscape and not be used for any commercial or business activities. In the case of a residential annex the imposition of a planning condition restricting occupancy will be considered, in order that the building would not create or be occupied as a separate dwelling.
- 3.5.32 Any proposal for the enlargement of a residential curtilage would be considered according to Policy SET03. Encroachment into open countryside by domestic gardens and associated structures can have a significant impact on the rural landscape.

## Chapter 3 – Shaping the Settlement Pattern