

## **14 PLANNING POLICY STATEMENT 7 (PPS7) – SUSTAINBLE DEVELOPMENT IN RURAL AREAS**

**Report By: CHIEF FORWARD PLANNING OFFICER**

### **Wards Affected**

Countywide

### **Purpose**

To inform Members of the consultation paper from the Office of the Deputy Prime Minister and to agree a response.

### **Financial Implications**

None on the Council.

### **Draft PPS7 – The Government's Proposals**

Draft PPS7 sets out the Government's broad policy objectives relevant to rural areas in England and its proposed planning policies that will help deliver these objectives. These policies are firmly based on the principles of sustainable development and the need to protect the wider, largely undeveloped countryside for the benefit of all.

Most of the policies in draft PPS7 reproduce, or are closely based on existing policies in PPG7. The Countryside – Environmental Quality and Economic and Social Development published in 1997, and are updated as appropriate.

In summary, there are new policies proposed on the replacement of buildings in the countryside, and on equine-related activities, whilst the policies on community services and on tourism and leisure are expanded (to reflect the proposed cancellation of PPG21, Tourism). The proposals also include a significant change to the policy on local countryside designations. Significantly, the Government also proposes to remove the specific policy exception in para. 3.21 of PPG7 which allows large, high quality houses to be built in open countryside.

The Government proposes to issue accompanying guidance on agricultural and forestry permitted development rights when the final version of PPS7 is published. Such guidance would reflect any changes that may need to be made as a result of the Government's review of the Town & Country Planning (General Permitted Development) Order 1995.

Finally, the new draft includes one annex which sets out important policy criteria for new occupational dwellings in the countryside along with the policy setting out the implementation and removal of occupancy conditions for such dwellings.

## General Comments to draft PPS7

1. The shorter, simpler style new form of PPS introduced by the Planning Green Paper that omits background, contextual and non-planning material and which minimises duplication of policies is to be welcomed.
2. Given the increased emphasis on sustainability, which is apparent in the introductory sections, this is not translated into policies or criteria for specific forms of development. Additionally, there should be an introductory definition of 'sustainability' within the context of this PPS – the term has a wide variety of definitions, many of which are subjective and may be contradictory. It would be helpful to know which one applies specifically to government thinking on rural development to avoid ambiguity and misunderstanding, particularly in future appeals and court cases.
3. On diversification, whilst the draft appears to take a more relaxed approach to development in the countryside in general, it makes little attempt to distinguish between activities which are appropriate for the countryside and those which are not. Additionally, there is little mention of the increase in road traffic from such developments.
4. Most of the draft is devoted to buildings, but a substantial number of rural applications are for developments for changing land use or engineering operations. Consequently, there is little reference to landscape character implications or impacts on biodiversity / ecology.

## Detailed points of PPS7

The following is a summary of the policy areas with Officer comments where felt necessary.

### Key Principles

- Decisions on development proposals should be firmly based on sustainable development principles
- Good quality, carefully-sited development within existing towns and villages should be allowed where it meets local economic and community needs, and maintains or enhances the local environment.
- Larger scale developments should be located in or near to towns or other service centres that are accessible by public transport, walking and cycling.
- New development away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; in particular, isolated new houses in the countryside require special justification.
- Priority should be given to re-using previously developed (brownfield) sites in preference to greenfield sites, except where brownfield sites perform so poorly in terms of sustainability considerations (e.g. remoteness from settlements and services) in comparison with greenfield sites.
- All development in rural areas should be well designed, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

**Officer Comments:**

Key principles are to be supported.

**Sustainable Rural Communities, Rural Businesses and Services**

- Encourage positive policies in authorities development plans for sustainable development to revitalise and support country towns and villages.
- Most new development should focus in or near to local service centres (country town, large village or a group of villages)
- Elsewhere development should be limited to meet local business, community and identified local housing needs. Small-scale development should be supported where it provides the most sustainable option in villages that are remote from, and have poor public transport links with, service centres.
- Support should be given to a wide range of economic activities in rural areas particularly where traditional, rural-based industries are in decline.
- Encourage and provide new community services and facilities in towns, other service centres or settlements, which serve rural catchments and enhance public transport as a means of improving access.
- Adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing services and facilities, such as village shops, post offices, rural petrol stations, village halls and rural public houses that play a vital role in sustaining village communities. Authorities should support their retention in development plans by setting out criteria they will apply in considering applications that will result in the loss of vital village services.
- In relation to housing, the PPS states that authorities should apply the policies of PPG3. That would amount to making sufficient land available in villages but strictly controlling new house building (including single dwellings) in the countryside away from established settlements. Isolated new housing in the countryside will require special justification. The need to enable farm, forestry or certain other workers who are essential for the effective and safe operation of rural-based enterprises, to live permanently at or near their place of work, may constitute special justification in this context. Authorities should examine applications for isolated new houses particularly carefully and wherever appropriate follow the advice in Annexe A of the statement.
- Authorities should prepare positive policies on rural design, utilising tools such as Countryside Character, Village Plans and Village Design Statements prepared by local communities. Authorities should take care to apply design criteria reasonably and not render necessary development in rural areas prohibitively expensive and unfeasible.

**Officer Comment:**

Support. Such necessary policies are either in the Deposit Draft UDP or are being recommended as changes. In respect of housing, the removal of the country house policy is welcomed as is the introduction of a policy allowing dwellings associated with diversification / new or existing enterprise but only where there is special justification. The guidance within the annex concerning agricultural and forestry dwellings which appears to be largely unchanged is still very helpful.

## The Countryside

- Provide a positive framework for facilitating sustainable development that makes the most of new leisure and economic opportunities whilst minimising any potentially detrimental effects on established rural activities, communities, countryside quality and the natural environment.
- Authorities should continue to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes and wildlife and the wealth of its natural resources. Particular regard should be given to areas statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.
- Authorities should support development that delivers diverse and sustainable farming enterprises and other countryside based enterprises and activities which contribute to rural economies, and/or promote recreation in and enjoyment of the countryside that help maintain its character and quality.
- Provide for the sensitive exploitation of renewable energy sources.
- Protect natural resources and specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.
- Outside of villages, encourage the re-use of existing rural buildings (including modern buildings) for business use or uses with wider benefits (i.e. education /interpretation centre) subject to certain criteria.
- Allow the replacement of existing buildings in the countryside for business use or uses with wider benefits again subject to certain criteria.
- Conservation of the natural beauty of the landscape and countryside should be given great weight in Areas of Outstanding Natural Beauty. Authorities should set out positive policies for development necessary to facilitate the economic and social well-being of these designated areas and their communities. Major developments only being allowed where they have demonstrated that they are in the public interest following an assessment.
- Government does not believe that local countryside designations are necessary and consider that policies set out in the draft PPS, when incorporated into development plans, should provide sufficient protection for the countryside. Authorities should remove any existing designations and instead adopt criteria-based policies for the location and design of rural development.
- Authorities should ensure that planning policies address the particular land use issues and opportunities to be found in the countryside around urban areas. The aim being to secure environmental improvements and maximise a range of beneficial uses whilst minimising conflicts with neighbouring land uses. This should include improvement of public access (country parks) and facilitating the provision of sport and recreation facilities.

**Officer Comment:**

1. General support for the policies within the countryside section.
2. Support for the protection of landscapes and wildlife particularly where statutorily designated. Acknowledgement that local landscape designations should be removed but concerned that the concept of Landscape Character Assessments as promoted by the Countryside Agency (and as pursued by this authority through the UDP and supporting SPG) is not recognised. Elements of landscape character should therefore be included. Para 17 should be amended to add the following:

vi) protect and enhance the character of the landscape outside of statutorily designated areas – because the character of landscape is a material consideration

Similarly reference should also be made to biodiversity

viii) protect and enhance the biodiversity of the countryside – because the protection of biodiversity is a fundamental element of sustainability and one of the government's priorities.
3. Within the countryside section there needs to be some reference to the protection of the heritage of landscape history. As archaeology is not confined to actual known sites, evidence of past occupation / land use is easily overlooked and destroyed.
4. Support for the criteria at para. 20 – could this style be expanded into other paras as it provides the necessary, clear and unambiguous policy guidance that could be relied upon at Appeal, or in court if necessary.
5. Policies for re-use of buildings in the countryside is supported but some reference required to allow for the provision of wildlife habitats for protected and other species.
6. Support for policy on replacement of buildings in the countryside but more emphasis should be made to retain / convert / adapt first.

**Agriculture, Farm Diversification, Equine – Related Activities and Forestry**

- Authorities should adopt positive planning policies, and support development proposals that will enable farming and farmers to:
  - i) become more competitive, sustainable and environmentally friendly
  - ii) adapt to new and changing markets
  - iii) comply with changing legislation and associated guidance
  - iv) diversify into new agricultural opportunities (e.g. renewable energy crops)
  - v) or broaden their operations to 'add value' to their primary produce
- The presence of best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications. Where significant development of agricultural land is unavoidable poorer quality should be used in preference to higher quality unless this would be inconsistent with other sustainability considerations. Little weight, in agricultural terms, should be given to the loss of agricultural land in lower grades except in areas (such as uplands) where particular agricultural practices may themselves contribute in some special way to the quality on the environment or local economy.

- Recognise that farm diversification into non-agricultural activities is vital to the continuing vitality of many farm enterprises
- Set out criteria to be applied to planning applications for farm diversification projects
- Support well – conceived farm diversification schemes for business purposes that are consistent in their scale with their rural location
- A supportive approach to farm diversification should not result in excessive expansion and encroachment of building development into the countryside. Re-use / replace existing buildings where feasible and have regard to amenity of nearby residents or other rural businesses that may be affected.
- Authorities should set out supporting policies for equine enterprises, whilst maintaining environmental quality and countryside character. These should provide for a range of suitably located recreational and leisure facilities and where appropriate, for the needs of training and breeding businesses by using farm buildings wherever possible.
- Whilst forestry operations mostly lie outside the scope of planning controls authorities should have regard to the Government's forestry policy when deciding planning applications

**Officer Comment:**

1. General support, however it should be noted that the guidance will lead to more equine related schemes and possibly new dwellings based on these and other diversification schemes.
2. Some diversification schemes making other use of land (fishing/shooting) can have significant impact on the landscape, water resources and ecology and therefore the need for mitigation in the form of habitat creation / enhancement.

**Tourism and Leisure**

- Support sustainable rural tourism and leisure proposals that benefit rural businesses, communities, and visitors and which utilise and enrich, but do not harm, the character of the countryside, its towns, villages, buildings and other features.
- Recognise that in areas designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related development, subject to appropriate control over their number and location to protect environmental quality.
- Subject large-scale tourism and leisure developments in rural areas to close assessment or weigh-up their advantages and disadvantages to the locality in terms of sustainability particularly where high volumes of traffic may be generated.
- Support the provision of general tourist and visitor facilities in appropriate locations where needs are not met by existing facilities in rural service centres. Where new or additional facilities are required, these should normally be provided in, or close to, service centres or villages.

- Allow small-scale facilities needed to enhance visitors' enjoyment and/or improve the financial viability of a particular countryside feature or attraction, providing they will not detract from the attractiveness or importance of the feature, or the surrounding countryside.
- Wherever possible, tourist and visitor facilities should be housed in existing or replacement buildings, particularly where they are located outside existing settlements. Facilities needing new buildings in the countryside need to be justified.
- Government expects most tourist accommodation requiring new buildings to be located in, or adjacent to, existing towns and villages.
- Proposals for static holiday and touring caravan parks and holiday chalet developments with adequate facilities will need to be adjudged against protecting landscapes and environmentally sensitive sites.

**Officer comment:**

General support

**Annex A – Agricultural, Forestry and Other Occupational Dwellings**

Contains detailed policy advice and criteria governing permanent and temporary agricultural dwellings, forestry dwellings, other occupational dwellings, occupancy conditions along with the information and appraisals needed for consideration of such proposals. Much of this annex provides the functional and financial test requirements which whilst reduced significantly from that within PPG7 does provide advice largely unchanged. One point of mention is that to obtain a new dwelling related to business enterprise does require that enterprise to already be there or with planning permission. Taking the latter it would be more beneficial for the residential requirement to be known up front and incorporated within the overall development rather than to add tack it on afterwards to the possible detriment of the overall layout.

**Recommendation**

**That the comments set out above be submitted to the Office of the Deputy Prime Minister as the views of the Herefordshire Council on the draft consultation paper.**

**Background Papers**

Draft consultation paper on new Planning Policy Statement 7 (PPS7) – Sustainable Development in rural areas.