

WINCHESTER DISTRICT LOCAL PLAN COMMITTEE**4 November 2003**Attendance:

Councillors:

Bidgood (Chairman) (P)

Bailey (P)

Bennetts (P)

Chamberlain (P)

Davies (P)

Hutton (P)

Jeffs (P)

Pearson (P)

Porter (P)

Read (P)

Sutton (P)

Others in attendance:

Councillors Campbell, Hiscock, Learney and Lipscomb
County Councillor Peskett

Officers in attendance:

Mr S Opacic (Forward Planning Team Manager)

Mrs M Kirby (Planning Officer)

Mr G White (Planning Officer)

Mrs J Ashton (Planning Officer)

Mr A Palmer (Housing Enablement Officer)

Mr H Bone (Assistant City Secretary (Legal))

1. **PUBLIC PARTICIPATION**

A number of statements and issues were raised and were dealt with under consideration of the relevant items below.

2. **CONSULTATION PAPER ON PROPOSED CHANGE FROM PLANNING POLICY GUIDANCE NOTE 7: "COUNTRYSIDE" TO PLANNING POLICY STATEMENT 7: "SUSTAINABLE DEVELOPMENT IN RURAL AREAS"**

(Report WDLP33 refers)

This item had been deferred from the 3 November 2003 meeting of this Committee and, following a discussion, the revised appendix that set out the recommended Council response to the proposed PPS7 was agreed as set out below:

Comments of Winchester City Council Draft Planning Policy Statement 7 Sustainable Development in Rural Areas**Part 1: Introduction****Paragraphs 1 - 4**

The City Council welcomes the opportunity to comment on the draft Planning Policy Statement and would support, in particular, its more concise format.

Paragraph 10

In this Council's view, the good practice guidance to be published with the final PPS should include a comprehensive range of matters relevant to rural areas, covering most of the aspects currently contained in the annexes to PPG 7. In addition to permitted development rights for agriculture and forestry, it should therefore also include more detailed guidance on development involving agricultural land, on farm diversification, conversion of rural buildings, on equestrian development, and development in designated areas.

Part 2: Draft PPS 7 - The Government's Proposals

Introductory section on the Government's Objectives and Paragraph 1 (Key principles)

The Government's main objectives, and the key principles to be applied in rural areas, are supported, as they are substantially based on those existing in the current PPG 7.

Sustainable Rural Communities, Rural Businesses and Services

Paragraphs 3 - 8 (Location of development, business development and employment, community services and facilities)

The sections defining appropriate locations for development in rural areas, business development and employment, and community services and facilities are generally supported, as they are consistent with the key principles defined in paragraph 1, and provide a reasonable framework for development in rural areas.

Paragraphs 9 - 11 (Housing)

Paragraphs 9 - 11 are supported as they are consistent with the policies in PPG 3, and reflect the need for isolated houses in the countryside to continue to need special justification. The removal of the specific policy exception in paragraph 3.21 of PPG 7 is particularly welcomed, as it was opposed by this Authority when introduced, and most authorities have found it difficult to operate in practice. Should the circumstances arise where such a dwelling was needed, it would be more appropriate to treat any development proposal as an exception to policy, taking into account the key national principles for development in the countryside and other relevant local plan policies.

Paragraphs 12 - 14 (Re-use of buildings within or adjacent to towns and villages, design and the character of rural settlements)

These paragraphs are supported, as they are consistent with the need to encourage appropriate businesses, facilities and services in rural areas, and with the need to take account of good design principles.

The Countryside

Paragraphs 15 - 17 (Countryside protection and development in the countryside)

The general policies for the protection of and development in the undeveloped countryside are generally supported as they reflect the main principles currently contained in PPG 7.

Paragraphs 18 - 20 (Re-use of buildings in the countryside)

The main content of these paragraphs is supported, but the draft PPS appears to be more encouraging, in paragraph 19, towards the re-use of buildings in the countryside for housing, than is the case in the current PPG 7.

In the Council's view, criterion (iii) in this paragraph, which allows residential conversions where they meet an identified need in less remote locations and offer good accessibility to services in a nearby town or village, is undefined and dangerous. The paragraph should be redrafted to require full investigation of conversion to employment use before any other use is considered, especially residential, as is the case at present.

Paragraphs 21 - 22 (Replacement of buildings in the countryside)

These paragraphs are supported, as they reflect the main principles to be considered, and most local authorities now recognise the need for local plans to incorporate a policy to allow such replacements where a need can be demonstrated.

Paragraphs 23 - 25 (Designated areas and local countryside designations)

The City Council supports paragraphs 23 - 24 on designated areas, but is concerned about the proposal not to allow "local countryside designations" in paragraph 25. This terminology needs further clarification, as it is not clear whether this is intended to apply to all local designations currently used.

If it is the intention that designations such as Local Gaps, and Sites of Importance for Nature Conservation, should no longer be used, the Council would strongly object.

These designations are a well-established form of additional protection, recognising features of local importance that need to be taken into account in planning decisions. They also allow some forms of development, which may be permitted in normal countryside, to be resisted in these areas. In the case of Local Gaps, for example, this helps to retain their open and undeveloped nature. This is a very important function of Local Gaps, as they are designated to prevent the further coalescence of settlements with particular development pressures around their boundaries.

Paragraph 26 (The countryside around cities and towns)

The principles of encouraging environmental improvements and beneficial uses in the countryside around urban areas are supported.

Agriculture, Farm Diversification, Equine Related Activities and Forestry

Paragraphs 27 - 31 (Agricultural development, best and most versatile agricultural land and farm diversification)

The general policies on agricultural development and agricultural land in paragraphs 27 - 29 are supported. It is recognised that the PPS needs to give greater encouragement to farm diversification activities, and the Council therefore supports

the principles set out in paragraphs 30 - 31, particularly the need for such projects to be consistent with their scale and rural location.

Paragraphs 32 - 33 (Equine development and Forestry)

These paragraphs are generally supported, together with the more detailed guidance on the need for dwellings required to protect livestock in Annex A.

The range of different types of equine activity is, however, varied, and therefore it would be useful if further amplification of the different requirements was set out in good practice guidance to accompany the final PPS.

The proposal to allow re-use of farm buildings for small-scale horse enterprises, involving up to 10 horses, needs to be further justified, and additional advice included in the good practice guidance.

Tourism and Leisure

Paragraphs 34 - 40 (Tourist and visitor facilities, Tourist accommodation)

The inclusion of the policies on tourist accommodation and facilities, within this PPS, is supported, as it is clearly relevant to rural areas, and is consistent with the approach already used in this District.

Annex A (Agricultural, forestry and other occupational dwellings)

The retention of an Annex on Agricultural and Forestry Dwellings is supported, as it is the annex most regularly used by most rural authorities. Its proposed extension to "other rural-based enterprises", however, needs to be clarified, as it would be very harmful to the countryside to extend the policy exception to businesses that exist in the countryside but do not have a specific need to operate there.

RESOLVED:

That it be recommended to Cabinet that the comments as set out above be forwarded to the Office of the Deputy Prime Minister as the formal comments of the City Council on the proposed changes to PPS7: "Sustainable Development in Rural Areas."

3. **REVISED DEPOSIT LOCAL PLAN: ANALYSIS OF REPRESENTATIONS AND PROPOSED PRE-INQUIRY CHANGES: CHAPTER 3, DESIGN AND DEVELOPMENT PRINCIPLES; CHAPTER 6, HOUSING (H.5-H.7 AND MAP 38A); CHAPTER 9, RECREATION AND TOURISM; AND CHAPTER 13, SETTLEMENTS (SUTTON SCOTNEY). DEPOSIT LOCAL PLAN: ANALYSIS OF MISSED REPRESENTATIONS**
(Report WDLP34 refers)

Councillor Davies declared a personal (but not prejudicial interest) in this item as a Member of the City of Winchester Trust and spoke and voted thereon.

Councillor Jeffs declared a personal (but not prejudicial interest) in reference to paragraph 9.2 of the report as he had been involved in the Town Council's negotiations and spoke and voted thereon.

Councillor Porter declared a personal (but not prejudicial interest) as she had submitted written representations on the report and spoke and voted thereon.

In response to a general comment, Mr Opacic explained that the Inspector would set the location of the Planning Inquiry but that he anticipated the Inquiry was most likely to be held in Winchester.

In regard to the Housing Chapter, Councillor Campbell as Leader of the Council responded to comments made by Mr Hayter. She agreed that the Council should attempt to build more affordable houses in the District and the Committee discussed whether the target numbers of affordable dwellings should be sub-divided depending on the level of subsidy they require. Mr Palmer explained that this detail would be considered in the Council's Housing Strategy 2004-7. Councillor Hiscock, as Portfolio Holder for Housing, commented that planning policies should not be too prescriptive so as to limit the Enablement Team's ability to negotiate the maximum number of affordable dwellings from each development. At the conclusion of the debate Councillor Campbell recommended that a seminar, outside of the Local Plan processes, should be held involving the main developer interests, the Council's consultants, DCA, and the public.

During the discussion on the Recreation and Tourism Chapter, Mr Atkins (Alresford Town Council) addressed the Committee in support of the recommended response to the representations on the former railway cutting at New Alresford. Following advice from Ms Ashton, Members agreed that that the recommended response may need updating to reflect the detailed conclusions of an updated ecological survey of the area, but that these conclusions did not affect the recommended response.

In relation to Chapter 13, Settlements (Sutton Scotney) it was noted that a Design and Development Brief was being prepared by one of the landowners for the former station yard and adjoining coach works sites. The response to representations on the Proposal had therefore been held back, as it had been anticipated that further information would be available by the date of this Committee. The detailed studies were, however, still underway. Mrs Kirby advised that there was insufficient information to propose Pre Inquiry Changes at this stage, but discussions would continue with the landowners, to try and agree satisfactory development principles for the site in advance of the Local Plan Inquiry. Councillor Lipscomb spoke as a Ward Member in reference to Issue 13.1 (the former Station Yard and Taylors Yard) and recommended that these neighbouring sites should be separated in planning policies as they were likely to be developed at different times. However Members agreed with the recommended approach and sought to ensure that any re-development at the sites was considered comprehensively.

Following debate, each of the representations and responses were agreed as set out in the report, but for:

Issue 3.5: It was agreed that Cllr Porter's representation should be summarised under Issue 3.6 and that the response should include a reference to Proposal T.4 on providing adequate turning facilities.

Issue 3.6: Members agreed to defer this issue to the 20 November 2003 meeting of this Committee, pending a decision from Cabinet on how pro-active the Council should be in encouraging development briefs. Members requested that the wording of DP.3 (iii) be reconsidered to replace "introverted backland development" to "inward looking backland development." It was also suggested that the development brief should take account of not just the "adjoining land" but also nearby and significant

features and Members requested that this be re-drafted accordingly for the 20 November meeting

(Note: See Appendix A to the minutes as the re-drafted text)

Issue 3.9: The recommended additional sentence at the end of paragraph 3.26 should include reference to neighbourhood design statements.

Issue 3.13: To include an additional Recommended Change: "Map 46a: map should be changed to indicate the 10km safeguarding area." (Mr White clarified that the safeguarding area was 10 kilometres, not 10 miles, from the runway)

Issue 6.21: That parts of the recommended change be deleted so as to read: "Settlements where "exception" schemes would be considered would normally be those subject to Proposals H.2 or H.3, although in certain circumstances, schemes may be considered in other small villages."

Issue 6.23: Add a Recommended Change to Proposal H.7(iii), so that it reads: "it accords with Proposal DP.3 and other relevant proposals of the Plan".

Issue 9.2: To amend the recommended response to incorporate the results of the ecological survey, as noted above.

RESOLVED:

1. That it be recommended to Cabinet that the content of the schedule "Analysis of Representations and Recommended Responses", attached as the Appendix to the report, with the additional changes as set out above, be approved and endorsed as representing the Council's response to the representations on Chapter 3, Design and Development Principles; Chapter 6, Housing (part H.5 - H.7 and Map 38a); Chapter 9, Recreation and Tourism; Chapter 13 (part, Sutton Scotney) and to the Deposit Local Plan, Missed Representations.

2. That it be recommended to Cabinet and to Council to approve the proposed changes to the text of the above chapters as set out in the chapters and appendices, as set out in the schedules, and their publication as proposed Pre Inquiry Changes.

3. That it be recommended to Cabinet that the Director of Development Services be authorised to appoint consultants to carry out additional work on the deliverability and viability of the proposed proportions and thresholds for affordable housing within housing sites.

4. That consideration of the detailed wording changes proposed at Issue 3.6 (page 18) of the report in relation to DP.3 be deferred to the 20 November meeting of this Committee.

The meeting commenced at 9.30am and concluded at 1.00pm.

Chairman

Appendix A

Recommended changes-

Proposed amendments to DP.3, add new criterion after existing (ii) and new paragraphs after paragraph 3.19:

DP.3...(iii) includes provision for the comprehensive development of other nearby land, where this forms an area of uniform character, through the production of a development brief. Development should accord with the principles established in the development brief, to ensure important features and characteristics are identified, secure adequate provision of infrastructure and facilities, and avoid inefficient use or sterilisation of land;...

3.20 There are substantial development opportunities within the existing settlements, especially in the predominantly lower density suburban areas of the District's towns and villages. These opportunities can usually be developed at higher densities than the surrounding development, subject to the requirements of Proposal DP.3 (i) and (ii). It is, however, important to avoid the development of a series of discrete and inward-looking developments, which could harm the character of the areas concerned, fail to provide adequate transport linkages, facilities and affordable housing, and prevent the efficient use of other land.

3.21 In order to overcome these potential problems, Proposal DP.3 (iii) seeks the production of a development brief (unless one has already been adopted) covering nearby land, where this consists of plots of consistent size and character. These nearby areas may also come forward for development and a brief will help to ensure that important characteristics of the area are identified and taken into account, that efficient use is made of land, and that adequate facilities, access and linkages are provided. Briefs should be subject to public consultation so as to enable them to be adopted as supplementary planning guidance by the planning authority. Once a brief is adopted, development proposals for parts of the area concerned will be permitted, provided they accord with the requirements of the brief and relevant proposals of this Plan.