

Appendix A

**HOUSING IN THE COUNTRYSIDE POLICIES FOR  
HOUSING SITE ALLOCATIONS DPD**



## Proposed Housing in the Countryside Policies

### 1 Introduction

The National Planning Policy Framework<sup>1</sup> which sets out the Government's overriding planning policies makes clear that decisions should be made in accordance with up-to-date local plans. West Berkshire Council has a Core Strategy that has recently been approved and therefore fulfils this requirement.

The Council also refers in decision notices to policies contained in the previous Local Plan<sup>2</sup> as an important consideration in determining planning applications. The policies, known as 'Saved Policies' have been accepted by the Secretary of State as being valid until such time as they are replaced by updated policies in new plans.

The draft Housing Site Allocations Development Plan Document is the first stage in updating some of the saved policies and once formally approved some of the saved policies will no longer apply.

Given that 90% of the District is rural in character and 74% is also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) the Council is acutely aware of its responsibility to ensure, through its planning policies, the conservation and enhancement of the unique landscape character and environmental qualities that define West Berkshire. Approximately 64,000 or 44% of the total population of West Berkshire live in the rural areas, both inside and outside the AONB.

In comparison the urban areas of Reading, Newbury, Basingstoke, Andover, Swindon and Didcot have a total population of over 1.2 million. The rural area, with its attractive environment and close proximity to these centres, and with

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<sup>1</sup> [National Planning Policy Framework](#)

<sup>2</sup> [West Berkshire District Local Plan 1991 - 2006 \(Saved Policies 2007\)](#)

excellent transport links to other major urban areas, including London, is under constant pressure for new development.

The Council needs to encourage and support a thriving rural economy whilst at the same time protecting the area from harmful development.

## **2 Policy Framework**

This DPD has to be set within the context of the NPPF and the approved Core Strategy<sup>3</sup>, and is supported by other important documents such as the North Wessex Downs AONB Management Plan<sup>4</sup>, in order to have a complete picture of what the policies mean and how they are intended to operate.

To assist with this an appendix (Appendix A) is attached that helps explain the relationship between individual policies in the proposed DPD with the NPPF and policies in the Core Strategy.

## **3 Countryside Planning Policies**

### **Context for all policies relating to the North Wessex Downs AONB**

In accordance with the NPPF and Core Strategy Policy Area Delivery Plan Policies 4, 5, and 6 the dominant consideration for all proposed residential development within and in the setting of the North Wessex Downs Area of Outstanding National Beauty is the impact on its special qualities and the natural beauty of the AONB landscape.

There is no 'one' character across the AONB; it is a patchwork quilt of areas that have their own character based on their geography, geology, history of human occupation, current use, flora and fauna, rivers and floodplains. All these factors need to be taken into account when considering new development.

Due to the importance of conserving and enhancing such areas, the NPPF makes clear that the basic presumption in favour of sustainable development does not

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<sup>3</sup> [Core Strategy Development Plan Document \(2006 - 2026\)](#)

<sup>4</sup> [AONB Management Plan](#)

apply in AONBs if other policies in the NPPF indicate that development should be restricted (+ footnote ref to para 14 footnote 9). Some of the permitted development rights<sup>5</sup> for residential development are also excluded within AONBs.

Cumulative impact is a particularly important consideration in the North Wessex Downs AONB as incremental changes when viewed collectively can significantly change the character of the landscape. A particular landscape may be able to accommodate one new build but if this is repeated on other sites in the locality the cumulative effect alters the landscape character of the area. An assessment therefore has to be made of the sensitivity of the landscape to a particular type of change and the subsequent capacity of that area to absorb the change. For some areas the character may be so fragile that new housing development is not acceptable even on a small scale.

An example of seemingly relatively minor development that can have a major cumulative impact is the replacement of small cottages with much larger houses. There is no increase in the number of dwellings but when existing small scale residential development, or agricultural buildings, are replaced with large houses a scene that was once comprised of isolated agricultural workers cottages and barns set within open fields is urbanised and the rural character is lost.

### **Exceptions to AONB Restrictions**

There may be exceptional circumstances when a particular housing scheme is considered to be essential, even though having an adverse impact. The approach to be followed is referred to in the NPPF, the Core Strategy, and has been the subject of further explanation through Court judgement.

### **Rural Areas outside the AONB**

Outside the AONB the principle of limiting residential development to being within the settlement boundaries still applies. There is an assessment of the impact of the development visually on the qualities of the AONB where such

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<sup>5</sup> See Appendix B

development is located in a sensitive area. Permitted development rights are less restrictive but unless there is an outstanding need for a housing scheme then the policies guiding development to being within settlement boundaries remain.

### **Assessing the impact of development on landscape character**

The term ‘landscape character’<sup>6</sup> is essentially used to embrace the physical, visual, ecological, historical, access and recreational, cultural, economic and social issues which together make up our understanding and appreciation of our external landscape surroundings. Assessing the impact of development on the character of the landscape in accordance with Core Strategy policy CS 19 should be done through the use of Landscape Character Assessment (LCA). LCA is particularly valuable when looking at landscape sensitivity, whether that be:

- i. Overall landscape sensitivity: the inherent sensitivity of the landscape itself, irrespective of the type of change that may be under consideration. This embraces a combination of:
  - The sensitivity of the landscape resource (in terms of both its character as a whole and the individual elements contributing to that character;
  - The visual sensitivity of the landscape, assessed in terms of a combination of factors such as views, visibility, the number and nature of people perceiving the landscape and the scope to mitigate visual impact; or
- ii. Landscape sensitivity to a particular type of change: the interactions between the landscape itself, the way that it is perceived and the particular nature of the type of change or development in question

Once the landscape sensitivity of an area has been established then the capacity of that landscape to be able to accommodate change can be established. Proposals for development should therefore be accompanied by a landscape and visual impact assessment which assesses both the landscape and visual effects of the development proposed.

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<sup>6</sup> For the purposes of this DPD the Council has used the European Landscape Convention definition of landscape “An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.” (Council of Europe 2000). It applies to all landscapes, towns and villages, as well as open countryside; and ordinary or even degraded landscapes, as well as those that are afforded protection. The ELC was signed by the UK Government in February 2006 and became binding from March 2007.



## Countryside Policies

### ***Policy Countryside 1 – Location of New Housing***

*There is a presumption in favour of development and redevelopment within the settlement boundaries in saved policy HSG1 as amended by the Housing Site Allocations DPD. Outside these boundaries the Countryside Policies apply.*

### **Explanation**

New development is easiest to assimilate when within existing settlements. This is the policy set out in the Core Strategy and in the North Wessex Downs AONB Management Plan. The policy also meets the requirements of being sustainable in that best use is made of existing infrastructure, everything from education to transport.

The Housing Site Allocations DPD has been prepared taking into account the requirements of the NPPF, the strategic objectives and policies of the Core Strategy and is accompanied by an assessment of the potential impacts of each proposed housing site. A Sustainability Appraisal and Strategic Environmental Assessment report accompany the DPD and the criteria used and the scoring is also shown. **An equally robust approach is required in assessing individual planning applications.**

HSG1<sup>7</sup> refers to the list of settlements set out in the West Berkshire District Local Plan 1991-2006 (saved policies) where development is accepted, subject to certain conditions. It is not the intention to revisit the complete list as part of this DPD. A future DPD will consider the boundaries of all the settlements. This DPD amends HSG1 only in respect of those settlements within the settlement hierarchy of the adopted Core Strategy. These include the rural service centres and service villages within the AONB.

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<sup>7</sup> [Policy HSG1 The Identification of Settlements for Planning Purposes \[21kb\]](#)

The list of settlements included within HSG1 is set out as Appendix B. The boundaries are shown on the Proposals Map<sup>8</sup> attached to the previous Local Plan

### **Policy Countryside 2 – Rural Exceptions Policy**

There is a presumption in favour of small scale affordable rural 'exception' housing outside settlement boundaries to meet identified local housing need in rural areas. Such schemes will be subject to a detailed assessment of the need for affordable housing in the local area through a Local Housing Needs Survey, the impact of the scheme on the local character of the area, its relationship with the existing settlement and whether more sustainable alternatives are available locally.

Within the AONB the overriding consideration is the impact of all the effects arising from the new development on its special qualities and natural beauty of the AONB landscape.

It is expected that rural exception sites will deliver 100% affordable housing however it is recognised that in some cases a small proportion of market housing may be appropriate only where it can be demonstrated that the market housing is necessary to cross-subsidise the delivery of the affordable housing within the scheme. The affordable housing within the scheme must remain affordable in perpetuity.

### **Explanation**

The Council will continue to support the rural community and the need for affordable housing. The allocations proposed in the Housing Site Allocations DPD are being made in order to continue to achieve this objective. It is accepted that in certain very limited circumstances there may be a need for affordable housing to be located outside the settlement boundaries in rural areas to meet identified local need. There has to be a very strong case for allowing such development anywhere in the rural area, both inside and outside the AONB.

This type of housing scheme, known as 'Rural Exception Housing', is allowed for within the terms of the NPPF and the adopted Core Strategy. The schemes are

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<sup>8</sup> [Archived Proposals Maps.](#)



intended to be small in scale and directed to meeting local need that cannot be met within the settlement boundaries. Local need is restricted to meeting the needs of households that have an existing connection with the area in accordance with the Council's Housing Allocations Policy<sup>9</sup>.

The Council encourages Parish Councils to have an up-to-date Housing Needs Survey and to work closely with the District Rural Housing Enabler who is able to provide advice on the funding opportunities available.

Rural exception housing is subject to all the normal planning considerations including those set out in the Core Strategy policies. Rural Exceptions schemes should be well related to the existing settlement, with care taken to ensure that such schemes do not result in isolated development in the countryside, not just because of the impact on the landscape character of the area but also numerous associated infrastructure issues such as access to public transport, education and other essential facilities.

#### **Supporting Evidence – Local Housing Needs Survey**

*Housing being brought forward on the basis of overriding need must be accompanied by a statement setting out the evidence both of the need and justifying the particular location. The evidence must be sufficient to demonstrate that the need exists, how the proposed development intends to meet that need, and that all suitable alternative sites in the same locality have been considered that might have less impact and/or be more sustainable. Such housing as is approved must be designed and developed as part of one cohesive scheme.*

A recent change in Government policy incorporated within the NPPF is that a scheme being brought forward as a Rural Exception Site may include an element of open market housing in order to help with funding.

#### **Supporting Evidence - Viability**

*The Council will require a detailed submission setting out why the open market housing is necessary and why alternative funding mechanisms have not been*

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<sup>9</sup> [Housing Allocations Policy \(HAP\) \[391kb\]](#)

*used, including Parish Receipts from CIL payments (when introduced in 2015). The overriding consideration is the exceptional need for local affordable housing and it must be shown that the scheme provides housing for local households in perpetuity.*

*Where open market housing is being used to financially support a Rural Exception Housing scheme the following detailed evidence is required:*

- (i) a financial appraisal demonstrating the viability of the scheme and the financial relationship between open market housing and affordable housing*
- (ii) the measures being taken to ensure the use of the affordable housing is to meet local needs only in perpetuity*
- (iii) the relationship of open market housing to meeting local need, in terms of location, design, visual character, and type of accommodation.*

Should a rural exception scheme require an element of market housing there is a presumption that the development will have the least amount of open market housing on the site required to help finance the scheme. If open market housing dominates the housing mix then the scheme no longer qualifies as Rural Exception Housing.

**The Council will require open book accounting as part of any approval.**

### ***Countryside Policy 3 – Design and Materials***

*The design of new housing, including buildings being converted to residential use and the redevelopment of existing houses, and to extensions, must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change, on local settlement and building character, on service provision, on sustainability and on the environment.*

### **Explanation**

It is essential that new development and redevelopment harmonises with any distinctive local character. This does not prevent proposing outstanding

examples of modern design but the overriding consideration should be the impact on the landscape and on the local character in accordance with Core Strategy policies CS 14 and CS 19.

In addition the NPPF (paragraphs 56 to 68) stresses the importance of good design and the need for Planning Authorities to provide clear guidance within their plans without being over prescriptive:

‘.....should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.’

The Council has adopted a Design Guide<sup>10</sup> which is a useful reference for all applicants. There are also a number of town, village and parish design statements which have been adopted by the Council which should be used to inform proposals for development in accordance with Core Strategy policy CS 19. The full list of all design advice, including relevant landscape character assessments is set out in Appendix C.

*In assessing the potential impact on local landscape and architectural character particular regard will be had to the sensitivity of the landscape to the particular type of development being proposed and the capacity of that landscape to be able to accommodate that type of development without significant effects on its overall landscape character.*

### **Supporting Evidence**

The following verifiable evidence will be required in support of the proposals;

- (i) an assessment of the landscape and visual effects of the proposals*
- (ii) impact on the highway network both in terms of alterations to the existing highway and increase in all forms of traffic on the wider network*

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<sup>10</sup> [Quality Design - West Berkshire SPD \(June 2006\)](#)

- (iii) measures proposed to provide for, or encourage, sustainable transport, pedestrian access to existing footpaths, and sources of sustainable energy*
- (iv) impact on the need for all forms of supporting infrastructure including social, medical and educational needs*
- (v) plot size, curtilage and boundary treatments*
- (vi) the use of materials acceptable within the local architectural context*
- (vii) impact on any protected species and the measures being taken to mitigate such impact*
- (viii) impact on any historical or archaeological interests and the measures being taken to mitigate such impact*
- (ix) impact on quality of dark skies with mitigation measures where required*
- (x) flood risk assessment and mitigation where required*
- (xi) foul and surface water disposal*
- (xii) use of porous materials for all hard surfaces*
- (xiii) tree survey, measures to protect existing trees and important hedgerows during and after construction works*
- (xiv) landscaping including species and a planting schedule*
- (xv) groundmoulding, if any, with priority to retaining the natural slope*

It is important to reiterate the significance attached to cumulative impacts.

*When assessing an application consideration will be given to the impact of the scheme taking into account existing, approved and proposed development in the same locality.*

**Policy Countryside 4 – Conversion of Existing Redundant Buildings to Residential Use**

*There is a presumption in favour of the sustainable conversion of existing redundant buildings to residential use providing that;*

- a) the proposal does not involve the substantial rebuilding extension or alteration of the existing building*
- b) The applicant can prove the building is genuinely redundant and a change to a residential use will not result in a subsequent request for a replacement building.*

c) *The environment is suitable for residential use*

**Explanation**

This policy applies to all existing buildings including existing community or educational facilities and agricultural buildings. Converting an existing unsightly and redundant building to residential use, which when converted, would still have an adverse impact on the landscape character of an area, would not meet the requirement within the AONB, for instance, of conserving and enhancing its special qualities or the natural beauty of the landscape.

For a building to be considered redundant it is important that the use of that building for that purpose no longer exists. If the building is performing an essential function and the conversion will lead to a request that a replacement building be provided elsewhere, now or within the foreseeable future, then the conversion will not be covered by this policy. A subsequent application for a replacement building may well be refused.

There is difference between a building of sound construction that has until recently been used and a derelict or semi-derelict structure that is not of sound construction, such as a temporary farm building or domestic outbuilding. The policy only allows for the conversion and adaptation of sound permanent structures.

Where a building makes an important contribution to the local character and appearance of an area, even though redundant, great care will need to be exercised in the design of the conversion to ensure that the perceived contribution the building makes to that character remains. It cannot be presumed that simply by being redundant there is a presumption that the building can be converted to residential use.

Where a barn stands in an open field and sits well within the rural landscape, the conversion to residential use raises the issue of curtilage. It cannot be assumed that the existing field boundaries will be taken as the curtilage for the

proposed residential use. There is a need to define a curtilage appropriate to the building and the locality as the change of use from agriculture to domestic garden has a profound visual impact on the immediate surroundings and potentially on the wider landscape depending on the location of the site. The building should be capable of being converted and accommodated into the existing landscape without significant effects on the character of the area. It is expected that any building works will be minor and will involve the use of matching materials.

### **Supporting Evidence**

*When submitting a planning application the Council will expect the Applicant to provide the following details, in addition to normal requirements, to show;*

- (i) the visual impacts of the building once converted are appropriate within the local context and landscape character*
- (ii) the relationship of the converted building to any other adjoining or adjacent buildings and their existing uses to ensure a satisfactory standard of amenities for the occupants of the buildings once converted*
- (iii) there are not any prejudicial impacts on existing non-residential adjoining or adjacent uses due to the environmental safeguards enjoyed by all residential properties to include, noise, general disturbance, and odour<sup>11</sup>.*
- (iv) The proposed curtilage, and all boundary treatments are such as to help assimilate the building within the landscape and local character*
- (v) The building is of sound construction, prior to conversion, and can be adapted to residential use without substantial rebuilding or alteration*
- (vi) The use of matching materials where those materials are an essential part of the character of the building and locality.*

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<sup>11</sup> All residential properties have their amenities protected through both Planning and Environmental legislation. The grant of planning permission does not overrule the protection afforded to all residential properties through environmental legislation. Both sets of standards must be met.

It is not unknown for permissions to be sought for the conversion of redundant agricultural units to permanent residential or tourist accommodation without realising the impact this can have on normal farm operations including the movement of livestock, the operation of farm equipment, and the hours when equipment can be used.

There are Permitted Development<sup>12</sup> Rights allowing the conversion of some buildings to residential use from other uses including shops and agricultural use. The position is complex and is subject to change. Some of the current PD rights are intended to be temporary.

Where PD rights are being used then for some rights the Prior Notification procedure has to be followed which essentially means notifying the Council of the intention to change the use and affording the Council the opportunity to request details of the scheme.

It is advisable to seek professional advice or to contact the Council to discuss the relevant rules and requirements prior to commencing any development on site. Failure to follow the procedures may lead to the serving of an Enforcement Notice requiring the building be re-instated as it was prior to the conversion and the residential use cease.

### ***Policy Countryside 5 – Housing related to Agricultural and Forestry Development***

*There is a presumption in favour of housing development which is proven as essential to the continuing use of land and buildings, or the establishment of a new rural enterprise for agricultural and forestry purposes, including as being part of a farm diversification scheme, subject to consideration of the visual and environmental impact of the new build on the local character of the area and within the wider landscape, especially within the AONB. For new rural enterprises it is expected that residential development will take the form of temporary accommodation and be time limited. Permanent consent will only be granted once the viability has been proven on site. Any permission will be subject to a condition restricting the use of the property to persons employed within the rural enterprise.*

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<sup>12</sup> Please see Appendix D

The agricultural industry in particular plays an important role in the District, providing employment and in the management of the rural landscape. The Council encourages viable agricultural and forestry enterprises that support the delivery of a wide range of public benefits and sees them as essential to the maintenance of a thriving rural economy. This is set out clearly in Core Strategy Policy CS 10.

The Council is also mindful of the impact that proposed agricultural and forestry workers houses can have on the landscape.

The Council supports farm diversification schemes where they provide for the continuing use of the land for agriculture and help maintain the rural economy. Farm diversification can have a significant impact on the landscape, particularly in an area of open landscape with few existing buildings. The impact can be lessened by siting any new build adjacent to existing buildings and using design as a means of ensuring the new build compliments the existing development.

Where diversification results in redundant buildings there should be a clear statement as to the proposed treatment of such buildings. The creation of new curtilages and their boundary treatment can also impact on the landscape and details will be required of the way the boundaries are to be established.

There is still the requirement to prove need by the submission of detailed evidence showing the relationship between the proposed housing and the existing or proposed rural enterprise<sup>13</sup>.

### **Supporting Evidence**

*In considering such proposals verifiable evidence will need to be submitted on the following:*

- (i) why new housing has to be provided on site and cannot be met by existing or proposed provision within existing settlement boundaries*

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<sup>13</sup> Permitted Development rights may apply in certain circumstances.



- (ii) *why none of the existing buildings on site are suitable for redevelopment or conversion to residential use*
- (iii) *whether any vacant residential property is available and if so why this cannot be used*
- (iv) *whether any residential property including that formed from conversion of existing buildings has been sold within the last 10 years*
- (v) *whether any residential property including that formed from conversion of existing buildings in the last ten years, is being used as tourist or temporary accommodation.*
- (vi) *financial viability both now and in the future sufficient to justify temporary or permanent accommodation whichever is most appropriate*

**Policy Countryside 6 – Housing related to the Equestrian and Racehorse industry**

*There is a presumption in favour of housing development which is proven as essential to the continuing use of land and buildings, or the establishment of a new rural enterprise, in connection with the equestrian and racehorse industry, subject to consideration of the visual and environmental impact of the new build on the local character of the area and within the wider landscape, especially within the AONB. For such new rural enterprises it is expected that residential development will take the form of temporary accommodation and be time limited. Permanent consent will only be granted once the viability has been proven on site. Any permission will be subject to a condition restricting the use of the property to persons employed within that enterprise.*

**Explanation**

The District is known for its links with the equestrian and racehorse industry with Newbury Racecourse located on the edge of Newbury. The racehorse breeding and training industry is a particularly important part of the local rural economy and the policy position towards it is set out in the Core Strategy Policy CS 12. The Council wishes to retain and support the expansion of this industry and its related specialist breeding and veterinary facilities and in accordance with policy CS 12 will support the provision of new residential accommodation where it is shown to be essential .

Any proposal will be subject to the same considerations as set out in Policy 4 relating to agricultural development. In addition where new stabling or breeding facilities are proposed together with residential accommodation there must be supporting evidence to show the new facility has sufficient income to provide for a permanent house on the site in the long term. Where a proposal is speculative and there seems some doubt as to the long term viability of the enterprise temporary accommodation on site may be more appropriate. It should be noted that a restricted occupancy condition may be applied.

### **Supporting Evidence**

*The same evidence is required as under Policy 5*

### **Policy Countryside 7 – Housing related to Educational Development**

*There is a presumption in favour of housing development which is proven as essential to the continuing use of land and buildings, or the establishment of a new rural enterprise, in connection with educational development, subject to consideration of the visual and environmental impact of the new build on the local character of the area and within the wider landscape,, especially within the AONB. For new rural enterprises it is expected that residential development will take the form of temporary accommodation and be time limited. Permanent consent will only be granted once the viability has been proven on site. Any permission will be subject to a condition restricting the use of the property to persons employed within that enterprise.*

### **Explanation**

A feature of the District is the large number of private and public educational facilities located within the countryside. These educational facilities provide benefits in the form of income and employment opportunities for the rural community.

### **Supporting Evidence**

*The presumption is subject to meeting the same requirements as Policy 5.*

Where there are proposals to establish or expand such facilities one consideration is the potential demand for new housing to meet the need for

teachers and support staff. Another consideration is the impact on the supporting infrastructure including access and transport links to the site.

What may once have been a large house set in landscaped grounds forming an attractive part of the landscape can change to being an intrusive feature if used for educational purposes and expanded to provide additional classrooms, sports facilities, staff and student accommodation, car parking and outdoor lighting of sports pitches.

There are Permitted Development Rights currently to establish a new state funded school or to convert a building to a registered nursery that apply across the rural areas, including the AONB. These are subject to the Prior Notification Procedure<sup>14</sup>.

***Policy Countryside 8 – Housing related to Medical, Social or Community facilities***

*There is a presumption in favour of housing development which is proven as essential for the provision of medical social or community facilities, subject to consideration of the impact on the countryside, especially within the AONB. For new rural enterprises it is expected that residential development will take the form of temporary accommodation and be time limited. Permanent consent will only be granted once the viability has been proven on site. Any permission will be subject to a condition restricting the use of the property to persons employed within that enterprise.*

**Explanation**

The Council wishes to maintain and support a healthy rural community with access to essential services. Some of these services may be formed by the conversion of existing buildings, by extensions to existing houses or delivered through new build. Where there is a related demand for new housing then the provision should be made within existing settlements.

Similar restrictions apply to any proposed development outside existing settlements as with the other countryside housing policies.

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<sup>14</sup> Please see Appendix D

## Supporting Evidence

*In addition to the requirements set out under Policy 5 the applicant must prove the need for the service exists and that it cannot be provided by existing or new development within existing settlements.*

### **Policy 9 – Extension of existing houses within the Countryside<sup>15</sup>**

*There is a presumption in favour of proposals for the enlargement of existing houses subject to assessment of the impact of the proposal on the character of the existing house, on the local character of the area and the sensitivity of the wider landscape.*

## Explanation

There are extensive Permitted Development Rights enabling the enlargement or alteration of a house without requiring a formal planning application. These rights come with standard conditions and both the rights and conditions may be changed through Government legislation. It is essential to establish what rights currently exist in the particular location. Rights may be removed by a Council through a legal procedure and the presence of such a restriction must be checked prior to commencing any development thought to be permitted.

The enlargement of a small rural dwelling to become a substantial house can have a significant impact on the character of that house itself, on the local character of the area and on the wider landscape. Where an application is required then the impact of the development, individually and/or cumulatively, on the local architectural and visual context, and the capacity of the wider landscape to accommodate such development, especially in the AONB, must be assessed. The enlarged dwelling should be capable of being accommodated into the existing landscape without significant effects on the character of the area.

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<sup>15</sup> Permitted development rights for residential extensions vary from time to time; some do not apply within an AONB. The legal position will be assessed as at the time the application is submitted.

## Supporting Evidence

*In considering applications for extension the following considerations will apply:*

- (i) the presence of previous extensions and outbuildings*
- (ii) the scale of the enlargement relative to the existing property and the resulting impact on the property's character*
- (iii) the impact on the setting of the building including the space occupied within the plot boundary*
- (iv) the impact of the enlargement, on its own, and/or cumulatively, on the local character of the area and within the wider landscape*
- (v) the impact of the enlargement, on its own, or cumulatively on the demand for services within the rural area where substantial additional accommodation is being provided*
- (vi) the use of materials acceptable within the local architectural context*
- (vii) impact on any protected species and the measures being taken to mitigate such impact*
- (viii) impact on any historical or archaeological interests and the measures being taken to mitigate such impact*
- (ix) impact on the amenities currently enjoyed by residents of neighbouring properties*

Proportionality is an important consideration. If an extension is disproportionate it will not be acceptable. The key components of proportionality are the scale, density, massing, height and layout of a development. There are no 'rules' that can be applied in the sense of 40% expansion of the existing floorspace is acceptable but 50% is not, as each application has to be considered on the basis of the impacts on the particular property in that particular location. In some instances an extension of more than 50% might be acceptable but in others a far more limited expansion, assuming it required planning consent, might be regarded as harmful.

Regard will be had to previous extensions on site, either allowed through permitted development rights or through planning approvals. The original

character of a house can be lost if the property is extended in an unsympathetic way through the addition of numerous extensions. The Council will take into account the original proportions of the building, prior to extensions being added. In some circumstances it may be more appropriate to provide one new extension as a replacement for several existing extensions especially where these are in poor condition or do not reflect the original character of the building.

Extensions need to be constructed in materials that harmonise with the character of the house being extended. An extension that may be considered of an acceptable size may still be refused due to the use of unsuitable materials. Care will be exercised to ensure that a proposed extension will not give rise to increased over-looking or have a serious adverse impact on habitable rooms of adjacent or adjoining properties. For example, a two-storey extension sited to the rear of a terraced or semi-detached property requires careful design to ensure that the amenities of the neighbours are not seriously affected.

In rural areas there is a special need to consider the impact of any development, including extensions, on wildlife, particularly on protected animals and plants. Where there is a potential impact then appropriate mitigation measures must be included within the design.

***Policy 10 - Replacement of existing dwellings***

*There is a presumption in favour of the replacement of an existing dwelling of permanent construction, subject to assessment of the visual and environmental impact of the new build on the local character of the area, and within the wider landscape, especially within the AONB, relative to the contribution made by the existing building to both local character and the wider landscape*

**Explanation**

Proportionality is an important consideration. If a replacement dwelling is disproportionate it will not be acceptable. The key components of proportionality are the scale, density, massing, height and layout of a development. There is evidence within the AONB of small rural properties being purchased and then demolished and replaced with substantial new houses that are alien to the local context and to the special qualities and natural beauty of

the landscape of the AONB. Such development neither enhances nor conserves the character of the AONB.

The replacement of houses simply due to a desire for a new property will be assessed on the basis of the impact of the new development relative to the existing property on the local character of the area and, within the AONB in particular, on its impact on the special qualities and natural beauty of the landscape..

Agricultural Workers dwellings provided in the past in the form of low cost bungalows may be considered for replacement with more modern and energy efficient structures but only on condition that the new property fulfils the same purpose as before and will be subject to an occupancy condition.

### **Supporting Evidence**

The Council will assess all replacement proposals in accordance with the following criteria:

- (i) the existing dwelling must be, or recently have been, in permanent occupation as a legally permanently habitable house*
- (ii) the existing dwelling is not subject to any condition limiting the period of use as a dwelling*
- (iii) Any increase in floor space or cubic capacity must be provided in such a way that there is no adverse impact on the character of the locality and the wider landscape, especially within the AONB.*
- (iv) where an existing dwelling forms part of an agricultural, equestrian, or other commercial enterprise and is an essential part of that enterprise, then the replacement dwelling must continue to perform the same function. An occupancy condition may be applied.*
- (v) The replacement dwelling leads to an adverse cumulative impact on the character of the locality and the wider landscape, especially within the AONB.*

### **Policy 11– Extension of Residential Curtilages**

*There is a presumption in favour of the extension of existing residential curtilages where it can be shown that there are no adverse impacts on the setting of the site or property within the wider landscape, on local*

character and on the amenities of local residents, and where the proposed boundary treatment is appropriate to the location.

### **Explanation**

There are many reasons why an individual might wish to extend the curtilage of his property. It could simply be to provide a larger garden, or provide off-street parking or garaging.

Such changes even though minor in nature are not without potentially harmful effects

The inclusion of existing non-residential land used for agriculture, woodland or other rural uses can have a considerable visual impact on the local character of an area and the wider landscape due to the urbanising effect of the change in use. Land previously used for agriculture or equestrian purposes has a different character to that of residential gardens and garage spaces.

The way the boundaries are treated also has an impact. The erection of 2 metre high timber fences may be appropriate in an urban setting but, in a rural environment where many boundaries are marked out by simple post and rail fences or hedgerows, they can stand out in the landscape.

### **Supporting Evidence.**

Applications must be accompanied by details showing

- (i) *The boundary treatment of the extended curtilage is appropriate for the site and surroundings*
  - (ii) *all new hard surfacing, ground moulding or landscaping are in character with the surrounding area. Any hard surfaces should be provided in such a way as to allow for surface water to penetrate the surface or be held on site for release later.*
  - (iii) *The visibility of existing site splays is retained*
  - (iv) *The forming of any new entrances or gateways, complete with site splays, are provided subject to the approval of the Highways Authority*
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