

### Introduction

- 4.1 Winchester District is mainly countryside, a complex combination of contrasting landscapes, land uses and activities. Changes necessary to sustain a prosperous and multi-purpose countryside must be carefully managed. The Plan's countryside and natural environment policies are intended to guide and control such changes.
- 4.2 The main objectives of these policies are to accommodate change in the countryside by:
- maintaining or enhancing the character of the countryside and its natural resources, for local people and visitors;
  - providing for the economic and social needs of people who live and work in rural areas;
  - improving services in existing villages, making them living communities, and reducing the need for increased car commuting to urban centres.

### General

#### Control of development

- 4.3 Government policy requires that the countryside should be safeguarded for the sake of its intrinsic character and importance as a natural resource, and that any necessary change should maintain or enhance the quality of the environment. The Local Planning Authority aims to protect and enhance the character of the countryside and the setting of the settlements in the District.
- 4.4 Development will not be permitted in the countryside unless it accords with Policies CE.5 – CE.27 of this Plan. Inappropriate development threatens the character of the countryside. Only essential new development will be permitted within the area defined as countryside in the Plan (land which is outside the policy boundaries defined on the Proposals and Inset Maps).

### Gaps

#### Strategic Gaps

- 4.5 The Hampshire County Structure Plan (Review) designates Strategic Gaps where areas of open or rural land provide substantial breaks between built-up areas. These areas will be protected from built development and their boundaries will only be altered in exceptional circumstances. Much of the Meon Gap lies within the District, but it is contiguous with land in the adjoining Borough of Fareham. In this District it comprises land between Whiteley to the west and the River Meon to the east.
- 4.6 The function of a Strategic Gap is to prevent the coalescence of urban areas and protect their separate identities. In defining the extent of the Meon Gap within the District, only the land necessary to achieve these objectives has been included. The Local Planning Authority has considered adjacent developed areas, the visual perception of the Gap, and the need to maintain significant separation between the settlements. Within the Strategic Gap permission will not be granted for development which could be more suitably located elsewhere, or where the development would, either on its own or in association with other development, compromise the integrity of the Gap.

#### Policy CE.1

*Development that would undermine the appearance or functions of the Meon Strategic Gap (as defined on the Proposals and Inset Maps) will not be permitted.*

#### Local Gaps

- 4.7 The Hampshire County Structure Plan (Review) also allows the definition of Local Gaps, to preserve the separate identities of smaller settlements at risk of coalescence. These are locally important areas of open and undeveloped land.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

### Policy CE.2

*Development that would physically or visually diminish a Local Gap and thus undermine its function will not be permitted. The following Local Gaps are defined on the Proposals and Inset Maps:*

- *Bishop's Waltham – Swanmore – Waltham Chase – Shedfield - Shirrell Heath*
- *Denmead – Waterlooville*
- *Kings Worthy – Abbots Worthy*
- *Otterbourne – Southdown*
- *Winchester – Compton Street*
- *Winchester – Kings Worthy/ Headbourne Worthy*
- *Winchester – Littleton*

#### Development in Gaps

- 4.8 Development proposals in either a Strategic or Local Gap should consider particularly their effect on the Gap's function. The Local Planning Authority will not permit development that would diminish such gaps physically or visually. Policy CE.3 controls changes of use and the erection of structures that would be intrusive.

### Policy CE.3

*Development (including changes in the use of land) in the Strategic and Local Gaps, which would otherwise be acceptable in the countryside, will only be permitted if they do not physically or visually diminish the Gap and thus undermine the Gap's function and:*

- (i) *do not require substantial buildings or structures or, where buildings are necessary, they are small-scale, ancillary to the proposed use, and sited unobtrusively, preferably as part of an existing group;*
- (ii) *do not include extensive hard surfaced areas or open storage;*

- (iii) *retain and incorporate appropriate management of areas of open land, woodland, hedgerows and trees.*

### Essential Services

#### Criteria for development

- 4.9 In exceptional circumstances, it may be necessary to locate or expand some facilities or services in the countryside. These may include community or educational facilities, premises for emergency services, or development by statutory undertakers and public utility providers. Each proposal should have special justification and applicants should submit a supporting statement demonstrating a need for the facility and the absence of a suitable site in a settlement. Such development should not prejudice the countryside conservation objectives of the Local Plan. Where such proposals involve public utilities or telecommunications apparatus, the provisions of Policy DP.14 will also apply.

### Policy CE.4

*In the countryside, the development of essential facilities and services to serve local communities may exceptionally be permitted where the Local Planning Authority is satisfied that it complies with Policy DP.3 and other relevant policies of this Plan and that:*

- (i) *a location on a particular site in the countryside is essential for operational reasons; or*
- (ii) *there are no suitable alternative sites for the proposed development within the defined built-up area of the settlement(s) which the development is intended to serve; and*
- (iii) *an acceptable landscape scheme is submitted as part of the application.*

### Landscape

#### Landscape character

- 4.10 The District's distinctive landscape character derives from a combination of natural and man-made elements. Its conservation relies on retaining these elements. The landscape of the central-eastern part of the District is of national importance and designated as part of the East Hampshire Area of Outstanding Natural Beauty (AONB).
- 4.11 The first Winchester District Landscape Assessment was published in 1995 as a background document to the Winchester District Local Plan, to identify the different landscape character types found within the District outside the AONB. These were used as a basis for identifying Areas of Special Landscape Quality that were then the subject of a policy in the County Structure Plan. It complemented a similar landscape appraisal that was carried out for the East Hampshire AONB ("The East Hampshire Landscape" Countryside Commission 1991).
- 4.12 The County Structure Plan (Review) provides a framework for assessing changes to the landscape. This emphasises the need to identify and take account of local landscape distinctiveness. "The Hampshire Landscape: A Strategy for the Future" (HCC August 2000) defines broad Landscape Character Areas providing the basis for identifying distinctive Landscape Character Areas in the District.
- 4.13 The Council has carried out a comprehensive review of the landscape of the District, including the AONB, using the Landscape Character Area approach. The District Landscape Character Assessment has identified 23 Landscape Character Areas, each of which has a recognisable local identity. It is important to note that, whilst Landscape Character Area boundaries are necessarily defined on the map by a line, there is frequently a more gradual transition between these Areas. Where a Landscape Character Area flows over a settlement, there is obviously a

localised change of character between the settlement and the adjacent countryside, which forms the landscape setting / context for it.

- 4.14 Development proposals should respect local landscape character by protecting, enhancing, and restoring the key characteristics of the landscape. They should also be consistent with the strategies for the relevant Landscape Character Areas, by incorporating measures to maintain and enhance the features that create its distinctive sense of place. Conditions may be used and/or planning obligations sought to achieve landscape and built form improvements in accordance with the proposed strategies. The key characteristics and strategies for each Landscape Character Area are set out in the District Landscape Character Assessment and summarised in Appendix 2.

#### Policy CE.5

*Development which fails to respect the character of the landscape, or harms the key characteristics of the Landscape Character Area concerned (as set out in Appendix 2) will not be permitted.*

#### Area of Outstanding Natural Beauty

- 4.15 The East Hampshire Area of Outstanding Natural Beauty (AONB) is a national designation of a higher order than other "countryside" areas of the District. Policy CE.6, along with Policy CE.5, prevents development likely to harm the character of this area. The main aim within the AONB is to protect and enhance the environment to retain its special scenic quality and the character of the landscape.

#### Policy CE.6

*Development that would harm the natural beauty, amenity, tranquillity and distinctive character of the landscape of the East Hampshire Area of Outstanding Natural Beauty (as defined on the Proposals and Inset Maps) will not be permitted, unless it is essential for the economic or social wellbeing of the area.*

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

*In considering development proposals within the AONB, particular attention will be given to the need to conserve and enhance:*

- a) *the landscape character of the countryside;*
- b) *the settlements and their setting;*
- c) *the character of the built environment.*

*Major development proposals will only be permitted if they are justified by proven national interest and there are no alternative sites outside the AONB.*

### National Park designation

- 4.16 The Countryside Agency has begun the process that could lead to designation of a South Downs National Park and the establishment of a National Park Authority. The National Park area may include some or all of the area within the District currently in the AONB, and some adjoining areas. National Parks have the same landscape conservation objectives as AONBs, but also aim to encourage recreational opportunities appropriate to the Park.
- 4.17 The Agency has submitted a Designation Order to the Secretary of State, with the recommendation that a National Park should be established. However, as a result of objections to the Order, a Public Inquiry has been held, and a formal decision by the Secretaries of State, taking into account the Inquiry Inspector's findings and recommendations, is currently awaited. While this process is still ongoing, the existing Local Plan policies will continue to apply to the AONB.

### Countryside management

- 4.18 Countryside management can help to resolve local conflicts arising from the demand for different uses. Its success depends on partnership between local communities, landowners, businesses and other organisations with an interest in the countryside. Currently the City Council participates in countryside management

projects for the AONB and will participate in other projects in the District where appropriate.

## Nature Conservation

### Wildlife habitats

- 4.19 The District has a substantial number of areas that are important for their wildlife and nature conservation interest. These include areas of international, national and local importance recognised by special designations. Other undesignated areas may also have features that are ecologically important and all these areas should be protected from harmful development. Policies CE.7 - CE.10 set out how the Local Planning Authority will protect such areas. A map showing all the sites of international, national and local importance may be found loose in the folder of this Plan. In view of the small scale of many of the areas within the District, more detailed information on them is published separately from this Plan. This includes a schedule of locally designated sites, which can be inspected in the Development Directorate. Developers should refer to these to establish the location and quality of these areas, and whether any of the following policies should apply.
- 4.20 In addition to the protection of existing habitats, where appropriate, the creation or improvement of areas of nature conservation value will be encouraged in association with development, as set out in Policy CE. 11.
- 4.21 The Local Planning Authority will expect development proposals to have regard to the need to conserve important wildlife habitats in accordance with the requirements of their designation, and to respect other areas of existing or potential nature conservation interest. Where development is permitted that is likely to harm a designated site, conditions will be used and/or planning obligations sought to minimise the damage and provide compensatory measures.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

- 4.22 Although most of these areas are in the countryside, some important nature conservation sites or areas of potential nature conservation value are within the settlements. Policies CE.7 - CE.11 apply also to such areas, where relevant.

### International sites

- 4.23 The Local Planning Authority will use Policy CE.7 to protect sites of international nature conservation importance, and sites proposed for such designations.
- 4.24 Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) are statutory designations of European importance, and Ramsar Sites are wetland sites of international importance. These designations apply in addition to the national designations as Sites of Special Scientific Interest (see below).
- 4.25 Within the District, the Itchen Valley is a designated SAC, as is part of the Hamble Valley within the District. Areas subject to international designations have the highest nature conservation importance, and are effectively irreplaceable. Development should therefore avoid damage to, or the loss of, such sites.

~~Policy CE.7~~ This policy expired on 7th July 2009

*Development likely to harm a European site, a proposed European site or a Ramsar site (either individually or in combination with other plans or projects) will not be permitted, unless:*

- (i) it is directly connected with or necessary to the management of the site for the particular features giving rise to the designation, or*
- (ii) there is no alternative solution, and*
- (iii) there are imperative reasons of overriding public interest for the development.*

*Where the site hosts a priority habitat or species (listed in the EC Habitats and Birds Directives), development will not be permitted unless it is needed for*

*imperative reasons of human health, public safety or for benefits of primary importance for the environment.*

*Where development is permitted that is likely to result in harm to a European site, the Local Planning Authority will require appropriate compensatory measures.*

### National sites

- 4.26 Within the District, 17 Sites of Special Scientific Interest (SSSIs) have been designated entirely or partly within the District, and these are of key importance nationally. Some of them have also been designated as National Nature Reserves (NNRs). Development proposals in or likely to affect these areas will be subject to special scrutiny.

### Policy CE.8

*Development likely to harm a Site of Special Scientific Interest (SSSI) will not be permitted unless the reasons for the development clearly outweigh the harm to the special nature conservation value of the site.*

*Where development is permitted that is likely to result in harm to a national site, the Local Planning Authority will need to be satisfied that there is sufficient provision to minimise the damage and to provide appropriate compensatory measures.*

### Locally designated sites

- 4.27 The District also has numerous locally designated Sites of Importance for Nature Conservation (SINCs). SINCs are those sites that the City Council, Hampshire County Council, English Nature and the Hampshire Wildlife Trust jointly agree are additional areas of particular importance for nature conservation in the District, conforming to an agreed set of criteria. These sites are shown on a map base on the map which may be found loose in the folder of this Plan, and more details of the sites may be found in the County Council's schedule of important nature conservation areas within the District, published in 2004.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

Further SINCs may be identified from time to time, and these will be incorporated in future revisions to the schedule.

### Policy CE.9

*Development likely to harm a Site of Importance for Nature Conservation (SINC) will not be permitted unless it can be demonstrated that the need for the development outweighs the harm to the nature conservation value of the site.*

*Where a development is permitted that is likely to result in harm to a SINC, the Local Planning Authority will need to be satisfied that there is sufficient provision to minimise the damage, and to provide appropriate compensatory measures.*

- 4.28 Some areas have also been designated as Local Nature Reserves. These can have any nature conservation status, and therefore the relevant Policy will be applied.

#### Other sites of nature conservation interest

- 4.29 Other undesignated sites may also contain wildlife interest, and Policy CE.10 will be used to protect them. Such sites would include smaller scale features of ecological interest such as woodlands, hedgerows and wetland habitats. Some important hedgerows are also protected by the Hedgerow Regulations (those over 30 years old and conforming to the criteria of the Regulations).

### Policy CE.10

Where sites, other than those subject to Policies CE.7- CE.9 are found to support habitats or species of nature conservation interest, the Local Planning Authority will have regard to their nature conservation value when assessing development proposals that affect them. Where development is permitted that would result in harm to these habitats or species, provision should be made to minimise such harm or to replace/relocate them elsewhere in the locality.

- 4.30 Appropriate management measures should be provided for wildlife habitats on or adjacent to development sites, to ensure their long-term welfare. Developers should seek specialist advice at an early stage.

#### New and enhanced sites of nature conservation value

- 4.31 It is also important to encourage the provision of new wildlife habitats, or improvements to existing habitats, where appropriate. These would generally form part of a landscape scheme in association with new development.

### Policy CE.11

*When granting permission for development, the Local Planning Authority will have regard to opportunities to create or improve habitats and features of nature conservation interest.*

## Farming and Forestry

### General

- 4.32 The farming industry needs to be efficient and flexible. Agricultural businesses in the District therefore have to be able to adapt to new legislation and changing market circumstances.
- 4.33 Although agriculture is undergoing change, it remains an important element of the rural economy and will remain the major use of land in the countryside. However, the countryside is also important for its amenity, natural beauty, recreation, ecology, history, and for defining the extent of settlements. The countryside should be conserved for its own sake, and the presumption against inappropriate development remains.

### Agricultural land quality

- 4.34 The better grades of agricultural land (Grades 1,2 and 3a) are the most efficient and flexible in terms of production. Development otherwise acceptable in the countryside should avoid land of this quality wherever possible, although its importance will depend on the other

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

sustainability considerations in the locality. Proposals for development should justify the use of a particular location, following an assessment of the importance of the land in relation to other land in the locality. In addition to an assessment of agricultural quality, this should include an assessment of the importance of a wide range of sustainability issues. These may cover landscape character and quality, wildlife habitats, recreational amenity areas, heritage features and accessibility to infrastructure, workforce or markets as well as agricultural quality.

### ~~Policy CE.12~~ This policy expired on 7th July 2009

*Development that would adversely affect or result in the loss of good quality agricultural land (Grades 1, 2 and 3a) will not be permitted unless it can be demonstrated that:*

- (i) there is an overriding need for the development;*
- (ii) the development cannot be directed towards land of a lower agricultural classification which could be developed, taking account of other sustainability considerations;*
- (iii) the impact on or loss of the land would have the least impact on the overall importance of land in the locality, taking account of other sustainability interests.*

#### **Essential rural development**

- 4.35 New or larger farm buildings may occasionally be required to improve the efficiency of a holding, or to meet the requirements of new legislation.

### **Policy CE.13**

*Agricultural, horticultural or forestry development, for which a rural location is essential, will be permitted provided no suitable alternative building or facility is available which could reasonably be used for the intended purpose.*

- 4.36 The Local Planning Authority should be satisfied that development is essential to the proper functioning of agriculture or forestry and that it has to be located in the countryside rather than within an existing settlement. The Authority will also need to be satisfied that applicants have exhausted possibilities for using existing buildings, and that the impact of new development is minimised. Where an existing obsolete building is to be replaced, the removal of the existing building will be sought through a planning condition or legal agreement.

- 4.37 The Town and Country Planning (General Permitted Development Order) 1995 requires farmers wishing to construct new buildings or roads on farms of 5 hectares or more to notify the Local Planning Authority in advance. The Authority can comment on the design, siting and materials of the proposed development (but not on the principle), or require the submission of a planning application. In considering such notifications the Authority will expect the impact of new development to be minimised. In 1995, the County and District Councils of Hampshire produced 'Farm Buildings – A Design Guide for Hampshire' and the Planning Authority will expect the guidance provided to be reflected in relevant planning applications and 'prior notifications'.

#### **Agri-Industry and Agri-Distribution**

- 4.38 As the farming of some crops and livestock becomes less profitable, farmers are increasingly looking to ventures that can "add value" on the farm by processing, marketing and distributing produce.
- 4.39 The landscape of the Area of Outstanding Natural Beauty is particularly sensitive to large-scale "agri-industry" and "agri-distribution". Where, exceptionally, they are to be accommodated, they must be particularly well designed, sited and landscaped to avoid intrusion. Policy CE.14 provides that such developments should be subject to the same

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

requirements as other essential agricultural or forestry development, as set out in Policy CE.13.

- 4.40 Agri-industrial/distribution facilities are already concentrated in the Micheldever Station area. These generate significant levels of traffic on rural roads. Further development of this type could erode the landscape character of this part of the District. Therefore, proposals for agri-industrial or agri-distribution development in the Micheldever Station area require particularly careful control.

### Policy CE.14

*Proposals for "agri-industrial" and "agri-distribution" development in the countryside will only be permitted where they accord with Policy CE.13.*

*In the Micheldever Station area, "agri-industrial" and "agri-distribution" development will not be permitted unless:*

- (i) it requires a railhead location, can be satisfactorily served by the railhead and is located within the area defined on Inset Map 15; or*
- (ii) it involves the limited expansion of an existing firm or organisation where this can be accommodated on its existing site, and where the site has a lawful use for the same purpose.*

- 4.41 Proposals for such development within the Micheldever Station area will only be permitted where the operation requires a railhead location, and this should be within the area defined on Inset Map 15. The Local Planning Authority should be satisfied that the development can be served by the railhead and that any requirements imposed by the railhead operator can be accommodated. Proposals for the expansion of an established business may also be acceptable where this would not be unduly intrusive or result in traffic levels inappropriate to local rural roads.

- 4.42 This area is also safeguarded for use as a railhead aggregates depot by the Hampshire Minerals and Waste Local Plan. While the area is considered to be large enough to accommodate both an aggregates depot and agri-industrial/distribution development, the Minerals Planning Authority (Hampshire County Council) will be consulted on planning applications for such development.

### Fish farms and water areas

- 4.43 Fish farming can be detrimental to water quality and the ecology of the District's rivers. The threat to the Upper Itchen has been sufficient to justify an "Article 4 Direction" to control fish farming and other agricultural developments.
- 4.44 Fish-related enterprises may include fish farms and recreational fisheries. Developers should demonstrate that a countryside location for the activity is essential. Normally only those fish related enterprises which can be defined as agriculture (as in Section 336(1) of the Town and Country Planning Act 1990) will be permitted in the countryside. The Local Planning Authority will seek the advice of the Environment Agency, English Nature, and others as necessary, to ensure that there will be no unacceptable impact on the landscape, ecology, wildlife interest, water quality, or the public enjoyment of the countryside.

### Policy CE.15

*The development of fish farms, fishing lakes and ponds for agricultural or recreational use will only be permitted in the countryside where a countryside location is essential. The Local Planning Authority should be satisfied that there will be no unacceptable impact on the landscape, ecology, water quality, the rural road network, or public enjoyment of the countryside.*

### Rural Economy

#### Farm diversification

- 4.45 Farmers are increasingly diversifying into other activities, such as farm shops, farm-based food processing or packing, services to other farms, woodland-based enterprises, equestrian businesses, sporting facilities and tourist accommodation.
- 4.46 When considering such proposals, the Local Authority will take into account the needs and viability of the holding. The Authority's assessment of a planning application will be assisted by a statement from the applicant setting out the implications for the farm unit, and demonstrating the relationship between the proposed activity and the remainder of the farm unit (a "Farm Plan"). Any diversification scheme should be consistent with the rural characteristics of the holding and should, wherever possible, use existing buildings. Where no existing buildings are available for conversion, and a new building can be justified, it should be located unobtrusively, if possible within an existing group of buildings. All diversification proposals will be judged against other relevant countryside policies in this Local Plan, and the requirements of Policy CE.16.

#### Policy CE.16

*Proposals for new rural enterprises which form part of a farm diversification scheme will only be permitted where:*

- (i) they are consistent with the characteristics of the holding and are likely to be sustainable for the foreseeable future;*
- (ii) they re-use existing buildings wherever possible;*
- (iii) any additional traffic generated can be accommodated without harming the character of rural roads;*
- (iv) they respect the local landscape character.*

#### Re-use of non-residential buildings in the countryside

- 4.47 The letting of farm buildings for use by small businesses is a specialised form of farm diversification. Other non-residential buildings in the countryside may also be suitable for conversion to employment use. The conversion of appropriate buildings can play an important role in meeting some of the employment needs of rural areas.

#### Policy CE.17

*The change of use/conversion of non-residential buildings in the countryside to employment-generating activities (B1, B2 or B8 uses) will be permitted if the Local Planning Authority is satisfied that:*

- (i) the form, bulk, and general design of the existing building(s) are in keeping with the locality, and the proposed development will maintain or enhance the local environment;*
- (ii) the existing building is of permanent and sound construction, is not derelict and can accommodate the proposed use without substantial re-construction;*
- (iii) where the building or site contains features of architectural, historic, nature conservation, landscape or visual interest, the proposed development will retain or improve such features;*
- (iv) the scale and nature of the activity can be accommodated without detriment to the visual character of the locality, is not in a remote location, and will not harm the vitality of existing employment uses or the viability of proposed employment sites in a nearby town or village;*
- (v) the extent of the site is, or will be, clearly defined to prevent the development expanding into the surrounding countryside;*
- (vi) the type of traffic generated can be accommodated without harming the character of rural roads.*

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

*Proposals for the use of buildings of architectural or historic interest will additionally be subject to the requirements of Policy HE.17. The Local Planning Authority may impose planning conditions, or seek planning obligations, to ensure that, where the re-use of rural buildings is permitted, the buildings will not be replaced by new agricultural buildings that would not otherwise require planning permission.*

- 4.48 Policy CE.17 applies only to non-residential rural buildings in the countryside, and the conversion of dwellings to commercial uses will not be permitted. Industrial uses [Class B1(c)] are often most appropriate for the re-use of rural buildings, as they tend to require fewer conversion works. However, where office uses [Class B1(a) and (b)] are more appropriate to the character of the building, these may be accepted, provided they do not involve the substantial dispersal of employment from nearby towns, villages or other urban areas.
- 4.49 General industrial uses (B2) may be acceptable in the countryside where they will not result in disturbance to existing uses, particularly housing. As they may provide fewer employment opportunities or have adverse traffic implications, storage and distribution uses (B8) are likely to be less acceptable than B1 uses, unless they involve low intensity use and traffic generation. However, in certain circumstances, e.g. in buildings of architectural or historic merit, where the conservation of their character is the primary objective, storage uses can be sympathetic, in requiring least alteration to the structure (see Policy HE.17).
- 4.50 Only rural buildings whose form, bulk and general design are in keeping with their surroundings will be considered as appropriate for re-use. Buildings that are of temporary construction, or so dilapidated as to require rebuilding rather than conversion, will not be acceptable for re-use.
- 4.51 Some rural buildings, particularly older traditional buildings, make a positive contribution to the character of the environment. Proposals which would harm the character of such a building or its setting, or adversely affect the environmental quality and character of the area, will not be acceptable. Where the existing building is of no particular merit, proposals enhancing the rural environment will be sought. Policy HE.17 relates to the use of buildings of architectural or historic interest, in addition to Policy CE.17.
- 4.52 Development should be small in scale and designed to respect local building styles and materials. Where it concerns more than one enterprise, the scale and nature of the whole development will be considered. Boundaries should be clearly defined and appropriately landscaped.
- 4.53 Large buildings and those in remote locations are unlikely to be suitable for conversion. Developers will need to demonstrate that their proposal does not cause harm to existing or proposed employment sites in a nearby town or village, and that it would not result in the dispersed expansion of an existing business currently located in a town or village. Applicants should include a "travel plan" explaining how employees' and visitors' travel, especially by car, will be minimised.
- 4.54 Within larger complexes of rural buildings, it is unlikely that all of the complex will be suitable for re-use. If it is established that the complex is in a sustainable location for business use, proposals for re-use of any part of the complex should follow a comprehensive assessment of the whole complex, and should be able to demonstrate that the buildings proposed for re-use are the most suitable for employment use, and that the amount of business use proposed is sustainable. This should take account of such matters as levels of traffic generation, any buildings to be removed and the need for environmental improvements to the remainder of the site.

- 4.55 Where the re-use of an agricultural building could lead to the erection of a replacement building, because it displaces an existing use, the Authority may consider withdrawing agricultural permitted development rights (as set out in the General Permitted Development Order).
- 4.56 The Local Planning Authority may also limit the hours of operation, the activities to be carried out, or restrict the use to a particular firm or individual; and expansion of sites will not normally be permitted. The permitted development rights of new activities (as set out in the General Permitted Development Order) may also be withheld, to control future intensification/extension of use on the site.
- 4.57 Proposals for changes of use or conversion of buildings to residential use will only be accepted where they meet the requirements of Policy CE.24.

### Existing lawful employment uses

- 4.58 Although businesses should generally rely on buildings within the settlements or the re-use of rural buildings, the Local Planning Authority recognises that a number of lawful employment uses exist outside the settlements. These businesses may from time to time need additional space for their operational needs, or replacement buildings. Any development of this nature needs to ensure that it is not harmful to the surrounding countryside in terms of increased activity or traffic generation.
- 4.59 The reasonable expansion of lawful employment uses in the countryside will be considered where it is needed to support the efficient operation of the business, cannot be satisfactorily located in a nearby settlement, and can be accommodated without harm to the surrounding countryside and adjacent uses. Any additional floorspace provided should not materially increase the level of business activity in terms of the amount of employment and traffic generation. Applicants should submit a comprehensive plan for the site showing how environmental benefits are to be achieved,

and information on current and proposed employment and traffic levels.

- 4.60 Redevelopment of B1, B2 and B8 business uses will be considered where the current buildings have outworn their useful life, and/or significant environmental benefits would be achieved by replacing the existing buildings. The scale of the buildings should be appropriate to their countryside location, and the site should be designed to reflect local distinctiveness and landscape character. Alternative B1, B2 or B8 uses may be appropriate, provided the proposed use is suitable for a countryside location. The replacement building(s) should achieve a more efficient use of the site, and the area covered by buildings or hard surfaced areas should not exceed that existing on the site.

### Policy CE.18

*Within existing lawful employment sites in the countryside (Use classes B1, B2, and B8), the extension or replacement of existing buildings will be permitted where:*

- (i) the site is close to an existing settlement and main transport networks (including public transport), and not in a location where continued employment use would be harmful to the local environmental or neighbouring uses;*
- (ii) there will be no material increase in employment or traffic levels as a result of any increase in floorspace or built development;*
- (iii) the scale and design of the proposed buildings and the site achieves substantial environmental benefits that reflect local distinctiveness and the character of the surrounding countryside.*

*Applicants should submit a comprehensive plan justifying their requirements, demonstrating how the proposed development meets the above criteria, and how the natural features of the site are to be managed.*

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

*Proposals for extensions to existing buildings, or additional new buildings, will be required to demonstrate an overriding operational need for any additional floorspace.*

*Proposals for redevelopment of business uses will be required to demonstrate that:*

- (a) the buildings have outworn their useful life; and*
- (b) the proposed buildings achieve a more efficient use of the site.*

### Policy CE.19

*The use of land for the siting of a residential caravan or mobile home will not be permitted unless it is for use by an agricultural or forestry worker and:*

- (i) the applicant can demonstrate that the labour requirements of the holding or activity justify the worker;*
- (ii) the applicant can demonstrate that a continual presence on the holding is essential to the efficient working and development of the enterprise;*
- (iii) there is clear evidence of a firm intention and ability to develop the enterprise concerned, and that it has been planned on a sound financial basis;*
- (iv) existing accommodation on or near the holding is inadequate to meet the needs of the worker;*
- (v) where possible, the site is within an existing group of buildings or well screened.*

*Where development is permitted in accordance with this Policy, it will be only for a temporary period of up to three years, after which time the needs of the holding will be reviewed. Permission will not be granted for accommodation on speculative "bare-land" holdings (where no buildings exist). Applications for the renewal of a temporary permission are unlikely to be permitted. The occupancy of the caravan or mobile home will be restricted in the same way as dwellings.*

- 4.65 Three years should be sufficient to demonstrate the viability and needs of an enterprise, and therefore a temporary permission is unlikely to be renewed. Proposals for accommodation on new holdings where there is no existing enterprise or buildings will not be permitted, as it will not be possible to satisfy the requirements of Policy CE.19.
- 4.66 New dwellings will only be considered where an agricultural or forestry unit or activity has been established for at least 3

### Housing

#### General

- 4.61 It is the Government's policy that new house building in the countryside should be strictly controlled but the pressure for housing development in the countryside remains strong. This would in most circumstances be detrimental to the rural character of the District, and therefore specific planning policies are required to limit housing development to defined circumstances.
- 4.62 Housing development will not be permitted in the countryside except in the special circumstances detailed in Policy H.6, and Policies CE.19 – CE.27.

#### Housing for essential rural workers

- 4.63 To maintain the proper functioning of agriculture or forestry, it may be necessary, in exceptional circumstances, to permit new residential accommodation for essential rural workers. It is, however, essential that all applications are thoroughly scrutinised, to ensure that stated intentions are genuine, are likely to materialise, and are capable of being sustained for a reasonable period of time.
- 4.64 If it can be demonstrated that on-site accommodation is essential to support a new farming activity, on a newly created farm unit or on an established one, it should normally, for the first three years, be provided by temporary accommodation.

years, and where there are no other dwellings in the locality suitable for occupation by the worker, or opportunities for providing accommodation by converting or subdividing existing buildings.

- 4.67 Circumstances where a new forestry dwelling is justified are likely to be rare as, under modern methods of forestry management, the workforce is largely peripatetic. Exceptionally on-site accommodation may be justified to service intensive nursery production of trees.

### Policy CE.20

*Dwellings for workers in agriculture or forestry will not be permitted unless the Local Planning Authority is satisfied that:*

- (i) the activity has been established for at least 3 years, been profitable for at least one of them, and it is demonstrated that it is currently viable and has a clear prospect of remaining so;*
- (ii) criteria (ii) and (iii) of Policy CE.19 are still satisfied and the dwelling is essential to its continued viability and efficient working;*
- (iii) existing accommodation on or near the holding is inadequate to meet the needs of the workers who must be housed on it;*
- (iv) an existing dwelling (or building suitable for conversion to a dwelling) serving or closely connected with the holding, which was suitable for occupation by an agricultural or forestry worker, has not been recently sold separately or otherwise alienated from the holding;*
- (v) the proposed dwelling is of a size appropriate to the productivity of the holding (normally 120m<sup>2</sup> -150m<sup>2</sup>, including office space);*
- (vi) the proposed dwelling is designed to reflect local distinctiveness and, where possible, located as close as possible to existing farm buildings.*

*In assessing proposals, all of the above criteria should be met, and the Local Planning Authority will consider the needs of the holding rather than the desires of the applicant. Where housing development is permitted in accordance with this Policy, the occupancy of the dwelling or dwellings will be restricted by an occupancy condition. Where dwellings exist on the holding that are unrestricted, but essential to the operation of the holding, such conditions may be placed on these dwellings, having regard to the need to ensure that planning conditions are reasonable, necessary and effective. The Authority may seek a planning obligation to restrict the future subdivision of holdings or the separation of dwellings from land or buildings.*

- 4.68 The Local Planning Authority will require evidence that the worker is necessary for the continued operation of the enterprise, that it is essential for that worker to be readily available at most times, and that the enterprise is viable and likely to remain so.
- 4.69 Given the potential intrusion of a new building in the countryside, the design and siting of the dwelling should be as sensitive as possible. Particularly important is the size of the proposed dwelling, not only because of its visual impact but also its relationship to the productivity of the holding.
- 4.70 Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income the unit can sustain, will not be permitted. Each case will be considered on its merits in relation to the size and nature of the holding, the management responsibilities of the worker, the income derived, and the likely future productivity and viability. Normally dwellings will be expected to be within the range 120m<sup>2</sup> - 150m<sup>2</sup> floor area (externally measured), the typical size of a 3 - 4 bedroom house. Dwellings for farm employees should normally be close to 120m<sup>2</sup>, whereas dwellings for farmers with management responsibilities, requiring office space, should not exceed 150m<sup>2</sup>.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

4.71 The 150m<sup>2</sup> limit allows for the incorporation of farm offices, where they are needed. To minimise the overall impact of a dwelling, garages and stores should not be an integral part of the living accommodation, but should be provided separately, designed to relate to the farm buildings rather than the new dwelling. The Local Planning Authority will normally prefer the conversion of an existing suitable building, or part, to a dwelling rather than a new building.

4.72 As dwellings would not be permitted without a demonstrable agricultural or forestry need, the Local Planning Authority will ensure they are retained for important rural workers. The future occupancy of the dwelling will therefore be restricted by condition to people solely or mainly employed, or last employed, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants. When granting permission for a new agricultural dwelling subject to an occupancy restriction, such conditions may also be imposed on existing unrestricted dwellings on the holding, in the control of the applicant, which are needed in connection with the holding.

### Removal of occupancy conditions

4.73 When owners or occupiers of restricted dwellings or mobile homes seek to have such a condition removed, the Local Planning Authority will assess the need for such conditions to be retained, taking into account the need for accommodation on the holding and in the locality.

### Policy CE.21

*Applications for the removal of conditions restricting the occupancy of dwellings to agricultural or forestry workers will not be permitted unless the Local Planning Authority is satisfied that the dwelling is no longer required for workers on the holding or in the surrounding area, nor is likely to be required in the foreseeable future. Where such conditions are removed, permission will not be granted for new agricultural or forestry workers'*

*dwellings on the holding or on any new holdings created by its sub-division.*

4.74 Where the dwelling forms part of a larger holding, the application should include details of current and planned investment in the holding, the current and proposed nature of the enterprise, a financial forecast, and the need for accommodation in relation to the criteria of Policy CE.20. One way of demonstrating this information would be by the submission of a "Whole Farm Plan" to justify why the dwelling is no longer needed to support the holding, or other holdings in the locality.

### Dwellings for other rural workers

4.75 Other uses of rural land will not normally justify on-site accommodation. Pressure for such accommodation often comes from those keeping horses or involved in activities ancillary to farming. While operators may wish to carry out such activities in the countryside, they will not normally justify an exception to the restrictions on housing development in the countryside.

4.76 Any need for on-site accommodation should be considered at an early stage in choosing a site. In considering proposals to establish such enterprises, the Local Planning Authority will assess the likely current and future needs for housing against the availability of suitable existing accommodation. Where a development would be likely to generate pressure for unacceptable residential development, this may justify rejecting the proposal. However, if a dwelling on or near the holding exists subject to an agricultural occupancy condition, the Authority may be prepared to amend the condition to enable occupation by workers needing to live on or close to an equestrian or agriculture-related enterprise. Where a new dwelling is said to be essential in connection with the running of an established enterprise, it will be considered against the criteria set out in Policies CE.19 and CE.20.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

### Policy CE.22

*The development of dwellings in the countryside for workers employed in enterprises not connected with agriculture or forestry will not be permitted unless an essential need can be demonstrated, using the criteria for agricultural workers' accommodation as set out in Policies CE.19 and CE.20. The Local Planning Authority may be prepared to relax an occupancy condition on an existing agricultural or forestry worker's dwelling to allow its occupancy by such a worker, where this would achieve the proper management of a holding or area of countryside and the enterprise can satisfy the criteria of Policy CE.20.*

#### **Extension and replacement of dwellings**

- 4.77 There is a clear demand for large houses in the countryside, but the replacement or extension of existing dwellings can have a major impact on the character of the rural environment. The 2002 Winchester Housing Needs Survey provides evidence of a continuing need for small, more affordable accommodation in the countryside as well as within the settlements of the District.
- 4.78 There is a need for a mix of dwelling sizes and types in the countryside, to retain variety in the housing stock. There is currently an oversupply of large detached dwellings in the countryside, and the Local Authority will therefore seek to retain and restrict increases in the size of existing dwellings of less than 120m<sup>2</sup> floor area. This would apply to all proposals for replacements or extensions, which will normally be limited to no more than 25% of the existing, whatever the number of bedrooms. The Local Authority will, however, be particularly concerned to retain the smaller more affordable dwellings of 1 or 2 bedrooms, that are in short supply throughout the District, to meet local needs. Any acceptable extension or replacement should reflect the character and design of the original dwelling, and should not result in a

dwelling that is disproportionately larger than the one it is extending or replacing.

### Policy CE.23

*Within the countryside, the replacement or extension of dwellings will be permitted provided that:*

- (i) *it does not significantly change the character of the existing dwelling, or result in increased visual intrusion, by increased size and/or unsympathetic design;*
- (ii) *it would not reduce the stock of small (1 or 2 bedroom) or more affordable dwellings in the countryside.*

*In considering planning applications to extend or replace dwellings which have previously been replaced or extended, the Planning Authority will have regard to the effect of the proposals on the size and character of the original dwelling.*

- 4.79 If a dwelling is derelict or has been demolished, permission for a new dwelling or extension will not be granted, unless it has recently been accidentally destroyed. Only dwellings that have been continuously occupied will be considered suitable for replacement/extension.
- 4.80 In assessing any proposal to extend or replace a dwelling, the Local Planning Authority will take account of other recent extensions to, or replacements of, the dwelling, and the cumulative effect on the size and character of the original property.
- 4.81 All extended and replaced dwellings in the countryside should reflect the form and character of the existing dwelling in terms of size and design, and should maintain or enhance both the immediate and wider setting of the building. Applications for replacement or extension of dwellings should include a statement setting out the design principles adopted, and the relationship of the proposal to the existing building and the wider locality. The resulting dwelling should not lead to increased intrusion in the landscape.

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

### Conversions and changes of use

- 4.82 The presumption against non-essential residential development applies also to changes of use of existing buildings. The pressure to convert existing buildings, such as barns, to dwellings is substantial and will be resisted to protect the appearance and integrity of the countryside.
- 4.83 The preferred use for conversion of non-residential rural buildings will always be an employment use, as this helps to maintain economic diversity in the countryside. The City Council recognises, however, that some buildings may prove not to be suitable for employment use, either as a result of the building design, or because its location is so remote that business use would be unsustainable. Where applicants have made reasonable efforts to secure business use for the property, are able to submit a statement describing the nature of those efforts and the building is suitable for residential use, then conversion to residential use may be the only option to secure the future of the building.
- 4.84 Conversion to residential use will only be accepted where the building is of a design and construction that is suitable for conversion without substantial alteration, rebuilding or extension to achieve the use. If a residential curtilage is created, it should be designed to respect the character of the surrounding countryside, in accordance with Policy CE.5 and/or CE.6. Policy HE.17 would, however, also apply to the re-use of historic buildings.

#### Policy CE.24

*Except within the terms of Policies CE.20, CE.25 or HE.17, the change of use of existing non-residential buildings to residential use will not be permitted unless:*

- (i) the building is of a design and construction that is suitable for conversion without substantial works; and*
- (ii) it can be demonstrated that all reasonable efforts to secure a re-use*

*for economic development purposes have been unsuccessful; or*

- (iii) the building or its location are unsuitable for employment use.*

### Conversion of larger buildings in extensive grounds

- 4.85 Some larger buildings in the countryside, usually large houses often in extensive grounds, may no longer be suited to single family occupation. They are unlikely also to be suitable for the small-scale employment uses favoured by Policy CE.17.
- 4.86 To retain the features of the building and grounds, and minimise traffic generation, such properties may be more suitable for uses such as hotels, recreation, or institutional uses such as schools, rest or nursing homes. Conversion/subdivision to flats or smaller dwellings may be accepted in limited circumstances where it can be demonstrated that there will be no harmful effects on the rural environment.

#### Policy CE.25

*The change of use of existing buildings in extensive grounds (which are not suitable for employment use by virtue of their scale, impact on the building, or traffic generation) to hotels, recreational uses, or institutional uses will be permitted provided that it would not be harmful to the rural environment or require additional development, either immediately or in the future, which would be harmful.*

*The conversion or subdivision of such buildings to flats or small dwellings may exceptionally be permitted provided the requirements above are met.*

### Staff accommodation

- 4.87 Staff accommodation may be permitted in association with large buildings in the countryside, where it is genuinely required to service them. It should be well related to the main building, and, where possible, be provided by the conversion or extension of an existing building. The design of any new building should be sympathetic to its rural location and the main building.

### Policy CE.26

*The Local Planning Authority will permit the conversion or extension of existing buildings to provide staff accommodation in association with large buildings provided that:*

- (i) it is satisfied that there is an overriding need for the accommodation to be located on-site;*
- (ii) the proposed development is in sympathy with the building and its grounds.*

#### **Sites for gypsies and travelling showpeople**

4.88 The Local Planning Authority no longer has a duty to provide sites for gypsies residing in or resorting to its area. Government guidance in Circular 1/94, which informed the preparation of this Plan, indicated that local planning authorities should continue to make adequate gypsy site provision in their development plans, for both public and private sites. According to that guidance, sites could be permanent for long-term use, or for temporary or transit use. The Hampshire County Structure Plan Review requires local plans either to identify locations for sites or set out criteria-based policies for determining planning applications. In accordance with sustainability principles of this Plan, sites will be expected to use previously developed land wherever possible.

4.89 There is currently one permanent local authority gypsy site at Whiteley, and a number of small private sites also exist. The Housing Act 2004 requires all local authorities to assess the need for gypsy and traveller accommodation within their area, as part of the wider assessment of housing requirements. Such an assessment is currently being undertaken for Winchester District. Any locally assessed need will be incorporated into the Regional Spatial Strategy as regional targets for provision. Circular 01/06 requires each authority to identify sites which will contribute towards meeting the assessed pattern of need, through their Local Development Frameworks.

4.90 Government advice on provision for travelling showpeople is set out in Circular 22/91, and a site has been provided for them near Micheldever.

4.91 Policy CE.27 sets out the different requirements for permanent, temporary and transit sites, and the criteria against which applications for gypsy sites and travelling showpeople will be considered.

~~Policy CE.27~~ This policy expired on 7th July 2009

*The development of permanent, temporary or transit sites, for gypsies or travelling showpeople, will only be permitted where:*

- (i) the Local Planning Authority is satisfied that the need for such provision in the locality overrides the general objections to residential development in the countryside, for example, because of the applicant's strong local connections;*
- (ii) the site is capable of accommodating the number of caravans/mobile homes proposed together with any proposed equipment or business activities, using acceptable space standards;*
- (iii) the site will not be unduly intrusive and is, or will be, clearly defined by physical features (such as hedges) and adequately landscaped to blend the site into its surroundings;*
- (iv) the site is not in the East Hampshire Area of Outstanding Natural Beauty, Strategic or Local Gaps, or of particular ecological, historic or archaeological importance.*

*And in the case of permanent sites:*

- (v) the site is capable of being provided with essential services and is within reasonable distance of schools, shops, and other community facilities;*

*Where quarters or sites are permitted the Local Planning Authority may impose conditions restricting the proportion of the site which may be covered by equipment, the hours during which such equipment*

## 4. COUNTRYSIDE & NATURAL ENVIRONMENT

*may be tested or repaired, limiting those parts of a site which may be used for business operations, and/or limiting the number of days for which gypsy caravans may be permitted to stay on a transit site. The Authority may also seek a planning obligation so as to limit the future occupation and use of the site.*

- 4.92 Normal planning considerations should continue to apply when considering proposals for sites. This includes the advice on the need to protect the countryside. While the lifestyles of travelling showpeople and gypsies are different, their land use requirements are similar. Accordingly, the Local Planning Authority seeks to direct proposals for sites to areas of land which are already used for buildings or commercial activities, particularly derelict land. For permanent sites, it is important that sites are close enough to existing settlements to enable residents to make use of local facilities and services, particularly schools and shops. All types of site should be located so as to avoid conflicts with the settled population, particularly with respect to disturbance from equipment and business activities.

### Policy CE.28

*Development of recreation and tourist facilities will be permitted in the countryside provided that they:*

- (i) maintain and safeguard the open and undeveloped nature of the countryside and/or gaps between settlements;*
- (ii) do not require buildings or structures of a type or quantity which would be harmful to the rural character of the area;*
- (iii) do not conflict with the needs of agriculture or forestry.*

### Recreation

#### Sustainable facilities

- 4.93 The countryside is an important recreation and tourism resource, but it is crucial that related activity does not destroy the qualities of the countryside which attract such activity. Levels of recreational activity which maintain these inherent qualities are termed "sustainable recreation". Development related to such activities will only be permitted if the site and wider area are capable of accommodating it without long-term detriment.