

CHAPTER 6: RURAL LAND AND ECONOMY

PARAGRAPHS 6.4 TO 6.5 - GOVERNMENT GUIDANCE

Inspector's Recommendation

6.3 *I recommend that paragraphs 6.4 and 6.5 be modified in accordance with PC 136.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 6.2 in the Inspector's Report.

Proposed Modification

M6.1

Delete paragraph 6.4 of the reasoned justification and replace with:

6.4 PPG7 'The Countryside - Environmental Quality and Economic and Social Development' February 1997 sets out the factors to be considered in land use planning for rural areas. These cover the need to encourage rural enterprise; to protect landscape, wildlife and historic features; safeguard best and most versatile agricultural land; have regard to the quality and versatility of land for use in forestry and other rural enterprises; strengthen rural communities; achieve good quality development which respects the character of the countryside and secure safe development. The guiding principle in the countryside is to ensure development benefits economic activity and maintains or enhances the environment. The PPG indicates that building in the open countryside away from existing settlements or from areas allocated for developments should be strictly controlled. It is recognised that whilst agriculture will remain the main rural land use farmers will continue to diversify to other activities to supplement incomes. PPG7 'The Countryside and the Rural Economy' (Jan. 1992) states that Local Plans must include policies in respect of the conservation of the natural beauty and amenity of the land. The guiding principle for countryside policies is that any development should sustain and benefit the rural economy and maintain or enhance the environment. It is intended that development in locations outside the built up areas should be strictly controlled. The guidance recognises that agriculture will no longer be the main source of rural employment and highlights the need to promote diversification of farms and farmsteads to appropriate alternative uses to provide new employment opportunities which can be accommodated without a detrimental environmental impact.

PARAGRAPHS 6.8 to 6.9 - THE CHARNWOOD PERSPECTIVE

Inspector's Recommendation

6.6 *I recommend that paragraph 6.9 of the text be modified in accordance with PC137.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 6.5 in the Inspector's Report.

Proposed Modification**M6.2**

Modify paragraph 6.9:

- 6.9 Outside the built-up areas there are likely to be continuing pressures for change over the plan period. These include:
- i) [No Change].
 - ii) [No Change].
 - iii) [No Change].
 - iv) [No Change].
 - v) [No Change].
 - vi) National Forest: The defined area of the National Forest includes parts of the Charnwood Forest area and offers considerable opportunities for new woodland planting and habitat creation as well as new recreation and access opportunities and rural economic development where this is consistent with policies to safeguard the countryside and landscape.

PARAGRAPHS 6.10 TO 6.11 – AIMS AND OBJECTIVES

Inspector's Recommendation

6.12 *I recommend that paragraphs 6.10 and 6.11 be modified in accordance with PC 138.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.8 to 6.11 in the Inspector's Report.

Proposed Modification**M6.3**

Modify paragraphs 6.10 and 6.11.

- 6.10 The Local Plan needs to provide a policy framework for the rural areas to balance potentially conflicting users and interests. In overall terms the aims are to:
- i) [No Change]
 - ii) [No Change]

- iii) ~~facilitate the diversification of the rural economy including the promotion of the National Forest; facilitate the diversification of the rural economy, including the promotion of the National Forest, while ensuring that due weight is given to the conservation of the best and most versatile agricultural land as a national resource~~
- iv) give considerable weight to the conservation of the best and most versatile agricultural land as a national resource.

6.11 The policies and proposals seek to address the following broad objectives with regard to the countryside in the Borough:

- i) [No Change]
- ii) to safeguard the role of farming as the dominant land use in areas of countryside and open land in the Borough on the best and most versatile land;
- iii) [No Change]
- iv) [No Change]
- v) [No Change]
- vi) [No Change]
- vii) [No Change]
- viii) [No Change]

POLICY CT/1 – GENERAL PRINCIPLES FOR AREAS OF COUNTRYSIDE, GREEN WEDGES AND LOCAL SEPARATION

Inspector’s Recommendation

6.29 *I recommend that the Policy be modified in accordance with PC 139.*

CBC Decision

Reject with modification.

Reason

The conclusions of the Inspector as set out in paragraphs 6.14 to 6.28 of his report are accepted. However, a further modification to the wording of the policy is considered appropriate to clarify its purpose. The effect of the Proposed Change to the policy would be to suggest that any development within the countryside should be small scale. This was not the intention. There may be developments acceptable in a countryside location, which by definition would not be small scale, for example land extensive recreational uses. A further modification to the wording of the policy is proposed to make it clear that **built** development associated with appropriate countryside activities, as detailed in the policy, should be small scale.

Proposed Modification

M6.4

Modify Policy CT/1.

6.12 POLICY CT/1

Land lying outside the defined limits to Development is variously identified on the Proposals Map as Countryside, Green Wedge and Areas of Local Separation.

Development within these areas of generally open land will be strictly controlled. Planning permission will be granted for the re-use and adaptation of rural buildings for uses suitable in scale and nature, and small-scale new built development where development is small-scale, where there would not be a significant adverse environmental impact and ~~provided the proposal would:~~

- i) be essential for the efficient long-term operation of agriculture, horticulture or forestry; or
- ii) facilitate the diversification of the rural economy; or
- ~~iii) secure the re-use or adaptation of rural buildings for employment and recreational use of suitable nature and extent; or~~
- ~~iv) iii) improve facilities for recreation, or leisure uses; or~~
- ~~v) iv) implement strategically important schemes for mineral related uses, transport infrastructure, and for public services or utilities provide for necessary mineral uses and infrastructure for transport, public services or utilities.~~

In all cases it should be demonstrated that the proposed development could not reasonably be located within or adjacent to an existing settlement.

(See also in particular Policies CT/2, CT/3, CT/4, CT/6 CT/15)

POLICY CT/2 – DEVELOPMENT IN THE COUNTRYSIDE

Inspector's Recommendation

6.33 *I recommend that the Policy be modified in accordance with PC 140.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.31 to 6.32 in the Inspector's Report.

Proposed Modification

M6.5

Modify Policy CT/2 and paragraph 6.17 of the reasoned justification.

6.16 POLICY CT/2

In areas defined as Countryside, ~~appropriate development(s)~~ acceptable in principle will be permitted where it would not harm the character and appearance of the countryside and provided it could safeguard its historic, nature conservation, amenity and other local interest.

(See also in particular Policies CT/1, CT/6)

6.17 Whilst it is recognised some new development will be necessary outside settlements, the countryside within the plan area will be protected from inappropriate or harmful developments. The range of ~~appropriate~~ developments acceptable in principle is defined in Policy CT/1.

POLICY CT/3 – DEVELOPMENT IN GREEN WEDGES

Inspector's Recommendation

6.47 *Subject to my recommendations on Policy ST/1, I recommend that the Policy and RJ be modified in accordance with PC 141.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.35 to 6.46 in the Inspector's Report. The Inspector's concern would be met by adding a cross reference to Policy ST/1(v) at the end of Policy CT/3 and paragraph 6.19 of the reasoned justification.

Proposed Modification

M6.6

Modify Policy CT/3 and paragraphs 6.19 and 6.21 of the reasoned justification:
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6.18 **POLICY CT/3**

In the Green Wedge areas ~~appropriate~~ development acceptable in principle will be permitted where it would:

- i) protect the predominately open and undeveloped character of the area; and**
- ii) be consistent with safeguarding the area's function to provide, strategically important separation between settlements; and**
- iii) ~~maintain or~~ maintain or enhance public access for walkers, cyclists and horse-riders compatible with land use activities; and**
- iv) secure landscape improvements usually in the form of tree groups and woodland.**

The green wedges are defined on the Proposals Map. They include land between:

- i) Leicester (Beaumont Leys)/Birstall/Thurcaston/Anstey/Cropston;**
- ii) Birstall/Leicester/Thurmaston (Soar Valley North);**
- iii) Beaumont Leys/Glenfrith/Anstey/Groby;**
- iv) Syston/Thurmaston (east of Melton Road);**
- v) Loughborough/Shepshed;**

vi) **Loughborough/Quorn;**

vii) **Loughborough/Hathern.**

(See also in particular Policies ST/1(v), CT/1, CT/6)

6.19 The guiding principle of Green Wedge policy is to safeguard those areas of structurally important open land around Leicester and Loughborough which provide important separation between communities, and so help protect the individual identities of those communities. Apart from protecting and enhancing these predominantly open areas it will also be important to improve access to them given their proximity to the main areas of population, and to secure landscape improvements. Further guidance on green wedge policy is included at Policy ST/1(v) and paragraph 2.31.

6.20 [No Change]

6.21 Development in Green Wedges will only be acceptable for certain uses provided they do not damage the open and undeveloped character of the Wedge. The range of appropriate development is defined in Policy CT/1. Further background information is set out in Technical Report No.3. Proposals for transport routes or infrastructure located in green wedges will be allowed only in exceptional circumstances. The environmental impact of such schemes will need to be controlled to safeguard the open and undeveloped character of the locality.

6.22 [No Change]

POLICY CT/3(ii) – BIRSTALL/LEICESTER/THURMASTON (SOAR VALLEY NORTH)

Inspector's Recommendation

6.58 *I recommend that the Proposals Map be modified in accordance with PC 142.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.49 to 6.57 in the Inspector's Report.

Proposed Modification

M6.7

Amend the Proposals Map to include the area between the A607, A46 Leicester Western Bypass and Wanlip Road west of Syston in the 'Birstall/Leicester/Thurmaston (Soar Valley North)' green wedge, and delete it from the countryside definition. The area remains part of the Soar Valley Area of Local Landscape Value (see Plan M6.7).

CT/3 (iii) – BEAUMONT LEYS/GLENFRITH/ANSTEY/GROBY

Inspector's Recommendation

6.70 *I recommend that no modifications be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.60 to 6.69 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/3(vi) – LOUGHBOROUGH/QUORN

Inspector's Recommendation

6.75 *I recommend that no modification be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.72 to 6.74 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/3 (viii) – QUENIBOROUGH/SYSTON – POSSIBLE NEW DEFINITION

Inspector's Recommendation

6.79 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.77 and 6.78 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/3(x) – EAST OF LOUGHBOROUGH – POSSIBLE NEW DEFINITION**Inspector’s Recommendation**

6.85 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.81 to 6.84 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/4 – DEVELOPMENT IN AREAS OF LOCAL SEPARATION (ALS)**Inspector’s Recommendation**

6.96 *I recommend that:-*

- (i) *the Policy be modified in accordance with PC 143;*
- (ii) *in the context of my conclusions in paragraph 6.93, above, the Council should re-examine the definition of the APAC in so far as it overlaps with the ALS between Quorn and Mountsorrel.*

CBC Decision

Recommendation (i): Accept

Recommendation (ii): Accept. After further consideration of the overlap of APAC and ALS between Quorn and Mountsorrel, no modification is proposed.

Reason

Recommendation (i) is accepted for the reasons set out in paragraphs 6.87 to 6.95 in the Inspector’s Report.

Recommendation (ii):

The land between Quorn and Mountsorrel located either side of Leicester Road, Quorn, and to the south of the road rising towards Wood Lane is considered to provide an important area of local separation between the two villages. The Inspector has not questioned this definition. He is not convinced that any of this area exhibits the special landscape characteristics of the APAC.

In response to these concerns this area have been reassessed. The conclusion is that the overlapping APAC policy should be retained in the area of local separation between Leicester Road and Wood Lane, Quorn for the following reasons:

- there is a clear change in landscape characteristics either side of Leicester Road, Quorn;

- the rising land south of Leicester Road, including the cemetery, introduces this part of the attractive, Charnwood Forest countryside. This contrasts with the land north of Leicester Road which exhibits characteristics of a river valley landscape and is included in the proposed Soar Valley Area of Local Landscape Value;
- whilst moving along Wood Lane in either direction it is apparent that the land on both sides of the road, including that wrapping around the built up areas of Quorn and Mountsorrel, functions as part of the same landscape unit. From this corridor the area north of Wood Lane clearly functions as part of the wider Charnwood Forest APAC;
- the landscape qualities of the area between Wood Lane and Leicester Road, Quorn are similar to those found at the edge of the Charnwood Forest APAC in other parts of the plan area and about which the Inspector has not expressed concerns;
- there are no other physical or landscape features which provide a more defensible basis for the APAC definition in the locality.

On the basis of this assessment there should be no change to the Plan in response to recommendation (ii).

Proposed Modification

M6.8

Modify Policy CT/4.

6.23 POLICY CT/4

In the areas of local separation ~~appropriate~~ development acceptable in principle will only be permitted where the location, scale and design of development would ensure that:

- the predominantly open and undeveloped character of the area is retained; and**
- the already narrow gap between settlements is not reduced.**

Areas of local separation are defined on the proposals map to include land between:

- Loughborough/Woodthorpe;**
- Quorn/Mountsorrel;**
- Mountsorrel/Rothley (East and West of Mountsorrel Lane);**
- Sileby/Cossington;**
- Sileby/Barrow upon Soar;**
- Thurcaston/Cropston/The Ridgeway Area of Rothley;**
- Wanlip/Birstall;**
- Rearsby/East Goscote;**
- East Goscote/Queniborough;**
- Queniborough/Syston;**
- Syston/Thurmaston (west of Melton Road);**
- Syston Barkby;**
- Anstey/Newtown Linford.**

(See also in particular Policies CT/1, CT/6)

POLICY CT/4(a) – LOUGHBOROUGH/WOODTHORPE

Inspector's Recommendation

6.101 *I recommend that no modification be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.98 and 6.99 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/4 (b) – QUORN/MOUNTSORREL

Inspector's Recommendation:

6.105 I recommend that no modification be made in response to this objection.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.103 and 6.104 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/4(c) – MOUNTSORREL/ROTHLEY (EAST AND WEST OF MOUNTSORREL LANE)

Inspector's Recommendation

6.111 I recommend that no modification be made in response to these objections.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.107 to 6.110 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/4(e) – SILEBY/BARROW UPON SOAR

Inspector’s Recommendation

6.115 *I recommend that no modification be made in response to this objection*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.113 and 6.114 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/4 (g) – WANLIP/BIRSTALL

Inspector’s Recommendation

6.120 *I recommend that no modification be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.117 to 6.119 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/5 – LOCAL SEPARATION – THE RIDGEWAY AREA OF ROTHLEY

Inspector’s Recommendation

6.136 *I recommend that the RJ to the Policy be modified in accordance with FPC235.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.122 to 6.135 in the Inspector’s Report.

Proposed Modification**M6.9**

[Note: Aspects of this Proposed Modification rely upon the Council's Further Proposed Changes which have not previously been subject to public consultation]

Delete paragraph 6.28 of the reasoned justification and insert.

- 6.28 ~~It will be equally important to protect the rural setting of the residential areas to prevent their consolidation and to resist any trend towards coalescence with the villages of Mountsorrel and Rothley, hence the need for a specific separation policy. Clearly the residential enclaves derive their particular character from the areas of open land which surround them and the Borough Council therefore attaches considerable importance to the retention of these spaces to prevent consolidation and to resist any trend towards coalescence with the villages of Mountsorrel and Rothley. Given the particular characteristics of this area it is not considered that countryside policy alone could achieve that objective while the purpose of local separation policy is to preserve the separate identity of settlements, rather than separate communities within the same settlement. Accordingly the Council is persuaded that the historical and environmental considerations which combine to lend this area its unique character and quality justify the designation of a specific separation policy for the Ridgeway Area.~~

POLICY CT/6 – PLANNING CRITERIA FOR DEVELOPMENT IN AREAS OF COUNTRYSIDE, GREEN WEDGES AND LOCAL SEPARATION

Inspector's Recommendation

6.143 *I recommend that:-*

- (i) *the Policy be modified in accordance with PC 144, subject to;*
- (ii) *having regard to my conclusions in paragraph 6.142 the reference to Policy EV/3 being deleted from the end of Policy CT/6.*

CBC Decision

Accept (i) and (ii).

Reason

For the reasons set out in paragraphs 6.138 to 6.142 in the Inspector's Report.

Proposed Modification**M6.10**

Modify Policy CT/6.

6.29 POLICY CT/6

Where development is acceptable in principle in the countryside, Green Wedges or Areas of Local Separation planning permission will be granted provided all the following criteria are met:

- i) any buildings are sited where possible in association with existing buildings and structures and are themselves not intrusive in the landscape;**

- ii) the form, mass, scale and design of the proposed development including any access roads would conform with the established character and appearance of the site and its surroundings;
- iii) colours and textures of materials used would blend with the local environment;
- iv) existing trees, hedges, walls, ponds, water courses and other important features ~~including archaeological remains~~ are retained and integrated into the proposals;
- v) visual and acoustic screening/landscaping is provided where necessary on a scale and of a nature in conformity with the site and its surroundings. Where appropriate landscaping works will be required outside the development site by legal agreement;
- vi) the proposal does not generate noise, dust, fumes, smell, light or other nuisance to the detriment of residential or visual amenities and the enjoyment of the area by other users;
- vii) the proposal would not result in the loss of the best and most versatile farmland;
- viii) essential agricultural and forestry operations are not prejudiced;
- ix) existing off-road public access for walkers, cyclists and horse-riders is maintained and, where practicable, extended when compatible with land use activities.

(See also in particular Policies EV/1, EV/2, T/1 CT/2, CT/3, CT/4, CT/5)

POLICY CT/7 AREAS OF PARTICULARLY ATTRACTIVE COUNTRYSIDE

Inspector's Recommendation

6.162 I recommend that the RJ to Policy CT/7 and the Proposals Map be modified in accordance with the PC 145 and PC 146.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.145 to 6.161 in the Inspector's Report.

Proposed Modification

M6.11

Amend the Proposals Map by the deletion of land at Markfield Lane, Newtown Linford from the APAC designation and show land as countryside (see Plan M6.11).

Modify paragraph 6.33 and add a new paragraph after paragraph 6.36.

6.33 Each A.P.A.C possesses has distinct characteristics. The Charnwood Forest area has an intimate character due to frequent and irregular changes in topography. It is an area largely free from dereliction with a rich ecological diversity, hard rock outcrops, extensive tracts of woodland, water features and dispersed farmsteads in the vernacular style. The widespread use of local building materials including Swithland slate and stone in many of the buildings

in the small dispersed villages give the area a common theme and unique quality. Much of the designated area falls within the National Forest area where policies will be applied to enhance and diversify the landscape, enrich natural habitats, improve recreation and public access, and foster the aims of rural diversification in a manner compatible with the special landscape characteristics of this area.

6.34 [No Change].

6.35 [No Change].

6.36 [No Change].

The Charnwood Forest area is one of the most important areas of landscape, ecological and geological interest in Leicestershire. It is subject to pressures for change especially related to recreation and mineral extraction and is worthy of special protection. The Borough Council would support any efforts to designate the area, for example, as an Area of Outstanding Natural Beauty (AONB).

POLICY CT/7(a) - POSSIBLE EXTENSION TO THE HIGH LEICESTERSHIRE APAC

Inspector's Recommendation

6.167 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.164 to 6.166 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/7(b) - POSSIBLE EXTENSIONS TO THE WREAKE VALLEY APAC

Inspector's Recommendation

6.172 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.169 to 6.171 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/7(c) - POSSIBLE NEW APAC DEFINITION FOR THE WOLDS**Inspector's Recommendation**

6.177 *I recommend that no modification be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.174 to 6.176 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/8 - SOAR VALLEY AREA OF LOCAL LANDSCAPE VALUE**Inspector's Recommendation**

6.197 *I recommend that paragraph 6.38 of the RJ to Policy CT/8 be modified in accordance with PC 147.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.179 to 6.196 in the Inspector's Report.

Proposed Modification**M6.12**

Modify paragraph 6.38 of the reasoned justification.
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- 6.38 The valley of the River Soar is an important natural resource which also serves as a principal communications and settlement corridor. It is an area which faces continuing pressures for change from new road schemes, sand and gravel extraction, flood alleviation measures, the encroachment of urban development, demand for recreation and rural diversification. The river valley is flanked by the most densely populated parts of the Borough with about 60~~over 80~~ per cent of its population living within a mile of either side of the valley

CHANGES TO DEFINITION - EAST OF LOUGHBOROUGH ROAD, HATHERN**Inspector's Recommendation**

6.200 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 6.199 in the Inspector's Report.

Proposed Modification

None.

CHANGES TO DEFINITION - EAST OF A6 BYPASS, ROTHLEY**Inspector's Recommendation**

6.207 I recommend that no modification be made in response to these objections.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.202 to 6.206 in the Inspector's Report.

Proposed Modification

None.

CHANGES TO DEFINITION - 168a LOUGHBOROUGH ROAD, MOUNTSORREL**Inspector's Recommendation**

6.210 I recommend that the Proposals Map be modified in accordance with PC 148.

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 6.209 in the Inspector's Report.

Proposed Modification

See Proposed Modification M2.11

POLICY CT/9 - ENVIRONMENTAL IMPROVEMENT OF THE SOAR VALLEY AREA OF LOCAL LANDSCAPE VALUE

Inspector's Recommendation

6.221 I recommend that:-

- (i) the Policy and Proposals Map be modified in accordance with PC 149 and PC 150.
- (ii) having regard to my conclusions in paragraph 6.129, the Council should consider the need to add additional references to other relevant Policies at the end of Policy CT/9.
- (iii) having regard to my conclusions in paragraph 6.220, the Council should consider how the designation of the Countryside Priority Area will be shown on the Proposals Map;
- (iv) the Council should consider including in the Glossary to the Plan a reference to the Countryside Priority Area.

CBC Decision

Recommendation (i): Accept.

Recommendations (ii) to (iv): Accept with modifications.

Reason

Recommendation (i):

For the reasons set out in paragraphs 6.212 to 6.220 in the Inspector's Report.

Recommendations (ii) to (iv):

It is accepted that Policy CT/9 needs to be cross referenced to the policies for the countryside, green wedges, areas of local separation and special landscape designations. In addition it would be beneficial for the Countryside Priority Area (CPA) to be identified on the Proposals Map. The CPA is defined in the County Council's "Countryside 2000" Strategy as the area subject to recreational pressures where there is strong potential for environmental improvements. The CPA applies outside defined Limits to Development on the same basis as other safeguarding policies of the Plan. In Charnwood the CPA covers all parishes apart from the Wolds villages and Thrussington. A definition of the CPA should be added to the Glossary.

Proposed Modification

M6.13

Add to the Proposals Map the definition of the Countryside Priority Area.

Add to the Glossary the following definition.

Modify Policy CT/9, including the heading, and the reasoned justification.

“COUNTRYSIDE PRIORITY AREA: Those areas of open land outside built-up areas in Leicestershire and Rutland subject to urban pressure with high potential for the development

of recreation, access and education initiatives as well as special opportunities for landscape enhancement. Defined by the County Council in the 'Countryside 2000' document."

ENVIRONMENTAL IMPROVEMENT OF THE COUNTRYSIDE, GREEN WEDGE AND AREAS OF LOCAL SEPARATION OF THE SOAR VALLEY AREA OF LOCAL LANDSCAPE VALUE

6.40 POLICY CT/9

In the determination of planning applications for development in the areas of countryside, green wedge and local separation, but in particular within the Soar Valley Area of Local Landscape Value and elsewhere in the Countryside Priority Area identified on the Proposals Map, the Borough Council will take into account the extent to which the proposal would secure environmental improvements compatible with existing land-use activities in terms of:

- i) improvement of rights of way and off-road access for walkers, cyclist and horse-riders, as a co-ordinated network;**
- ii) the protection or enhancement of traditional natural habitats of ecological value and the creation of new areas;**
- iii) upgrading natural landscape cover of trees, hedges, woodland and other habitats using traditional plant species and other features;**
- iv) implementation of countryside management projects;**
- v) safeguarding or enhancement of key features of acknowledged archaeological or landscape interest;**
- vi) reclamation of derelict land;**
- vii) reducing the intrusiveness of existing unsympathetic development by securing comprehensive landscaping as part of any proposals for conversion or extension of buildings;**
- viii) better integration of new development including transport schemes and service installations into the landscape;**

~~**In the determination of planning applications for development within the Soar Valley Area of Local Landscape Value the Borough Council will take into account the extent to which the proposal would:-**~~

- ~~**i) improve rights of way and off-road access for walkers, cyclists and horse-riders along the river valley corridor and with adjoining settlements;**~~
- ~~**ii) provide for the creation, enhancement and protection of traditional natural habitats of ecological value;**~~
- ~~**iii) upgrade the natural landscape cover using traditional plant species and landscape features;**~~
- ~~**iv) enable the implementation of countryside management projects; and**~~
- ~~**v) affect the function of the floodplain of the river Soar;**~~
- ~~**vi) safeguard features of acknowledged archeological interest.**~~

(See also in particular Policies CT/1, CT/2, CT/3, CT/4, CT/5, CT/6, CT/7, CT/8)

The open land within the plan area is for the most part attractive or unspoilt. However there are areas which would benefit from improvement by the removal of unsightly features and creating better public access. Implementation of measures will create opportunities for informal recreation which take pressure off the most popular areas. The Countryside Priority Area is an area where improvements are required. The County Council's "Countryside 2000" document gives guidance conservation and enhancement of rural landscapes. Local Plans must include policies in respect of the conservation of the natural beauty and amenity of the land and for improving the physical environment.

6.41 The Proposed Soar Valley Area of Local Landscape Value is an area in need of particular attention; and whilst much of the river valley is pleasant, in parts attractive, there are areas where the natural landscape requires regeneration and traditional management. The 'Wanlip Action Area Plan' and 'Management Scheme' for Watermead Country Park prepared by the County Council together with the Borough and Leicester City Councils has helped the successful restoration of the area of the valley penetrating the Leicester urban area where past sand and gravel extraction has ravaged the landscape. The preparation of an 'Improvement Scheme' for the 'Area of Local Landscape Value' could help safeguard and enhance the traditional qualities of the river valley. At the same time improved public access could increase the river valley's value for informal recreation and tourism. The river valley has a role to play as an alternative to Charnwood Forest for many informal recreation trips, using footpaths and rights of way with little or no harmful environmental impact. It is immediately accessible to people living in adjoining settlements. More background information is set out in Technical Report No.6

6.42 The Environment Agency in April 1997 published a 'Soar Local Environment Agency Plan (LEAP) Consultation Report' for the river's catchment area. This sets out a framework for protecting and improving the local environment on a partnership basis with the intention to direct resources to where they are most needed. The aim is to ensure a balance is achieved between the conflicting demands placed upon this natural resource. The Borough Council will liaise with County Council, Countryside Commission, Charnwood Wildlife Project, Environment Agency, Ministry of Agriculture Fisheries and Food, East Midlands Tourist Board and other interested parties to oversee the management and improvement of the river valley, with a view to preparing an 'Improvement/Management Scheme'. More background information is set in Technical Report No.6.

The measures should be seen as inter dependent and the aim is to secure an acceptable balance between them to the benefit of the areas of open land. Measures will be implemented after they have been discussed and agreed with landowners and interested parties. The Local Plan guidance provides a general context for the assessment of individual schemes as they arise. The Borough Council will seek to negotiate contributions from development to the implementation of measures where this is reasonably and directly related to it. Where resources allow initiatives for specific improvements will be considered for direct funding.

POLICY CT/10 -RURAL DIVERSIFICATION

Inspector's Recommendation

6.228 *I recommend that the Policy be modified in accordance with PC 151.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.223 to 6.227 in the Inspector's Report.

Proposed Modification**M6.14**

Modify Policy CT/10.

6.43 **POLICY CT/10**

Planning permission will be granted for proposals to diversify the rural economy in locations outside the Limits to Development defined on the Proposals Map provided all the following criteria are met:

- i) the proposal enables economic activity likely to retain or provide additional jobs in rural areas;**
- ii) ~~there is no damaging impact on~~ features of landscape, ecological or historic importance are properly safeguarded;**
- iii) the proposal would not generate significant noise or, other nuisance problems;**
- iv) levels of traffic generated would not be detrimental to the quality of the rural environment or highway safety;**
- v) any new buildings and structures or extensions to existing buildings would be small-scale and essential for the proposed use.**

(see also in particular Policies CT/1 to CT/9 and CT/18)

POLICY CT/11 - NEW DWELLINGS FOR FARM AND FORESTRY WORKERS

Inspector's Recommendation

6.237 *I recommend that:-*

- (i) the Policy and RJ be modified in accordance with PC 152 subject to the following further modifications;*
 - (a) the last paragraph of the Policy be modified to read "where the approved accommodation is an additional dwelling on a particular unit, then as well as imposing an occupancy condition on that dwelling, the Council will consider whether there is a need to impose the same or a similar condition on any existing dwellings on the unit which are under the control of the applicant".*
 - (b) paragraph 6.49 of the RJ be modified to read:- "The Borough Council will impose occupancy conditions to ensure that new accommodation and, where appropriate, existing accommodation of a farm unit are restricted..."*
- (ii) the Council should consider whether:-*
 - (a) sub-paragraph (a) of the Policy be further modified to read:- "it is demonstrated that there is clear evidence of a firm intention and ability to develop the enterprise and that it is planned on a sound financial basis".*

- (b) *the following text should be added to the end of paragraph 6.47:- “For clarification, paragraph 15(b) of that guidance says that the need relates to a full-time worker, or one who is primarily employed in Agriculture”.*
- (c) *sub-paragraph (c) of the Policy or the text to it requires further modification to ensure that there is no conflict with advice in paragraph 109 of Circular 11/95.*

CBC Decision

Recommendation (i): Accept

Recommendation (ii): Accept with modifications.

Reason

For the reasons set out in paragraphs 6.230 to 6.236 in the Inspector’s Report.

Recommendations (ii) (a), (b) and (c) are accepted as they would add clarity and ensure the policy conformed better with government guidance.

The current wording of sub paragraph (c) of Policy CT/11 (as amended by Proposed Change C152) suggests that conversion of an existing farm building, which is likely to be undertaken on a permanent basis, would be permissible as temporary agricultural accommodation. This goes beyond the intention of the Policy and seems to conflict with Circular 11/95. It also goes beyond the guidance in PPG7. The reference to ‘conversion of an existing farm building’ should be deleted from sub paragraph (c).

Proposed Modification

M6.15

Modify Policy CT/11 and the reasoned justification.

6.46 POLICY CT/11

New housing development, including conversions, in locations outside the limits to development shown on the Proposals Map will be strictly controlled.

New permanent dwellings will be permitted where they support existing agricultural activities on well-established agricultural or forestry units. A new dwelling will be permitted in such locations where it is shown to be essential for the efficient long-term operation of farming or forestry, and provided all the following criteria are met:

- i) ~~it can be demonstrated that suitable accommodation is not available on the unit or in nearby settlements or in existing dwellings in the locality, and could not~~ **could it be provided by the conversion of an existing farm building available on the site; and**
- ii) **the dwelling is acceptable in terms of siting, size, design and external appearance and would not harm the character and appearance of the locality; and**
- iii) ~~the functional requirements of the unit justify a full-time worker living on site;~~ **or**

Temporary and removable agricultural accommodation will be granted where essential to support a new agricultural or forestry activity where the following criteria are met:

- a) it is demonstrated that there is clear evidence of a firm intention and ability to develop the enterprise and that it is planned on a sound financial basis; and
- b) there is a proven functional need; and
- c) suitable accommodation is not available on the unit or in the locality; and
- d) the accommodation is in a location where a new permanent dwelling would be acceptable.

Temporary accommodation must be removed at the end of the permitted period if a new dwelling is not justified. In those circumstances where new residential development would be appropriate in planning terms but is not presently justified by the present farm or forestry operation the Borough Council may exceptionally grant a temporary planning permission for mobile accommodation in a location where a permanent dwelling would be appropriate to meet specified needs, and so enable the position to be reviewed at the end of the permitted period. If at the end of the permitted period a permanent dwelling is not justified the mobile dwelling must be removed.

Any accommodation permitted will be subject to a condition limiting the occupation of the dwelling to a person solely, mainly, or last working employed in the locality in agriculture farming or forestry, a widow or widower of such a person, and to any resident dependents.

Where the approved accommodation is an additional dwelling on a particular unit then this and the existing dwelling, or dwellings, will both be subject to occupancy conditions, as well as imposing an occupancy condition on that dwelling, the Borough Council will consider whether there is a need to impose the same or a similar condition on any existing dwellings on the unit which are under the control of the applicant.

- 6.47 New permanent residential accommodation in locations outside the defined limits to development will be restricted to those occasions where the specific needs of farm and forestry workers justify accommodation on the basis of a technical appraisal carried out before determining any planning application, and where the accommodation satisfies planning considerations including current government guidance as set out in Annex I E to PPG7 'The Countryside and The Rural Economy'. For clarification, paragraph I5(b) of that guidance says that the need relates to a full time worker, or one who is primarily employed in agriculture.
- 6.48 [No Change].
- 6.49 The Borough Council will impose occupancy conditions to ensure that ~~existing and new accommodation~~ and, where appropriate, existing accommodation on a farm unit are restricted to use by people suitably involved in farming or forestry or defined dependents.

POLICY CT/12 - REMOVAL OF RESTRICTIONS ON OCCUPANCY OF DWELLINGS

Inspector's Recommendation

6.243 *I recommend that the Policy be modified in accordance with PC 153.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.239 to 6.242 in the Inspector's Report.

Proposed Modification**M6.16**

Modify Policy CT/12.

6.50 POLICY CT/12

Planning permission for the retention of a dwelling without compliance with a condition restricting occupancy will not be granted unless the Borough Council can be satisfied that:

- i) **a ~~the~~ long term need for the occupancy condition no longer exists in the locality; and**
- ii) **there is clear evidence of a genuine effort having been made to sell or rent the dwelling to prospective occupiers able to comply with the occupancy condition.**

POLICY CT/13 – RIDING STABLES, KENNELS AND SIMILAR ESTABLISHMENTS**Inspector's Recommendation**

6.251 *I recommend that no modification be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.245 to 6.250 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/14 – REPLACEMENT DWELLINGS**Inspector's Recommendation**

6.258 *I recommend that the Policy be modified in accordance with PC 154 subject to:-*

- (i) *the Policy being modified further by the deletion of sub-paragraph (i);*
- (ii) *a cross reference to Policy EV/7 being added to the end of the Policy.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.253 to 6.257 in the Inspector's Report.

Proposed Modification**M6.17**

Modify Policy CT/14.

6.57 POLICY CT/14

Planning permission for the replacement of an existing dwelling in a location outside the Limits to Development will not be granted unless all the following criteria are met:

- ~~i) exceptional circumstances are shown to justify replacement of the existing dwelling;~~
- ~~ii) i) the replacement would not result in the lost of a building acknowledged to be identified in the schedule of buildings of local historic or architectural interest; recorded in the Borough Council's Supplementary Planning Guidance;~~
- ~~iii) ii) the original building is unsuitable for habitation and/or not viable to repair; substantially intact and suitable for habitation;~~
- ~~iv) iii) the proposed replacement dwelling represents only a modest change in the size of the original property and is of a mass, height, colour, design and materials compatible with the traditional character and appearance of the locality;~~
- ~~v) iv) the proposed replacement dwelling is on the site of the original dwelling or, if appropriate, in a siting elsewhere within the curtilage where there would be a less damaging visual impact and provided that the original dwelling is demolished;~~
- ~~vi) v) there is no increase in the number of dwellings on the site;~~
- ~~vii) vi) there would be no significant adverse impact on the amenities enjoyed by neighbouring properties.~~

(see also in particular Policy EV/7)

POLICY CT/15 – CONVERSION OF EXISTING RURAL BUILDINGS

Inspector's Recommendation

6.268 *I recommend that the Policy and RJ be modified in accordance with PC 155.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.260 to 6.267 in the Inspector's Report.

Modify Policy CT/15 and the reasoned justification.

CONVERSION OF EXISTING RURAL-BUILDINGS

6.61 POLICY CT/15

Planning permission for the conversion of a building in a location outside the Limits to Development defined on the Proposals Map will not be granted unless development is able to satisfy the following criteria:

- i) the form, mass, size and general design of the existing building and its relationship with other buildings in the locality is in keeping with its surroundings ~~and a~~ Any proposed changes, including for vehicular access arrangements, must be shown would not to have a significant adverse affect on the landscape;
- ii) it is demonstrated the building has been built and used for the purpose for which it was originally approved for a reasonable period of time;
- iii) the building is in a structurally sound condition and of permanent and substantial construction. It must be capable of the proposed use or conversion without substantial, alteration, rebuilding and/or extensions.
- iv) the proposed use or conversion is designed to safeguard the essential character, form setting and structure, of the building;
- v) the conversion would not lead to the dispersal of activity of a scale and nature which would prejudice the vitality of nearby towns and villages.

Suitable uses for buildings in the countryside are those which assist the rural economy. Primarily these will relate to agricultural, employment, community, recreation or tourism uses.

Residential use will ~~only~~ be approved where it is shown to be impractical to convert or re-use the building for other uses and where:

- a) the building is worthy of retention being of acknowledged historic or architectural value;
- b) the proposed development involves minimal external change to the building;
- c) the creation of a residential curtilage around the building would not harm the character and appearance of the locality.

Residential uses may also be appropriate as a subordinate part of a scheme for business re-use in circumstances where the enterprise is completed before the residential element is occupied.

- 6.62 The reuse and conversion of existing buildings can assist agricultural diversification. However control is necessary to avoid the proliferation of inappropriate development in the countryside, Green Wedges and areas of local separation. Whilst reuse of rural buildings is able to promote rural enterprise and jobs, development will not be allowed on a scale in dispersed locations which would threaten the economic base of villages and towns.

Residential use does not contribute to the rural economy and will only be considered favourably in exceptional circumstances in line with policies to restrict new housing outside the limits to development. Residential accommodation may be acceptable as part of mixed business development. A reasonable period of time for the purposes of applying the test of criterion (ii) will be at least 15 years.

Applications for the conversion of recently constructed buildings will be carefully considered to establish whether they have been used for the purposes they were built.

POLICY CT/16 – EXTENSIONS TO EXISTING RURAL DWELLINGS

Inspector's Recommendation

None.

CBC Decision

Whilst this Policy was not subject to objection and therefore not considered by the Inspector, it is considered that the wording of the Policy should be amended to provide clearer guidance to prospective developers on the Council's approach to this type of development and to more accurately reflect guidance in PPG7.

Extensions to existing dwellings in the countryside can have a damaging impact on the landscape, particularly where they involve a disproportionate increase in the size of the original dwelling. The Policy should be amended to make clear this concern and that in determining applications, the Council will consider the cumulative impact of proposals in relation to the original dwelling.

Proposed Modification

M6.19

6.63 POLICY CT/16

Planning permission will be granted for a reasonable extension to a dwelling in a location outside the Limits to Development defined on the Proposals Map provided: the existing dwelling is habitable, substantially intact and is shown to have a reasonable remaining life.

~~A reasonable extension would be one which meets one or more of the following criteria:-~~

- i) ~~it is required to remedy a deficiency in basic amenities~~ the existing dwelling is of permanent construction, substantially intact and shown to have a reasonable remaining life; and**
- ii) ~~if the proposal is not damaging to the character and appearance of the existing building or the locality in terms of its mass, height, siting, colour, design or materials; and~~**
- iii) the proposal does not result in a disproportionate increase in the size of the original dwelling; and**
- iii)iv) it would not harm the amenities enjoyed by those living in any neighbouring properties.**

6.64 ~~The addition of small scale extensions to existing dwellings is usually likely to be acceptable. Larger extensions to properties located in areas of special character or prominent locations will not be permitted. Such extensions can be visually very damaging and appear as incongruous features in the landscape.~~

Where there are existing permanent dwellings outside the limits to development, the addition of small-scale extensions in keeping with the character of the building and its surroundings will usually be acceptable.

Extensions that would result in a disproportionate increase in the size of the original dwelling will not be permitted. Such extensions can be visually very damaging and appear as incongruous features in the landscape, particularly in areas of special character or prominent locations. A proposal to extend a dwelling by more than 50% of its original floor area is likely to be considered to be a disproportionate addition and will be resisted accordingly.

For the purposes of this policy the impact of a proposed extension will be measured cumulatively with previous extensions to the property. The original dwelling will be taken as that originally built or existing on 1st July 1948, only and will not include any ancillary outbuildings.

POLICY CT/17 – EXTENSIONS TO SEMI-PERMANENT RECREATIONAL CHALETS

Inspector's Recommendation

6.274 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.272 and 6.273 in the Inspector's Report.

Proposed Modification

None.

POLICY CT/18 – SAFEGUARDING AGRICULTURAL LAND

Inspector's Recommendation

6.284 *I recommend that:-*

- (i) *PC 156 be not implemented.*
- (ii) *the Policy and RJ be modified in accordance with FPC 156A.*

CBC Decision

Accept

Reason

For the reasons set out in paragraphs 6.276 and 6.283 in the Inspector's Report.

Proposed Modification

M6.20

[Note: Aspects of this Proposed Modification rely upon the Council's Further Proposed Changes which have not previously been subject to public consultation]

Delete Policy CT/18 and replace with new policy. Modify paragraph 6.69 and delete paragraph 6.70.

SAFEGUARDING AGRICULTURAL LAND

6.68 POLICY CT/18

~~Planning permission will not be granted for development occasioning the unnecessary loss of agricultural land. Best and most versatile land must not be used for development where land of a lower grade could reasonably be used or where the restoration of the land to its original agricultural use would not be practicable.~~

~~Land take will be restricted to that which is reasonably required for a proposed development.~~

Development involving agricultural land must utilise land of the lowest practicable grade. Planning permission will not be granted for development which would utilise best and most versatile land unless it is demonstrated that:

- a) **there is an overriding need for the development; and**
- b) **suitable land in urban areas or of grades below 3a is not available or has special significance which outweighs the agricultural land consideration.**

For all proposals land take will be restricted to that which is reasonably required for the proposed development. Applicants will also be expected to submit details showing the effect of the development on farm holdings. Where development would substantially erode farm viability and structure it will not be permitted.

6.69 The plan area contains significant areas of land of grades 2 and 3a in the best and most versatile categories. This valuable and finite resource must be safeguarded for the future. Thus, in assessing proposals for new development considerable weight will be given to safeguarding such land and it will only be released in limited circumstances. Once agricultural land is lost, even to soft uses, restoration of its original resource value is not usually practicable, and agricultural diversification it will be important to ensure these needs are balanced against the desirability of protecting agricultural land in the long term, especially the best and most versatile areas.

~~6.70 Any loss of agricultural land must be restricted to that which is reasonably required for a given development, and must not threaten the viability of farm units by severance and fragmentation of holdings.~~

POLICY CT/ - INTENSIVE LIVESTOCK UNITS**

Inspector's Recommendation

6.289 *I recommend that the Policy be modified in accordance with PC 157 as modified further by FPC 157A.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.286 to 6.288 in the Inspector's Report.

Proposed Modification

M6.21

[Note: Aspects of this Proposed Modification rely upon the Council's Further Proposed Changes which have not previously been subject to public consultation]

Add a new heading '**INTENSIVE LIVESTOCK UNITS**' with Policy CT/A and reasoned justification.

INTENSIVE LIVESTOCK UNITS

POLICY CT/A

Applications involving intensive livestock units located in areas of countryside, green wedge, or local separation will be permitted in circumstances where a proposal is acceptable in principle and all the following criteria are met:

- i) a proposal would provide adequate safeguards for local residents from problems related to traffic generation, noise, odours, air or water pollution, and visual intrusion;**
- ii) the unit is located at least 400 metres from any dwelling or buildings occupied by people not directly and functionally related to the unit except in the exceptional circumstances recognised by the Town and Country Planning (General Permitted Development) Order 1995.**
- iii) the proposal would not pollute water resources;**
- iv) the proposal includes a landscaping scheme showing how built development relates to its setting and incorporates landscaping and planting in a manner which conserves or enhances landscape and ecological value;**
- v) the scale, form, mass, design, colour and materials are sympathetic to the character and appearance of an area;**
- vi) the building would not result in the over concentration of such units harmful to the amenity of settlements or areas of open land;**
- vii) the unit operates as part of an existing farm holding and not independently.**

(See also in particular Policies EV/40, EV/48, CT/1 to CT/5, CT/7, CT/8)

Intensive livestock units will only be acceptable in locations where they would not harm the character and appearance of a locality, where there would be minimal potential for conflict between neighbouring land uses, and the potential nuisance and pollution risk is minimised.

PARAGRAPHS 6.71 to 6.75 – IMPROVEMENTS TO PUBLIC ACCESS

Inspector's Recommendation

6.294 *I recommend that the text of paragraph 6.71 be modified in accordance with PC 158.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.291 to 6.293 in the Inspector's Report.

Proposed Modification**M6.22**

Modify paragraph 6.71 of the reasoned justification.
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6.71 The Borough Council working in co-operation with landowners, the County Council, and other interested parties will support the achievement of a comprehensive network of public access routes for non-motorised modes in areas outside the limits to development and between these areas and the built-up areas. This will contribute to the overall transportation policy approach of this plan to reduce the need for car based travel by creating conditions where people will be more likely to use non-car modes. This network will be based on:

- i) Creating and sustaining a comprehensive network of safe and interesting routes based on footpaths, bridleways and off-road cycle routes and country lanes;
- ii) [No Change].
- iii) [No Change].
- iv) [No Change].

POLICY CT/19 – GENERAL PLANTING GUIDELINES FOR THE NATIONAL FOREST

Inspector's Recommendation

6.321 *I recommend that:-*

- (i) *the Policy be modified in accordance with PC 159 as modified further by FPC 159A subject to:-*
 - (a) *the last part of sub-paragraph (iii) of the Policy being further modified to read "...type of development and compatible with land uses and the ecological and landscape character of the Forest within the Plan area; and..."*
 - (b) *the heading of the Policy be further modified to read "DEVELOPMENT LOCATED IN THE NATIONAL FOREST".*
- (ii) *having regard to my conclusions in paragraph 6.317 the Council should re-appraise the PC as it effects paragraph 6.77 of the Plan to ensure that its meaning is clear.*

CBC Decision

Recommendation (i): Accept.

Recommendation (ii): Accept with modifications.

Reason

Recommendation (i): For the reasons set out in paragraphs 6.296 to 6.320 in the Inspectors Report.

Recommendation (ii):

In response to (ii) paragraph 6.77 of the reasoned justification needs to make clear that the Countryside Commission's National Forest Strategy only influences planning policies for those parts of the plan area located within the National Forest.

Proposed Modification**M6.23**

[Note: Aspects of this Proposed Modification rely upon the Council's Further Proposed Changes which have not previously been subject to public consultation]

Delete heading to section, Policy CT/19 and paragraph 6.78 of the reasoned justification. Insert new heading '**DEVELOPMENT LOCATED IN THE NATIONAL FOREST**' together with new Policy CT/19 and paragraph 6.78, amendments to paragraphs 6.77 and 6.80 and additional reasoned justification after existing paragraph 6.81.

~~GENERAL PLANTING GUIDELINES FOR~~ **DEVELOPMENT LOCATED IN THE NATIONAL FOREST**

6.76 **POLICY CT/19**

Planning permission will be granted for development proposals and related planting within the National Forest area defined on the Proposals Map where:

- i) the overall scheme does not conflict with restraint policies to safeguard the attractive rural character of the landscape;**
- ii) the development is of a high quality with design, layout and materials reflecting traditional local architecture and the setting of the site in the National Forest;**
- iii) an accompanying woodland planting scheme or other habitat measures provide an landscaped Forest setting appropriate to the scale and type of development and compatible with land uses and the ecological and landscape character of the Forest within the plan area; and**
- iv) public access links are provided compatible with the scale and type of development and integrated with existing access routes in the Forest area.**

Other habitat measures may be considered favourably where:

- a) they would be more appropriate in landscape and ecological terms' and**
- b) the woodland planting is not required to screen the proposed development or for other specified reasons.**

Proposals for development other than housing and employment will need to demonstrate a clear and direct relationship between the development proposed and the establishment and maintenance of the Forest.

(See also in particular Policies CT/1, CT/6, CT/7 and CT/15)

~~Development proposals permitted within the National Forest area defined on the Proposals Map will be expected to provide accompanying woodland planting or other measures and public access provision compatible with the scale and type of development, and the ecological and landscape character of this part of the Forest.~~

~~The Borough Council will normally require woodland planting related to the development. However other habitat creation measures may be considered favourably instead of an equivalent part, or all, of the woodland planting standards where:~~

- ~~i) the alternative measures would be more appropriate in ecological and landscape terms; and~~
- ~~ii) the woodland planting is not required to screen the proposed development or for other specified reasons.~~

6.77 The National Forest is a major initiative promoted by the Countryside Commission supported by local authorities in the Midlands. It is a unique concept of national importance opening up opportunities to enhance and diversify the landscape, enrich natural habitats, improve recreation and public access, and foster the aims of rural diversification. The National Forest covers over 500 square kilometres of land in Leicestershire, Derbyshire and Staffordshire. The local plan area contains the eastern margins of the Forest extending as far as The Outwoods, and Swithland Wood. The Countryside Commission's 'National Forest Strategy' forms the basis of planning policies for those parts of the plan area located within the National Forest.

6.78 Planting guidelines relating to development in the National Forest will be included in the Borough Council's 'Supplementary Planning Guidance'. These guidelines are intended to assist landowners and developers in negotiating and submitting schemes which accord with the Plan's policies. The Countryside Commission's National Forest guidance forms the basis for planning policies in this Local Plan.

6.79 [No Change].

6.80 The Forest Strategy recognises that the National Forest within the Borough contains an already well-wooded landscape of great diversity, extensive ecological and historic interest and distinctive upland relief. Given the character of this part of the National Forest it will be undesirable to encourage significant affore station related to new development. In this case the planting guidelines standards should be sufficiently flexible to allow a type and scale of landscape treatment appropriate to the particular locality.

6.81 [No Change].

New housing and industrial/developments will be expected to provide woodland, or other agreed, planting, to contribute to the Forest as well as benefit from the environmental benefits the Forest is expected to bring. Larger scale developments should provide significant planting. The emphasis will be on improving the landscape setting of sites within or adjacent to existing settlements, and their setting in the adjoining countryside. For industrial/commercial development substantial planting will be desirable along road frontages in the Forest area.

Any planning permission granted for proposals to re-use or adapt existing rural farm buildings within the Forest will need to provide a suitable planted setting sympathetic with the Forest's character. The conversion of re-use of buildings for new commercial, industrial, recreation and tourism uses would provide much needed rural employment. However conversion for residential purposes will be of less economic benefit and more likely to harm the Forest character.

Where new agricultural buildings are proposed in the Forest the Borough Council will seek the provision of adequate planting to ensure the building is properly screened and does not have an intrusive impact on the Forest landscape.

The main types of forest-related development likely to come forward in the National Forest are:

- i) operational activities such as car parks and interpretation facilities;
- ii) tourism, recreation, sport and leisure activities requiring rural locations;
- iii) restoration of mineral workings to woodland or other habitats, public open space or leisure uses;
- iv) farm diversification involving land, existing rural buildings and, on occasions small-scale new development;
- v) rural and forest enterprises for visitor attractions and businesses including timber processing, woodland products, local crafts, tree nurseries.

The policy is framed to ensure environmentally damaging development is not permitted in the National Forest area whilst allowing for appropriate developments compatible with the achievement of the Forest's objectives.

The Borough Council will secure the implementation of planting and landscaping schemes for developments approved within the National Forest area by conditions and/or by the negotiation of planning obligations depending on the individual circumstances of the application. These measures could relate to the means and timescale of implementation or the achievement of off-site planting. Where a developer is not able to provide the desirable level of off-site planting the Borough Council will consider the provision of a financial contribution in lieu of the cost of planting, to be paid into an off-site planting fund for use within the Forest area.

The Borough Council will fund schemes such as tree planting, habitat creation, improved public access or other initiatives in line with the general aims of the Forest Strategy prepared by the Countryside Commission in line with provision made in the Revenue Budget.

POLICY CT/20 – MAINTENANCE AND MANAGEMENT OF NEW PLANTED AREAS IN THE NATIONAL FOREST

Inspector's Recommendation

6.331 *I recommend that the Policy be modified in accordance with PC 160 subject to the first sentence of the Policy being modified further to read:-*

“The Local Planning Authority will seek to negotiate agreements with developers to make secure arrangements by appropriate persons or bodies for the maintenance and management of planting and open space proposals associated with developments in the National Forest in line with best arboricultural practice etc”.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.323 to 6.330 in the Inspectors Report.

Delete Policy CT/20 and insert revised wording.

MAINTENANCE AND MANAGEMENT OF NEW PLANTED AREAS IN THE NATIONAL FOREST

6.82 POLICY CT/20

The Local Planning Authority will seek to negotiate agreements with developers to make secure arrangements by appropriate persons or bodies for the maintenance and management of planting and open space proposals associated with developments in the National Forest in line with best arboricultural practice. Dead, deceased or damaged trees and any failed planting will need to be replaced by the developer during the initial five year maintenance period.

~~Where woodland is to be provided as part of a development proposal it will be necessary for the developer to arrange for it to be maintained and managed in accordance with best arboricultural practice. All landscaping proposals associated with development in the National Forest should include arrangements for the long-term maintenance and management of planted areas. It will be a requirement for the developer to replace dead, diseased or damaged trees and any failed planting during the initial five years maintenance period.~~

POLICY CT/21 - PLANTING REQUIREMENTS FOR NEW HOUSING SITES IN THE NATIONAL FOREST

Inspector's Recommendation

6.335 See paragraphs 6.296 to 6.321.

POLICY CT/22 – PLANTING REQUIREMENTS FOR NEW INDUSTRIAL AND COMMERCIAL DEVELOPMENT IN THE NATIONAL FOREST

Inspector's Recommendation

6.339 See paragraphs 6.296 to 6.321.

POLICY CT/23 – PLANNING AND PLANTING REQUIREMENTS FOR OTHER NATIONAL FOREST-RELATED DEVELOPMENT

Inspector's Recommendation

6.343 See paragraphs 6.296 to 6.321.

POLICY CT/24 – PLANTING REQUIREMENTS FOR PROPOSALS TO RE-USE EXISTING RURAL BUILDINGS IN THE NATIONAL FOREST

Inspector's Recommendation

6.347 See paragraphs 6.296 to 6.321.

POLICY CT/25 - PLANTING REQUIREMENTS FOR NEW AGRICULTURAL BUILDINGS IN THE NATIONAL FOREST

Inspector's Recommendation

6.351 See paragraphs 6.296 to 6.321.

CBC Decision on Policies CT/21 to CT/25

These sections are to be deleted in line PC159 which is dealt with under Policy CT/19, recommendation (i) above.

Proposed Modification

M6.25

Delete existing paragraphs 6.85 to 6.100 covering Policies CT/21, CT/22, CT/23, CT/24 and CT/25 and related reasoned justification.

~~PLANTING REQUIREMENTS FOR NEW HOUSING SITES IN THE NATIONAL FOREST~~

~~6.85 — POLICY CT/21~~

~~Development permitted within the National Forest area will be expected in addition to normal planning requirements to provide woodland planting as part of the Forest in line with the following standards:~~

- ~~a) — Sites within the defined limits to development for settlements:~~
- ~~i) — sites smaller than 1ha — no additional woodland planting required;~~
 - ~~ii) — sites between 1ha and 2ha — 10% of the site area for woodland planting;~~
 - ~~iii) — sites larger than 2ha — 15% of the site area for woodland planting.~~
- ~~a) — Sites outside the defined limits to development but adjacent to settlements:~~
- ~~i) — Sites smaller than 0.5ha — no additional woodland planting required~~
 - ~~ii) — Sites between 0.5 and 1.5ha — 20% of the site area for woodland planting~~
 - ~~iii) — Sites larger than 1.5ha — On-site woodland planting equivalent to the gross built development area; plus a multiple of five times that area of woodland planting adjacent to the site boundary. If this is planted away from the site the multiple is ten times.~~
- ~~b) — Sites elsewhere outside the defined limits to development:~~
- ~~i) — Sites of up to 3 dwellings — No additional woodland planting required~~
 - ~~ii) — All other sites — 20% of the site area for woodland planting; plus a multiple of five times of the area of gross built development to be provided adjacent to the site boundary. If this is planted away from the site the multiple is ten times.~~

~~6.86 — New housing developments acceptable at any location in the National Forest will need to provide woodland planting to ensure they make a reasonable contribution to the Forest, as well as benefit from the environmental improvements it is expected to bring.~~

~~6.87 — The standards increase the amount of planting for larger sites, and require more planting outside urban areas. Urban sites are often constrained in their potential to provide additional planting. For sites adjacent to existing settlements the intention is to improve the landscape setting within the site, and the site's setting in the adjoining countryside.~~

~~PLANTING REQUIREMENTS FOR NEW INDUSTRIAL AND COMMERCIAL DEVELOPMENT IN THE NATIONAL FOREST~~

~~6.88 — POLICY CT/22~~

~~Any site for industrial or commercial development permitted within the National Forest area will be expected in addition to normal planning requirements to provide woodland planting as part of the forest in line with the following standards:~~

~~a) — On-site~~

~~Alongside frontages to principal — minimum depth of 30 metres of woodland~~

~~Roads — planting;~~

~~Alongside estate roads — seven to ten metres of woodland planting.~~

~~b) — Adjacent to the site — Woodland planting at a rate of five hectares of planting per hectare of the gross development area. If such planting is not able to be provided within 400 metres of the site boundary the multiple will be ten times.~~

~~6.89 — Any proposals for industrial and commercial development will normally be required to provide significant and high quality planting as part of the proposal. The emphasis is on achieving substantial planting along road frontages, and where a site adjoins open countryside.~~

~~PLANNING AND PLANTING REQUIREMENTS FOR OTHER NATIONAL FOREST-RELATED DEVELOPMENT~~

~~6.90 — POLICY CT/23~~

~~Proposals for Forest-related development at locations within the National Forest will be permitted where all the following criteria are met:~~

~~i) — a clear and direct relationship is demonstrated between the development proposed and the establishment and maintenance of the forest~~

~~ii) — a significant area of woodland planting or other habitat appropriate to a particular location is provided;~~

~~iii) — provision is made for public access appropriate to the particular site;~~

~~iv) — the proposal incorporates, or secures the provision of, an appropriate Forest setting. In terms of scale this will involve planting of an area ten times the operational area of the proposed site to be provided within, or in close proximity to, the proposed site.~~

v) ~~the proposal does not conflict with restraint policies to safeguard the open and rural character of the Forest and the landscape, and is not detrimental to the enjoyment or natural habitat or scientific interest of such areas.~~

6.91 ~~The main types of forest related development likely to come forward in the National Forest are:~~

i) ~~operational activities such as car parks and interpretation facilities;~~

ii) ~~tourism, recreation, sport and leisure activities requiring rural locations;~~

iii) ~~restoration of mineral workings to woodland or other habitats, public open space or leisure uses;~~

iv) ~~farm diversification involving land, existing rural buildings and, on occasions small-scale new development;~~

v) ~~rural and forest enterprises for visitor attractions and businesses including timber processing, woodland products, local crafts, tree nurseries.~~

6.92 ~~The policy is framed to ensure environmentally damaging development is not permitted in the National Forest area whilst allowing for appropriate developments compatible with the achievement of the Forest's objectives.~~

6.93 ~~The phrase 'operational area' relates to that part of a development site to which any planting agreement would not apply. Where the required planting is not able to be accommodated within the site it may be provided off-site by agreement with the Borough Council.~~

~~PLANTING REQUIREMENTS FOR PROPOSALS TO RE-USE EXISTING RURAL FARM BUILDINGS IN THE NATIONAL FOREST~~

~~6.94 POLICY CT/24~~

~~Any planning permission granted for proposals to re-use or adapt existing rural farm buildings at locations within the National Forest will be conditional on the provision of an appropriate planted setting. This will usually involve tree planting on an area ten times the operational area of the proposal to be provided at a location in close proximity to the site.~~

6.95 ~~The primary consideration will be to ensure a proposal is acceptable in planning terms and sympathetic to the forest character. There are likely to be opportunities for conversions of adaptations of existing buildings to accommodate forest related development. In such instances additional planting will be required to enhance the Forest setting.~~

~~PLANTING REQUIREMENTS FOR PROPOSALS FOR NEW AGRICULTURAL BUILDINGS IN THE NATIONAL FOREST~~

~~6.96 POLICY CT/25~~

~~Any planning permission granted for new agricultural buildings at locations within the National Forest will be conditional on the provision of significant woodland planting around the new buildings.~~

6.97 ~~It will be important to provide sufficient planting to ensure new buildings are well screened and not intrusive in their impact on the local environment and forest setting.~~

~~6.98 All planting and landscaping requirements, and their future management and maintenance should be secured through the use of legal agreements as appropriate.~~

~~6.99 Where it is demonstrated that off site planting requirements are not achievable by a landowner or prospective developer, and the omission of such planting would not make the proposed development environmentally unacceptable, the Borough Council may negotiate a financial contribution equivalent to the cost of planting to be paid into an off site planting fund to enable the development to proceed.~~

~~6.100 The Borough Council will fund schemes such as tree planting, habitat creation, improved public access or other initiatives in line with the general aims of the Forest Strategy prepared by the Countryside Commission in line with provision made in the Revenue Budget.~~

POLICY CT/27 – REDEVELOPMENT OF FARM SITES IN VILLAGES

Inspector’s Recommendation

6.358 I recommend that no modification be made in response to this objection.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.353 to 6.357 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/28 – FARM RELOCATION

Inspector’s Recommendation

6.363 I recommend that no modification be made in response to this objection.

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.360 to 6.362 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/29 – DEVELOPMENT IN VILLAGES

Inspector’s Recommendation

6.373 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.365 to 6.372 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/30 - SURVEY OF RURAL COMMUNITIES

Inspector’s Recommendation

6.376 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 6.375 in the Inspector’s Report.

Proposed Modification

None.

POLICY CT/31 – AFFORDABLE HOUSING IN VILLAGES

Inspector’s Recommendation

6.380 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 6.378 and 6.379 in the Inspector’s Report.

Proposed Modification

None.