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Housing In The Countryside

This guidance note explains the approach which the Council takes towards dealing with proposals for housing development in the countryside. It amplifies Unitary Development Plan (UDP) policies detailed below and will be a material consideration in the determination of planning applications. This guidance note was revised by the Council in July 2011, subject to external consultation in August 2011 and was formally adopted for used by the Executive Board in October 2011.

Planning Policy Context

National Planning Policy in relation to housing in the Countryside is contained in chapter 9 of Planning Policy Wales and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities. Advice in TAN2: Planning and Affordable Housing, TAN5: Nature Conservation and Planning, TAN12: Design and TAN22: Sustainable Buildings is also relevant.

National policy imposes strict controls on the amount of new housing development in the open countryside. These policies apply to formally designated areas including green barriers, special landscape areas, sites of biodiversity interest and to other land which is not specifically protected but lies outside of defined settlement limits. The aim is to protect open countryside for its importance as part of landscape heritage, a natural habitat and to ensure the best agricultural land is retained as a national resource for the future.

Housing development in the countryside relates to the following proposals:

a) Rural Enterprise Dwellings;

b) Conversion of Rural Buildings;

c) Affordable Housing Rural Exceptions;

d) Infill development of one or two residential units in a small gap along a continuously developed highway frontage;

e) House Extensions;

f) Permitted Development;

g) Garden Extensions in the Countryside.

The Wrexham Unitary Development Plan (UDP) (1996 - 2011) adopted February 2005 sets out the local circumstances, based on national policy, where housing in the countryside will be considered. The following UDP policies are relevant:

Strategic Policy PS2: Development must not materially detrimentally affect countryside, landscape / townscape character, open space or the quality of the natural environment:

Policy GDP1:	Development Objectives;
Policy EC6:	Biodiversity Conservation;
Policy H3:	Conversion of Buildings Outside of Settlement Limits;
Policy H5:	Housing in the Countryside;
Policy H6:	Residential Occupancy Conditions;
Policy H8:	Rural Exceptions Affordable Housing;
Policy H10:	Replacement Dwellings in the Countryside;
Policy CLF9	Visitor Accommodation outside Settlement Limits.

Detailed Considerations

a)Rural Enterprise Dwellings

Dwellings required to accommodate staff employed by rural enterprises may be granted planning permission where it can be demonstrated that there is an essential requirement for someone to be present on site at most times. Policy H5 of the Wrexham UDP allows for the erection of dwellings outside defined settlement limits where an essential need to house a full time agricultural or forestry worker can be established.

(TAN) 6 Planning for Sustainable Rural Communities provides national guidance on rural development. It allows for dwellings to be built in the countryside to accommodate workers for a wide range of rural enterprises in addition to farming or forestry businesses provided an essential need for those workers to live close to the enterprise can be demonstrated.

In submitting any such proposals, applicants will need to submit a detailed appraisal to justify the need for a dwelling. The essential need must relate to the needs of the enterprise not the individual circumstances of the applicants. The appraisal will need to consider the following:

- Functional test: is it essential for the proper functioning of the enterprise for one or more workers to be readily available at most times and why? It is unlikely that a requirement solely for on site security will satisfy this functional test.
- Financial test: the rural enterprise and the activity concerned should be financially sound and should have good prospects of remaining so. In the case of new enterprises, a temporary dwelling (i.e caravan or wooden chalet) may be granted permission for a period of 3 years whilst that enterprise is developed. The granting of permission for a temporary dwelling does not necessarily mean that permission for a permanent dwelling will subsequently be granted permission unless the tests set out in TAN6 can be met in full.
- Time test: if a functional requirement is identified, it will be necessary to consider the number of workers needed to meet it. In most cases this need must be for a full time worker;
- Other dwelling test: evidence must be provided to demonstrate that there are no other dwelling(s) or buildings on site or within reasonable proximity which could be used to house a full time enterprise worker;
- Other planning requirements test: all other material planning considerations (siting, scale, design, access, materials, impact on landscape etc) will also need to be satisfied. The Council will normally expect rural enterprise dwellings to be located adjacent/close to existing buildings.

The granting of planning permission for rural enterprise dwellings will be subject to a condition restricting occupancy of the dwelling to someone employed in a rural enterprise in the locality and has an essential requirement to live close to their place of work. In addition a section 106 legal agreement may be used to prevent the sale of the dwelling independently of the land and buildings owned and used by the rural enterprise.

Rural enterprise dwellings also fall within the definition of affordable housing. Therefore, if there is no longer a need for the dwelling to house someone or a dependent of someone formerly employed in rural enterprise, the dwelling can be offered to persons eligible for affordable housing, i.e. those on the Council's and/or relevant Registered Social Landlords' waiting lists.

b) Conversion of Rural Buildings

There is a varied range of buildings in the countryside which are no longer suitable for their original purpose. Conversion to other uses may be acceptable in principle only where the building makes a positive contribution to the character and appearance of the area. Provided the building is structurally sound and capable of conversion without extensive rebuilding tantamount to the erection of a new building, it is recognised that conversion to other use(s) such as residential, employment, community or visitor accommodation, can safeguard the building's future.

Even though this guidance note relates to housing in the countryside many of the detailed considerations relating to roofs, walls, windows and doors, drainage, heating and ventilation, the curtilage, landscape, parking, access and wildlife etc are applicable regardless of the end use of the building. In this respect therefore, proposals for conversion of buildings for employment, leisure or tourist use in the open countryside will also be assessed under this guidance.

There are some buildings which are not suitable for conversion, including those which are:

- structurally unsound;
- roofless, missing substantial sections of wall, or so ruined that only vestiges remain of the original structure;
- those buildings of temporary construction; and
- eyesores which should be removed in the interests of landscape conservation.

Further detailed guidance on the conversion of rural buildings is contained within Local Planning Guidance Note No. 3 - Converting Rural Buildings.

Policy H3 of the UDP requires that proposals for conversion of agricultural buildings to dwellings demonstrate that there is no longer an agricultural need for the building and that alternative non-residential uses have proved inappropriate. Where it appears that a building is suitable for non-residential use, applicants will be expected to provide details of marketing attempts made for sale or lease for non-residential purposes, for at least 12 months prior to submitting a planning application.

In addition applicants will also need to provide a full structural survey of the building to demonstrate that it is structurally sound and capable of conversion without extensive rebuilding tantamount to the erection of a new dwelling.

c) Affordable Housing Rural Exceptions

There is a demand in rural areas of the County Borough for affordable housing (as defined in TAN2) provision. Where this need cannot be met within settlement limits, the development plan sets out circumstances where affordable housing exception sites may be acceptable in rural areas.

Sites on the edge of settlements capable of accommodating up to a maximum of 5 affordable homes are considered suitable under UDP policy H8 for affordable housing purposes. However, this need must be balanced against the requirement to conserve and protect the countryside. In proposing affordable housing exception sites, developers will need to submit a strong justification for their choice of development site. They will need to consider any existing or pending development proposals within the settlement limit and demonstrate that there is no suitable or alternative site

within the settlement that could provide, or contribute towards the identified number of units specified in the policy.

Given the potential impacts on the character, form and layout of some of the rural settlements, as well as landscape implications, it may be prudent for one or more sites on the edge of settlements to be developed for affordable housing need rather than one site to accommodate all 5 units (subject to the satisfaction of other policies in the Plan).

The management and affordability of the dwellings in perpetuity will be secured through a section 106 legal agreement. Further guidance on this can be found in Local Planning Guidance Note No. 28 - Affordable Housing.

d) Infill development

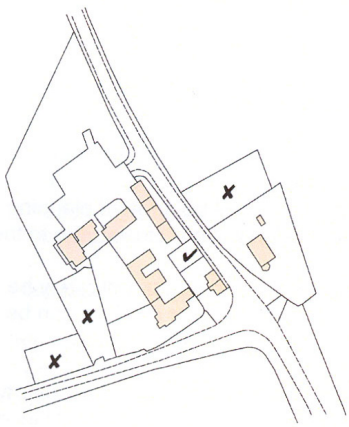
There are isolated groups of dwellings in the countryside, some (but not all) of which form a clearly defined built frontage to a highway. A small gap within such a frontage can normally be infilled by one, or at most two, dwellings without adversely affecting the character and appearance of the area.

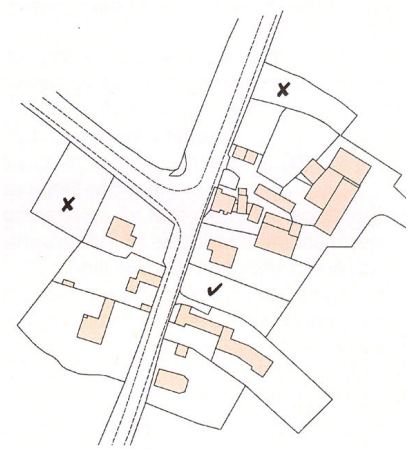
Policy H5 states that 'outside defined settlement limits new dwellings will only be permitted where proposals comprise infilling'. Infill proposals are defined as 'the development of one or two residential units in a small gap along a continuously developed highway frontage within a clearly identifiable group of buildings.'

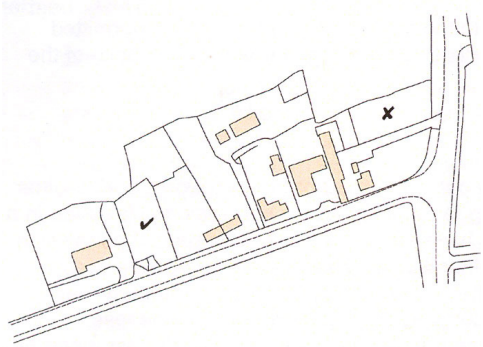
Proposals for infill development will be carefully considered in relation to the following elements:

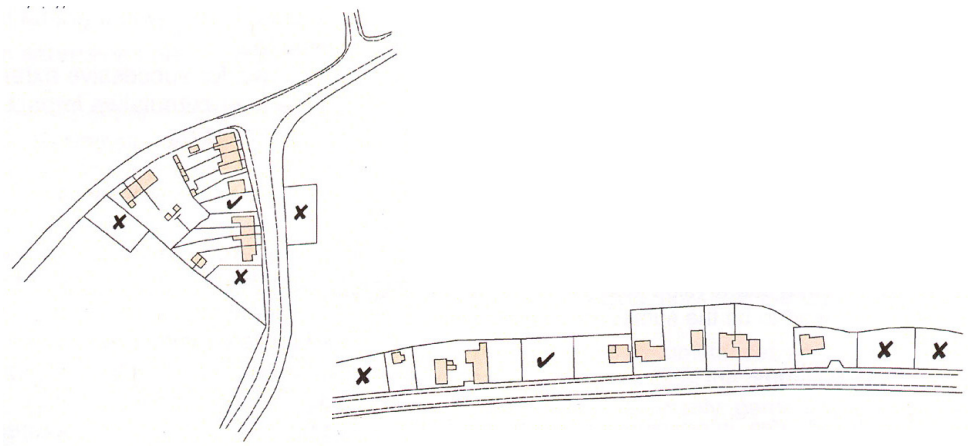
- Number of units: one or two residential units only will be acceptable, any more than this can have an adverse impact on the character and appearance of the countryside and the local distinctiveness of the area;
- Small gap: should be comparable in size and scale to the plots of adjoining properties and should be able to accommodate the number of units proposed. The dwellings should be of a similar size, scale and massing to those in the area with amenity circulation space comparable to adjoining properties;
- Continuously developed highway frontage:dwellings which are sited substantially away from the highway and have large front gardens and/or properties set within large plots with a sizeable gap to neighbouring properties are unlikely to constitute continuously built up frontages. Additional residential development in such cases will harm the rural character of the area.
- Group of buildings: there must be a group (5 or more dwellings) of buildings either in a row, on crossroads or in a cul de sac arrangement to allow infill development. Field parcels separating the dwellings would not be appropriate as a small gap and it would be unlikely that this could be defined as a group.

The following are examples of locations where infill development would and would not be acceptable:









e)House Extensions

Extensions to dwellings in the countryside will be permitted in appropriate cases. Detailed advice on the matters which the Council will take into account when considering extension proposals is contained in Local Planning Guidance Note No. 20 'House Extensions'.

However, in view of their potential visual impact, the scale of dwelling extensions in the countryside will be an especially significant consideration. The following guidelines will therefore apply:-

- extensions must be clearly subsidiary to the original dwelling and should not result in an increase of more than one third in the floor area of the original dwelling . In most cases, extensions up to this size will strike a reasonable balance between providing additional floorspace and maintaining a broad range of rural housing accommodation;
- extensions resulting in an increase of more than one third in the floor area of the original dwelling will only be appropriate:-

  (a) in the case of small dwellings where the additional space is essential to meet modern standards; and

  (b) where a higher quality design more in keeping with the character of the original dwelling could be achieved;
- this does not imply that all extensions of one third or less will be granted planning permission. Proposals of inappropriate scale and design will be refused due to their adverse impact on the dwelling.
- garages must be proportional to the needs of the dwelling and there will rarely be circumstances where accommodation for more than two cars per dwelling can be justified;
- urban-style blocks of garages will not be appropriate;
- an extension or outbuilding (ie to provide 'granex' accommodation), in particular two storey outbuildings, which could be easily adapted into a separate new dwelling in the countryside would not be in accord with the development plan and will not be permitted;
- proposals for successive extensions to the same dwelling may not be permitted where their cumulative impact would destroy the character and appearance of the original building.

f) Permitted Development

Householders are normally allowed to carry out various minor building works and/or other alterations to their dwellings without needing to obtain planning permission. However, in a countryside location, even minor works can have a significant visual impact. If permission is granted for residential development (whether it is for a new dwelling or converting or extending an existing building) some permitted development rights may therefore be removed. The intention is to control the accumulation of garden clutter, unnecessary lighting and other domestic structures. These are

generally suburban in character and are therefore not appropriate in a countryside location. Minor works may still subsequently be permitted but these will need to be the subject of a planning application.

g) Replacement Dwellings

Dwellings in the countryside can, in principle, be replaced by new dwellings. Policy H10 sets out the circumstances where replacement dwellings in the open countryside may be acceptable subject to the following restrictions:

- the existing dwelling must be habitable in its present form or could be made habitable without substantial reconstruction. A demolished or ruined structure will not qualify for replacement;
- replacement dwellings can only be on a one-for-one basis;
- floor area of a replacement dwelling should not be more than one third larger than the existing dwelling - the aim should be to achieve a level of accommodation consistent with meeting residents' reasonable living spirations while safeguarding the countryside from unnecessary and out-of scale development;
- although the removal of unattractive outbuildings will be encouraged, their existence and volume will not be accepted as a "site development allowance" when assessing the case for a larger replacement dwelling;

h) Garden Extensions in the Countryside

Planning permission is required to extend the garden of a dwelling on to land which is used for another purpose. In rural areas, this typically involves the change of use of agricultural land which, if not controlled, can change the character of the rural landscape by introducing urban features into the countryside. A garden extension will therefore only be permitted where the overall character and appearance of the rural landscape is not harmed. The following will be considered when garden extensions are proposed:

- Size and Scale - where a dwelling already has the benefit of a substantial garden area, an extension will not normally be permitted. Permission is more likely to be granted in circumstances where a dwelling has a curtilage too small to provide an adequate area of private garden.
- Essential Services - where there is insufficient space available for services within the existing residential curtilage (e.g. to site domestic fuel tanks), a garden extension may be permitted. In such cases the extension should be limited to the minimum area required to provide such services.
- Vehicular Access and Parking - where a dwelling has no vehicular access, a substandard existing access or no space for off-road parking a garden extension may be permitted that would allow a safer access and / or off road parking to be provided. In such cases the extension should be limited to the minimum area required to provide a safe access and to comply with the Council's parking standards.
- Extensions to Logical Boundaries - in circumstances where it would result in a boundary that is more logical and better reflects the character of the area, small garden extensions may be permitted. Conversely, garden extensions that extend beyond the logical boundaries (e.g. the boundaries adjoining properties, hedges or field boundaries or settlement boundaries as defined by the Development Plan) will not normally be supported.
- Previous Garden Extensions - where a garden extension has previously been permitted, it is unlikely that a further extension could be justified in view of the additional landscape and amenity impacts it would have. Permission to extend gardens in order to create space for built evelopment, including extensions to dwellings, is unlikely to be granted.

In order to mitigate the visual impact of a garden extension, conditions will be attached to a planning permission and may include:

- removal of permitted development rights to erect sheds, greenhouses and other garden structures;
- a requirement that the boundary of the garden extension (and, where relevant, other land in the control of the house-owner) should be enclosed either by a hedge formed of indigenous plant species or a natural stone wall;
- a landscaping requirement to ensure that the impact of the new garden on surrounding countryside is minimised.

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