

Policy HO1: Housing Type & Mix

- 1 New housing developments, including affordable housing, will be expected to provide for a mix of dwelling size, type, price and tenures that meets the identified housing needs of the local area.
- 2 For all new development schemes for housing of at least 10 (net) or more dwellings, the Council expects the proposed housing scheme to maximise its potential contribution towards meeting the identified housing mix for market homes as set out below:

	1-bedroom	2-bedrooms	3-bedrooms	4+ bedrooms
Market	5%	30%	40%	25%

- 3 Affordable housing on large mixed tenure sites of at least 50 (net) dwellings (market and affordable units), including strategic allocations (unless otherwise stated in the Local Plan) should seek to contribute towards the following mix of bedroom sizes:

	1-bedroom	2-bedrooms	3-bedrooms	4+ bedrooms
Affordable housing (rented)	40%	30%	25%	5%
Affordable housing (ownership)	20%	40%	30%	10%

- 4 On sites smaller than 50 dwellings (net), the preference will continue to be for smaller affordable dwellings (rented or home ownership) of 3 bedrooms or less, unless otherwise specified by the Local Housing Authority through the planning application process, following a review of its housing register.
- 5 For both market and affordable homes, the housing mix of new developments should have regard to the Council's latest evidence base. However, other factors may be considered for the housing mix of specific schemes where such other factors are relevant. Therefore, the housing mix of new residential development (including mixed use schemes), where not covered by other strategic allocation policies within this local plan, will be considered against the following criteria as relevant to the scheme:

- a) the established character and density of the area the proposal development is situated in (as evidenced in the Council's Urban Capacity and Density Study);
 - b) the viability of the scheme;
 - c) site specific constraints of the site associated with either brownfield land or conversions particularly; and
 - d) locally and robustly prepared evidence on housing mix, such as a 'Made' or referendum-stage Neighbourhood Plan or a local (parish) housing needs assessment.
- 6 If the proposed residential development fails to take opportunities to deliver a residential development that reflects the housing mix specified above, subject to the criteria above, then the residential scheme will not be supported.
 - 7 For market homes, the Council will seek to ensure that the size of bedrooms for smaller homes (1-3 bedrooms) are not capable of further subdivision. Exceptions will only apply when a scheme or unit is designed to meet the needs of people with disabilities, or where this relates to the conversion of a designated heritage asset.

Notes and Comments

Question 41

Consultation Questions

- a Do you agree with draft Policy HO1 Housing Mix and Type?
- b Is the housing mix required for both market and affordable homes in Wealden correct in our context? If not, is there evidence to support an alternative housing mix within the district? Please explain your answer.
- c Should we change anything? If so, what should we change and why?
- d Have we missed anything? If so, what have we missed and how should it be included?

Policy HO2: Density

- 1 New housing developments must make the most effective use of land and seek to optimise the use of land and the potential of a site. The density of a development should be informed by the following:
 - a) the capacity of the site and the need to use land effectively;
 - b) the need to achieve high quality design that respects local character, including consideration of the Council's latest Urban Capacity and Density Study;
 - c) local circumstances and site constraints, including the required housing mix, the need to protect or enhance the local environment (including woodland), topography, heritage assets, as well as any important landscape, habitats and/or townscape features; and
 - d) the site's (or for strategic schemes, the relevant parts of the site) current and future level of accessibility to local services and facilities by walking, cycling and public transport.
- 2 Sites that have been allocated within this Local Plan may have a specific density requirement. Where applicable, strategic sites should seek to create their own character rather than trying to reflect or densify the existing local character.

Question 42

Consultation Questions

- a Do you agree with draft Policy HO2 Density?
- b Is the Council's preferred approach of considering housing density on a case-by-case basis subject to the criteria listed the correct approach? Please explain your answer.
- c Should this policy instead set out minimum density standards across the district? If so, what should this be? Please explain your answer.
- d Should we change anything? If so, what should we change and why?
- e Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Policy HO3: Brownfield Land

Housing developments must make the most effective use of land and seek to optimise the use of land. The development of brownfield land for housing will be supported within development boundaries of settlements defined within the 'settlement hierarchy' as sustainable, providing that the site is readily accessible by means of public footpath and in reasonable distance to that settlement.

Question 43

Consultation Questions

- a Do you agree with draft Policy HO3 Brownfield Land?
- b Should this policy consider supporting the redevelopment of 'brownfield sites' for housing in less sustainable locations (i.e. beyond development boundaries)? Please explain your answer.
- c Have we missed anything that we should include in this policy, if so, what have we missed?
- d Should we make changes to this policy? If so, what changes should we make?

Notes and Comment

Policy HO4: Small and Medium Sized Housing Sites

There are clear benefits of providing well-designed new homes on small and medium sized sites, up to 1 hectare of land, providing it meets the other relevant requirements of this Local Plan. Small and medium sized sites (under one hectare) that provide the following housing mix and types will be supported, subject to other policies in this plan, where they provide:

- a) a mix of smaller homes of 1-, 2- and 3-bedrooms;
- b) self-build and custom build homes;
- c) affordable housing; and
- d) specialist accommodation.

Question 44

Consultation Questions

- a Do you agree with draft Policy HO4 Small and Medium Sized Housing Sites?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Policy HO5: Self-Build and Custom Housebuilding

- 1 The Council will support self-build and custom housebuilding schemes where this complies with all other relevant policy requirements in this Local Plan.
- 2 On sites of 20 dwellings (gross) or more, the provision of fully serviced plots for self-build and custom housebuilding should be made on site. At least 5% of the total dwellings should be made available for self-build and custom build plots, where this will not result in the over provision of this type of housing when considering the Council's supply / demand evidence. The onus will continue to be with the applicant to demonstrate that the self-build and custom-build plots are not required within the district based on the evidence on need for self-build and custom build plots within the plan period.
- 3 In terms of housing mix and size, the Council will support applicants for self-build and custom housebuilding in delivering new affordable (home ownership) and market homes in line with Policy HO1: Housing Type and Mix of this Local Plan. The Council will also strongly support self-build and custom housebuilding schemes that provide affordable homes and variation within the housing market, particularly when delivering smaller homes of 1-, 2- and 3- bedrooms including sites under the threshold of 10 units. The Council will expect self-build and custom build housing schemes to make the efficient use of land in line with Policy HO2: Density.
- 4 A design code will need to be agreed with the District Council. It will need to be followed for each plot and individual plot passports will also be required.
- 5 Where serviced plot(s) for self-build and custom-build housing have been sought as part of a strategic allocation within the Local Plan, or on sites of 20 dwellings (gross) or more, those plots must be prominently marketed for sale to self or custom builders for at least 12 months (or another period of time if mutually agreed between the two parties), at a reasonable price (this may be independently assessed through the Council) and if not sold, the plot(s) can return to the developer to be constructed as open market housing or in line with the terms set in a specific legal agreement.

Question 45

Consultation Questions

- a Do you agree with draft Policy HO5 Self-Build and Custom Housebuilding?
- b Should the policy set the threshold to require self-build and custom build plots above or below 20 dwellings (gross)? What should the threshold be? Please explain your answer.
- c Should the marketing period for the sale of self-build and custom build housing plots be at least 12 months or should this be a longer period (i.e. 18 months)? Please explain your answer.
- d Should we change anything? If so, what should we change and why?
- e Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO6: Houses in Multiple Occupancy (HMOs) and Subdivision of Existing Dwellings

Houses in Multiple Occupancy (HMO)

- 1 Proposals for the development of, and change of use of an existing property to a House in Multiple Occupation (HMOs) that requires planning permission will normally be permitted, provided that the development:
 - a) includes satisfactory storage areas for refuse and recycling, cycle storage, a suitable vehicular access and adequate car parking spaces on site;
 - b) is in keeping with the character of the locality, having regard to the appearance and general design of the original building and surrounding area; and
 - c) demonstrates that the residential amenity of existing residents and future occupiers has been considered in relation to privacy, noise, light, outlook and usable outdoor amenity space and would not result in harmful visual amenity impact on existing residents and/or the surrounding area due to the construction of physical structures associated with the proposal.

Subdivision of Existing Dwellings

- 2 Outside of development boundaries, as defined on the Policies Map, the conversion and subdivision of larger residential property into smaller dwelling units, would be supported provided it meets all of the criteria above, and provided that the development:
 - d) does not involve the creation of a large number of dwellings, with associated increases in activity, that would detrimentally harm the rural character of the area; and

- e) does not require a significant extension or alteration to the existing residential property, in order to maintain the visual integrity and character of the building.

Question 46

Consultation Questions

- a Do you agree with draft Policy HO6 Houses in Multiple Occupancy (HMO) and Subdivision of Existing Dwellings?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO7: Rural Exception Sites to Meet Local Housing Need

- 1 Proposals will be supported for housing that meets local needs within or adjoining rural settlements (i.e. settlements that are defined as types 4, 5 and 6 in the settlement hierarchy) providing all of the below criteria is met.
 - a) The need for affordable housing is clearly evidenced in an up-to-date and robust local housing needs survey that demonstrates that there is an imperative need for affordable housing;
 - b) The size, type, tenure, mix and price of the affordable dwellings reflects the required local housing need. The development is well designed and would relate well to the existing physical form of the settlement;
 - c) The development needs to be reasonably well located in relation to an existing settlement and provide appropriate footpaths to ensure that safe access for all can be achieved to local services and public transport;
 - d) The development would not result in any adverse impacts on the character of the area, heritage, landscape or the amenity of adjoining properties for the lifetime of the development;
 - e) Where market housing is deemed to be required to deliver affordable housing, then the market housing should be comparable in design to the affordable housing proposed on site in terms of its scale and the number of bedrooms.
- 2 In all cases, planning permission will be subject to a legal agreement to ensure that the affordable housing accommodation remains available to meet local housing needs in perpetuity.
- 3 Proposals which promote market housing will not be supported unless it is verified by an independent financial appraisal that market housing is required to deliver the affordable element of the scheme. Where a viability case is justified, the Council will accept the minimum enabling amount of market housing only to ensure that affordable homes is the primary use. This will be subject to an independent assessment by the Council's appointed consultant, of which, the costs will be paid for by the applicant. Market housing will be required to demonstrate that it meets the parishes local market housing need.

Question 47

Consultation Questions

- a Do you agree with draft Policy HO7 Rural Exceptions Sites to meet Local Housing Need?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO8: Affordable Housing

Affordable housing requirement

- 1 To meet the district's need for affordable housing, all residential development proposals of 10 or more units (net), or proposals for 6 or more units (net) within the High Weald Area of Outstanding Natural Beauty, or sites of 0.5 hectares or more, will be required to provide on-site affordable housing. Affordable housing will be expected to be provided at a level of 35% of the total number of dwellings. The application of this policy relates to use class C3, including permanent residential caravan sites and C2 self-contained units. Financial contributions will be sought in lieu of on-site affordable housing on permanent residential caravan sites only.
- 2 In some instances, sites allocated in this Local Plan, may specify a different affordable housing target having regard to the findings of the associated viability assessment and site-specific considerations.
- 3 Where a proposal comes forward with an affordable housing contribution higher than that required under the criterion above, the Council will consider this on a case-by-case basis and will only seek to support schemes that deliver mixed and balanced communities, as well as provide sufficient infrastructure contributions and/or on-site infrastructure necessary to make the development acceptable in planning terms.
- 4 If a development site is sub-divided to create two or more separate development schemes, one or more of which falls below the relevant affordable housing threshold, the Council will require an appropriate level of affordable housing to reflect the provision that would have been achieved on site as a whole, had it come forward as a single scheme.

Tenure

- 5 Affordable housing provision should incorporate a mix of tenures. The Council will expect a tenure mix of 40% affordable rented, 35% social rented and 25% through other affordable routes to home ownership, including First Homes, shared ownership and other types of intermediate accommodation. In the case where First Homes are provided, at least a discount of 30% will be expected to ensure that the actual housing cost is genuinely affordable for first time buyers within Wealden.

Exceptional circumstances

- 6 There may be exceptional circumstances where the provision of on-site affordable housing is not viable or desirable. The Council considers that the following issues may represent exceptional circumstances, where the applicant is unable to comply with this policy:
 - a) The developer has provided written evidence that no Council Approved Registered Provider will take the units, and this has been demonstrated to the satisfaction of the Council that this is the case; or
 - b) It is demonstrated that there is no realistic prospect of providing affordable housing by another means, such as the District Council; or
 - c) It can be demonstrated that the provision of the policy-compliant level of affordable housing would make the development unviable.
- 7 Where it can be proven that the affordable housing requirement cannot be achieved, due to economic viability, there will be flexibility in meeting stated targets. It will be the responsibility of the applicant to demonstrate that the requirements of the policy cannot be met, and that the closest alternative provision that can be achieved is provided taking into account viability and need in agreement with the Local Planning Authority. The alternative provision should initially consider a change in tenure mix before considering reducing the overall totality of provision on site. If provision is not shown to be viable, then serviced plots for affordable housing could be provided, should this be acceptable to the Council. If this is not viable or considered appropriate by the Council, a commuted sum in lieu of on-site delivery will be required. This will be subject to independent assessment by the Council's appointed consultant, of which, the costs will be paid for by the applicant.

Affordable Housing Design

- 8 The design of all new affordable dwellings shall be such that the quality and appearance of the homes (including the site layout) are indistinguishable from market housing. Any new housing scheme should make use of good quality materials and be designed in such a way as to reduce ongoing management, maintenance and repair costs. Such proposals should be designed to ensure that service charges to any affordable housing are kept relatively low. Affordable housing should be provided in small clusters throughout the development scheme to ensure the creation of mixed and balanced communities.

Community Land Trusts, Co-Housing and Almshouses

- 9 The Council supports CLTs, Co-Housing and Almshouse schemes that provide affordable housing subject to other policies within this Local Plan.

Notes and Comment 1

Question 48

Consultation Questions

- a Do you agree with draft HO8 Affordable Housing?
- b Is the proportion of affordable housing to be provided (at 35%) appropriate in the district? If not, should a higher proportion (i.e. 40% or 45%) be sought? Please explain your answer.
- c Is the Council's preferred tenure mix for affordable housing, including First Homes, correct, and if not, is there evidence to suggest an alternative tenure mix for affordable housing? Please explain your answer.
- d Where First Homes are provided, is the minimum 30% discount appropriate and if not, should this be at 40% or 50%? Please explain your answer.
- e Where First Homes are provided, is a maximum price of £200,000 after discount an appropriate maximum sales value (noting that the maximum sales value nationally that can be applied is £250,000)? Please explain your answer.
- f Where First Homes are provided, is an income cap (for individual households) of around £50,000 appropriate and if not, where should this be set (noting that the maximum national income cap is £80,000)? Please explain your answer.
- g In terms of the design of affordable housing and support for 'smaller clusters' of affordable housing within a housing scheme, should the scale of these clusters be defined by a number and in line with the scale of the wider scheme (i.e. small, medium and large schemes)? Please explain your answer.
- h Should we change anything? If so, what should we change and why?
- i Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment 2

Policy HO9: Traveller and Travelling Showpeople - Site Criteria

The following criteria will be taken into account when determining planning applications for new or extended permanent and temporary sites for Gypsies, Travellers and Travelling Showpeople:

- a) That the site or extension satisfies a clearly defined need, as evidenced by the GTAA for Wealden District, and/or the best available evidence of the applicant to demonstrate both their ethnicity and 'cultural need' for the accommodation, with respect to the PPTS and the Equalities Act (2010);
- b) That the site is well related to an existing sustainable settlement (as defined within the settlement hierarchy) with local services and facilities, particularly shops, public transport provision, primary health care and schools;
- c) That the proposal has a safe vehicular and pedestrian access to the surrounding principal highway network;
- d) That the site will be large enough to enable vehicle movements within the site, including parking and circulation to take place, having regard to the number of pitches/plots provided on site. Each pitch/plot should at least be able to accommodate 1 mobile home, 1 touring caravan and 2 car parking spaces;
- e) That the site avoids locations, which are adjacent to uses that are incompatible with residential uses, such as a refuse tip and sewage treatment works or where the land is unstable or contaminated;
- f) That new sites or the enlargement of existing sites, are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, cause significant visual harm by way of its siting, or undue impact upon local infrastructure or services in the area;
- g) In cases where proposals are in or adjacent to the High Weald AONB, or where the proposal is within the setting of the South Downs National Park, the scale and the extent of development should be limited, sensitively located and designed to avoid or mitigate adverse impacts on these designated landscapes;
- h) That the site has existing or can be provided with power, drinking water, sewage treatment and waste disposal facilities. In the case of foul drainage and drinking water, the site needs to be serviced by mains pipes and sewers;
- i) That the site avoids locations where there is a risk of flooding of all types, given the vulnerability of residential caravans. Where a site is identified as being at risk from surface water flooding, a site-specific flood risk assessment must be undertaken in line with Policy CC7: Managing Flood Risk;
- j) Any proposal for a new or extended site will need to demonstrate sufficient space for the storage and maintenance of equipment/or the exercising of animals commensurate with any business needs of the site;
- k) The proposal must be well-screened by existing or new native vegetation that contains the site visually. The screening should be maintained permanently, and any planning application should be accompanied by a landscape management plan to ensure it remains in perpetuity. The use of high fences or walls to supplement the existing screening of the site will not be supported; and
- l) That the proposal is well designed and laid out, ensuring that suitable amenity space is provided in terms of open space and soft landscaping, whilst limiting the use of hard standing and permanent structures. Where proposals for amenity blocks are provided, these must be of appropriate scale to the pitch/plot and well-designed.

Notes and Comments

Question 49

Consultations Questions

- a) Do you agree with the draft Policy HO9 Gypsy, Traveller and Travelling Showpeople – Site Criteria?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

Policy HO10: Gypsy, Traveller and Travelling Showpeople - Safeguarding Sites

- 1 The existing provision of Gypsy, Traveller and Travelling Showpeople sites within the district will be safeguarded. Planning applications for the loss of such sites will need to be robustly justified. In order to demonstrate compliance, appropriate, detailed and robust evidence will be required to satisfy the criteria below. The Council may require the independent assessment of such evidence at the cost of the applicant.
- 2 Proposals that would result in the loss of an authorised and permanent site for residential use for Gypsies, Travellers or Travelling Showpeople will not be permitted unless it can be clearly demonstrated that:
 - a) The site is no longer suitable for such a use and suitable alternative provision is made for the use on a site of equal or better quality, with equal or better access to services; or
 - b) That there is no need for Gypsy, Traveller and Travelling Showpeople pitches/plots within the district.
- 3 Where existing Gypsy, Traveller and Travelling Showpeople sites have a personal planning condition attached to the site occupier (and/or their relatives) who subsequently leave, every effort should be made to remove or modify the planning condition to allow for the site to be used as a Gypsy, Traveller and Travelling Showpeople site in perpetuity.
- 4 Planning conditions or legal obligations may be necessary to ensure that any replacement sites are provided before the existing Gypsy, Traveller or Travelling Showpeople site is lost.

Question 50

Consultation Questions

- a Do you agree with draft Policy HO10 Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites?
- b Should we change anything? If so, what have we missed and how should it be included?
- c Have we missed anything? If so, what have we missed and how should it be included?

Note and Comments

Policy HO11: Specialist Housing for Older and Vulnerable People

New Specialist Housing for Older and Vulnerable People

- 1 The Council will support development proposals that deliver specialist housing for older people and vulnerable groups in the following circumstances:
 - a) When the proposal is within a development boundary or is specified in strategic allocations contained within this Local Plan. In particular, support will be given to development proposals for older and vulnerable person's accommodation that meets Wealden's local needs as evidenced within the Council's latest Local Housing Needs Assessment. This will include support for schemes that incorporate housing with support (sheltered/retirement housing), housing units with care (i.e. extra care), specialist accommodation for those with disabilities and conventional care bedspaces where there is an identified need.
 - b) Whereby proposals include bungalows as part of a housing scheme, particularly where these provide smaller accommodation (1-, 2- and 3- bedrooms) and are provided as part of affordable accommodation for rent and shared ownership/equity.
- 2 Retirement villages will be supported, where these are provided on strategic housing allocations or other suitable housing sites (that accords with other relevant policies of this Local Plan), if the proposal meets the needs of older and vulnerable people specifically (including extra care or supported accommodation).
- 3 The Council will particularly encourage schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent and shared ownership/equity. Where there is a local need within the Parish or in a combination of Parishes that are adjacent to each other, the Council would support, subject to other policies in this plan, specialist housing coming forward on a rural exceptions site under Policy HO7 (Rural Exception Sites).

Amenity Space and Parking Provision

- 4 Housing for older and vulnerable people should incorporate amenity and garden space appropriate to the nature of the scheme (i.e. gardens will be appropriate to private dwellings, whilst communal amenity space will be appropriate to flatted C2 schemes for example).
- 5 On-site parking will be required, for residents, staff and visitors, and should not harm the character of the area and should be delivered in line with the Council's Parking Standards. The design of scheme should include refuse storage, cycle storage and EV charging points in line with other relevant policies of this Local Plan.

Loss of Older Persons' Accommodation and Specialist Housing

- 6 The loss of existing older persons' accommodation and specialist housing will not be supported unless it is demonstrated to the Council's satisfaction that:
 - a) There is no longer an identified need for that type of accommodation within the district; or
 - b) Suitable alternative provision is, or will be, provided locally so that there is no net loss; or
 - c) The accommodation no longer meets minimum standards required to provide acceptable care and it is not practicable or viable to improve the specialist accommodation to those minimum standards or adapt to another form of alternative specialist accommodation.
- 7 In order to demonstrate compliance, appropriate, detailed and robust evidence will be required to satisfy the criteria above. The Council may require the independent assessment of such evidence at the cost of the applicant.

Notes and Comments

Policy HO12: Residential Accessibility Standards

- 1 All new development will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations, unless it is built in line with M4(3) (a) wheelchair adaptable dwellings or M4(3) (b) wheelchair accessible dwellings of the Building Regulations 2015, or subsequent government standard.
- 2 In addition, on developments of 20 (gross) or more dwellings, the Council will require a minimum of 10% of new affordable dwellings to be built to meet requirement M4(3) standards of the Building Regulations 2015, or subsequent government standard.
- 3 Only in circumstances where it can be robustly demonstrated by the applicant that it is not practicable or financially viable to deliver the provisions above or where the requirements are clearly incompatible with conserving and enhancing historic character, will new development be exempt from this policy requirement.

Question 52

Consultation Questions

- a Do you agree with the draft Policy HO12 Residential Accessibility Standards?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO13: Internal Residential Space Standards or New Dwellings

All new residential development, including dwellings created through the subdivision of existing dwellings or conversion, shall comply with Nationally Described Space Standards, or any subsequent government space standard.

Table 13 Minimum gross internal floor areas and storage (m2)

Number of Bedrooms(b)	Number of bed spaces (persons)	1 storey dwelling	2 storey dwelling	3 storey dwelling	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Question 53

Consultation Questions

- a Do you agree with the draft Policy HO13 Internal Residential Space Standards for New Dwellings?
- b Is there alternative evidence to suggest that the Council should not be adopting the minimum national gross internal floorspace standards? Please explain your answer.
- c Should we change anything? If so, what should we change and why?
- d Have we missed anything? If so, what have we missed and how should it be included?

Notes and comments

Policy HO14 Rural Workers Accommodation

- 1 Proposals will be supported for a new temporary or permanent rural worker dwelling subject to the criteria below being met. Applicants will need to demonstrate the following:
 - a) That there is a clearly established operational or functional business need for an additional worker to live permanently at the site;
 - b) The need relates to a full-time worker or relates to their primary employment as a rural worker and does not relate to a part time requirement;
 - c) That no suitable accommodation exists in the vicinity of the land based rural enterprise (sale/rent) or could be made available for the rural worker using existing buildings or the conversion of existing buildings on the site;
 - d) That the agricultural, forestry or other land based rural enterprise has been established for either:
 - i. a minimum three-year period (being profitable for at least one of them) and is likely to remain financially viable for the foreseeable future; or
 - ii. where the business has not been operating for three years, it can demonstrate that it will be financially sound.
 - e) The proposal does not provide a replacement dwelling that has been disposed of for market housing in recent years including the conversion of agricultural buildings to residential;
 - f) The dwelling is appropriately located to satisfy the operational and functional needs of the agricultural, forestry or other land based rural enterprise, is located near to existing buildings/dwellings and is no larger than that required to provide for the accommodation needs of the rural worker and their immediate family, including any residential curtilage; and
 - g) The proposal would not result in any adverse impacts on the character of the area, heritage, landscape or the amenity of adjoining properties for the lifetime of the development.
- 2 Evidence submitted on financial viability will be subject to an independent assessment by the Council's appointed consultant, of which, the costs for the independent assessment will be paid for by the applicant.
- 3 Permitted development rights will be removed for rural workers dwellings to ensure that the dwelling remains of a size commensurate to the needs of the business.

Temporary Rural Workers Dwellings

- 4 If a rural workers dwelling is essential to support either a new or existing rural enterprise or activity, it should for the first three years be provided by a caravan/mobile home or other temporary accommodation. Temporary accommodation will not be granted planning permission in locations that would not be suitable for a rural worker's dwelling.

Rural Workers Occupancy Condition

- 5 A rural workers dwelling will be restricted to remain available for meeting the accommodation needs of a rural / primary worker for as long as the need exists / permission is provided for, or the widow or widower of such a person or any resident dependents are living within the property. This is to ensure that the dwelling remains commensurate to the needs of the agriculture, forestry or land based rural enterprise.
- 6 The removal of an occupancy condition will only be permitted where it can be demonstrated to the satisfaction of the Council that:
 - a) There is unlikely to be any need for such rural worker dwellings at the site or within the local area as demonstrated by an up-to-date assessment of the demand for rural worker dwellings;
 - b) It can be demonstrated that the agriculture, forestry or land based rural business is no longer financially viable; and
 - c) Robust and comprehensive evidence has been provided to demonstrate that the property has been subject to continuous marketing for an 18-month period at either a rental or sale price that reflects the occupancy condition in place.
- 7 Evidence submitted to the Council on the removal of an occupancy condition will be subject to an independent assessment by the Council's appointed consultant, of which, the costs for the independent assessment will be paid for by the applicant.
- 8 Where the removal of a rural occupancy condition does take place, planning conditions and/or Section 106 Planning Obligation will usually be imposed to require the dwelling to remain as affordable housing, with a new occupancy condition restricting the dwelling as affordable housing in perpetuity. The only exception to this will be where:
 - a) The applicant has provided written evidence that no Council Approved Registered Provider will take the unit, and this has been demonstrated to the satisfaction of the Council that this is the case; and
 - b) It is demonstrated that there is no other realistic prospect of another appropriate organisation taking on the unit, such as the District Council.

Question 5A

Consultation Questions

- a Do you agree with draft Policy HO14 Rural Workers Accommodation?
- b Do you agree that where a rural occupancy condition is removed, that a new planning condition/planning obligation should be in place to require the dwelling to remain as affordable housing in perpetuity? Please explain your answer.
- c Should we change anything? If so, what should we change and why?
- d Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO15: Conversion of Rural Buildings to a Residential Use

- 1 The conversion of existing rural buildings in the countryside for residential uses (outside the development boundaries as defined on the Policies Map) will be supported where:
 - a) The building is structurally sound and of a permanent and substantial construction capable of conversion without significant new build, extension or alteration. The Council will normally require this to be demonstrated through the submission of a structural survey as part of the planning application process;
 - b) It is demonstrated that every reasonable attempt has been made to secure a business, recreational or tourism use of the building in the first instance and the application is supported by a statement of the efforts which have been made to achieve this. This should include details of active marketing at an appropriate value/rent and the details of any interest received (with no reasonable offers being refused) for a minimum of 18 months;
 - c) The conversion of a rural building to a residential use shall not compromise the existing or future operation or management of the land for its principal rural use, or result in the need for further rural buildings as a result of the proposal;
 - d) The proposal makes an efficient and viable use of a redundant or disused building, including the optimal viable use of a heritage asset where applicable;
 - e) There is an enhancement to the immediate setting;
 - f) The residential use and associated activities do not detract from the area including landscape character and visual amenity of the immediate surroundings;
 - g) The proposed conversion and alterations respect the character and appearance of the rural building, the immediate and surrounding landscape character and the significance and setting of heritage assets; and
 - h) The residential curtilage of the dwelling shall be limited, only allowing for adequate space for parking/turning and outdoor amenity space only where appropriate.
 - i) The building shall be worthy of retention for its historic character or its architectural value and makes a positive contribution to landscape character and/or the farmstead. The conversion of Atcost barns will not be supported;
 - j) The rural building is situated either in a sustainable location, or includes safe options to sustainable transport modes to existing services and facilities of a nearby sustainable settlement;
 - k) The rural building has not been 'recently constructed'¹⁴⁸ with little or no use for this purpose, prior to the proposed conversion of the building to an alternative use being submitted to the local planning authority;
 - l) It is demonstrated that the living conditions of future occupiers will not be harmed by proximity in relation to existing neighbouring uses, including farm activity, noise, and odours;
 - m) The residential use and associated activities do not detract from the area including landscape character and visual amenity of the immediate surroundings;
 - n) Any ancillary structures and garaging will be required to demonstrate that the additional space cannot be met from existing buildings in the immediate surrounds suitable of conversion. The design, scale and massing of the dwelling, including ancillary structures and landscaping, must show clear regard to the rural location,

local traditional vernacular materials and the traditional layout of any historic farmstead to which it is located. The design must have regard to and reflect the hierarchy of buildings within the farmstead (where applicable) and not introduce inappropriate hard and soft landscaping and subdivision of a farmstead area, or inappropriate incursion into agricultural land, in the pursuit of providing any associated residential curtilage.

- 2 Planning permission for this type of development may be subject to planning conditions requiring landscape buffering. Where appropriate, planning conditions will be imposed to remove permitted development rights for alterations and/or extensions to the building and the erection of other ancillary buildings, fencing within the curtilage.

Question 55

Consultation Questions

- a Do you agree with draft Policy HO15 Conversion of Rural Buildings to a Residential Use?
- b Do you agree that the conversion of agricultural buildings should first consider business and tourism uses first before residential development? Please explain your answer.
- c Should we change anything? If so, what should we change and why?
- d Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO16: Park Homes and Residential Caravan Sites

Proposals for new park homes/permanent residential caravan sites within development boundaries, or small-scale extensions to existing park homes/ permanent residential caravan sites that lie outside of the development boundaries will be supported where they contribute to the district's housing need provided that:

- a) the scale, design and layout of the proposed development relates well to the surrounding area and does not appear dominant in the landscape or to its nearest settlement;
 - b) the site is not located within Flood Zones 2 or 3, within an area with poor drainage or within an area of poor ground stability;
 - c) the proposal includes on-site facilities for day-to-day uses and recreational provision of an appropriate scale;
 - d) the proposal includes safe vehicular and pedestrian access, satisfactory storage areas for refuse and recycling, and sufficient car parking spaces (including circulation);
 - e) the location of the site will not have a detrimental impact on the surrounding highway network;
 - f) the site has good accessibility by sustainable modes of transport to a sustainable settlement; and
- g) the proposal will not result in an unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, sunlight, noise, odour and disturbance.

Question 56

Consultation Questions

- a Do you agree with draft Policy HO16 Park Homes and Residential Caravan Sites?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO17: Replacement Dwellings in the Countryside

- 1 The replacement of an existing dwelling in the countryside will be permitted subject to all of the below criteria being met:
 - a) The existing individual dwelling benefits from a lawful residential use and this use has not been 'abandoned';
 - b) The existing dwelling cannot meet the needs of occupiers by way of extensions or alterations to the existing dwelling;
 - c) The replacement dwelling is of a comparable size and scale to the original dwelling and is located within the footprint of, or as close as practical to the existing dwelling within the residential curtilage, unless an alternative position would result in clear landscape, heritage, access or local amenity benefits;
 - d) The form, external appearance, height and massing of the replacement dwelling and any associated development and works, shall be no more visually obtrusive in the landscape than the original dwelling;
 - e) The proposed replacement dwelling is designed to ensure it does not result in adverse harm to the overall character and appearance of the area taking into account the surrounding landscape, heritage assets, built form and existing street scene;
 - f) The proposed replacement dwelling can be suitably accessed and can provide sufficient parking and adequate private amenity space within the curtilage of the dwelling; and
 - g) The proposal would not materially harm any neighbouring uses including the living conditions of nearby residents, particularly in relation to a loss of privacy or daylight.
- 2 Where replacement dwellings are permitted, planning conditions may apply to:
 - a) Remove permitted development rights where the replacement dwelling has increased its overall floorspace from the existing dwelling and where further increases may result in an unacceptable development as per the criteria above; and / or
 - b) Require the removal of the existing dwelling where an alternative location is proposed to prevent the development of isolated homes in the countryside.

Question 57

Consultation Questions

- a Do you agree with draft Policy HO17 Replacement Dwellings in the Countryside?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy HO18: Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes

- 1 Proposals for extensions and alterations to existing residential dwellings and for proposals for outbuildings and annexes within their curtilages will be permitted where:
 - a) it is designed to respect the scale, form, proportions, materials, height and massing of the existing dwelling;
 - b) it is designed to be in keeping with the appearance and general design of the original dwelling;
 - c) the design of the extension, alteration, outbuilding or annex leaves sufficient external private space for the occupiers of the dwelling, including a sufficient level of parking;
 - d) in the case of extensions and alterations, they are physically and visually subservient to the dwelling, including its roof form, taking into account its original form and the cumulative impacts of existing extensions on the property;
 - e) in the case of subsequent extensions and alterations to converted rural buildings, this should not detract from the original form and character of the building;
 - f) in the case of outbuildings, they respect and respond positively to the character, appearance and setting of the main dwelling within its plot and the surrounding area, through their siting, scale and massing, design and materials; and
 - g) in the case of an annexe, the proposal should normally be physically attached to the dwelling and not lend itself to future subdivision to form a new dwelling. In cases where a detached annexe is required, this annexe accommodation should be sited in close proximity to and have a clear functional relationship with the existing dwelling, with the applicant first considering existing buildings in the curtilage of the dwelling that are capable of conversion.
- 2 Where an annexe is permitted, the Council will consider whether a planning condition or Section 106 Planning Obligation¹⁴⁸ should be applied or signed to ensure that the proposed annexe is tied with the existing host dwelling.
- 3 In cases where an extension, outbuilding and/or annex is permitted, particularly in rural locations, the Council will consider attaching a planning condition(s) to that approved planning permission to remove permitted development rights where it is considered that subsequent extension to the dwelling will adversely impact the character of the area, or the amenities of neighbouring occupiers.

Question 58

Consultation Questions

- a Do you agree with draft Policy HO18 Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes?
- b Should we change anything? If so, what should we change and why?
- c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Other Comments