Newport City Council
Local Development Plan

Council Response to Matters Arising

Hearing Session 18: Miscellaneous Matters
1. New criteria-based CE policy

1.1 “Add new criteria-based policy and explanatory text concerning development in the countryside and new H policy and/or text articulating approach to new housing development in locations outside settlement boundaries.”

1.2 Proposed new countryside policy:

**CE1: DEVELOPMENT IN THE COUNTRYSIDE**

DEVELOPMENT IN THE COUNTRYSIDE WILL BE STRICTLY CONTROLLED, BUT IT MAY BE ACCEPTABLE IF IT IS NECESSARY FOR:

1) A RURAL ENTERPRISE OR FARM-DIVERSIFICATION PROJECT;
2) THE WINNING AND WORKING OF MINERALS;
3) LAND RECLAMATION;
4) TRANSPORTATION AND/OR UTILITIES INFRASTRUCTURE;
5) THE SUITABLE CONVERSION OR LIMITED EXTENSION OF EXISTING STRUCTURALLY SOUND RURAL BUILDINGS WHERE THE DEVELOPMENT IS MODEST IN SCALE AND CLEARLY SUBORDINATE TO THE ORIGINAL STRUCTURE;
6) THE DIRECT REPLACEMENT OF AN EXISTING DWELLING;
7) OUTDOOR RECREATIONAL AND SPORTING ACTIVITIES.

DEVELOPMENT IN THE COUNTRYSIDE THAT IS ACCEPTABLE IN PRINCIPLE SHOULD, WHERE POSSIBLE, UTILISE EXISTING BUILDINGS AND PREVIOUSLY DEVELOPED LAND AND/OR HAVE AN APPROPRIATE SCALE, FORM AND DETAIL FOR ITS CONTEXT.

The countryside, for the purposes of the LDP is defined as land lying outside of the defined settlement boundaries. The Council recognises the importance of protecting the countryside due to its value for landscape, natural resources, agriculture, ecology, geology, physiography, history, archaeology and outdoor recreation. Therefore development within the countryside will be strictly controlled.

1.3 Proposed new H policy:

**H18: DWELLINGS IN THE COUNTRYSIDE**

BEYOND THE DEFINED SETTLEMENT BOUNDARIES, NEW DWELLINGS WILL ONLY BE PERMITTED WHEN IT IS ESSENTIAL FOR THEM TO BE ON THE SITE OF A RURAL ENTERPRISE. SUCH DWELLINGS SHOULD BE LOCATED WITHIN AN EXISTING GROUP OF BUILDINGS, AND ANY PLANNING PERMISSION WILL CONTAIN APPROPRIATE OCCUPANCY CONDITIONS. PROPOSALS SHOULD MEET ALL OF THE FOLLOWING CRITERIA:

i) THE ENTERPRISE CAN ONLY FUNCTION PROPERLY IF A WORKER LIVES ON SITE ON A FULL-TIME BASIS;
ii) THE ENTERPRISE IS ESTABLISHED AT A SCALE THAT PROVES THE FUNCTIONAL NEED;

iii) THE ENTERPRISE HAS BEEN FINANCIALLY SOUND FOR AT LEAST THE LAST THREE CONSECUTIVE YEARS;

iv) IN THE PREVIOUS TEN YEARS, NO DWELLING HAS BEEN SEVERED FROM THE CURRENT SITE OR FROM ANY OTHER RURAL ENTERPRISE OF WHICH IT FORMED A PART DURING THAT PERIOD;

v) THERE IS NO SUITABLE ALTERNATIVE SITE OR PROPERTY AVAILABLE, INCLUDING A BUILDING CAPABLE OF CONVERSION, IN A NEARBY SETTLEMENT;

vi) THE SIZE OF THE DWELLING IS COMMENSURATE WITH THE FUNCTIONAL NEEDS OF THE ENTERPRISE IN QUESTION;

vii) THE DEVELOPMENT DOES NOT REQUIRE THE PROVISION OF UNSIGHTLY INFRASTRUCTURE, AND SERVICES CAN BE READILY AND ECONOMICALLY PROVIDED;

viii) THE ADDITIONAL TRAFFIC CAN BE ACCOMMODATED ON THE EXISTING HIGHWAY NETWORK WITHOUT UNACCEPTABLE CONSEQUENCES;

ix) THE DEVELOPMENT DOES NOT RESULT IN THE STERILISATION OF IDENTIFIED MINERAL RESOURCES OR RESERVES.

The Council seeks to protect the countryside for the benefit of the entire community. Only in exceptional circumstances, therefore, will it grant planning permission for dwellings beyond the settlement boundaries defined in this Plan.

Welsh Government Technical Advice Note 6: Planning for Sustainable Rural Communities (hereafter referred to as TAN 6) provides examples of land-related businesses that constitute rural enterprises. Where it is necessary for a worker in a rural enterprise to live on the land, rigorous justification will be required before a permanent dwelling is allowed in open countryside. A business plan may usefully support an application for development, and it will normally be appropriate for temporary accommodation to be sought while the viability of the unit is established. In addition to functional and financial tests, it must be shown that no suitable property or site is available in a built-up area. It must also be proved that no dwelling has been severed from the application site in the previous 10 years, or from any other site of which it formed a part during those 10 years. This is to prevent the progressive fragmentation of sites in order to secure consents for dwellings in the countryside. By using occupancy conditions of the kind suggested by TAN 6, the Council will ensure that isolated dwellings in the countryside continue to serve the types of rural enterprise that justified their construction in the first place. Applicants should bear in mind that the needs of a rural enterprise will never justify the erection of Retirement homes for workers.

A dwelling in the countryside should only be so large as to meet the requirements of a rural enterprise. The curtilage and infrastructure that goes with a dwelling, such as access roads and power lines, can often be as intrusive in the countryside as the dwelling itself. It is recommended, therefore, that isolated or prominent locations be avoided. Other environmental policies of this Plan should also be met, and the impact on the local highway network, which may consist of narrow country lanes, will require careful consideration.
2.0 Policy H5

2.1 “Delete references to gypsy and traveller accommodation from explanatory text to policy H5 Affordable Housing Exceptions in paragraph 5.15.”

2.2 Reference to gypsy and traveller accommodation will be deleted. Paragraph 5.15 now reads:

Planning Policy Wales allows for the release of sites for affordable housing, including Gypsy and Traveller accommodation, as an exception to normal housing policies. A local needs survey will be required to show that there is a genuine local need for this type of accommodation. The need for Gypsy and Traveller accommodation is defined by the Council. Gypsy and Traveller families will need to demonstrate a genuine local connection and genuine need to locate in the area. GP policies will apply to all proposals, and sites in the Green Belt or Green Wedges should not be considered until all other possibilities have been explored.

3.0 Policy GP6

3.1 “Reword criterion (iii) of policy GP6 General Development Principles — Quality of Design.”

3.2 Criterion (iii) of GP6 now reads:

PRESERVATION AND ENHANCEMENT: WHERE POSSIBLE, DEVELOPMENT SHOULD REFLECT THE CHARACTER OF THE LOCALITY BUT AVOID THE REPLICATION OF NEIGHBOURING ARCHITECTURAL STYLES. THE DESIGNER IS ENCOURAGED TO DISPLAY CREATIVITY AND INNOVATION IN DESIGN.

4.0 Policy H7

4.1 “Recast policy H7 Annexes to Residential Dwellings and supporting text, to form criteria-based policy approach.”

4.2 The policy and supporting text for Policy H7 is completely re-written:

H7 Annexes to Residential Dwellings

PROPOSALS FOR THE PROVISION OF SELF-CONTAINED ANNEXE ACCOMMODATION WILL BE PERMITTED PROVIDED THAT:

i) THE PROPOSED ANNEXE IS OF LIMITED SIZE AND PROVIDES ONLY ESSENTIAL ACCOMMODATION THAT IS COMMENSURATE WITH THE NEEDS OF THE USER AND SUPPLEMENTARY TO THE FACILITIES AND ACCOMMODATION AVAILABLE IN THE ASSOCIATED DWELLINGHOUSE.

ii) THE ANNEXE IS SITED AS CLOSE AS POSSIBLE TO THE ASSOCIATED DWELLINGHOUSE.

iii) IT HAS BEEN DEMONSTRATED THAT THERE IS A FUNCTIONAL LINK WITH THE ASSOCIATED DWELLINGHOUSE IN RESPECT OF THE RELATIONSHIP WITH THE OCCUPIERS OF THE ASSOCIATED DWELLINGHOUSE AND THE SERVICES /FACILITIES AVAILABLE FOR THE USER OF THE ANNEXE.
iv) THE ANNEXE IS LOCATED WITHIN THE EXISTING CURTILAGE OF THE ASSOCIATED DWELLINGHOUSE AND NO SEPARATE CURTILAGE, VEHICULAR ACCESS OR SEGREGATED PARKING AREA SHALL BE CREATED.

For the purposes of this policy, an annexe is defined as accommodation that is ancillary to a main dwellinghouse. This means that even a self-contained annexe must support a house in some way, not function independently of one. It follows, therefore, that a house and its annexe must occupy a single planning unit and share vehicular access, a parking area and a garden. The Council will control the layout of any proposal in order to prevent the separation of an annexe from a main dwellinghouse. Any scheme that fails to demonstrate a reasonable degree of dependency between an annexe and a main dwellinghouse will be assessed as a proposal for a new dwelling.

5.0 Minor text updates and corrections

5.1 “Minor text updates/corrections as noted in main discussion matters.”

5.2 The following updates/corrections have been made:

Paragraph 1.44:

“The Green Belt between Marshfield and Cardiff is the first area of statutory Green Belt in Wales. This was designated in the adopted Newport Unitary Development Plan 1996 – 2011 following earlier regional collaboration through SEWSPG on Green Belt issues around the capital. The Green Belt will continue to be protected throughout this Plan period, and will also be expanded slightly.”

Policy SP5 Countryside: (full stop replaced by comma).

“DEVELOPMENT IN THE COUNTRYSIDE (THAT IS, THAT AREA OF LAND LYING BEYOND THE SETTLEMENT BOUNDARIES SHOWN ON THE PROPOSAL AND INSET MAPS) WILL ONLY BE PERMITTED WHERE THE USE IS APPROPRIATE IN THE COUNTRYSIDE, RESPECTS THE LANDSCAPE CHARACTER AND BIODIVERSITY OF THE IMMEDIATE AND SURROUNDING AREA AND IS APPROPRIATE IN SCALE AND DESIGN. HOUSING DEVELOPMENT, RURAL DIVERSIFICATION AND RURAL ENTERPRISE USES, BEYOND SETTLEMENT BOUNDARIES, WILL ONLY BE APPROPRIATE WHERE THEY COMPLY WITH NATIONAL PLANNING POLICY.”

Paragraph 2.38:

“This area enjoys good access to the City Centre via the Southern Distributor Road and Usk Way, which facilitates good public transport opportunities. Development of this area is seen to have much more potential benefit to the City Centre than development to the north, which could lead to loss of trade to Cwmbran, or to the west, where trade could be drawn to Cardiff. The area also includes a proposed station, including park-and-ride, at Llanwern, which is included in the regional transport strategy. A north-south link across the railway will provide access to the station, a second main access for the Llanwern Village development, and assist the provision of good bus services to residential areas, north and south. It is expected that a third party will construct a railway station (including a park-and-ride service) at
Llanwern in order to make the area more accessible. A north-south link across the railway will provide an access to the station and a second main access to the Llanwern Village development. It will also encourage the provision of good bus services to local residential areas. The improvement and opening up to the public traffic of Queensway will improve access to the motorway to the east for all of South East Newport and beyond.”

6.0 Amendments to village boundaries

6.1 “Council to further review its draft list of settlements where settlement boundary and inset map not required, focussing on omitting boundaries for smaller groups of dwellings in the countryside but retaining settlement boundaries for more substantial identified villages. Further consider whether settlement boundaries should be maintained for Bishton and Redwick; if so, Council to revisit and review whether amendments to boundaries for Bishton and Redwick are required, in order to achieve rational and coherent boundaries which do not exclude dwellings that are contiguous with the defined settlement area and should logically be included within it.”

6.2 Further consideration is being given to the village boundaries. An update to Session 1 has been submitted.