

Development in the Countryside

Introduction

5.1 The countryside is integral to the character of Wealden, yet it is subject to increasing pressure for change. This relates to both development pressures and those brought about by the need to reduce food surpluses within the European Union. These factors are interwoven, as Common Agricultural Policy (CAP) reforms tend to reduce farm incomes and result in land coming out of agricultural production, with consequent pressures to find beneficial alternative uses for rural land and buildings.

5.2 At the same time there is a wider awareness and appreciation of the attractive traditional rural landscape character of the countryside and its associated nature conservation value. Both residents and visitors enjoy the countryside for informal recreation.

STRATEGY

5.3 Government policies for the countryside are contained principally in Planning Policy Guidance Note 7: The Countryside – Environmental Quality and Economic and Social Development. This states that, as a guiding principle, development should both benefit economic activity and maintain or enhance the environment. It adds that the countryside should be safeguarded for its own sake and non-renewable and natural resources should be afforded protection. More specific policies to integrate these objectives should be determined by local planning authorities in ways which reflect the different types of countryside and the economic and social circumstances found in their areas.

5.4 As Aim 8 of the Plan shows, the Council is committed to helping the rural community through the promotion of new employment opportunities. This must be balanced, however, against the need to protect the landscape and wildlife importance of the District, as set out in other policies in the Plan. It is also essential to promote an efficient pattern of development to meet the Council's commitment to the objectives of sustainable development.

5.5 Although there is now less importance attached to retaining land in productive agricultural use, the Council recognises the need to sustain the agricultural industry, and will resist the loss of the best and most versatile agricultural land. Moreover, there has been an increasing range of other commercial activities in the countryside which make valuable contributions to sustaining a healthy rural economy. Research has shown that many firms are setting up and thriving in

countryside locations. Indeed, many of these are now an established part of the rural scene, often utilising former farm buildings. In view of the need to improve the local economy, provision should continue to be made for appropriate diversification, with priority attached to employment generating uses.

5.6 For the purposes of the Plan, countryside policies apply to all areas outside the development boundaries defined in Chapter 3 and GD1 and GD2. Dealing with countryside recreation, the Plan places an emphasis on quiet enjoyment to reflect the high landscape quality and vulnerability of much of the countryside to development pressures. It is noted that, unlike National Parks, recreation is not an objective of Areas of Outstanding Natural Beauty, although such activities may be acceptable provided that they are consistent with the primary landscape objectives. Housing in the countryside is generally resisted, although there are special needs which may be met, such as agriculture, forestry or affordable housing. Replacement dwellings may also be appropriate.

The particular objectives for the countryside are:-

- (1) to balance the needs of the rural economy with the protection of the District's landscape and wildlife;*
- (2) to assist the rural economy by providing for appropriate alternative uses of land and buildings;*
- (3) to protect the best and most versatile agricultural land;*
- (4) to encourage quiet informal recreational enjoyment of the countryside, and to provide a policy framework for organised recreation;*
- (5) to resist housing development unless it meets particular needs and requires a countryside location.*
- (6) to support national and local initiatives for sensitive countryside management, particularly in areas vulnerable to change and in relation to agricultural practices;*

GENERAL DEVELOPMENT

5.7 As set out in Chapter 3, the areas of towns and villages where new development is acceptable in principle are defined by 'development boundaries'. For the purposes of the Local Plan, countryside policies apply to all areas outside the development boundaries, including the fringes of some settlements, and covers

others where no development boundary is drawn. The Plan's approach to new development outside development boundaries is to prevent sporadic and unnecessary development and normally only permit that which is regarded as conserving the character of the countryside.

5.8 Agricultural development, including farm diversification, recreational and equestrian developments, as well as certain residential development in the countryside are considered below. Business activities are considered separately in Chapter 7, while shopping policies, including garden centres and farm shops, are in Chapter 8. Transport proposals, which may have particular environmental implications on the countryside are considered in Chapter 9. Tourism and recreation development are also addressed in Chapters 10 and 11 respectively.

AGRICULTURAL LAND AND DEVELOPMENT

5.9 The landscape of the countryside has been largely moulded by the nature and pattern of farming activity, which remains its principal land use. It follows that the future of the countryside is closely bound with the trends and policies affecting agriculture. Measures being taken to reduce overall production and thereby cut current food surpluses resulting from Common Agricultural Policy (CAP) reforms are likely to continue to have a major influence on the agricultural economy and hence, on the significant number of jobs (3,000) in farming in the District.

5.10 Securing an economic future for the agricultural industry is primarily a matter for co-ordinated discussion between the Government, the European Union and the agencies involved. This should provide a long term agricultural policy rather than rely on short term land use solutions to the issue. Notwithstanding this, the Council appreciates that, locally, the generally poor soil and land drainage conditions make farms vulnerable to changes in agricultural support policies. This may be exacerbated by the small size of many farms. This threatens not only the viability of farming but, moreover, the integrity and attractiveness of the countryside itself.

5.11 Notwithstanding the reduced emphasis on agricultural production, it is Government policy that the countryside should be safeguarded for its own sake. In order to retain and enhance the role of agriculture as an integral part of Wealden's highly valued landscape character, it is particularly important to maintain a viable agricultural economy and to encourage greater integration of environmental objectives with agricultural support policies. This may be promoted in several ways. These include appropriate protection of agricultural land, resisting the damaging effects of

severance and fragmentation of holdings, accommodating new agricultural practices and looking at sensitive alternative uses for rural land and buildings.

Agricultural Land

5.12 It is estimated that there are some 1,320 farm holdings in the District, based on Ministry of Agriculture, Fisheries and Food (MAFF) statistics, covering some 51,440 hectares, or about 62% of the area of Wealden. Farming activity varies across the District according to differing soils, topography, drainage and tradition. In the High Weald, the small tree and hedge-lined fields, interspersed with woodland, are still mainly grazed, although dairying has declined in recent years. There are several, albeit small, vineyards on south-facing slopes. In the Low Weald, there is a greater proportion of arable farming, increasing southwards and onto the Downs, which is now also seeing something of a return to open grazing. Improved drainage within the Coastal Levels has brought about cereal growing, although much is still permanent grazing land due to the low-lying ground.

5.13 It is Government policy to protect the best and most versatile agricultural land, which is defined as Grades 1, 2 and 3a under the MAFF agricultural land classification. County Structure Plan Policy S12 aims to protect such land wherever possible. In view of the predominantly clay soils locally, with virtually no Grade 1 or 2 land, it is considered that within Wealden it is particularly important to protect Grade 3a agricultural land. Proposals for alternative uses of agricultural land will normally need to indicate the grade of land concerned, based on a survey carried out to MAFF criteria.

DC1 Land falling within Grades 1, 2 and 3a of the Ministry of Agriculture, Fisheries and Food agricultural land classification system will be protected from development, wherever possible.

5.14 Integration of agricultural practices with environmental objectives may be promoted in a number of ways. MAFF has designated much of the Sussex Downs Area of Outstanding Natural Beauty as an 'Environmentally Sensitive Area' under the 1986 Agricultural Act. This encourages a reversion to traditional farming methods through incentive payments to farmers, in recognition of the sensitivity of its historic landscape to agricultural change. Within the Pevensey Levels SSSI, English Nature has introduced a Wildlife Enhancement Scheme which provides payments for managing land in a way sympathetic to wildlife. There are also generally available schemes of assistance towards environmental and wildlife conservation for farmers. These include Countryside Stewardship and the Farm Woodland Premium, as well as targeted initiatives by English Nature.

5.15 The Council will encourage the retention and enhancement of traditional agricultural landscapes and related features such as hedgerows, trees and woodland, ponds and ditches, principally through its support for appropriate environmental schemes.

Agricultural Dwellings

5.16 There is continuing pressure for new dwellings to meet the essential needs of enterprises that require a countryside location. Notwithstanding the generally poor prospects for the agricultural economy as a whole and the existing stock of agricultural workers dwellings, the principal interest is in new agricultural dwellings. However, there are also pressures for dwellings to serve the essential needs of other enterprises which need to be located in the countryside, and similar considerations as set out in the text below and in Policy DC2 will apply to such proposals in the same way that they apply to agricultural dwellings. While countryside policies generally presume against new housing outside development boundaries, agricultural dwellings may be accepted where circumstances require a farm worker to live at or in the immediate vicinity of the holding. The settlement pattern of the District should afford reasonable proximity of accommodation to farms within nearby towns and villages suitable for many farm workers.

5.17 Detailed scrutiny of residential proposals seeking an agricultural justification is necessary to avoid abuse and an unwarranted proliferation of development in the countryside. In cases where the local planning authority is particularly concerned about possible abuse, it may be helpful to investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings or buildings suitable for conversion to dwellings have recently been sold separately from the farmland concerned. Such a sale would constitute evidence of lack of agricultural need.

5.18 Policy DC2 closely accords with Government advice in Planning Policy Guidance Note 7 in which Annex I contains detailed advice. The Annex recommends “functional” and “financial” tests to ensure that proposals are genuine, that they are reasonably likely to materialise and are capable of being sustained for a reasonable period of time such as to justify the scale of the residential proposal.

5.19 A functional test will be necessary to demonstrate that it is essential for one or more full time workers to be readily available to meet the established needs of the enterprise at most times, day and night, such as to provide for the proper supervision of agricultural processes or livestock. It will not be sufficient that it is merely convenient or desirable to live on the holding. Security is not itself a sufficient justification.

5.20 In relation to demonstrating genuine need, it will also be necessary to apply a financial test to assess whether a farming enterprise is economically viable and planned on a sound financial basis. To this end, the enterprise should have been established for at least three years and has shown a profit for at least one of these years. The enterprise should be financially sound and clearly demonstrate that it is likely to remain so. The Council will draw upon independent professional advice when considering these proposals.

5.21 Where a genuine need is accepted, consideration should be given to the siting, size, form and access arrangements for a proposed dwelling such that it blends with the landscape setting and is also able to serve the functional requirement of the holding. A proposed dwelling should be the minimum required for the holding and should wherever possible be well integrated within an existing group of buildings. Planning Policy Guidance Note 7 advises that size should be commensurate with the established functional requirement of the holding. While each case will be considered accordingly, an individual dwelling would be expected to be no more than an average sized family house. Unduly large dwellings would be inappropriate in a rural setting. Also, it should be apparent that the long term availability for farm workers would not be unduly restricted by the future value of a property, and so the size of dwelling should be relative to the income the holding can sustain in the long term.

5.22 If a new dwelling is essential to support a new farming or other rural activity, whether on an established or newly – created unit, the accommodation should be of a temporary form, such as a caravan or mobile home for the first three years, after which the justification or otherwise for a permanent dwelling should normally be determinable.

5.23 It follows from the special treatment of dwellings essential for the needs of a rural enterprise that they should be kept available for such purposes. Hence, a condition restricting its use and, where appropriate, that of other dwellings on the holding will be appropriate. Occupancy conditions will enable a dwelling to be available for other rural enterprises even if the original enterprise no longer seeks to retain it. They will only be lifted where it can be demonstrated that there is unlikely to be a need for the accommodation for such purposes in the area within a reasonable period of time.

5.24 In appropriate circumstances, a planning obligation will be sought to tie the dwelling to the adjacent buildings or to the land forming the holding. Exceptionally, not all of the land forming the holding need be the subject of a planning obligation, provided sufficient is included to justify the dwelling.

5.25 Agricultural land within Wealden is generally of poor quality and divided into small land holdings. There has been a history of fragmentation of properties,

where land has been sold away from the original farmhouses. Fragmentation can have an adverse impact upon the valued character of the Wealden countryside, through the intensification of activities on the land, the erection of scattered buildings and the need for fencing to enclose the smaller parcels of land. The use of planning obligations in appropriate circumstances assists in preventing the harmful effects of continuing fragmentation. It is recognised that such planning obligations can place an additional constraint on the operation of rural businesses, such as the ability to raise loans and the time involved in completing the planning obligations. However, their use in appropriate circumstances is considered to be justified and accords with the advice given in Planning Policy Guidance Note 7.

DC2 Outside the development boundaries, as defined on the Proposals Map, new permanent dwellings will be permitted for those employed in agriculture or forestry, or exceptionally in another enterprise where a countryside location is necessary, where it can be demonstrated to the satisfaction of the Council that the following criteria are met:

- (1) there is a clearly established existing functional need;**
- (2) no other suitable accommodation is available on the unit or elsewhere in the location;**
- (3) the enterprise has been established for at least three years, has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so;**
- (4) the dwelling is of a size commensurate with the established functional requirement. Dwellings which are unusually large in relation to the needs of the unit or unusually expensive to construct in relation to the income it can sustain in the long term will not be permitted;**
- (5) the dwelling is suitably located to meet the identified functional need of the enterprise, integrates well with existing buildings wherever possible, is not intrusive in the landscape, and its general design is appropriate to the character of the area.**

Where the functional requirement is proven but Criterion 3 is not met, a temporary permission will be granted for a caravan or mobile home, where it can be demonstrated to the satisfaction of the Council that the following criteria are met:-

- (i) Criteria (2) and (5) above;**

(ii) there is clear evidence of a firm intention and ability to develop the enterprise concerned;

(iii) there is clear evidence that the proposed enterprise has been planned on a sound financial basis.

Occupancy conditions will be imposed on dwellings permitted in accordance with this policy and, where appropriate, on other dwellings within the holding. The removal of occupancy conditions will be resisted unless it is demonstrated to the satisfaction of the Council that there is unlikely to be any need for such dwellings in the area in the foreseeable future.

In appropriate circumstances, the Council will seek a planning obligation to tie a permanent dwelling to adjacent buildings or to the land forming the holding.

Agricultural Buildings and Other Farm Development

5.26 There will be a continuing need for a range of farm buildings and structures for storing machinery and foodstuffs, livestock, etc. This will reflect both changing agricultural practices and any restructuring of farm holdings; also, older traditional farm buildings may need replacing or are otherwise no longer suitable for efficient modern farm usage.

5.27 While larger developments have required planning permission, many of these buildings and associated works have for long been largely exempt from planning control, which has resulted in many essentially utilitarian structures becoming widespread in the countryside. They nonetheless can represent a harsh feature, particularly when prominent in the landscape. In particular, the scale and materials of the larger, modern portal framed buildings can be inharmonious with a sensitive landscape setting.

5.28 Legislation requires farmers to submit details of virtually all developments, including the construction of new farm buildings, significant extensions and alterations, farm roads, and certain excavations and waste depositing. On smaller holdings (less than 5 hectares), all buildings require consent. Also, approval is required for all poultry buildings in much of the District by virtue of an Article 4 Direction. The siting, design and external appearance of buildings are the main considerations, taking account of the impact on the landscape and on important historic, archaeological and nature conservation interests, as well as on the relationship with their surroundings, including rural and residential amenities. Account may also be taken of

the operational requirements of the farm, particularly in considering appropriate siting. The design of agricultural buildings is a particular concern, especially in areas of high landscape value, and it is appropriate that sympathetic external treatments are ensured. Development within the Areas of Outstanding Natural Beauty is likely to be sensitive in landscape terms and will warrant a high standard of appearance.

5.29 In circumstances where the Council is notified of a proposed development which is likely to have a significant impact on its surroundings, including because it would be unduly prominent in the landscape or would affect sites of recognised historic, archaeological or nature conservation interest, the formal submission of details would be expected. Particular regard will be paid to the detailed advice in Planning Policy Guidance Note 7 Annex E in considering agricultural development proposals.

5.30 All farm buildings should be designed for modern, functional agricultural purposes, and be reasonably necessary for the purpose of agriculture on the holding. Criterion (5) of Policy DC3 gives guidance on the provision of buildings for storage, packing or processing of produce. It applies essentially to activities that could be regarded as freestanding, in particular to proposals for larger scale uses and those which are for the shared use of a number of holdings. In these circumstances it will first be necessary to demonstrate that the use could not be carried out within the business areas. However, it is not intended that this test should apply to small scale developments ancillary to the agricultural activities of a farm. In fact, the Council is supportive of initiatives to promote local produce in order to sustain and diversify the rural economy.

DC3 Proposals for new farm buildings, extensions and alterations, and other ancillary development will be permitted subject to the following criteria:

- (1) buildings are reasonably necessary for the purposes of the agricultural holding and are clearly designed for such use;**
- (2) development is integrated with existing structures, as far as practicable;**
- (3) the siting, design and external appearance of buildings and other structures is not intrusive within the landscape and does not detract from local amenities or interests of recognised historic, archaeological or nature conservation interest;**
- (4) particular care is taken to siting, design and appearance within Areas of Outstanding Natural Beauty;**

(5) where buildings for storage, packing or processing are for the use of one holding or shared use of a number of holdings, it will first be necessary to demonstrate that the use could not be carried out within a business area.

DC4 Proposals for agricultural or forestry buildings, structures or operations within the scope of notification procedures will be considered having regard to the siting and design criteria at Policy DC3. The Council will require the formal submission of details for approval where such buildings, structures or operations are likely to have a significant impact on their surroundings.

5.31 In order to advise farmers and to assist in the operation of these policies, the Council will publish detailed guidelines setting out the circumstances in which details may be required and the relevant considerations in due course.

Agricultural Diversification

5.32 Measures being taken to reduce agricultural output by support and subsidies are resulting in land coming out of production as well as pressures for farmers to diversify their activities to protect incomes. As a consequence, there is likely to be pressure for alternative uses to be sought for both land and buildings. The Council believes that it is important to provide for appropriate agricultural diversification, both to assist the rural economy and to help maintain traditional, principally agricultural landscapes. This recognises the continuing stewardship of the countryside by the farming community and should also be seen in the context of the long term environmental and landscape objectives of the Plan.

5.33 Diversification can involve a re-orientation of the type of farming carried out, including the cultivation of "new" crops, taking advantage of assistance for environmentally sensitive farming, including woodland planting, the introduction of various forms of leisure or recreation elements or the conversion of agricultural buildings to alternative uses. The Council will encourage diversification proposals which are compatible with and, where appropriate, assist the maintenance of farming activities to ensure the long term agricultural management of the land. It is desirable that an integrated approach to development and land use is taken, such as via preparation of a "farm management plan", when large sites or holdings are involved. Where a change of use is involved, preference will normally be given to proposals which assist the rural economy and provide local employment opportunities.

5.34 The nature and extent of diversification should respect the landscape qualities of the countryside and accord with the protection of its distinct character and appearance, as elaborated upon in Chapter 4. It should also take account of the Plan's sustainability strategy which seeks both to relate development to existing centres of population and to reduce reliance on the car for journeys to work. General infrastructural difficulties in servicing dispersed development should also be recognised. Development proposals should respect their rural setting, and may often be small-scale. Certain types of development, such as those which generate high traffic volumes or significant movements of heavy goods vehicles, may be inappropriate in this context.

5.35 In tandem with policies to protect the landscape character of the countryside and environmentally sensitive agricultural practices within it, the Council also believes that diversification proposals should support the retention of viable farm holdings and discourage the inappropriate fragmentation of land. The latter process can occur where land and farm buildings are separated or where small plots are acquired, often for keeping horses, small holdings etc. This can be particularly damaging within areas which retain a very traditional pattern of land uses. Planning obligations or the removal of permitted development rights may be sought where there is a particular concern in this respect.

5.36 The Council encourages the preparation of farm management plans to indicate clearly the implications of diversification proposals on the continued operation of the whole farm. These would be informal and complementary to a planning application. They may be used to support proposals and assist in weighing the environmental and economic issues, particularly where these are finely balanced. The plan may cover matters such as the implications for other land and buildings, possible demolition of unsightly buildings, landscape management, habitat improvement, public access, etc, as appropriate.

DC5 The Council will permit proposals for the alternative use of agriculture and other land and buildings which provide for the appropriate diversification of the rural economy and which do not adversely affect the character or appearance of the countryside or conflict with other policies of the Plan.

5.37 This policy will be applied in conjunction with those relating to the alternative uses of land and buildings for which specific consideration is given in the following sections. The impact of signage in the countryside is covered in the Advertisements section in Chapter 4.

CONVERSION OF FARM OR OTHER RURAL BUILDINGS

5.38 With landowners and farmers wishing to diversify their operations, there has been a marked increase in proposals for the conversion of farm and other rural buildings in the countryside to alternative uses, principally residential, office, workshop and tourism uses.

5.39 The conversion of existing buildings in the countryside for small businesses may help local employment and contribute to a healthy local economy. It is believed that this can be achieved within the overall objective of protecting the countryside from inappropriate and intrusive development. Such conversions will be primarily small scale developments for local employment, including small workshops and offices, recreation, tourism or institutional use. Priority will be given to such uses, particularly for local employment, over conversion to residential use. The latter may be acceptable in certain circumstances as an exception to the normal restrictive policies for housing development in the countryside. This is considered later at paragraph 5.49.

DC6 In considering proposals for the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map), the Council will give priority to small scale commercial uses over residential uses.

5.40 It should be recognised that not all buildings in the countryside are suitable for conversion or adaptation to new uses. Some existing rural buildings are often badly designed and sited and poorly constructed, having been erected before planning controls existed or by using agricultural permitted development rights. If converted to an alternative use, such buildings would be permanently retained as intrusive features in the landscape, in obvious conflict with policies seeking to conserve and enhance the rural environment. There are also many minor sheds and shelters in the countryside which, due to their lightweight construction, do not readily lend themselves to conversion and, once redundant, are best demolished.

5.41 Where existing farm buildings are converted to alternative uses, additional agricultural buildings may subsequently be constructed under permitted development rights. This could result in a gradual increase in sporadic development within the countryside to the detriment of the landscape. In such cases, the Council will seek to control the replacement of old farm buildings by new ones by attaching to the planning permission a condition withdrawing permitted development rights for new agricultural buildings in respect of the particular agricultural unit or holding.

5.42 Where buildings have been constructed under permitted development rights, but are not apparently to be used for agricultural purposes, the Council will investigate the history of the building, consider the owner or applicant's intention for the building and, where appropriate, will consider whether it is expedient to take enforcement action.

5.43 Planning consent will normally only be granted where modifications can be carried out without materially altering the character and appearance of the building. This may need to be demonstrated through the submission of a structural survey. All proposals for the conversion of farm buildings should be capable of complying with Building Regulations. In the case of the conversion of listed rural buildings, the relevant policy criteria must also be complied with.

5.44 In order to protect the character of the building and its setting, permission will not normally be granted for the extension of existing buildings or for their replacement by the erection of new buildings. Where appropriate, the right to make further extensions under the General Permitted Development Order 1995 will be removed by condition and/or legal agreement, and the planning permission would be subject to conditions restricting outside development and activities such as sheds, fencing, storage and other operations. Planning permission will only be granted for the change of use of any associated land if the Council is satisfied that this can be done without detriment to the character and appearance of the surrounding area.

Conversion for Non-Residential Uses

5.45 Favourable consideration will be given to proposals for developments to meet local employment, tourism or community needs within existing farm buildings in the countryside if the buildings are proved to be of sound construction, not intrusive, and in keeping with their surroundings, and if there would be no significant harmful environmental effects as a result of the development. Within the designated Areas of Outstanding Natural Beauty, particular attention will be given to ensuring that proposals conserve or enhance their natural beauty in accordance with Policies EN6 and EN9 of the Plan.

5.46 Where conversion to business use is proposed, the impact of any associated storage or parking requirements on the character and appearance of the immediate locality and the surrounding countryside will be taken into account. All applications will be expected to incorporate clearly defined limits of development, together with an indication of the use of all open areas.

5.47 The Council's intentions for development patterns and transportation are set out in EN2 in Chapter 4, and are aimed at ensuring a distribution of uses which reduces the need to travel. There are

concerns regarding the compatibility of Government policies for rural building business conversion with those for transport, but the local approach recognises the need to assist the rural and agricultural economy and to reduce long distance out-commuting. Nonetheless, proposals for conversion or new uses which could generate a significant number of jobs should be well related to towns or villages. The Council would also expect such proposals to be part of a farm diversification scheme with a management plan and bring an overall environmental improvement to the locality.

5.48 Farm management plans may also be helpful in indicating how various uses of land and buildings, particularly those associated with farm diversification, relate to each other. This may be particularly significant where potential conflicts between activities may arise, where there are other buildings in a complex that are, or are likely to become, redundant, or where there is a need for new buildings or a change of use of land. In such cases, a farm management plan would help enable a full and proper assessment of particular proposals. In some instances where a farm building conversion is proposed, it may also be appropriate to tie it to the land so as to discourage subsequent fragmentation where this would be likely to result in an erosion of landscape character.

DC7 Proposals for non-residential development (including workshops, offices, tourist accommodation and recreational use) through the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map) will be permitted where the building's form, bulk and general design are in keeping with its surroundings. In addition, all proposals should meet the following criteria:

(1) the building is of sound construction and capable of conversion without significant rebuilding, or extension. The Council may require this to be demonstrated through the submission of a structural survey;

(2) any proposed alterations to the building (e.g. fenestration, doors, internal subdivision) or to its associated operational area (e.g. parking, storage) would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality;

(3) the nature and intensity of the proposed use would be compatible with its rural location;

(4) the proposed use would not adversely affect the residential amenities of the

neighbourhood, particularly by reason of noise, disturbance and fumes;

(5) the proposed use would not create an unacceptable impact on the local road network and there is a satisfactory means of vehicular access and parking arrangements;

(6) proposals which would be likely to create a significant number of jobs should be well located in relation to towns and villages.

Conversion to Residential Use

5.49 Consent for the conversion of existing rural buildings to residential use may be granted as an exception to normal restrictive policies controlling new housing development in the countryside, provided that such buildings are in keeping with their surrounding. However, this exception to normal restraint policies will only be made where it can be demonstrated that every reasonable attempt has been made to secure suitable business re-use or where a residential conversion is a subordinate part of a scheme for business re-use.

5.50 In all cases, it will be necessary for the applicant to demonstrate that the proposal is achievable without damaging or substantially altering the existing character and appearance of the building or harming its countryside setting. The building itself should be of sound construction and capable of conversion without significant rebuilding, modification or extension. An important consideration will be whether the creation of a residential curtilage and associated paraphernalia (tended gardens, fences, clothes dryers etc) would have a harmful effect on the character of the surrounding countryside.

5.51 Where residential conversion is part of a scheme for the re-use of a building or complex of buildings for employment purposes, a condition will be imposed requiring the works necessary for the establishment of the enterprise to have been completed before the dwelling is occupied. In appropriate cases, the Council will seek to tie occupation of the dwelling to the operation of the business re-use, by means of a condition or a planning obligation, in order to prevent it being sold separately.

DC8 Proposals for the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map) to residential use will not be permitted unless either:-

(a) the applicant has made every reasonable attempt to secure suitable business re-use, and

the application is supported by a statement of the efforts which have been made; or

(b) residential conversion is a subordinate part of a scheme for business re-use.

In all cases, proposals should meet the following criteria:-

(1) the building's form, bulk and general design are in keeping with its surroundings;

(2) the building is of sound construction and capable of conversion without significant rebuilding, modification or extension. The Council will normally require this to be demonstrated through the submission of a structural survey;

(3) any proposed alterations to the building (e.g fenestration, doors, internal subdivision) would not harm its architectural integrity nor materially change its appearance as a rural building. In the case of listed buildings, Policy EN22 will apply;

(4) the proposed use and its associated activities, including garaging, would not detract from the rural setting of the building through the formation of a domestic curtilage. The curtilage should not be intrusive in the landscape. Where appropriate, conditions will be imposed to exclude permitted development rights to extend or alter the building and erect other ancillary buildings, fencing etc;

(5) the proposal would not create an unacceptable impact on the local road network and there is a satisfactory means of vehicular access and parking arrangements.

TEMPORARY USES IN THE COUNTRYSIDE

5.52 Under the provisions of the Town and Country Planning General Permitted Development Order 1995, the occasional use of land is normally exempt from planning control. The frequency of use depends on the type of activity, being 14 days in any calendar year for markets (including boot fairs) and motor sports, and 28 days for clay pigeon shooting, 'war games' and other activities. Such permitted development rights do not apply within Sites of Special Scientific Interest. There is an increasing level of such temporary land uses, sometimes associated with farm diversification proposals, but often on a commercial basis involving

small plots of land, which fall outside the scope of normal planning control.

5.53 Where uses are more frequent than the relevant permitted limits and planning permission is required, the Council will consider proposals against its overall diversification policy and, where appropriate, specific policies for that particular use, such as motor and gun sports, which are put forward later. It is clear that even the periodic use of land for temporary uses can cause substantial nuisance to local residents, significantly detract from rural visual amenities or disturb important wildlife habitats.

5.54 This is reflected in the increasing public concern expressed about many of the above uses. The Council has made representations about bringing temporary uses into proper planning control, and the Government is currently reviewing the situation. In the current circumstances, the Council may properly seek to remove these 'permitted development' rights where substantial nuisances are created. A general background and approach to the use of such Article 4 Directions is set out in Chapter 4.

COUNTRYSIDE RECREATION

5.55 For all recreational development in the countryside, careful regard needs to be given to the likely impact on the environment, its landscape and rural amenities. This will relate to both the physical and visual change involved, including traffic generation. Special protection will be given to the Sussex Downs and the Ashdown Forest by only allowing recreational development in association with the quiet enjoyment of the countryside. This approach accords with Policy S18 of the County Structure Plan and recognises the particular vulnerability of these areas to visitor pressure, arising from their open and remote landscape characters.

DC9 Within the Sussex Downs Area of Outstanding Natural Beauty and the Ashdown Forest (defined as the area enclosed by the Medieval Pale of 1372) only recreational development which is in association with the quiet enjoyment of the area and conserves its landscape character will be permitted.

5.56 In view of their demand for countryside locations, specific consideration is given to golf courses, equestrian developments, motor and gun sports, clay pigeon shooting and air sports below.

Golf

5.57 Proposals for golf course developments in Wealden have risen markedly in recent years, with some 24 applications submitted since 1988, as well as

others for driving ranges. This is seen as a reflection of golf's growing popularity and profile, coupled with a generally recognised national deficiency in provision. It has also coincided with pressures for land coming out of agricultural production.

5.58 In response to increased pressures for golf-related developments across East Sussex, the County Council published 'Planning Guidance for Golf Course Development' in March 1991. These informal guidelines have been 'adopted' by the District Council, and strong regard is paid to them when considering golf proposals. It is now considered that in view of the number of golf course proposals and their potential environmental impacts, specific policy coverage should be incorporated in the Local Plan. This draws upon the substantial experience of dealing with recent proposals.

5.59 The Council has sought to reconcile the legitimate demands for golf development with the potential environmental and amenity objections in accordance with overall Structure Plan policies, the Local Plan's objectives for the countryside and recreation, taking due account of Government advice, particularly Planning Policy Guidance Note 17 - Sport and Recreation. It has recognised that golf courses can be an appropriate land use in the countryside, assisting rural economic diversification, but that they may also have detrimental effects on the structure and pattern of the countryside, its landscape, historic and nature conservation value and, indeed, overall rural character. Disturbance may also be caused to local residents, farm holdings as well as through intrusive effects of people, activity and traffic, including traffic generation on unsuitable roads.

5.60 There are now eleven golf courses in Wealden, with a further seven approved and one other scheme agreed in principle. In addition, course extensions are approved at two existing courses. This would result, if implemented, in up to fifteen 18 hole courses and six 9 hole courses. This would represent a considerable level and concentration of provision, well in excess of the standard for the Royal and Ancient Golf Club of St. Andrew's 'unambitious' level of provision of one course per 25,000 population. This may be regarded as much a reflection of current interest in golf development as of the rural nature of the District, its proximity to larger urban areas and potential 'honey pot' impact of the East Sussex National Golf Club at Little Horsted. Therefore, it is considered that there is no overriding need to accommodate further golf course proposals. Other proposals would not be ruled out, but they should comply with the policies which seek to maintain and enhance the character and appearance of the countryside and meet other more local considerations. The availability of water resources to service such developments will be a particularly important consideration and the Council will seek the advice of the Environment Agency, in accordance with Policy EN5, when assessing new proposals.

5.61 A golf course can be an alien feature in the countryside, since it can present a manicured appearance which is not characteristically rural. In addition, the level of activity can be far greater than is normal in the countryside. Policies for the main landscape areas of the District are set out in Chapter 4, and they will be the Council's starting point in judging the impact of golf course proposals. The same chapter also includes policies for the conservation of historic landscapes and nature conservation which will be taken into account.

5.62 It is evident that in all cases, the course siting, form, layout, groundworks, management regimes, clubhouses, other buildings and structures, parking areas and access arrangements will need careful attention to assess the impact on the overall character of the site and its setting, its topography, site features and public views. Applications should be in sufficient detail to enable proper assessment. They should indicate, as far as possible, the total extent of development envisaged, as approval does not imply that any future proposals would necessarily be favourably considered.

5.63 In particular, new buildings are normally resisted in the countryside, especially within the Areas of Outstanding Natural Beauty and strategic gaps. Accordingly, proposals should seek to re-use existing buildings in accordance with Policy DC7. In countryside areas, the scale, massing, siting and design of all buildings should blend in with the landscape and local building character. Future extensions would be considered in the light of the relevant criteria of Policy DC19. Residential building must clearly be essential in accordance with Policy DC17. Parking areas need to be carefully sited, landscaped and surfaced to blend in the landscape.

5.64 The most appropriate locations for golf courses are generally accepted as being in urban fringes, especially where the landscape is degraded in some way or otherwise of poor quality. Policy PW5 identifies an area between Polegate and Eastbourne Park where a golf course development could represent a positive amenity in visual, environmental and nature conservation as well as recreation terms.

DC10 Within the countryside (outside the development boundaries as defined on the Proposals Map), proposals for golf courses and related development may be permitted where they have no adverse effect on the character and appearance of the area. In addition, they should:-

(1) meet the requirements of policies elsewhere in the Plan for the protection of landscape, nature conservation, woodland, archaeology and the best and most versatile agricultural land;

(2) be readily accessible to urban areas;

(3) wherever possible use existing buildings;

(4) provide for the maintenance and where, appropriate, enhancement of public access in the layout and design.

Proposals should be presented in sufficient detail, including topographical and landscape changes, to enable proper assessment.

Driving Ranges

5.65 Driving ranges represent a distinct form of golf-related development. They are often independent of golf courses, are more intensive in their level of usage and urban in character, involving specifically designed range of 'bays' for players, an extensive well fenced 'hit area', associated car parking and, normally, floodlighting.

5.66 An intrusive impact on the character and appearance of the countryside is therefore most likely. Areas of high landscape quality and of particularly unspoilt character would be especially vulnerable. There may also be considerable effects, through outlook, noise and disturbance, on residential amenities, as well as on traffic conditions and public safety. The impact of illumination, which is uncharacteristic in rural, countryside areas, may also be substantial and thereby unacceptable. The overall intensity of activity, especially lighting, would mean that the locational criteria for general golf development would be rigorously applied.

DC11 Proposals for golf driving ranges will only be permitted when it can be demonstrated that there will be no significant effect on the character or appearance of the countryside, residential amenities, traffic conditions or public safety, having regard to:

(1) the size and number of bays and the impact of the bulk and design of buildings and enclosure fencing;

(2) the impact and suitability of floodlighting, including reflected light;

(3) the degree of physical change and visibility.
Equestrian Development

5.67 Equestrian activities are an increasingly popular form of leisure pastime and also make a recognised contribution to the rural economy, attracting a significant number of planning applications for related developments of both domestic and commercial nature.

Commercial equestrian centres, riding schools and livery stables are now widespread, although the majority of proposals for equestrian development relate to the provision of essentially small-scale or private stables. In some circumstances (as specified in the Town and Country Planning General Permitted Development Order 1995), the erection of stables or loose boxes within the curtilage of a dwellinghouse for the domestic needs or enjoyment of the occupants of the dwelling may enjoy permitted development rights and therefore not require planning permission.

5.68 The grazing of horses can be akin to agricultural use and may be an acceptable alternative use of agricultural land, although the random proliferation of horse-related activities and associated buildings within rural areas may be detrimental to the character and appearance of the countryside. The subdivision of farm holdings and formation of numerous paddocks with individual stables or field shelters can create a fragmented landscape and a pattern of enclosures out of keeping with the locality. The degree of visual intrusion created by horse-related development is likely to be more significant in areas of special landscape quality and other areas of an open character.

5.69 Where stabling or loose boxes are proposed solely for private and domestic purposes, development should be of an appropriate modest scale and physically well related to the associated dwelling. Careful attention should be given to siting and landscaping details to avoid exposed or prominent locations. Traditional style and materials should be used. In appropriate circumstances where the structures proposed are of a temporary nature, time limitations may be imposed. Development should not create or perpetuate a serious traffic hazard.

5.70 Developments such as maneges or sand schools, particularly those which are illuminated, and larger scale stables for domestic and commercial use, as well as large and small scale commercial equestrian enterprises, including livery stables and riding schools, entail a potentially greater intensity of activity which is likely to have a substantial impact upon the character and amenity of the countryside. The cumulative impact of such developments can be very marked.

5.71 The Council recognises that a rural location is usually required for equestrian enterprises. Isolated development, being away from existing buildings, would represent inappropriate scattered development in the countryside. This refers to either the dwellinghouse in relation to domestic stables or existing, normally farm, complexes in respect of liveries. Similarly, such development on exposed or prominent sites which are poorly related to vehicular access or bridleways will be resisted. The potential impact of horse-related development may be reduced by compactly grouping new buildings and by the provision of an appropriate landscaping scheme to help absorb features into the landscape.

5.72 New equestrian development should be well related to existing public bridleways in order to minimise the need to exercise horses on the highway, but regard will be had to increased levels of erosion of both bridleways and the wider countryside arising from over-intensification of use. Particular concerns over the level of usage of Ashdown Forest are partly addressed by the special controls of the Board of Conservators. Potential traffic generation, effects on the amenities of local residents and other normal planning considerations will be assessed in relation to other policies in this Plan.

DC12 Applications for small scale stables or loose boxes principally for domestic and private purposes will be permitted where the following criteria are met:-

- (1) appropriate siting, scale and design in keeping with the locality, with adequate pasture to support the horses. Particular regard will be had to the potential impact, including the cumulative effect, of proposals within an Area of Outstanding Natural Beauty;**
- (2) proposals should not be sited in prominent or isolated locations.**

DC13 Applications for small scale commercial stables and larger equestrian developments and uses of land, including sand rings and maneges, will only be permitted where the following criteria are met:-

- (1) appropriate siting, scale and design in keeping with the locality, with adequate pasture to support the horses. Particular regard will be had to the potential impact of proposals within an Area of Outstanding Natural Beauty;**
- (2) proposals should not be sited in prominent or isolated locations, and should be satisfactorily integrated with existing buildings;**
- (3) the impact of floodlighting, changes in levels or other ancillary operations on the surrounding countryside and local amenities is acceptable;**
- (4) satisfactory integration with the public bridleway network;**
- (5) the proposal does not create an unacceptable impact on the local road network.**

Motor and Gun Sports

5.73 The Council supports and encourages the development of sport and recreational activities in the District, and outdoor recreation is generally viewed as an activity which is appropriate to a rural location. However, some recreational pursuits, such as motor sports, clay pigeon shooting and combat gaming, can radically affect the character of the countryside. By their very nature, such activities involve generating noise and disturbance, and consequently often cause concern in terms of their potential impact upon the natural environment or other people's enjoyment of the countryside.

5.74 Participation in motor and gun sports, as well as newer forms of leisure which require a countryside setting, has increased significantly in recent years, partly in association with the diversification of farming activities. This frequently occurs on an occasional basis without requiring express planning permission, under the provisions of the Town and Country Planning General Permitted Development Order 1995. However, where such activities are proposed on a permanent basis, planning controls can be used to ensure that issues such as noise, disturbance, access, etc, are adequately taken into account and, where appropriate, controlled by conditions.

5.75 In the consideration of proposals for motor and gun sports, it is important to ensure that a balance is struck between the needs of such pursuits and the conservation and amenity aims of the Plan. The Council has therefore formulated a set of criteria against which proposals for these types of sporting and recreational activities will be judged to ensure there are no adverse effects in terms of noise nuisance, nature conservation, visual intrusion, etc. In respect of noise nuisance, it should be recognised that noise levels considered to be unacceptable in planning terms may not necessarily constitute a statutory nuisance under Environmental Health legislation.

5.76 Planning permission is unlikely to be granted for such activities within or adjacent to areas where it is intended to provide only for recreational development in association with the quiet enjoyment of the countryside or where the protection and enhancement of wildlife habitats is paramount. Sites where such activities are unlikely to be appropriate include ancient semi-natural woodland, Sites of Special Scientific Interest, national and local nature reserves, sites of nature conservation interest, and sites and monuments of archaeological importance.

Motor Sports

5.77 Motor sports are distinguishable from most other sporting activities principally in terms of their noise

emission. Ecological disturbance and physical erosion can also be a significant problem, both for organised events and informal motor vehicle activities. At sites within Wealden, four-wheel drive events and motorcycle scrambling and racing have led to concerns over noise and dust, and occasionally resulted in serious damage to sites of high nature conservation or landscape value.

5.78 Clearly, the capacity of individual sites to withstand the pressure of recreational vehicular use is highly variable. The Council operates an agreed code of conduct with the Auto Cycle Union for the staging of organised one-day motorcycle events in the District, in order that the suitability of the proposed location can be determined in advance. However, the temporary use of sites within the District for off-road motor sports indicates a clear demand for more permanent facilities, particularly for young people who wish to 'scramble' or race motorbikes, preferably reasonably close to home.

5.79 Suitable locations would include well screened sites at least a quarter of a mile from residential properties but close to a main road. Degraded land, former mineral sites and set-aside farming land which meet these criteria may be appropriate. A comprehensive management approach would also be a requirement of any proposal for motor sport provision, either through the lease or ownership of land by a private operator or club, or through the integration of individual site management with wider countryside management initiatives.

Clay Pigeon Shooting

5.80 Clay pigeon shooting is a traditional rural sport which is growing rapidly in popularity. Shoots usually take place on farmland on an occasional basis without requiring planning permission. However, the noise levels generated can cause disturbance to residential properties over a wide area, and in Wealden have been a frequent cause for complaint by local residents. Shooting can also adversely affect sensitive wildlife habitats, in terms of both noise disturbance and pollution by lead shot.

5.81 Where permanent facilities are proposed, a limited reduction in the impact of noise levels can be achieved by careful location, e.g. disused mineral workings, or by the provision of acoustic screening, such as willow walls or earth banks. Clearly, however, clay pigeon shooting is not suitable on sites in close proximity to residential areas and any noise attenuation measures should be carefully assessed to ensure that there is no adverse impact on the character or appearance of the countryside.

Combat Games

5.82 Newer leisure activities can cause danger, as well as noise and disturbance. 'Combat' or 'adventure'

gaming is a team activity increasingly used by companies for staff assessment, training and recreation. The games are played by two opposing teams of between 20 and 30 adults and generally take place in a fairly large area of woodland in the countryside. Participants wear protective goggles and are provided with small air pistols or guns which fire dye pellets. The games usually involve stealth but can be more war-like with the use of pyrotechnics, such as fireworks or thunderflashes.

5.83 The nature of combat games requires relatively remote woodland sites without public access which, by virtue of their relative lack of disturbance, are often valuable for wildlife. The presence of large numbers of people moving around in such areas therefore has the potential to cause serious ecological damage. Clearly, the degree of damage will depend upon the intensity of use and the nature of the site, but, in general, woodlands are likely to be particularly sensitive due to their soil structure and the nature of their vegetation and birdlife.

5.84 Ancient semi-natural woodland is a habitat that is generally of a high significance for nature conservation and, wherever possible, recent secondary woodland should be sought in preference to ancient woodland for the playing of combat or adventure games. However, in all cases proposals for such activities will be very carefully assessed to ensure that there are no adverse effects in terms of nature conservation, noise nuisance, public rights of way, new buildings, access and car parking.

DC14 Proposals for motor or gun sports, including combat games, will not be permitted within or adjacent to the Sussex Downs Area of Outstanding Natural Beauty, the Pevensy Levels Site of Special Scientific Interest, or the Ashdown Forest (defined as the area enclosed by the boundary of the Medieval Pale of 1372). Elsewhere, such proposals may be permitted outside the development boundaries, as defined on the Proposals Map, provided that the following criteria are met and can be controlled by condition:

(1) the Council is satisfied that the proposal will not generate an unacceptable level of noise and activity in the locality.

(2) the proposal will not be visually intrusive in the landscape and will be well screened by existing vegetation, particularly within or adjacent to the High Weald Area of Outstanding Natural Beauty;

(3) the proposal will not adversely affect areas which are of importance for flora, fauna, geological or landform features, or adversely affect ancient semi-natural or other important woodland. Where appropriate, a woodland management plan should be submitted and approved by the Council and implemented within a programme agreed by the Council;

(4) the proposed activity will take place within a clearly defined area with an appropriate buffer zone to the boundaries of the site and any public rights of way;

(5) any buildings or structures must be sited to minimise their impact on the countryside and must be removed from the site on cessation of the recreational use.

In all cases, conditions will be attached to any permission controlling the hours and frequency of use, the type and nature of the activity, and fencing of boundaries. Normally, the Council will only be prepared initially to grant temporary planning permission so that the environmental impact can be fully assessed.

Angling

5.85 The popularity of angling, together with pressures to reduce the amount of land in agricultural production, have led to an increase in proposals to create or improve ponds and lakes for private and commercial fishing. Commercial fisheries can be an appropriate land use in the countryside, often assisting with rural economic diversification whilst securing environmental and amenity gains in terms of landscape, wildlife habitat and public access enhancement. However, such proposals may not always be compatible with the conservation of the character and appearance of the countryside, particularly where significant physical changes to the landscape or topography are required or a site of existing nature conservation importance is affected.

5.86 A pond or lake that has been carefully designed for wildlife, fish and anglers will support a wide variety of wetland plants and animals, as well as being an attractive place for visitors. However, a proposed pond site can sometimes be valuable for wildlife already, particularly if it is waterlogged or uncultivated, and the loss of important areas for nature conservation may not be acceptable under other policies in the Plan. Commercial fishing proposals can also cause damage at existing pond sites through the clearance of aquatic or bankside plants or the trampling of bankside vegetation by anglers. The Council will therefore normally require such proposals to be accompanied by a landscape management scheme,

which provides for the retention and enhancement of existing features of nature conservation importance.

5.87 It is also evident that a new pond or lake may have a significant impact on the countryside through the creation of spoil or the construction of dams or embankments, which can appear as alien or intrusive features in the landscape. The disposal of excavated material is another important consideration since spreading it around the site or using it to fill in low lying areas nearby may cause unnecessary harm to valuable wildlife habitats or landscape features. Parking and access arrangements, together with any new buildings or lighting, will also need careful attention in terms of the impact of the proposal on the overall character of the site and its setting. Applications should provide sufficient detail to enable a proper assessment of all the above considerations.

5.88 The creation of a pond or lake, particularly on-line of an existing watercourse, can have significant implications on the downstream flow due to water loss through evaporation and seepage. Commercial fisheries can also have a detrimental impact in terms of water quality. The Council will therefore need to be satisfied that the proposal will not have a detrimental impact on the quality or quantity of flow in the downstream watercourse. The Environment Agency, whose consent is required for proposals to impound or abstract water, advises that the creation of ponds or lakes upstream of the Pevensey Levels SSSI is likely to damage its special interest and should not normally be permitted.

DC15 The creation or improvement of ponds or lakes for private or commercial fishing in the countryside (outside the development boundaries as defined on the Proposals Map) will be permitted where the following criteria are met:-

(1) the proposal will not be visually intrusive in the landscape through the construction of embankments or other earthworks;

(2) the proposal, including the disposal of any excavated material within the site, will not adversely affect areas which are of importance for flora, fauna, geological or landform features, or adversely affect ancient semi-natural or other important woodland. Where appropriate, a landscape management plan should be submitted and approved by the Council, and implemented within a programme agreed by the Council;

(3) the size and scale of the proposal would be compatible in terms of the nature and intensity of use with its rural location;

(4) the proposal will not adversely affect the residential amenities of the neighbourhood by reason of noise or disturbance;

(5) any buildings or structures will be sited to minimise their impact on the countryside and should be removed from the site following cessation of the activity;

(6) the maintenance and enhancement of public access, where appropriate;

(7) there will be no detriment to the quality or quantity of flow in the downstream watercourse;

(8) the proposal is not created on-line of a watercourse upstream of the Pevensey Levels Site of Special Scientific Interest.

Airstrips and Air Sports

5.89 Although presently at a relatively low level, there is growing interest in recreational flying, including hang-gliding, gliding and use of microlight aircraft which do not require an airport or airfield from which to operate. In addition, the flying of model aircraft is a well established hobby sport.

5.90 There are various legislative controls over such developments, particularly relating to operational requirements. The principal planning concern of such uses relates to noise generation. This may be a particularly sensitive issue in areas close to housing areas and areas of important nature conservation value. In assessing the likely impact of noise, regard should be paid to Government guidance. The introduction of a high level of activity into the countryside may itself be out of keeping with its quiet, rural amenities.

DC16 Proposals for the development or use of land and buildings related to small airfields, airstrips and air sports will only be permitted where they accord with the Plan's environmental policies, with particular attention to noise and landscape impact.

RESIDENTIAL DEVELOPMENT

5.91 The defined settlement "development boundaries" provide for the housing needs of the District over the Plan period. Outside of the development boundaries, residential development is generally resisted in accordance with Policy GD2. In such areas, housing development will not be permitted unless it is:-

(1) essential for the purpose of agriculture or forestry or other rural enterprise for which a rural location is essential, in accordance with Policy DC2;

(2) an acceptable scheme for affordable housing in accordance with HG3;

(3) the conversion of an existing agricultural or other rural building, in accordance with Policy DC8;

(4) a replacement dwelling of an appropriate size, in accordance with Policy DC18;

(5) an extension or alteration of an appropriate scale, in accordance with Policy DC19;

(6) the conversion of an existing property, in accordance with Policy DC20;

(7) accommodation to meet the acknowledged needs of gypsies or travelling showpeople, in accordance with DC21.

5.92 The prior existence of sporadic and scattered housing within the countryside is recognised, but it is considered that any intensification or addition to this would be contrary to the Plan's overall development strategy and be detrimental to rural amenities as well as making abnormal demands on services. The individual settlement chapters and, in respect of certain other settlements without development boundaries, explain the considerations in determining the area within which new housing may be permitted.

DC17 Housing development will not be allowed outside development boundaries, as defined on the Proposals Map, unless it conforms with other policies in the Plan.

Replacement Dwellings

5.93 Notwithstanding the general policy of restraint in relation to housing in the countryside, the suitable replacement of existing properties, normally on a one for one basis, is considered reasonable. This approach is accepted in principle by County Structure Plan Policy S21(2). This does not apply to derelict buildings or others where the residential use has been abandoned; such 'replacements' would be regarded as new dwellings.

5.94 In view of the strong environmental and rural character considerations in the countryside, it is particularly important to minimise the visual, landscape, amenity and traffic impact of replacement dwellings. The size of the replacement would be limited to a similar scale as the original, normally measured by its gross floorspace. An exception may be made for substandard accommodation in order to enable reasonable amenities to be achieved. Siting

should also be similar to the original, unless repositioning can significantly reduce the impact of development. Replacement may provide the opportunity for development to better harmonise with the locality. The Council would endeavour to avoid abuses of the policy whereby lawful uses become established and new building is subsequently sought.

5.95 The redevelopment of listed buildings and those in Conservation Areas are not normally permitted (Policies EN19 to EN22 refer). Furthermore, it is evident that the countryside is particularly rich in vernacular buildings which contribute to the character of rural areas, and their retention would normally be encouraged.

DC18 Outside development boundaries, as defined on the Proposal Map, the replacement of an existing dwelling by another dwelling in the same curtilage will be permitted where the following criteria are met:

(1) the proposal is of a comparable size and massing to the existing building;

(2) it is in keeping with the character of the locality, having regard to the appearance and general design of the original building;

(3) it is similarly sited within the plot, unless an alternative position would result in clear landscape, highway access or local amenity benefits;

(4) it does not result in the loss of a property of valuable local character, unless it is not reasonably capable of being made structurally sound or otherwise improved.

In sensitive locations, permitted development rights relating to future extensions and other structures may be removed.

Residential Extensions

5.96 Within countryside locations, residential extensions and alterations may have a greater environmental impact than those to dwellings within development boundaries by virtue of their visual openness, landscape impact and the rural character of either the property or its setting. Careful consideration to rural extensions is consistent with the general approach of minimising the intrusion of development in the countryside.

5.97 Therefore, in addition to the criteria for residential extensions within development boundaries, as set out at Policy HG10 (relating to the protection of the character and amenities of the property,

neighbouring dwellings and the locality), greater attention may be given to the need to maintain and enhance rural amenities.

5.98 Accordingly, residential extensions in the countryside should normally be appropriate in size and character in relation to the original dwelling or group of dwellings. Extensions and alterations to listed buildings and buildings in Conservation Areas are specifically covered by Policies EN19 to EN22. Other traditional buildings of rural character, including oasts, farmworkers' cottages, lodge houses, toll houses and converted agricultural buildings, also warrant careful regard to their character. Extensions to agricultural dwellings should also have regard to the considerations at Policy DC2. Policy DC8 above sets out the Council's approach to extensions when considering proposals for the residential conversion of rural buildings.

5.99 Account shall properly be taken of the cumulative impact of extensions, including the effect on the character of the original property. Ancillary buildings within the curtilages of residential properties such as garden sheds, garages and summer houses can frequently be erected without the need for planning consent. Nevertheless, when permission is required, it is appropriate that proposals be subject to the same considerations as for residential extensions and alterations. Annexes to existing dwellings would be considered similarly, providing that they are unambiguously intended for that purpose. A legal agreement may be sought to tie an annexe to the main property where these involve the change of use of a rural building, under Policy DC8. Detached annexes would normally be treated as new dwellings.

DC19 Outside development boundaries, as defined on the Proposals Map, proposals for extensions and alterations to existing dwellings and for ancillary buildings within their curtilages should meet the following criteria:

- (1) the proposal should accord with the criteria of Policy HG10;**
- (2) the proposal should not be intrusive in the landscape or detrimental to the rural setting;**
- (3) the proposal should normally be of an appropriate size and character relative to the original dwelling, and not visually dominate or otherwise adversely change the character of the existing building or, where appropriate, the group of buildings;**
- (4) 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.**

5.100 Proposals for the extension of residential curtilages within the countryside will be considered in relation to the potential change in rural character and amenities that may result from the resulting enclosure, domestic use, associated minor buildings, structures, hard surfacing and other paraphernalia. In order for such extensions to be acceptable in environmental terms, it may be necessary to minimise the visual impact by ensuring sensitive boundary treatment and limiting new buildings and structures on the land. However, in many circumstances, the outward encroachment of residential activity forms and associated enclosure may detract from the rural landscape character, particularly where a generally open appearance prevails.

Subdivision of Larger Properties

5.101 There is a substantial legacy of larger properties, especially in countryside locations, including houses which are now too large for single family occupation together with certain other buildings, such as hotels and institutions of a residential nature. Such buildings are usually well integrated within the rural scene and their retention thereby encouraged. As well as affording the potential for institutional or employment uses, they may represent a valuable resource for a variety of housing needs.

5.102 The conversion and subdivision of larger properties may be appropriate where it maintains the integrity and character of the property, including its grounds, as also referred to in Policy HG9 for properties within development boundaries, as well as meeting the normal residential amenity, access and parking criteria. In addition, within particularly quiet, remote areas, the creation of a large number of dwelling units, with associated increases in activity, may be inappropriate. The conversion of typical, family-type accommodation would normally be inappropriate, as referred to in Chapter 6.

5.103 In order to maintain the character of any important features of the property, including gardens, restrictions on permitted development may on occasion be considered necessary. Extensions and alterations would be considered in accordance with Policy DC19, although in order to maintain their visual integrity and character, only very limited additions may be appropriate.

DC20 Outside development boundaries, as defined on the Proposals Map, the conversion and subdivision of a larger property into smaller dwelling units may be permitted where:-

- (1) the character and integrity of the property, including its grounds and setting are suitably retained, including where appropriate by the removal of permitted development rights;**

(2) no significant extension or alteration is involved.

Gypsy and Travelling Showpeople Sites

Gypsies

5.104 Gypsies are defined by their nomadic habit of life. The term excludes travelling showpeople, who are considered in the following section. The Criminal Justice and Public Order Act 1994 removed the duty on Councils to provide gypsy sites, although a discretionary power remains. However, it is necessary to give clear planning policy guidance in the Plan in line with recent Government advice in Circular 1/94: Gypsy Sites and Planning for both private and public sites, particularly in view of the increased onus on private provision.

5.105 There is no apparent unmet need to allocate sites for gypsies. The area does not have a strong gypsy tradition, the level of provision was accepted in 1987 as adequate by virtue of 3 public sites across the District, and the regular counts show a relatively low occurrence of unauthorised sites. Latest statistics (for July 1998) record 23 caravans on authorised sites and 22 caravans on unauthorised encampments.

5.106 Consideration should nonetheless be given to the treatment of extensions to existing sites and new private sites. Circular 1/94 states that it will not generally be appropriate to make such provision in areas of open land where development is particularly restricted, including Areas of Outstanding Natural Beauty. It does not exclude sites in rural or semi-rural settings, but points out that care is needed to ensure consistency with environmental, agricultural and other countryside policies. Locations on the outskirts of built-up areas may be appropriate where these afford reasonable access to facilities and services, but should still avoid encroachment into open countryside. Amenity and access factors are also important, particularly as gypsy sites often combine both residential and business elements.

5.107 In view of the above factors and the limitation imposed by the Areas of Outstanding Natural Beauty, other high quality countryside and the general absence of 'urban fringe' land around settlements, it is likely that very few suitable sites will come forward.

Travelling Showpeople

5.108 Specific consideration has also been given to the provision of sites for travelling showpeople, in accordance with Government guidance in Circular 22/91. Accommodation needs are unusual in that they combine residential, storage and maintenance uses.

5.109 Wealden has not been traditionally closely associated with showmen's sites, perhaps due to its relative remoteness from large urban centres. There is presently only one site with planning permission for 'winter quarters' in the District, at Hackhurst Lane, Lower Dicker. There have been a few enquiries about additional sites, essentially as a consequence of people moving onto unauthorised sites in the District and of the displacement of showmen in other parts of the region. However, there has been no recorded demand arising from the local area, from displacement or otherwise.

5.110 It must be recognised that such development can, by its very nature, be visually intrusive in a rural or other sensitive landscape setting. Conversely, close proximity to residential properties can also be inappropriate because of the potential disturbance from the maintenance and testing of equipment during winter months, as well as its visual impact. However, proximity to schools and other community facilities is normally sought. Circular 22/91 therefore suggests urban fringe locations may be appropriate.

5.111 In the absence of a clear local need for such sites, and as no specific site has been identified as being suitable, it is appropriate to set out a criteria-based policy. Where a site is considered suitable, it will normally still be appropriate to control the extent of storage and times of testing equipment to minimise its impact on local amenities. Also, the future availability of the site for such purposes should be ensured.

DC21 Proposals for new gypsy sites, extensions to existing gypsy sites and sites for travelling showpeople will not be permitted unless the following criteria are met:

- (1) the site is conveniently located in relation to schools and other community facilities;**
- (2) there is no adverse impact on the character of the countryside, particularly having regard to Policies EN4-12;**
- (3) the local environment and residential amenities will not be adversely affected;**
- (4) there is a satisfactory means of vehicular access and the local road network is adequate.**

Where appropriate, controls to limit the hours of testing equipment and to ensure the future occupancy by travelling showpeople would normally be sought.

Residential Mobile Homes

5.112 Policy HG13 sets out the Council's overall approach to residential mobile homes, including caravans. Their form, design and materials are fundamentally out of keeping with the character and appearance of the countryside, as well as potentially representing a sporadic introduction of residential uses contrary to the Plan's development strategy. Therefore, residential mobile homes would not normally be appropriate in the countryside.

5.113 An exception may be made for the temporary stationing of a residential mobile home or caravan in association with an agricultural or similar rural enterprise in accordance with Policy DC2 above. Also, where existing mobile home sites exist within the countryside, some rationalisation within the sites' well defined limits may be appropriate if this would bring about significant improvements in local visual amenities.

5.114 Residential mobile homes can provide low cost accommodation, thereby improving access to the housing market. Their redevelopment by permanent dwellings may result in the loss of more affordable housing and be visually or environmentally unacceptable and such proposals will therefore normally be resisted.

DC22 Residential mobile homes, including caravans, will not be permitted in the countryside unless these are on a temporary basis and are essential for the proper functioning of the farm, woodland or other enterprise in accordance with Policy DC2. The rationalisation of existing sites may be permitted only where significant environmental benefits would result. The redevelopment of existing mobile homes by permanent dwellings will be resisted unless on an individual basis where proposals meet the criteria of Policy DC2.

Implementation

5.115 All the policies in the Development in the Countryside chapter will be implemented by the Council primarily through its development control function.

Monitoring

5.116 The key areas to be monitored will include:

- (1) new agricultural dwellings;
- (2) planning applications to remove agricultural occupancy conditions;
- (3) number of rural building conversions and their use;

(4) applications for golf courses, equestrian activities and gun or motor sports;

(5) applications for replacement dwellings and extensions.