

RTPI Cymru



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19th October 2009

FAO Paul Lewis
Planning Policy Branch
Planning Division
Welsh Assembly Government
Cathays Park
Cardiff CF10 3 NQ

Dear Sir / Madam

Technical Advice Note 6 – Planning for Sustainable Rural Communities

RTPI Cymru is pleased to submit a response to the consultation on TAN 6: Planning for Sustainable Rural Communities. RTPI Cymru's Policy and Research Forum has considered the proposals and its responses are contained in the attached appendix.

RTPI Cymru believes that a key element which is missing from the TAN is a reference back to the need for a vision for the countryside and rural economy in each Local Planning Authority (LPA) area. This could be either in the Community Strategy or contained in the LDP. Many of the proposals in the consultation on exceptions, LIDs, such as in Qs 7, 8, 11, and 12 could be related to the objectives for the rural area.

I trust you find the Forum's comments helpful but do not hesitate to contact me should you require any further clarification. The Forum has no objection to these comments being made public.

Yours faithfully,

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**DRAFT TECHNICAL ADVICE NOTE 6
PLANNING FOR SUSTAINABLE RURAL COMMUNITIES**

CONSULTATION RESPONSE FORM

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Guidance Note

When completing the questionnaire please clearly state if you support or oppose the question by marking 'Yes' or 'No' where indicated, or alternatively signal you are 'undecided'. If you wish to express further views please complete the comments box.

Location of development (paragraphs 10 - 12)

Q1. Is sufficient guidance provided on the approach that planning authorities should adopt to development in rural areas which meets local need? (paragraph 11)

No

Comments

Development should be directed towards existing settlements, and those which have relatively good access by non-car modes, as referenced in PPW. Whilst RTPi Cymru supports the principle of enabling development which genuinely supports rural enterprise and communities, 'local need' in the context of rural areas needs to be carefully defined to prevent the opportunity for making the case for employment, which could just as well be located in urban areas i.e. it is not reliant on being located in a rural area, such as forestry and agriculture are. Guidance on how to define 'local need' in the rural context would be useful.

Whilst paragraph 12 provides useful guidance on settlements, the final sentence is strongly worded: "In smaller settlements, planning authorities should adopt a criteria based policy approach ...", as this is a TAN, this should be changed to 'may' or 'may find it useful to', rather than 'should'. However, we do support a criteria approach and would advocate, what is essentially a policy change to be included within Planning Policy Wales.

Sustainable rural economies (paragraphs 13 - 31)

Q2. Do you agree that development plans should include a rural employment exception site policy? (paragraph 15)

Yes

Comments

RTPi Cymru supports the principle advocated in paragraph 15 that "where possible sites should be located within or adjacent to settlements." This encourages a reduction in commuter traffic and encourages more sustainable communities, locating employment opportunities close to residential areas. Using rural employment exception site policies to support this is welcomed.

Q3. Should development plans include policies which support the expansion of businesses already located in the open countryside? (paragraph 15)

Yes

Comments

The maintenance of existing business should be supported in rural areas, particularly those which are rural based businesses. However, a carte blanche support for expanding existing businesses is not supported; careful consideration of any proposals needs to be given to ensure that operations do not become unwieldy and inappropriate in rural locations and a negative impact on landscapes.

Q4. Do you think a more flexible approach to what farm shops can sell would be acceptable under certain circumstances, for example where there is no retail provision in nearby villages, or the farm is situated in an isolated and diffuse rural community? (paragraph 29)

Yes

Comments

A more flexible approach would be welcomed to enable a wider range of food goods to enable more local access to food, to lessen 'food miles' and hence reduce travel throughout the food supply chain. However there would need to be tight controls to ensure that this does not enable inappropriate development or growth of outlets which is not in keeping with rural character. It may also be appropriate to extend this to Post Offices, where there is no other local provision.

Sustainable rural housing - Affordable housing (paragraphs 32 - 37)

Q5. Do you agree that in rural areas where there are environmental constraints or social or cultural considerations, planning authorities should give priority to affordable housing to meet local needs rather than market housing? (paragraph 33)

Yes

Comments
If there are constraints for building houses, this will in itself cause affordability issues, therefore giving priority to affordable housing if local need is evidenced, may be an appropriate way forward. Community assessments of housing need therefore will need to build in social and cultural considerations into their briefs. The LDP is the correct mechanism for determining this.

Q6. In rural areas should the planning system support unsubsidised affordable housing provided by a developer, or the intended occupant? (paragraph 37)

Yes

Comments
The current economic climate demonstrates the need for a flexible approach for providing affordable housing. It would be helpful for case studies of various approaches to be made available to demonstrate the options.

Sustainable rural housing – Rural enterprise dwellings (paragraphs 38- 63)

Q7. Should the range of businesses that may justify a rural enterprise dwelling be defined locally or should it be considered on an individual basis when planning applications are submitted? (paragraph 38)

Yes/No/Undecided

Comments
As a general rule, there are likely to be rural enterprises that may justify a dwelling which are common across Wales; the TAN could outline these as guidance. Alternatively RTPI Cymru would support applications being considered on an individual basis, supported by a evidence of need.

Q8. Has sufficient guidance been provided on the circumstances where a second dwelling can be justified on an established farm? (paragraphs 41 – 43)

Undecided

Comments

The enabling of second dwellings on established farms needs to be tightly controlled and the tests adhered too; failure to do so could lead to a proliferation of new dwellings in the countryside.

There should be guidance on the use of buildings for conversion as a first option, rather than assuming new build. The re-use of farmsteads should be particularly promoted.

Q9. Has sufficient guidance been provided on the content of rural enterprise dwelling appraisals? (paragraphs 46 - 57)

Undecided

Comments

Referring back to paragraph 41, the functional test to measure the need for workers to be located “..at, or close to, their place of work” needs to be tied to the time test.

Q10. Do you agree with the proposed rural enterprise dwelling planning condition? (paragraph 58)

Yes

Comments

However, it is not clear why paragraph (a) allows for those “last working” or where there “was” a defined functional need. Should this not apply to current and future activity?

Sustainable rural housing – One Planet Development (paragraphs 64 - 79)

Q11. Do you agree that One Planet Developments should have an Ecological Footprint of 1.88 global hectares per person or less and be zero carbon in construction and use? (paragraph 64)

Undecided

Comments

The Assembly's commitment to low impact development (LID) at appropriate locations is supported. We welcome the key statement that such development is considered suitable for urban areas and for settlements, as well as in the open countryside. However, we feel that there is a risk of serious misunderstanding and poor achievement of this broad Assembly Government initiative from taking forward detailed guidance on this form of development in the open countryside without some wider planning context. In effect there is no clear relationship established by the proposed guidance with some existing and important wider planning and sustainability policies of the Assembly and it is essential that this relationship be clarified.

Assembly planning and sustainability policies applying to housing and commercial proposals lay an emphasis that new development should where possible be located in areas of existing development, in or on the edge of existing settlements and make reference to encouraging the use of brownfield land and access to public transport. By producing only this detailed guidance on LID in rural areas (with no specific guidance on locations in or adjoining villages, or on previously developed land or close to public transport - and no guidance elsewhere on urban areas) the impression may be given that this development does not necessarily need to take full account of those broad and widely supported Assembly policies.

It should be made clear that the existing and widely supported Assembly planning policies to achieve sustainable patterns of development do apply to low impact schemes. That such schemes should be located in existing settlements where possible and otherwise on the edge of such settlements or on previously developed rural land. Only where such options are shown to be unavailable should open field locations then be considered.

As TAN 6 is concerned with rural development it should include, alongside a preference for LID in or adjoining existing settlements - including rural settlements - a certain amount of guidance on how the development should complement that settlement. For example whether there are opportunities for sharing energy generation, recycling or composting facilities or social facilities with the existing settlement, rather than aiming for separate provision. Or indeed jointly developing sustainable transport provision.

As an example to emphasise an approach which is consistent with wider Assembly Government planning and sustainability policies: there seems no overall benefit to sustainability of development from low impact proposals which might suggest an education centre for low impact living, or an organic cafe, as part of a small open field development - dependent on car borne visitors - if it can be shown there are empty buildings such as disused chapels, farm buildings or even increasingly pubs in or closer to an existing rural settlement.

If the 1.88 global hectares per person measurement is used, then the development will require continual monitoring to ensure that after occupation, in particular, the site's use does not alter which results in an increase in this measurement. This will be resource intensive for planning departments, which are not appropriately 'geared up' for such a monitoring exercise.

Q12. Do you agree with the proposed content of One Planet Development Management Plans? (paragraphs 67 – 75)

Yes

Comments

We support the requirement for robust evidence to support proposals for LID.

National Policy in Wales, as confirmed by PPW, recognises that planning has an important role to safeguard the needs and interests of the Welsh Language. Yet at present any reference to this important matter this is absent from the draft TAN. Revised Tan 6 should explicitly recognise that a healthy economy and the pattern and scale of development in rural Wales is crucial for the future well being of the Welsh Language. It should further state clearly that the needs and interests of the language should be taken into account, reflecting the guidance of the Welsh Language TAN, in considering development proposals. In particular, the management plan guidance for LID schemes should indicate that possible benefits from such schemes should not outweigh any potential harm to the strength and role of the Welsh Language in the area where the scheme is proposed.

Sustainable rural services (paragraphs 77 - 79)

Q. 13 Is sufficient guidance provided on the role of the planning system in supporting rural services? (paragraphs 77 – 79)

Yes

Comments

Importantly, the LDP evidence on rural services should be fed into Authorities' Community Strategies to encourage a wider stakeholder buy-in of need, which will have an influence beyond the planning system.

Sustainable agriculture (paragraphs 80 - 103, Annex A, Annex B)

Q14. Should the TAN provide guidance on climate change and rural land use?

Yes

Comments

Climate change is an urgent priority facing us all and every opportunity should be taken to address how we use our resources appropriately to mitigate and adapt to climate change; food production and security is an important aspect of this. However, the TAN should restrict itself to planning related influence and it would be useful to provide signposting to wider guidance on this issue.

Q15. Should the TAN provide guidance on planning issues relating to the treatment of waste not originating on the farm?

No

Comments

It would be more appropriate to provide guidance through TAN 21 which deals specifically with waste, cross-referencing between the two TANs would be helpful. However, as TAN 21 is dated 2001, there may be a need to update guidance on the treatment of waste on farm, particularly in the context of reducing waste going to landfill and promoting the waste hierarchy.

Q16. Should guidance on permitted development rights for agriculture and forestry be retained? (paragraphs 90 – 101, Annex A and Annex B)

Yes

Comments

This is the most appropriate location for this guidance.