

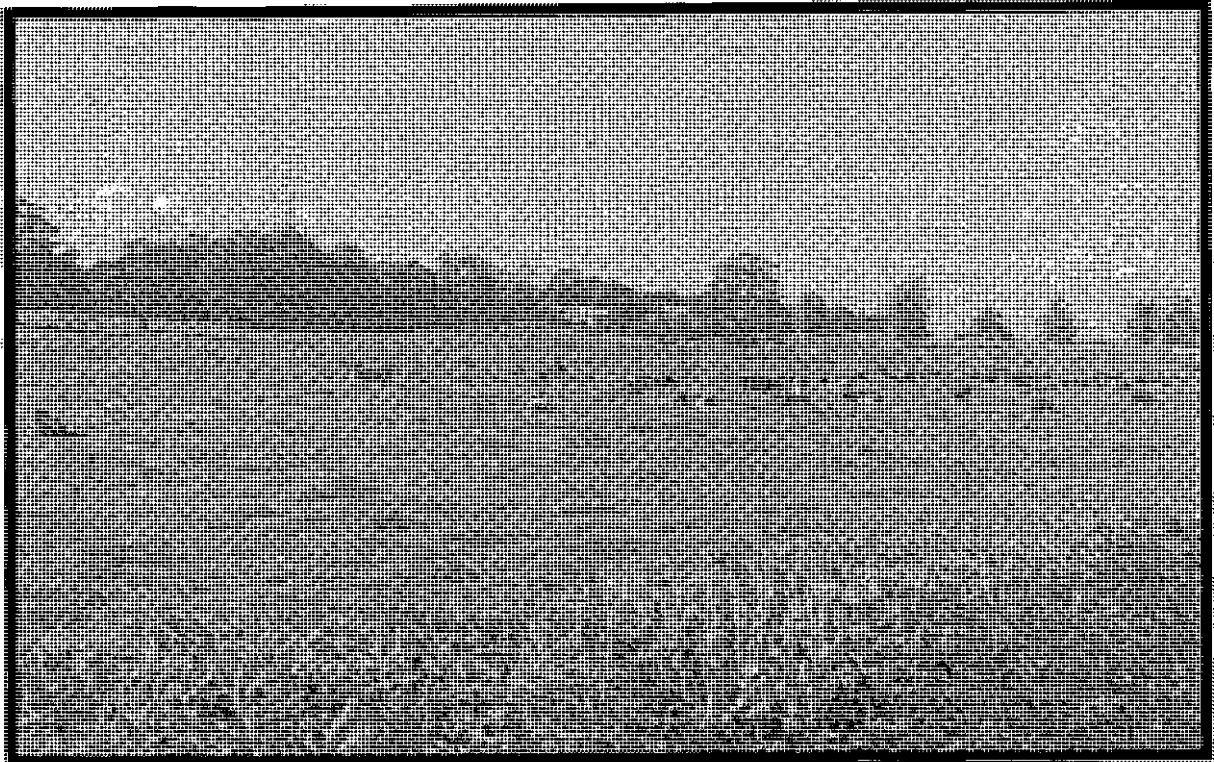
COUNTRYSIDE AND OTHER OPEN LAND

POLICIES AND PROPOSALS

Where appropriate, policies from the approved Leicestershire Structure Plan (1994) are included in this Local Plan. These appear in *italics*.

The Local Plan policies and proposals are in **UPPER CASE BOLD TYPE**.

All of the policies must be considered together before a view can be determined on a particular proposal.



Cosby Spinneys.

COUNTRYSIDE AND OTHER OPEN LAND

COUNTRYSIDE AND OTHER OPEN LAND - POLICIES AND PROPOSALS

PLANWIDE, AREA AND SITE SPECIFIC POLICIES

Agricultural Buildings in the Countryside

- 7.17 It is apparent from Government guidance that considerable changes have taken place in the countryside and the rural economy at the national level, which have resulted in significant areas of land being taken out of agricultural use. Despite these changes, agriculture remains the principal land-use in Leicestershire and will inevitably continue to have a major influence on the appearance and character of the countryside. The Structure Plan recognises this and contains a specific policy for agricultural buildings in the countryside, which seeks to minimise their intrusion in the landscape. Environment Policy 6 states, inter alia:

"Planning permission will normally be granted for agricultural buildings in the countryside (including dwellings essential for agricultural and forestry needs), provided they are well integrated in relation to existing buildings, their design is sympathetic to suitable existing buildings and the general location and they are either not prominent in the landscape or can be effectively screened by landscaping or other methods."

- 7.18 It is the role of this Local Plan to identify in which parts of the District, outside of the limits to the built-up areas, the Countryside policies of the Structure Plan will apply.

C1 IN THE AREA IDENTIFIED AS COUNTRYSIDE ON THE PROPOSALS MAP PLANNING PERMISSION WILL BE GRANTED FOR AGRICULTURAL BUILDINGS PROVIDING THAT THE DEVELOPMENT WOULD HAVE A SATISFACTORY RELATIONSHIP WITH NEARBY USES, INCLUDING CONSIDERATIONS OF VIBRATION, EMISSIONS, HOURS OF WORKING, VEHICULAR ACTIVITY, PRIVACY, LIGHT, ILLUMINATION, NOISE, DISTURBANCE AND AN OVERBEARING EFFECT.

WHERE PLANNING PERMISSION IS GRANTED FOR A DWELLING ESSENTIAL FOR AGRICULTURAL OR FORESTRY NEEDS IT WILL BE SUBJECT TO A PLANNING CONDITION WHICH LIMITS OCCUPATION.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.19 The District Council considers that the requirements of the Structure Plan policy are appropriate in Blaby District. However, because agricultural buildings may impinge upon other forms of development, particularly in locations where the Countryside and the built-up area meet on the edge of settlements, it considers it necessary to supplement the strategic policy in order to allow such relationships to be taken into account.
- 7.20 The final part of the policy recognises that in exceptional circumstances a new dwelling may be justified on the basis of essential need. A condition which limits occupation of the dwelling will prevent abuse of this exception to the generally restrictive Countryside policies.

Other Development in the Countryside

- 7.21 The Countryside is currently expected to fulfil many roles and is placed under considerable pressure in certain areas to accommodate new forms of development. It is Government policy, as stated in PPG 7, that the Countryside should be safeguarded for its own sake, even if it carries no special designation. At the same time the Government is promoting the diversification of the rural economy in order to provide wide and varied employment opportunities.
- 7.22 The Structure Plan adopts a generally restrictive attitude towards development in the Countryside. In its overall strategy, Strategy Policy 1(e), it seeks to minimise built development in the Countryside. This is reiterated in Strategy Policy 4, which establishes, in general terms, the circumstances in which development would be appropriate;

"In the Countryside (which is land beyond the existing and planned development limits of settlements, and outside of land defined as Green Wedge or areas of separation) built development, or other development having a significant adverse effect on the appearance or character of the landscape, will not normally be appropriate.

However, provision may be made for the re-use and adaptation of existing buildings and for limited small scale development for employment and leisure uses, where there is limited adverse effect on the appearance and character of the landscape.

Within Areas of Particularly Attractive Countryside and areas of local landscape value, provision for small scale built development for employment and leisure uses will

COUNTRYSIDE AND OTHER OPEN LAND

normally only be made where there is no adverse effect on the appearance or character of the landscape."

- 7.23 The District Council acknowledges the provisions of this policy, however in the interest of clarity it considers it advantageous for the Local Plan to contain separate policies for the "re-use and adaptation" of existing buildings, (a term which it has interpreted as a "change of use" of an existing building) and extensions to existing buildings. Reference should be made to policies C5 and C6 respectively which also deal with the re-use and adaptation of, and extensions to, existing buildings in "green wedges" and "areas of separation". The following policy, C2, covers all other forms of development, except agricultural buildings (the subject of policy C1).

C2 WITHIN THE AREA IDENTIFIED AS COUNTRYSIDE ON THE PROPOSALS MAP, PLANNING PERMISSION WILL NOT BE GRANTED FOR BUILT DEVELOPMENT, OR OTHER DEVELOPMENT WHICH WOULD HAVE A SIGNIFICANTLY ADVERSE EFFECT ON THE APPEARANCE OR CHARACTER OF THE LANDSCAPE.

PLANNING PERMISSION WILL, HOWEVER, BE GRANTED FOR LIMITED SMALL SCALE EMPLOYMENT AND LEISURE DEVELOPMENT (INCLUDING DWELLINGS ESSENTIAL FOR THESE NEEDS), PROVIDING THAT ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) IT IS SITED, DESIGNED AND LANDSCAPED IN A MANNER WHICH LIMITS THE EFFECT ON THE APPEARANCE AND CHARACTER OF THE LANDSCAPE;**
- (ii) IT IS IN KEEPING WITH THE APPEARANCE AND CHARACTER OF NEARBY BUILT DEVELOPMENT;**
- (iii) IT WOULD HAVE A SATISFACTORY RELATIONSHIP WITH NEARBY USES, INCLUDING CONSIDERATIONS OF VIBRATION, EMISSIONS, HOURS OF WORKING, VEHICULAR ACTIVITY, PRIVACY, LIGHT, ILLUMINATION, NOISE, DISTURBANCE AND AN OVERBEARING EFFECT;**

continued

COUNTRYSIDE AND OTHER OPEN LAND

C2 (cont)

- (iv) **IT WOULD NOT UNACCEPTABLY SEVER OR FRAGMENT AN AGRICULTURAL LAND HOLDING.**

WHERE PLANNING PERMISSION IS GRANTED FOR A DWELLING ESSENTIAL FOR EMPLOYMENT OR LEISURE NEEDS IT WILL BE SUBJECT TO A PLANNING CONDITION WHICH LIMITS OCCUPATION.

- 7.24 Policy C2 recognises that some new development will be necessary in the Countryside providing that the criteria are met. Employment development which will benefit the rural economy and leisure development which will provide increased opportunity to enjoy the Countryside, are exceptions to the generally restrictive policy on development in the Countryside.
- 7.25 In the context of this policy the District Council's interpretation of "Employment Development" extends beyond Business, General Industrial and Storage/Distribution development to include other forms of employment creation appropriate in the Countryside, for example, the boarding of animals and livery stables.
- 7.26 The assessment of whether a development proposed is of "limited small scale" will depend upon the individual circumstances, although clearly it does not extend to the scale of "major" employment development (5 ha) as defined in the Structure Plan. Despite the agricultural surpluses experienced in recent times, it is still appropriate to consider the impact of a proposal on agricultural holdings so as to ensure their continued effective use.
- 7.27 It is recognised that the diversification of the rural economy may well lead to a broad range of employment and leisure development locating in the Countryside. In certain circumstances, the demands of the activity may make it essential for one or more of the people engaged in the work to live at or very close to their place of work, for example, where animals require essential care at short notice. This is based on the long-established principles applied to dwellings essential to agricultural and forestry needs in the countryside. The final part of policy C2 makes it clear that the District Council will limit occupation of any such dwelling to prevent abuse of this exception to generally restrictive countryside policies.

COUNTRYSIDE AND OTHER OPEN LAND

Countryside Priority Area

- 7.28 The County Council considers that special measures are required to improve the landscape particularly within the Countryside Priority Area which is defined on the Local Plan Proposals Map. Structure Plan Environment Policy 11 states inter alia:-

"Within the defined Countryside Priority Areacomprehensive landscaping will be required for new development and other measures will be taken to improve the landscape".

- 7.29 This policy will be taken into consideration by the District Council in its assessment of development proposals in the countryside, green wedges and areas of separation, and also when undertaking its own environmental improvement work.

Agricultural Land

- 7.30 The Government policy for agricultural land is expressed in PPG 7 and is reflected in Structure Plan Environment Policy 6 which states inter alia:-

"The best and most versatile agricultural land, principally Grades 1, 2 and 3a, will be protected from development where restoration of the land to equivalent or near equivalent quality would not be practicable unless there is no other site suitable for that particular purpose."

Agricultural land in Blaby District is predominantly grade 3.

Green Wedges

- 7.31 The principle of protecting strategically important areas of open land between the built-up areas on the fringes of Leicester was established many years ago and subsequently gained formal recognition in the Green Wedge policies of the Leicestershire Structure Plan (1987). The Green Wedge policies have been maintained and clarified in the current Structure Plan, where Environment Policy 3 states;

COUNTRYSIDE AND OTHER OPEN LAND

"The open and undeveloped character of Green Wedge land between built-up areas on the fringes of Leicester and its adjoining settlements, Loughborough, Coalville and Hinckley will be protected and wherever possible improved.

Planning permission will normally only be granted for agriculture, recreation, forestry, transport routes and mineral uses, provided the development associated with these uses does not damage the open and undeveloped character of the Green Wedge."

7.32 Structure Plan Environment Policy 4 lists the general locations of proposed Green Wedges and it is the role of this Local Plan to determine the precise boundaries of those Green Wedges which are wholly or partly within Blaby District. In identifying the Green Wedges shown on the Proposals Map, the District Council has given consideration to the implementation of the following aims, which are stated in the Structure Plan's Explanatory Memorandum (1994);

- a) to protect structurally important areas of open land that influence the form and direction of urban development, prevent coalescence and maintain the physical identity of adjacent settlements;
- b) to ensure that open areas of land extend outwards from urban centres to preserve links with the open countryside;
- c) to provide appropriate recreational facilities within easy reach of urban residents;
- d) to promote the positive management of such wedges to ensure that they remain or are enhanced as attractive environmental features with good public access.

C3 THE EXTENT AND BOUNDARIES OF GREEN WEDGES IN THE FOLLOWING AREAS ARE IDENTIFIED ON THE PROPOSALS MAP:

- (i) BETWEEN WHETSTONE, BLABY AND COUNTSTHORPE;
- (ii) BETWEEN BLABY AND GLEN PARVA (SENCE VALLEY);
- (iii) BETWEEN WHETSTONE, ENDERBY, GLEN PARVA, BRAUNSTONE, BLABY, NARBOROUGH AND COSBY (SOAR VALLEY SOUTH);

continued

COUNTRYSIDE AND OTHER OPEN LAND

C3 (Cont)

- (iv) BETWEEN GLENFIELD, KIRBY MUXLOE, KIRBY FIELDS AND TOWARDS RATBY, GROBY AND KIRBY FRITH;**
- (v) FROM GLENFIELD TOWARDS BEAUMONT LEYS, GLENFRITH, ANSTEY AND GROBY;**
- (vi) FROM ELMESTHORPE TOWARDS BARWELL AND EARL SHILTON.**

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT FOR AGRICULTURE, RECREATION, FORESTRY, TRANSPORT ROUTES AND MINERAL USES (INCLUDING DWELLINGS ESSENTIAL FOR THOSE NEEDS) PROVIDED THAT IT IS SITED, DESIGNED AND LANDSCAPED IN A MANNER WHICH DOES NOT DAMAGE THE OPEN AND UNDEVELOPED CHARACTER OF THE GREEN WEDGE AND THAT CRITERIA (ii) TO (iv) OF POLICY C2 ARE MET.

WHERE PLANNING PERMISSION IS GRANTED FOR A DWELLING ESSENTIAL FOR AGRICULTURE, RECREATION OR FORESTRY NEEDS IT WILL BE SUBJECT TO A PLANNING CONDITION WHICH LIMITS OCCUPATION.

- 7.33 The District Council considers it appropriate to supplement the Structure Plan policy with additional criteria against which development proposals will be assessed, particularly as the very nature of Green Wedges means they have a close relationship with built-up areas. The Policy above states uses that will be appropriate in the Green Wedges. Specific uses within these categories which may be appropriate include golf courses, sports pitches, nature areas, recreation areas, cemeteries, allotments and cycleways. The impact of any proposal will be looked at on its individual merits and a particular use may not be appropriate in all Green Wedge locations.
- 7.34 The open and undeveloped character of the Green Wedges identified on the Proposals Map will be protected by the District Council for the duration of this Local Plan. The District Council will reconsider the detailed boundaries when this Local Plan is reviewed.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.35 The District Council, in co-operation with other interested parties, will seek to improve the character of the Green Wedges.

Separation of Settlements

- 7.36 It is a long established objective of the planning system to maintain the character and identity of individual settlements. One of the principal means of achieving this is by preventing their coalescence.
- 7.37 The Leicestershire Structure Plan (1987) recognised that there are circumstances where an area between settlements neither performs the function of a Green Wedge nor can properly be regarded as Countryside, but which should nevertheless remain open. The present Structure Plan has not only retained a separation of settlements policy, Environment Policy 5, but has clarified its relationship with other open land policies;

"In areas to which Green Wedge policies do not apply and which can not be properly designated as countryside, provision will not normally be made for development which would result in a reduction in the separation between the built up area of settlements."

This Local Plan has identified the precise areas to which this Structure Plan policy applies.

C4 THE EXTENT AND BOUNDARIES OF THE FOLLOWING AREAS OF SEPARATION ARE IDENTIFIED ON THE PROPOSALS MAP;

- (i) BETWEEN NARBOROUGH AND HUNCOTE.**
- (ii) BETWEEN STONEY STANTON AND SAPCOTE.**
- (iii) BETWEEN WHETSTONE AND COSBY.**

PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT WHICH IS SITED, DESIGNED AND LANDSCAPED IN A MANNER WHICH WOULD NOT RESULT IN THE REDUCTION IN THE SEPARATION BETWEEN THE BUILT-UP AREAS OF THESE SETTLEMENTS AND WHERE CRITERIA (ii) TO (iv) OF POLICY C2 ARE MET.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.38 The three areas in which the District Council has identified that it is appropriate to apply this policy are each extremely limited in extent. In these circumstances, even development proposals which are of a small scale may unacceptably reduce the Area of Separation which is necessary to maintain the character and identity of the settlements concerned. The District Council is particularly aware of the potential cumulative impact that a number of individual small scale developments may have. In its consideration of development proposals the District Council will assess not only whether the separation of settlements would be physically reduced, but also whether the perception of separation would be affected.
- 7.39 The additional criteria which supplement the Structure Plan policy are necessary to ensure an acceptable relationship with other nearby land-uses.

The Change of Use and Adaptation of Existing Buildings in the Countryside, Green Wedges and Areas of Separation

- 7.40 Government policy, expressed in PPG7 "The Countryside - Environmental Quality and Economic and Social Development" encourages the reuse and adaptation of existing rural buildings, subject to environmental considerations, as one means of fostering rural diversification. The Structure Plan makes it clear in Strategy Policy 4 (reproduced earlier) that reuse for any purpose is acceptable in principle in the Countryside. The District Council considers this principle is also acceptable in Green Wedges and Areas of Separation but wishes to apply additional detailed criteria against which any proposals for the conversion of rural buildings will be assessed :

C5 PLANNING PERMISSION WILL BE GRANTED FOR THE CHANGE OF USE AND ADAPTATION OF AN EXISTING BUILDING IN AN AREA IDENTIFIED AS COUNTRYSIDE, GREEN WEDGE OR AREA OF SEPARATION ON THE PROPOSALS MAP, PROVIDING ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE DEVELOPMENT CAN BE CARRIED OUT AND SUSTAINED WITHOUT THE NEED FOR COMPLETE OR SUBSTANTIAL REBUILDING, ALTERATION OR EXTENSION;**

continued

COUNTRYSIDE AND OTHER OPEN LAND

C5 (cont)

- (ii) THE BUILDING IS STRUCTURALLY SOUND, IS OF APPROPRIATE DESIGN FOR THE USE PROPOSED AND IS IN KEEPING WITH ITS SURROUNDINGS;**
- (iii) THE DEVELOPMENT, INCLUDING ANY CURTILAGE ENCLOSURE, EXTERNAL STORAGE, PLANT OR ACCESS PROVISION, WOULD NOT HAVE A DETRIMENTAL EFFECT ON THE APPEARANCE AND CHARACTER OF THE BUILDING OR THE LANDSCAPE;**
- (iv) THE DEVELOPMENT WOULD NOT RESULT IN AN UNSATISFACTORY RELATIONSHIP WITH OTHER NEARBY USES, INCLUDING CONSIDERATIONS OF VIBRATION, EMISSIONS, HOURS OF WORKING, VEHICULAR ACTIVITY, PRIVACY, LIGHT ILLUMINATION, NOISE, DISTURBANCE OR AN OVERBEARING EFFECT.**

IN THE CASE OF A CONVERSION TO RESIDENTIAL USE THE FOLLOWING ADDITIONAL CRITERIA WILL APPLY:

- (v) THE BUILDING IS OF A SUFFICIENTLY TRADITIONAL STYLE OF CONSTRUCTION TO JUSTIFY PERMITTING ITS RETENTION FOR RESIDENTIAL USE;**
- (vi) ANY ANCILLARY DOMESTIC FACILITIES ARE DESIGNED OR SITED SO AS NOT TO DETRACT FROM THE ORIGINAL NON-RESIDENTIAL FUNCTION OF THE BUILDING OR ITS APPEARANCE IN THE LANDSCAPE; AND**
- (vii) THE DESIGN OF ANY NECESSARY ALTERATIONS ARE SYMPATHETIC TO THE FABRIC AND CHARACTER OF THE ORIGINAL BUILDING.**

7.41 The intention of this policy is to enable rural diversification where appropriate rural buildings, which are in keeping with their surroundings, can be reused or brought back into use. It is not

COUNTRYSIDE AND OTHER OPEN LAND

intended to allow the re-use of all buildings in rural locations; for example, some pre-fabricated buildings that represent an alien feature in the landscape may not be appropriate whereas uses will be encouraged where they are to be accommodated within rural buildings of a more conventional style and character.

- 7.42 The demand for new building in the countryside can be reduced by the conversion and re-use of rural buildings in accordance with the above policy. This can also have the effect of encouraging new rural business as well as helping to reduce unemployment in rural areas. However, conversions should not take place at the expense of the character or setting of the building in the landscape. The District Council will, therefore, seek to ensure any conversion scheme is in keeping with the original building and its setting. A full structural survey, together with an assessment of the necessary works or repairs may be required from the applicant.
- 7.43 The change of use of rural buildings for residential purposes requires particular attention because of the generally strict controls over new housing in the countryside. In certain circumstances residential use may be appropriate where it retains a building of traditional design or of some historic, architectural or landscape merit and where an employment use is impractical. To maximise the benefit of the conversion to the local rural population employment uses will be encouraged.
- 7.44 The fabric and character of traditional rural buildings, particularly listed buildings, can be irreversibly damaged by insensitive design destroying much of the original buildings, forming inappropriate new openings, removing important structural elements or large parts of the original internal walls. Other consequent effects of conversion, such as the formation of a new curtilage, can often adversely affect the character of open land. Planning applications proposing the conversion of Listed Buildings will be considered against the relevant policies contained within the 'Conservation and Environment' chapter of the Local Plan.

Extensions to Existing Buildings in the Countryside, Green Wedges and Areas of Separation

- 7.45 A large part of Blaby District is identified as either Countryside, Green Wedge or Area of Separation. These areas are all predominantly open in character but, nevertheless, they still accommodate a considerable number of buildings which are used for a wide variety of purposes. The following policy allows existing buildings which are located within these policy areas to be extended.

COUNTRYSIDE AND OTHER OPEN LAND

C6 PLANNING PERMISSION WILL BE GRANTED FOR AN EXTENSION TO AN EXISTING BUILDING IN AN AREA IDENTIFIED AS COUNTRYSIDE, GREEN WEDGE OR AREA OF SEPARATION ON THE PROPOSALS MAP, PROVIDING THAT THE DEVELOPMENT DOES NOT RESULT IN ANY OF THE FOLLOWING:

- (i) THE OVER-DEVELOPMENT OF THE BUILDING OR THE SITE;**
- (ii) A DETRIMENTAL EFFECT ON THE APPEARANCE AND CHARACTER OF THE BUILDING OR THE LANDSCAPE, INCLUDING AS A RESULT OF ANY CURTILAGE ENCLOSURE, EXTERNAL STORAGE, PLANT OR ACCESS PROVISION;**
- (iii) AN UNSATISFACTORY RELATIONSHIP WITH OTHER NEARBY USES, INCLUDING CONSIDERATIONS OF VIBRATION, EMISSIONS, HOURS OF WORKING, VEHICULAR ACTIVITY, PRIVACY, LIGHT, ILLUMINATION, NOISE, DISTURBANCE AND AN OVERBEARING EFFECT.**

7.46 Clearly it is important that an extension is not permitted where it would damage the qualities and character of the area in which it is located. It is also important that works required as a result of extending an existing building (ie. relocation of site curtilage) do not adversely affect its setting. The District Council is also aware that a series of individual extensions to an existing building may cumulatively have detrimental consequences.

Replacement of Existing Dwellings in the Countryside, Green Wedges and Areas of Separation

7.47 The replacement of existing dwellings outside of the limits to the built-up areas, on land designated as Countryside, Green Wedge, or an Area of Separation will, in principle, be considered acceptable provided all the criteria listed in the following Policy are strictly adhered to. Once a dwelling has been demolished, however, there will be no presumption in favour of rebuilding unless this is to implement an extant planning permission.

7.48 The siting, scale, design and materials of construction of a replacement dwelling will require special consideration given the strict controls over development which apply in these areas.

COUNTRYSIDE AND OTHER OPEN LAND

Siting of a replacement dwelling should normally be on the same 'footprint' as the original unless an alternative location is suggested which the District Council considers to be more favourable, this would normally be in a location which reduces the visual impact of the dwelling. If an alternative location for the replacement dwelling is agreed then the District Council will require the demolition of the original through the use of a planning condition or obligation.

- 7.49 Much of Blaby District outside of the built up areas is designated as a Countryside Priority Area and unless significant natural screening already exists, landscaping will be required to enhance the environment as well as reducing the visual impact of the replacement dwelling.

C7 PLANNING PERMISSION WILL BE GRANTED FOR THE ERECTION OF A REPLACEMENT DWELLING ON LAND OUTSIDE THE LIMITS TO THE BUILT UP AREAS IDENTIFIED ON THE PROPOSALS MAP PROVIDED ALL THE FOLLOWING CRITERIA ARE MET:-

- (i) THERE IS AN EXISTING, HABITABLE DWELLING LOCATED ON THE SITE WHICH IS OCCUPIED OR HAS RECENTLY BEEN OCCUPIED AS A MAIN RESIDENCE;**
- (ii) THE REPLACEMENT DWELLING IS LOCATED ON THE SITE OF THE ORIGINAL DWELLING UNLESS AN ALTERNATIVE SITE IS IDENTIFIED WHICH IS MORE ACCEPTABLE TO THE DISTRICT COUNCIL;**
- (iii) THE REPLACEMENT DWELLING IS OF A SIMILAR SIZE AND SCALE TO THAT OF THE ORIGINAL DWELLING;**
- (iv) THE DESIGN OF THE REPLACEMENT DWELLING IS OF A HIGH STANDARD AND ITS MATERIALS OF CONSTRUCTION ARE SYMPATHETIC TO ITS LOCATION;**
- (v) THE DEVELOPMENT INCLUDES, WHERE APPROPRIATE, A SUITABLE LANDSCAPING SCHEME;**
- (vi) THE DEVELOPMENT WOULD NOT CONFLICT WITH THE AIMS OF THE SUBCLAUSES OF POLICY R1.**

Temporary Dwellings in the Countryside, Green Wedges and Areas of Separation

7.50 With the exception of replacement dwellings and new dwellings which result from a change of use of an existing building, the District Council will restrict "new build" dwellings in the Countryside, Green Wedges and Areas of Separation to cases where an "essential need" can be demonstrated. It is recognised by Government, in PPG 7, and by the District Council that in certain cases the evidence supporting an application for an "essential needs" dwelling is inconclusive. The following policy allows the provision of a temporary dwelling until the issue is clarified. Planning conditions will prevent the abuse of this concession.

COUNTRYSIDE AND OTHER OPEN LAND

Removal of Residential Occupancy Conditions

- 7.51 There have been exceptional circumstances where planning permission has been granted for residential development in locations where such development would normally have been refused, principally in circumstances where it was essential for workers in agriculture or forestry to live at or in the vicinity of their place of work. Where a dwelling is no longer essential to serve the needs of the original business, it may nevertheless remain capable of meeting those needs in the area as a whole, thus avoiding a proliferation of dwellings in the Countryside, Green Wedges or Areas of Separation. Only when the District Council is satisfied that there is no longer-term requirement for restricted occupation, will the planning condition be removed.
- 7.52 In certain cases a dwelling which was granted planning permission on the edge of a settlement on the basis of an "essential need", has now such a close physical and visual relationship with the settlement that it is included within the limits to the built-up area. The District Council emphasises that this is not intended to indicate that the restricted occupancy condition has outlived its usefulness as the same considerations described in the previous paragraph will apply. Any proposal to remove such a condition will still have to meet the requirements of policy C9.

Open Areas of Importance to the Form and Character of the Built Environment

- 7.53 The areas of open land where the District Council will apply Countryside, Green Wedge and Area of Separation policies are fundamental in determining the form and character of the built environment, in so far as they direct and control its physical expansion. These areas all lie

COUNTRYSIDE AND OTHER OPEN LAND

outside the limits to the built-up area. There are, however, other open areas, most of which are located within settlements, that are also of importance. This is recognised by the Government, in PPG 17, and also in the Structure Plan, which comments that they play a significant part in the quality of life and states in Environment Policy EP1 (a);

"Measures will be taken to maintain and improve the quality of the built environment of Leicester and its adjoining settlements and other settlements including:

(a) Protecting open land which is important to the form and character of the built environment from development....."

7.54 The District Council has identified the following open areas which it considers to be of particular importance to the form and character of the built environment, although this does not imply that all other open areas are not considered to be of value. The protection of open spaces for recreation purposes is the subject of policy L2 of this Local Plan.

C10 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD BE DETRIMENTAL TO THE FORM AND CHARACTER OF THE FOLLOWING OPEN AREAS IDENTIFIED ON THE PROPOSALS MAP OR THE ADJOINING BUILT ENVIRONMENT:

(i) THE GYNSILLS, GLENFIELD.

7.55 The grounds of this former large residence are prominently located and are the subject of a Tree Preservation Order. The area is divided into three parts with the part fronting Gynsill Lane being open space owned by the District Council although part of this has been leased to Glenfield Parish Council. Of the two remaining parts, one contains the original house extended and converted to a public house and restaurant and the other is undeveloped but has planning permission for both specialised residential development and an office development set in extensive landscaped grounds. Development of either permission will preclude the other. Reference should also be made to Appendices 9 and 10.

(ii) LAND EAST OF LUBBESTHORPE WAY, BRAUNSTONE.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.56 This open area of land to the east of Lubbesthorpe Way is required to remain in its present open form to provide a buffer zone between the established housing area and existing leisure, hotel and employment development in the vicinity. A large part of the area also provides valuable formal and informal recreation opportunities.

(iii) LAND AT FOREST ROAD/STEWART AVENUE, NARBOROUGH.

- 7.57 The tree lined playing fields associated with Carlton Hayes Hospital form a locally important open space in the settlement pattern of Enderby and Narborough. The District Council will continue to protect the generally open nature of this land and safeguard the mature trees on the perimeter.

(iv) CRICKET GROUND, BANTLAM LANE, ENDERBY.

- 7.58 Although adjoined by houses, the cricket ground represents a visually important open space in the settlement pattern. It is also considered important to protect it in an open state as the provision of recreation space in the village is below the minimum standards of the National Playing Fields Association.

(v) THE WOODLANDS DAY HOSPITAL, NARBOROUGH.

- 7.59 This is an attractive building in mature landscaped grounds with an adjacent tree-lined paddock. The site represents an important landscape element in the settlement pattern. The policy will not preclude alternative uses for the building or the possible erection of sympathetically designed extensions on a modest scale, provided that they do not detract from its landscaped setting.

(vi) BLABY HALL, SYCAMORE STREET, BLABY.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.60 This policy relates to both the existing and the former parkland associated with Blaby Hall. The District Council owns part of this land, which it intends to open to the public at the earliest opportunity. As well as forming the important setting of the listed building, this land, with its mature trees, is an important landscape feature in the Blaby Conservation Area and within the rural fringe of this part of the village centre. For these reasons the generally open nature of this land is considered worthy of specific protection.

(vii) LAND NORTH OF WARWICK ROAD, WHETSTONE.

- 7.61 This area is used primarily as playing fields and a private sports ground. Together they represent an important visual and functional open space which fulfils an additional role in providing a buffer between the existing housing area and the major employment area south of Warwick Road.

(viii) LAND EAST OF CAMBRIDGE ROAD, WHETSTONE.

- 7.62 This land is used for car parking and as a private sports ground. It forms an important visual open space and buffer between the major employment area on Cambridge Road and the residential development to the east.

(ix) LAND BETWEEN ST. ANDREW'S CHURCH AND STATION ROAD, COUNTSTHORPE.

- 7.63 This recreation ground and public open space is owned by the District Council and allows fine views of the Church, a listed building, from Station Road. This important view could be marred by any building or structure and even the smallest scale development would need to be carefully considered.

(x) LAND WEST OF WIGSTON STREET/LEICESTER ROAD, COUNTSTHORPE (THE SPINNEY).

COUNTRYSIDE AND OTHER OPEN LAND

- 7.64 This is an area of attractive open space in Parish Council ownership on which are situated a number of mature trees protected by a Tree Preservation Order. The area is visually prominent and even small scale development could damage the environment.

(xi) CAREY HILL QUARRY, STONEY STANTON.

- 7.65 This privately owned infilled former quarry in the village centre of Stoney Stanton is currently overgrown, but has the potential to become an attractive open feature. In the Draft Blaby District (South West) Local Plan 1985 it was allocated for open space recreation uses. The generally open character of this prominent site should be retained, and policy L5 proposes the area for open recreation use. The problems associated with ground instability and contamination are likely to prevent built development on the land for the life of this Local Plan.

(xii) CLINT HILL QUARRY, STONEY STANTON.

- 7.66 This site was allocated for future recreation uses in the Draft Blaby District (South West) Local Plan 1985, as were the spoil banks to the west. The water filled quarry is in private ownership, but still maintains its useful role as a buffer between the primarily employment land to the south and west and residential development to the east and north. Reference should also be made to policy L9.

(xiii) THE RECREATION GROUND, THURLASTON.

- 7.67 This land is leased by Thurlaston Parish Council from the National Playing Fields Association and is used for informal recreation and includes childrens' play equipment. With its mature trees, it provides an attractive setting for the Church of All Saints, which is a Grade II* Listed Building, and the adjoining school and housing development. The open aspect is a valuable asset to the character of the village.

(xiv) THE GREEN, WIGSTON PARVA.

COUNTRYSIDE AND OTHER OPEN LAND

- 7.68 The Village Green at Wigston Parva is owned by the District Council and is enclosed by a number of Listed Buildings. Situated on the Green is the village water pump which is also listed. The land forms an attractive centre piece to the Conservation Area.

The Elvesthorpe Land Settlement Association Area

- 7.69 A distinctive feature of the settlement pattern of Elvesthorpe is the small-holdings of the former Land Settlement Association. The design of the original buildings and the spacious open areas between them, together with the nature of the road network, creates an area of special character which has been protected from inappropriate development by the District Council for many years.
- 7.70 Given the open character of this area, the District Council considers that it should lie outside the limits to the built-up area of Elvesthorpe. The Local Plan's Countryside policies will be used to control development, subject to the following policies which allow for replacement dwellings and extensions but impose specific design requirements. As a guide to developers the Council consider that the maximum floorspace of a replacement dwelling should be around twice the floorspace of an original Land Settlement Association dwelling.

C11 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT IN THE ELMESTHORPE LAND SETTLEMENT ASSOCIATION AREA, AS IDENTIFIED ON THE PROPOSALS MAP, IF THE REQUIREMENTS OF THE APPROPRIATE COUNTRYSIDE POLICY ARE MET (POLICES C1, C2, C5 OR C6).

IN ADDITION, PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE FOLLOWING FORMS OF RESIDENTIAL DEVELOPMENT IF THE REQUIREMENTS STATED BELOW ARE ALSO MET:

Replacement Dwellings

PLANNING PERMISSION WILL BE GRANTED FOR THE ERECTION OF A REPLACEMENT DWELLING PROVIDED THAT ALL OF THE FOLLOWING CRITERIA ARE MET:

continued

COUNTRYSIDE AND OTHER OPEN LAND

C11 (Cont)

- (i) THERE IS AN EXISTING HABITABLE DWELLING LOCATED ON THE SITE WHICH IS OCCUPIED OR HAS RECENTLY BEEN OCCUPIED AS A MAIN RESIDENCE;**

- (ii) THE REPLACEMENT DWELLING IS LOCATED ON THE SITE OF THE ORIGINAL DWELLING UNLESS AN ALTERNATIVE SITE IS IDENTIFIED WHICH IS MORE ACCEPTABLE TO THE DISTRICT COUNCIL;**

- (iii) THE DESIGN OF THE REPLACEMENT DWELLING AND ITS MATERIALS OF CONSTRUCTION ARE SYMPATHETIC TO THOSE OF THE ORIGINAL LAND SETTLEMENT ASSOCIATION HOUSES;**

- (iv) THE REPLACEMENT DWELLING DOES NOT SUBSTANTIALLY CHANGE THE CHARACTER AND APPEARANCE OF THE AREA OR THE SPACIOUS OPEN CHARACTER OF THE SITE, BY VIRTUE OF THE EXCESSIVE SIZE AND SCALE OF THE BUILDING COMPARED TO AN ORIGINAL LAND SETTLEMENT ASSOCIATION DWELLING.**

Extensions to Existing Dwellings

PLANNING PERMISSION WILL BE GRANTED FOR AN EXTENSION TO AN EXISTING DWELLING PROVIDED THAT;

- (i) THE SPACIOUS OPEN APPEARANCE AND CHARACTER OF THE AREA IS MAINTAINED; AND**

- (ii) THE DESIGN AND MATERIALS ARE SYMPATHETIC TO THE ORIGINAL LAND SETTLEMENT ASSOCIATION HOUSES.**