

## **RDPE Regional Consultation Group Meeting – East Midlands**

**Thursday 21<sup>st</sup> January 2010**

### **RDPE Planning Issues in the East Midlands**

42 potential RDPE applicants were recently contacted to ask why their Expressions of Interest submitted and endorsed since the Programme launch in early 2008 had not yet been followed up by a full application. The most recently submitted EOI was January 2009. Where a project requires planning permission, it must be obtained before a full application can be accepted.

Of the 42 applicants, 38 were questioned, 35 of whom required planning permission for their project to proceed. Of those 35, 15 had experienced difficulties and delays due to planning issues related to their projects. Of the 15, 9 have now been resolved and approved, but they have been in the planning system for between 12 and 18 months. One has been partially approved with the greater part of the application turned down. Another was asked to withdraw the original application and to undertake all the necessary survey work and then resubmit the application, which meant that the planning process took 12 months.

Five are still unresolved, having been in the system for over 12 months with no decision. One application has been refused and the applicant has appealed against the decision. The majority of the projects which have been affected by planning issues are diversification projects.

It needs to be borne in mind that interviews have only taken place with applicants and not with the local authority officers who were responsible for considering the applications. Therefore only one perspective has been obtained. Furthermore, 'difficulties' may have resulted from legitimate conditions, or linked planning obligations, which may not necessarily have been welcomed by an applicant.

Local planning authorities should normally seek to approve less complex planning applications within 8 weeks and more complex planning applications within 13 weeks. If a LPA fails to determine a planning application within the required timescales there may be grounds for appeal on the grounds of non determination; speeding up the planning system has been a major part of the Government's agenda for 'modernising planning'. Clearly the length of time taken to determine applications is therefore of concern as it can hold back investment and increase costs.

The determination of planning applications needs to be considered on planning grounds, with the most significant consideration being how the planning application fits with the policy of the development plan, comprising the Regional Spatial Strategy and the Local Development Framework. The Regional Spatial Strategy includes some relevant policies on key issues which should inform decision, including the Economy, Rural Diversification and Low Carbon Energy Generation.

The issues experienced by applicants differ depending upon the Local Planning Authority and the type of project. The scale of diversification projects has been a factor in the delays. Evidence suggests that projects that are directly related to agriculture either as added value or diversification are generally acceptable, although scale is an issue.

One of the more popular forms of diversification is the conversion of redundant buildings to holiday cottages. Usually where the proposal is for one unit then most planning authorities are supportive, however where the conversion is for several units the response differs. This can be contentious in some areas, particularly in some areas of high landscape quality. The numbers of units proposed is likely to be a material consideration.

Renewable energy and water management schemes have been subject to delays or in certain areas have been discouraged. In the Peak Park the policies relating to renewable energy schemes favour small scale development such as on farm anaerobic digesters, however for many livestock farmers in the Peak this is not an economically viable proposition. No definition of "small" has been made by the Peak Park.

Proposals for wind turbines within the National Park are discouraged at the pre application stage and contact with Peak District farmers has confirmed that they are unlikely to obtain planning approval for a wind turbine and therefore do not consider them as part of a project. In some Northamptonshire districts small wind turbines (approx 11 kw) have been approved yet in other districts in the same county they have been discouraged. In another county one district has been more restrictive in its planning attitude than its neighbour for similar developments. An applicant who has farms in both districts can confirm this.

One applicant submitted a planning application to develop a business park on a brown field site which had previously been granted outline permission but was turned down because it has no longer earmarked for development in the current development plan as the Authority were only looking to allow such development in established centres, based upon the fact that those locations had good transport networks. The applicant's proposal was to provide more local employment opportunities for nearby communities and thereby reduce the amount of commuting. The applicant has however been allowed to develop the access road and infrastructure to open up the whole site to enable a small part of the site to be developed.

## **Conclusions**

Many of the current local plans have been in place for some years and are due to be reviewed under the local development framework. The issue of Rural Diversification and planning was discussed as part of the development of the Regional Spatial Strategy (RSS), and policy 24 of the RSS sets out the regional priorities for rural diversification. This is copied below, and states the obligations for local authorities in developing their Local Development Frameworks. In addition, the new Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Growth' sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.

### **Regional Priorities - Rural Diversification**

3.2.18 Agriculture and Forestry are the dominant land uses within the East Midlands, but only directly employ less than 3% of the total workforce. This figure is higher in more rural parts of the Region such as Lincolnshire, where there are also significant numbers of people employed in businesses related to agriculture and horticulture. In addition, rural areas make a significant contribution to the regional economy in sectors such as manufacturing, retail, construction, transport and distribution, business services, tourism and leisure.

3.2.19 The agricultural economy of the East Midlands is as varied as the Region itself, ranging from hill farming and farm tourism in upland Derbyshire to high output horticulture and the regionally important 'agri-food complex' in southern Lincolnshire. However, farm incomes have suffered in recent years due to the impact of world competition. In responding to these challenges it is vital that the economic base in rural areas is broadened, thereby reducing the exposure to external shocks, enhancing wealth generating capacity and employment opportunities.

PPS7 gives national advice on how local authorities should consider proposals for rural diversification. Farm diversification is one way of achieving this but local planning authorities should also consider all other ways of achieving rural diversification when

drawing up their policies for rural areas. Where proposals have the potential to significantly affect designated nature conservation sites of international importance, authorities should ensure that appropriate assessments of possible adverse impacts on site integrity are undertaken.

#### **Policy 24**

##### **Regional Priorities for Rural Diversification**

*Local Authorities, emda and Sub-Regional Partnerships should work together to promote the continued diversification and further development of the rural economy, where this is consistent with a sustainable pattern of development and the environmentally sound management of the countryside. Local development documents should develop the policy according to local circumstance but particular consideration should be given to:*

- *'economically lagging' rural areas identified by the Government's Rural Strategy, including the districts of East Lindsey, West Lindsey, South Holland, Bolsover, High Peak, and the more rural parts of Derbyshire Dales, Bassetlaw and Newark and Sherwood; and*
- *those areas that fall within identified Rural Action Areas.*

*emda*

January 2010

