

MALVERN HILLS DISTRICT COUNCIL

The Re-Use of Rural Buildings
Supplementary Planning Document (SPD)

Consultation Statement

June 2006

Malvern Hills District Council
Planning Services
The Council House
Avenue Road
Malvern
Worcestershire



1. Introduction

- 1.1 Under the provisions of the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Development) (England) Regulations 2004 the District Council is required to undertake consultation and public participation regarding the preparation of any Supplementary Planning Document (SPD). The District Council is also required to prepare a statement setting out the fact that documents have been made available for inspection and the places and times that they can be inspected.
- 1.2 This document sets out the consultation and public participation processes associated with the Draft Concept Statement undertaken by the District Council in accordance with regulation 17 of the above regulations.

2.0 Preparation

- 2.1 A report introducing the Draft Concept statement was presented to Planning Committee on 6th December 2005. At that meeting, Members of the committee decided to approve the draft document for consultation purposes.

3.0 Public consultation and participation

- 3.1 The District Council undertook public participation on the Draft SPD for a period of 6 weeks between Friday 13th January 2006 and 5:30pm Friday 24th February 2006.
- 3.2 The consultation period was advertised through the publication of a public notice for one week in local newspapers for the district including the Malvern Gazette / Ledbury Reporter, Berrows Worcester Journal, the Tenbury Wells Advertiser / Ludlow Advertiser and Gloucester Echo. The public notice clearly states the duration of the public participation period and appeared on 12th and 13th January 2006 (depending upon newspaper circulation days).
- 3.3 The Public Consultation on this SPD accords with the provisions of the Council's Adopted Statement of Community Involvement. A wide variety of organisations and individuals were informed of the public participation period and provided with copies of the Draft SPD, public notice, and response form. This included all parish and Town Councils in the District. The Council recognised that because of the specific nature of the SPD, it was not likely to be of interest to the normal list of consultees. Therefore the Council also sent copies of the guidance to representative of the local architectural profession and to agents who regularly submit applications to the Council (at least 10 applications per year) and those who submitted applications in relation to the conversion of rural buildings in the last two years. **Table 1** provides details of the consultees for public participation purposes.
- 3.4 The Draft SPD, public notice, response form, the Sustainability Appraisal and statement of consultation were available on the District Council's web site www.malvern hills.gov.uk from the 13th January 2006. The Draft SPD clearly indicated how and where other key documents referred to in the SPD could be inspected on-line where this is possible.

- 3.5 Copies of the Draft SPD and supporting documentation were placed on formal deposit at the locations referred to in the public notice.

4.0 Additional public participation

4.1 Availability

The draft SPD was available for inspection from the 13th January 2006 (via the Customer Service Centre, Tenbury Area Office, and Upton Upon Severn Library – see public notice). Copies were also available, free of charge, from these venues and could also be downloaded from the District Council's web site www.malvern hills.gov.uk).

4.2 Advice and Assistance

Arrangements were made to ensure that officers at the Customer Service Centre were briefed regarding the Draft SPD and public participation requirements to enable questions to be answered in person or by telephone. In addition, to the lead officer on the project, a duty planning officer was also on call at the Customer Service Centre during normal opening hours to answer specific questions if necessary.

5.0 Dealing with Responses

- 5.1 All comments received as a result of the consultation process were presented to Planning Committee on the 15th June 2006 together with an Officer response and proposed changes to the document. These are outlined in Appendix 1

- 5.2 The Re-Use of Rural Buildings SPD was adopted at this meeting. However, due to a technical oversight, the council did not comply with Regulation 16 and 19 of the Town and Country Planning (Local Development) England Regulations 2004. Planning Committee resolved on the 1st August 2006 to re-adopt the Re-Use of Rural Buildings SPD with effect from the 4th August 2006.

- 5.3 Details of this decision and a copy of the Adoption Notice (see Appendix 2) were sent to consultees and respondents on the 2nd August 2006.

6.0 For further information regarding this document please contact:

Malvern Hills District Council
Customer Services Centre
The Library
Graham Road
Malvern
Worcestershire

Tel: 01684 862151

www.malvern hills.gov.uk

Simon Jones
Planning Services
Re-Use of Rural Buildings SPD
Malvern Hills District Council
The Council House
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TABLE 1 Interest Groups**Specific Consultees identified in Accordance with PPS12**

Council for the Protection of Rural England	West Midlands Regional Assembly
Crime Risk Manager - West Mercia Constabulary	Forest of Dean DC
Country Land and Businesses Association	Herefordshire Council
DEFRA (RDS West Midlands)	South Shropshire DC
DEFRA HQ - London	Tewkesbury Borough Council
Department of Culture, Media and Sport	Worcester City Council
Elgar Housing Association/Festival	Worcestershire County Council
English Heritage (West Midlands Region)	Wychavon District Council
Farming & Advisory Action Group	Wyre Forest District Council
The House Builders Federation	The Countryside Agency
Malvern Hills AONB	The Environment Agency
Malvern Civic Society	Highways Agency
Malvern Hills Conservators	The Historic Buildings and Monuments Commission for England
National Farmers Union (NFU)	English Nature
Royal Institute of Chartered Surveyors	Severn Trent Water
Severn & Avon Vales Wetlands Partnership	
Worcestershire Highway Partnership at Malvern Hills	GPU Power Engineering
WCC Archaeological Service	British Gas Transco
WCC - Biodiversity Action Plan Manager	Network Rail
WCC – County Ecologist	Office of Rail Regulation
Worcestershire Wildlife Trust	Advantage West Midlands

Agents

A H Roper	Linton Design
Adrian Hope Tree Services	MA Brown
Adrian Hutt Architects	Marcus Cleaver
Barnett Taylor Associates	Mark Gent
Boughton Butler LLP	Meredith Architectural Design
Border Oak Design & Construction Ltd	Michael Latchem & Associates
Broadheath Consulting Ltd	Mr K A Boulton
C J Didlick	Mr M A King
Colin C Davies	N J Teale
David Wall Architects	Neill Lewis Chartered Architect
Dean-Walker Bateman Architects	Nick Carroll
Design Build	Nick Joyce Architects
Elrick Smith Surveyors	Peterson Jones Architects Ltd
Engineering & Building Design	PM Brooks – Hallow
Graham Bacon	PM Brooks - Broadwas
G C Smith	R Hedges
G Coombrey Jones	Roger Haddock & Associates Ltd
G W Butler	RRA Architects
HAG	S J Davis
Harrison Brookes Partnership	Simon Angell
Ian Guest & Associates	Stainburn Taylor & Michael Reardon
J Christopher Ashton	TJ Preece & Associates
John W Taplin Associates	Taylor & Co
K P Gorman	Wall Jones & Davies

APPENDICES

APPENDIX 1 The Re-use of Rural Buildings (SPD) Committee Report

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 01 Surname Davis On Behalf Of/ Organisation Address 59a Court Road Address Obj/Supp Supporter Date Received 06/02/2006	None	None	Support noted	No action required
Ref No 02 Surname Whitmore On Behalf Of/ Organisation Address West House Address Obj/Supp Objector Date Received 08/02/2006	<p>My house is situated about 200 metres from a large pig unit, Nut Cross Lane piggery. It ceased to trade in April 2005 and is now on the market for sale as a pig unit or other activity, subject to the Council's approval for change of use.</p> <p>The pig unit has been a source of constant nuisance ever since it was first built in the 1970s and all attempts over the years to restrict its enlargement and curtail the smells have failed.</p> <p>[A] If a purchaser decided to resurrect the unit, would the Council stop him from doing so, in the knowledge that there are residential properties situated within the 400 metre zone ?</p> <p>[B] Also I have a brick and sandstone building which I am currently considering applying for planning permission for conversion to a small holiday let. Would permission be refused because of it's proximity to the pig unit ?</p> <p>[C] The unit was well run, but all attempts to suppress smells and noise failed. To correct the injustice of allowing the pig unit, I consider that the Council should now refuse the unit to recommence trading in intensively reared pigs, otherwise it will find itself in an incongruous situation and it will be clearly against the policy recommended in this Consultation Draft.</p>	None	<p>[A,B,C] The objection raises a series of site specific queries which would not be appropriately debated here. Members should be aware that an application seeking planning permission to re-use some of the former buildings for employment purposes has been received (in the period since the objection was received) and is presently under consideration.</p> <p>[A] The objector has misinterpreted paragraphs 125-129 which provide guidance on separation distances between new dwellings and existing livestock buildings, but could also apply to separation distances between new livestock buildings and existing dwellings. This only relates to scenarios where one or the other of the uses is NEW to the site. The lawful planning use of the site does not cease when a particular business ceases to trade. Consequently planning permission would not be required if someone decided to recommence operation of the pig unit.</p> <p>[B] If the pig unit were operational, the Council would need to have regard to whether the existing uses were compatible or likely to give rise to conflict. On the basis that the presence of the pig unit is known, the objector would be commencing a business activity which had the potential to be prejudiced by an existing lawful use at his own risk.</p> <p>[C] This point is answered in the Council's response to point [A] above.</p>	No change

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 03	Overall this is a useful and informative text and one which will serve a valuable role in helping to conserve and enhance the AONB as well as the wider countryside of the District. Congratulations on a good piece of work.	[A] (7-9) make reference to local distinctiveness	[A] (7-9) There is not scope within this document to include such an analysis. The County Council is preparing Landscape Character Assessments which will fulfil this purpose. (See response to point [C])	[A] (7-9) No change proposed
Surname Esrich	[A] (7-9) I appreciate that rural buildings throughout the District vary but was wondering whether there are any unifying characteristics (if not vernacular) in the guise of materials, construction styles, design or densities which could be said to be distinctive of parts of the area. For example, the AONB Management Plan alludes to the particular character of wayside cottages on the unenclosed commons. Might it be useful to allude to such local distinctiveness in this section of the guidance generally as a way of reinforcing the importance of local character in different parts of the area ?	[B] (33) Correct punctuation [C] (88-91) Make reference to Landscape Character Assessments.	[B] (33) Agree. [C] (89-91) Disagree. It is considered that a reference to documents not yet prepared or published would not be helpful to the users of the document. [D] (92) Agree. The paragraph could be worded more positively and make reference to the relevant policy of the development plan.	[B] (33) after word 'uses' add comma [C] No change
On Behalf Of/ Organisation MHDC AONB Partnership	[B] (33) The punctuation in this sentence doesn't seem quite right.	[E] (96) None specified	[E] (96) Agree. It is proposed to amend the wording accordingly.	[D] Reword sentence as follows: "Proposals for the re-use of rural buildings in the AONB should aim to actively conserve and enhance the special qualities of the area. In accordance with MHDLP Policy QL23, development necessary for the social or economic well-being of the AONB will be permitted only where it can be shown that it will not harm the environment and natural beauty of the landscape." [E] Amended text of second and third sentences as follows : "The District Council will seek to ensure that external lighting is kept to an absolute minimum commensurate with need and that only low level, unobtrusive lighting is used. Where external lighting is proposed, applicants will need to demonstrate that it has been designed to minimise light pollution."
Address Manor House	[C] (89-91) The wording in this section seems sufficiently robust and protective. However it could be improved by a specific reference to landscape character assessments (LCAs) -which often relate to buildings and settlements. Whilst the LCAs have not yet been produced by the County Council they are likely to be published during the lifespan of this document..	[D] (92) Change emphasis from negative to positive.	[F] (100) The change sought is already implicit in paragraph 101 and consequently no change is considered necessary.	[E] Amended text of second and third sentences as follows :
Address Grange Road	[D] (92) The stipulation under paragraph 92 that particular regard will be given to proposals in the AONB is a welcome one. However, the wording provided could be construed as focusing on the potential negative effects of new development rather than the positive ones. It would be more in-keeping with the aims of the designation to suggest that the re-use of agricultural buildings should aim to actively conserve and enhance the special qualities of the area rather than only stipulating that this work should not have an adverse impact on such qualities. Such a form of words might also reflect the Countryside Agency's assertion that development in protected areas should be 'good enough to approve' not simply bad enough to refuse. The draft document is positive and does promote good practice and the need for improvements. However, a shift in emphasis here would provide clarity and may be useful in helping to counter those who might have concerns over re-development and particular issues such as affordable housing in the AONB.	[D] (92) Change emphasis from negative to positive.	[G] (103) "In considering development proposals the District Council will have due regard to the impact of consequent highway modifications on the general character and appearance of the area and in particular, existing features of the natural and built environment. Proposals which would result in the loss of significant trees and sections of hedgerows which make a positive contribution to the rural scene in order to satisfy visibility requirements will usually be resisted. "	"The District Council will seek to ensure that external lighting is kept to an absolute minimum commensurate with need and that only low level, unobtrusive lighting is used. Where external lighting is proposed, applicants will need to demonstrate that it has been designed to minimise light pollution."
Obj/Supp Objector	[E] (96) Whilst saying that external lighting itself should be designed to minimise light pollution, this wording does not clearly reflect a desire to keep the total amount of external lighting to a minimum (commensurate with need). Was this the Council's intention ?If so, this should be stated more clearly.	[E] (96) None specified		
Date Received 10/02/2006				

Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

[F] (100) Whilst it would be difficult if not impossible to define 'significant' in this context, it might be useful to state that 'significant' will vary depending on the location in question.

[G] (103) Proposals requiring significant alterations to road markings and traffic management signage which would impact adversely on the amenity of an area might also be resisted. Alternatively, a statement to the effect that in such cases every effort should be made to ensure that alterations are kept to a minimum, are in keeping with the area and follow best practice principles for sensitive traffic management in areas of high landscape value should be considered.

[G] (103) Replace existing paragraph with the following text "In considering development proposals the District Council will

have due regard to the impact of consequent highway modifications on the general character and appearance of the area and in particular, existing features of the natural and built environment. Proposals which would result in the loss of significant trees and sections of hedgerows which make a positive contribution to the rural scene in order to satisfy visibility requirements will usually be resisted. "

<p>Ref No 04</p> <p>Surname Latchem, RIBA</p> <p>On Behalf Of/ Organisation Michael Latchem & Associates Ltd</p> <p>Address 9 Aylestone Drive</p> <p>Address</p> <p>Obj/Supp Supporter</p> <p>Date Received 13/02/2006</p>	<p>I am in general agreement with the document.</p>	<p>None specified</p>	<p>Comments noted</p>	<p>No action required</p>
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	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 05</p> <p>Surname Tesh</p> <p>On Behalf Of/ Organisation Shrawley Parish Council</p> <p>Address Woodside Heights</p> <p>Address Noutards Green</p> <p>Obj/Supp Objector</p> <p>Date Received 14/02/2006</p>	<p>[A] It is considered that the document may not adequately differentiate on the one hand a listed building several centuries old and a modern building from the middle of the last century. Constraints applicable and relevant to the former may not be appropriate to a more modern building.</p> <p>[B] (180,191) paragraphs 180 and 191 appear to be inconsistent. Paragraph 180 says: "Casement windows are invariably preferable to top hung lights" whilst paragraph 191 says "Where ventilation is required, the window should be top-hung so that it can be opened without compromising privacy". Top-hung windows also offer greater security in certain circumstances.</p> <p>[C] (16) This paragraph should be deleted as recent experience shows some such buildings can indeed be suitable for residential use depending on size and location.</p> <p>[D] (25-27) These paragraphs are contradictory in respect of the advice on the acceptability of extensions.</p> <p>[E] (201) If the conversion is to a residential unit, then a porch or canopy may be required for practical reasons. This paragraph could be omitted and the issue covered within the general design.</p> <p>[F] (208) The requirement in paragraph 208 that 2/3rds of a barn is kept open to the rafters appears overly restrictive for general guidance, although it may be appropriate in specific applications.</p> <p>[G] (179) The use of modern technologies should be encouraged where appropriate. Paragraph 179 however says: "The use of PVCu will invariably be unacceptable in traditional buildings." Examples have been drawn to the attention of the Parish Council where occupiers believe modern materials are more appropriate.</p> <p>[H] (Gen) The SPD supports and adds detail to policies within the emerging local plan. The emerging local plan has yet to be adopted following the Public Inquiry and, even if it were, there are many areas of contradiction between the Local Plan and SPD. There should be a paragraph within the SPD saying that where there is any disagreement the adopted local plan takes precedence.</p>	<p>[A] None specified</p> <p>[B] (180,191) Correct inconsistency between paragraphs 180 and 191.</p> <p>[C] (16) delete paragraph 16.</p> <p>[D] (25-27) Address contradictions in paragraphs 5-27</p> <p>[E] (201) Omit paragraph 201</p> <p>[F] (208) Remove specific qualitative reference to amount of barn which should be kept open.</p> <p>[G] (179) None specified</p>	<p>[A] Disagree. The applicant has not cited any examples to support this objection. Where advice applies exclusively to old rural buildings, this is explicit, otherwise it applies to both traditional and modern buildings. However, it is proposed to substitute the word "historic" for the word "traditional" in a number of instances throughout the SPD where the term "traditional" could be misinterpreted.</p> <p>[B] (180,191) Agree. The objective here was to avoid a mixture as shown in Fig 10a. Accordingly it proposed to reword paragraph 180 to state that "Units combining both casement windows and top hung lights as shown in Fig 10a should be avoided."</p> <p>[C] (16) The Council does not see an inconsistency between the Parish Council's objection and the wording of paragraph 16 in the draft SPD. The objective here is to ensure that applicants do not assume that every built structure composing a group has potential to be converted to a new dwelling or separate planning unit.</p> <p>[D] (25-27) Disagree. Paragraphs 25-27 set out a general presumption against extensions at the point of conversion and then seek to outline the exceptions to that position.</p> <p>[E] (201) Disagree. Since it is possible to provide an internal hall or porch and choose the position of the main entrance from the pre-existing openings when the scheme is conceived, it should not be necessary to add a porch as an 'afterthought'.</p> <p>[F] (208) In the past there has been disproportionate focus on the exterior of barns, with less regard to the value of the internal space. However, deletion of the first sentence of paragraph 208 would allow the authority greater latitude to consider proposals on their merits. This change would not undermine the Council's ability to resist excessive subdivision, an issue addressed in the remaining text of paragraph 208, paragraphs 209 and 210. A consequential change to the third sentence is also required.</p> <p>[G] (179) On the contrary, the use of traditional techniques and materials should be encouraged. The use of modern technologies needs no encouragement. There may be a case for allowing double glazing to be installed in a listed building and Building Regulations require such glazing to be installed in unlisted buildings converted to dwellings. However, this does not mean that such glazing has to be contained within a PVCu frame. This would be wholly unacceptable and 'fly in the face' of the objective of preserving the historic character of the building. This type of frame, also makes it impossible to achieve the traditional form of windows advocated in paragraphs 181 and 182 and shown in Fig. 11 and 12.</p>	<p>[A] No change</p> <p>[B] Replace existing text of paragraph 180 with the following: "Units combining both casement windows and top hung lights as shown in Fig 10a should be avoided."</p> <p>[C] No change</p> <p>[D] No change</p> <p>[E] No change</p> <p>[F] Delete first sentence of paragraph 208. In the third sentence, substitute the text "threshing bay (wagon entrance)" for "central bay".</p> <p>[G] (179) No change</p> <p>[H] (Gen) No change</p>

[H] (Gen) The publication of the Inspector's report prior to the adoption of the SPD will ensure that there are not inconsistencies between the Local Plan and SPD. Other than the examples stated by the objector, the allusion to other 'areas of contradiction between the Local Plan and SPD' has not been qualified by examples. The policies in the emerging plan have provided the framework for the SPD and care has been taken to avoid such contradictions.

<p>Ref No 06</p> <p>Surname Hill</p> <p>On Behalf Of/ Organisation CPRE Malvern Hills</p> <p>Address 61 Charles Way</p> <p>Address</p> <p>Obj/Supp Objector</p> <p>Date Received 14/02/2006</p>	<p>Support</p> <p>(18) need for the building to be structurally sound</p> <p>(59-60) re-use for agriculture taking precedence over residential use</p> <p>(89-90) Protection of the landscape</p> <p>The above are merely a few key paragraphs in the SPD, which we regard as being helpful and informative.</p> <p>Object</p> <p>[A] (32) The conversion of existing barns may eventually lead to a request for a large concrete/steel barn having a considerably greater visual impact. We consider that the applicant should demonstrate why the building is redundant to agricultural use.</p> <p>After all, if it is structurally sound enough to be converted to residential use it should be capable of restoration to agricultural / livestock use.</p>	<p>[A] (32) Add a stipulation that an application for a new barn will not be submitted as a consequence of the existing barns being converted.</p>	<p>Support noted</p> <p>[A] (32) Traditional agricultural buildings are not always suitable for modern agricultural operations and therefore it would not be appropriate or reasonable to veto applications for new barns where the conversion of existing traditional barns are proposed. The Council cannot prevent the submission of applications made on this basis, or legitimately refuse to consider them. However, the Council could reasonably point out to applicants that the conversion of an existing building in active agricultural use to an alternate use, will not necessarily result in permission being granted for a new building.</p>	<p>[A] (32) Add following text to end of paragraph 32:</p> <p>"However applicants should note the advice in the following two paragraphs"</p> <p>Insert new paragraph to read:</p> <p>"Where a building is in active agricultural use, applicants should not assume that permission will be granted for a new building to accommodate the use which has been displaced. Accordingly, it is advisable that permission be sought for replacement buildings in advance of the conversion of existing structures"</p>
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	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 07</p> <p>Surname Burnett</p> <p>On Behalf Of/ Organisation Environment Agency,</p> <p>Address Hafren House</p> <p>Address Welshpool Road</p> <p>Obj/Supp Objector</p> <p>Date Received 15/02/2006</p>	<p>[A] In the Sustainability matrix, reference is made to a number of [a] None relevant factors including 'flood risk' which we agree is addressed through policy DS16 in the emerging local plan.</p> <p>[B] (141) Reference is also made, on page 13 to 'Development in the floodplain'. It is suggested that this should be re-worded, where appropriate, to read 'development in the 1% floodplain' to indicate the high risk (1%) floodplain, where development may be unacceptable.</p> <p>[C] (141, page 28) The above section also advises applicants to consult with the Environment Agency (See page 28), however there is no Environment Agency contact details on page 28. It is suggested the our 'Hafren House, Welshpool Road, Shelton, Shrewsbury SY3 8BB" address is added for planning enquiries. The Severn Area team can be contacted on tel. 08708 506506.</p>	<p>[B] (141) Insert text "1%" between words "the" and "floodplain" in second sentence.</p> <p>[C] (USEFUL ADRESSES) Add Environment Agency address/contact details</p>	<p>[A] Comments noted</p> <p>[B] Agree.</p> <p>[C] Agree. Propose that contact details be added, but to p 29 with cross reference in paragraph 141 amended accordingly .</p>	<p>[A] No change required</p> <p>[B] (141) Insert text "1%" between words "the" and "floodplain" in second sentence.</p> <p>[C] Add Environment Agency address/contact details to p29 and amend cross reference in paragraph 141.</p>

<p>Ref No 08</p> <p>Surname Elliott</p> <p>On Behalf Of/ Organisation Hanley Parish Council</p> <p>Address c/o Hanley Mill</p> <p>Address Hanley Williams</p> <p>Obj/Supp Objector</p> <p>Date Received 17/02/2006</p>	<p>[A] (Gen) A useful document but one which gets too involved in specifics which may not be appropriate in particular cases given the variety of rural buildings. Where the SPD indicates acceptable / not acceptable it should state preferred / not preferred. Good practice should look at the development as a whole.</p> <p>[B] (150) The Parish Council can think of cases where dormers are totally appropriate</p> <p>[C] (151) Additional features may be OK when viewed as a whole. Many old buildings have these.</p> <p>[D] (201) We can think of cases where the left hand example (Fig 15a page 20) fits well in the surroundings and has been in existence for over one hundred years.</p>	<p>[A] Change emphasis from acceptable / not acceptable to preferred / not preferred</p> <p>[B-D] None specified</p>	<p>[A] The use of the term preferred / not preferred instead of the term acceptable / not acceptable would imply that the matter was at the applicant's discretion. To make this change would significantly undermine the Council's ability to protect the character and appearance of historic agricultural buildings. It is attention to detail which ensures a successful outcome.</p> <p>[B] (150) The objector cites no specific examples to illustrate their argument. If the original building had dormer windows, then it may be appropriate to consider additional dormers which emulate the scale, design and distribution of the pre-existing ones, but this will be the exception rather than the rule. Agricultural buildings, usually characterised by long unbroken roof lines, are particularly sensitive to any addition to their roofs, which are commonly the most visible component of the building in the broader landscape.</p> <p>[C] (151) See response to point [B] above. There may be instances where features such as weather vanes and clock towers are present on a building and constitute original features. The intention here was to avoid the introduction of these features on agricultural buildings which, on the whole, lack such adornments and would look out of place. Accordingly, it is considered that the statement would benefit from qualification and an amendment is proposed to paragraph 151.</p> <p>[D] (201) Again, the objector cites no specific examples to illustrate their argument. Porch canopies are features of domestic dwellings, not former agricultural buildings.</p>	<p>[A-B] No change proposed.</p> <p>[C] Amend paragraph 151 to read "Additional new "features" such as dove-cotes, weather vanes, clock towers, cupolas etc, which are not usually found on agricultural buildings should be avoided. Applicants proposing to add such features will need to demonstrate that there is a historic precedent for them on the subject building."</p> <p>[D] No change proposed</p>
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Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

Ref No 09

Surname Glyde

On Behalf Of/ Organisation WCC

Address University of Worcester
Henwick Grove, Woodbury

Address University of Worcester, Henwick
Grove

Obj/Supp

Obj/Supp Objector

Date Received 17/02/2006

[A] (121-122) Paragraphs 121 & 122, while valid, does concentrate at the below ground archaeology, when in the majority of instances archaeological mitigation is generally targeted at recording the standing building prior to alteration.

"121 Farms, farmsteads, and the agricultural buildings that form them are an integral and significant part of Worcestershire's historic environment. Their vernacular qualities add greatly to local distinctiveness and provide tangible reference to the counties past agricultural heritage. Within these buildings we not only see the changes in farming practice, but the development of the individual farm. Where farms have been in existence for some time, they provide key information on changing technologies, farming methods and building techniques.

Worcestershire County Council's Historic Environment & Archaeology Service are usually consulted on applications affecting historic buildings (listed and non-listed) and will provide recommendations as to what level of recording or assessment will be required.

"122 An appropriate level of historic building recording and assessment will usually be imposed on any planning or listed building consent, to ensure investigation and recording occur. Where the historic and architectural significance of the building is considered of high importance then this record shall be undertaken prior to determination in order that any key historic features are taken into account by the proposed scheme. Some schemes may also affect below ground archaeological remains and appropriate conditions may be required to record these either prior to or during development works.

[A] rewrite paragraphs in accordance with suggested text in summary

[A] (121-122) Agree, but with some minor amendments to wording proposed by objector:

substituting 'District's' for Worcestershire and adding a cross reference to contact details for WCC Historic Environment & Archaeology Service in paragraph 121 and adding the text "a condition requiring" to first sentence of paragraph 122:

"121 Farms, farmsteads, and the agricultural buildings that form them are an integral and significant part of the District's historic environment. Their vernacular qualities add greatly to local distinctiveness and provide tangible reference to the counties past agricultural heritage. Within these buildings we not only see the changes in farming practice, but the development of the individual farm. Where farms have been in existence for some time, they provide key information on changing technologies, farming methods and building techniques. Worcestershire County Council's Historic Environment & Archaeology Service are usually consulted on applications affecting historic buildings (listed and non-listed) and will provide recommendations as to what level of recording or assessment will be required. (see p29 for contact details)

"122 A condition requiring an appropriate level of historic building recording and assessment will usually be imposed on any planning or listed building consent, to ensure investigation and recording occur. Where the historic and architectural significance of the building is considered of high importance then this record shall be undertaken prior to determination in order that any key historic features are taken into account by the proposed scheme. Some schemes may also affect below ground archaeological remains and appropriate conditions may be required to record these either prior to or during development works.

[A] Amend paragraphs 121-122 as set out in response to objection.

Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

Ref No 10
Surname Davis
On Behalf Of/ Organisation WCC - Highways

Support

None

Support noted

No action required

Address Hatherton Lodge

Address Avenue Road

Obj/Supp **Supporter**

Date Received 18/01/2006

Ref No 11
Surname Chapman
On Behalf Of/ Organisation Malvern Town Council

[A] The Town Council is not qualified to comment on these matters, however, does agree with the Draft SPD put forward for formal consultation subject to encouragement, where appropriate, of renewable energy and energy efficiency schemes as integral elements of conversion proposals.

[A] None

[A] Paragraph 130 addresses energy efficiency.

[A] No action required

Address 28-30 Belle Vue Terrace

Address

Obj/Supp **Supporter**

Date Received 21/02/2006

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 12	[A] (8) NFU welcomes and supports the recognition of the value of traditional and modern agricultural farm buildings. Most farms have both and they represent a business asset for the farm and a resource for the rural economy.	[A-H] As outlined in summary	[A] (8) Comments noted	[A] (8) No change required
Surname Faulkner			[B] (15) paragraph 15 refers to prefabricated buildings not being appropriate for re-use. This is drawn from paragraph 3.3.3 of the reasoned justification to Policy EP6	[B] (15) No change
On Behalf Of/ Organisation National Farmers Union	[B] (15) Open-sided or slatted buildings are still buildings of some permanence and might offer potential for re-use, such as caravan storage, without necessarily needing excessive alteration.		(The Re-use of Rural Buildings) which is not subject to a change in the Local Plan Inspector's binding report published on 31st May 2006. Accordingly, the change sought by the objector would result in a contradiction between the emerging and ultimately, the adopted policy and the SPD.	[C] (74) No change
Address West Midlands Region				[D] (80-81) Delete paragraph 80.
Address Agriculture House, Southwater Way	[C] (74) given that the SPD recognises in paragraph 37 that some buildings are not suitable for employment use because of their character, location, impact, etc. these buildings should plainly be exempted from the marketing exercise.		[C] (74) The objector has failed to note that the marketing exercise required before residential use will be considered does not only refer to employment uses, it also includes tourism and recreational uses. An exemption from the marketing exercise would be inappropriate. The paragraph as worded has sufficient latitude to allow the Local Planning Authority to exercise discretion.	Insert the following text after the word
Obj/Supp Objector				permitted in paragraph 81:
Date Received 21/02/2006	[D] (80-81) If a building is suitable for residential conversion per se, the fact that it might be occupied by a farm worker should have no bearing on the planning merits. It would be unreasonable to expect that worker to source alternative accommodation on the holding or in the locality and ultra vires to impose any occupancy condition on the building if the conversion is otherwise acceptable in policy terms.		[D] (80-81) The re-use of a rural building through its conversion to a dwelling for an agricultural worker is only acceptable if a 'need' has been proven in accordance with policy CN4 of the emerging local plan. If a 'need' has not been proven, then an agricultural worker failing that test would have to comply with one of the other two preceding criteria of Policy EP6 like any other person seeking to re-use a building for residential purposes, otherwise they would be able to bypass the test imposed by Policy CN4 and secure a permanent dwelling.	"on the basis of a proven need in accordance with Policy CN4"
				Consequential re-numbering of paragraphs
	[E] (94) New technology might be spreading rapidly but it is patently wrong to draw the premature and rash conclusion that it is no longer necessary for rural businesses to engage in signage and advertising. The internet is utilised by many businesses to great effect but is certainly not a substitute for all other forms of advertising and many businesses in remoter locations depend on some form of direction or promotional signage for custom and deliveries. It does not necessarily have to be inappropriate, excessive or damaging to the appearance of the countryside but signage in its own right or where it supplements an electronic medium is often critical to the viability and success of a businesses especially farm-tourism.			Insert new paragraph following paragraph 81as follows:
				"In cases where an applicant is, or has been unable to demonstrate a proven 'need' for an agricultural workers dwelling in accordance with Policy CN4 of the MHDLP, permission will only usually be granted for the conversion of a suitable rural building to residential use where proposals comply with one of the other stated criteria under part 2) of that policy.
	[F] (125) The SPD ought to recognise the impact is a two-way process as residential conversions in close proximity to working farms can also have an impact on operational farming by creating the conditions whereby complaints over smell, noise and disturbance can force changes to the farm business or even the cessation of farming altogether.		On the point concerning whether it would be unreasonable to expect a worker to source alternative accommodation on the holding or locality before seeking permission to re-use a suitable building, the Council accepts that paragraph 80 is inconsistent with criterion c) of Policy CN4 of the emerging local plan. This criterion requires that rural workers dwellings will be permitted where (among compliance with other criteria -: "c) the functional need could not be fulfilled by an existing dwelling located on or in the immediate locality of the holding or enterprise OR through the re-use of an existing building which is suitable for residential conversion." (my emphasis) Since the re-use of an existing building is one of an unranked series of alternatives to a 'new build' dwelling, the Council cannot reasonably require that a worker must demonstrate that an existing dwelling is not available on the holding or locality BEFORE seeking to convert an existing rural building on the holding. Accordingly it is proposed to delete paragraph 80 in its entirety	[E] (94) Replace paragraphs 94 and 95 with the following text:
				"Applications for advertisements and signage in association with commercial uses arising from the re-use
	[G] (Gen) Rural businesses are a key to supporting the rural economy and government policy is firmly supportive of farm diversification schemes for business purposes. Any measure which restricts reasonable farm diversification will adversely affect farmers in the area. The countryside cannot be preserved in aspic and rural businesses must be allowed to grow.			
	[H] (page 28) The heading for the NFU contact details should be amended to read "For advice to Members on planning and farm diversification issues"			

Summary of Representation

Change Sought

Summary of Council's Response

Recommendation

If a residential conversion is permitted on the basis of a proven 'need' then it is wholly appropriate to impose the standard agricultural occupancy condition. Nevertheless, this is not explicit in paragraph 81 as presently worded, and accordingly it is considered that an amendment to clarify the circumstances in which such a condition would be imposed is appropriate.

[E] (94) Agree. Propose rewording of paragraphs 94 and 95 in a more concise and positive form, retaining reference to relevant policy in emerging local plan..

[F] (125) Agree. Propose addition of text to the end of paragraph 125 and 126 to emphasise the fact that residential conversions in close proximity to working farms can also have an impact on operational farming by creating the conditions whereby complaints over smell, noise and disturbance can force changes to the farm business or even the cessation of farming altogether.

[G] (Gen) Comments noted.

[H] (page 28) Agree. The heading for the NFU contact details should be amended to read "For advice to Members on planning and farm diversification issues"

of rural buildings should reflect and be sympathetic to the character and appearance of the area and the setting of traditional buildings. For further guidance on signage please refer to MHDLP Policy QL4 (Advertisement Signs)"

[F] (125) Insert the words "either the" between "in" and "loss". Add the following text to end of paragraph 125 to read:
"or conversely create a scenario where complaints concerning such issues prejudice the continued operation of the pre-existing agricultural activity."
Insert the following text between the 1st and 2nd sentence of paragraph 126:
"and whether the proposed use is compatible with the existing agricultural operation."

[G] No change

[H] (page 28 right hand column) amend heading to NFU contact details to read "For advice to Members on planning and farm diversification issues"

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 13</p> <p>Surname Taylor</p> <p>On Behalf Of/ Organisation Gt Witley & Hillhampton PC</p> <p>Address Parish Council Clerk</p> <p>Address 50 Churchfields</p> <p>Obj/Supp Objector</p> <p>Date Received 21/2/2006</p>	<p>Overall support but specific objections:</p> <p>[A] (215) Some doubt about definition, e.g. large area of adjacent land.</p> <p>[B] (50-57) Not convinced that conditions imposed on 'live-work' units will prevent eventual use of such as housing / home workshops.</p> <p>[C] (Gen) Danger that over prescriptive requirements might discourage some conversions leading to a possibility of neglect and collapse of buildings.</p>	<p>[A-C] None specified</p>	<p>[A] (215) Agree. The deletion of the word 'large' would avoid ambiguity since the principle of incorporating agricultural land to act as an extended curtilage is not something the Council wish to encourage.</p> <p>[B] (50-57) Acknowledge the objector's concern. Recommend change to paragraph 57 to address objection and error. A legal agreement would be required to prevent either element being sold separately.</p> <p>[C] (Gen) Since redundant rural buildings, particularly traditional buildings, often have development potential, they represent a significant financial asset to their owners. Since potential candidates for re-use have to be capable of accommodating a proposed use without excessive rebuilding, it is unlikely that they will be allowed to deteriorate to the extent which they no longer qualify for conversion under the terms of Policy EP6. This will also act as a check upon those applicants who seek to use the argument that the building will deteriorate if permission is not forthcoming as leverage against the Local Planning Authority to secure the use they want, rather than the most sustainable use which the policy seeks to secure.</p>	<p>[A] Amend paragraph (215) by deleting the word "large" from second sentence and adding the following text to the end of the paragraph: "particularly where the existing building has a predefined curtilage"</p> <p>[B] (50-57) Amend paragraph 57 to read: "In addition, a further condition and legal agreement tying the occupancy of the dwelling to the operation of the business enterprise will usually be imposed in order to prevent it from being occupied or sold separately."</p>

<p>Ref No 14</p> <p>Surname Taylor</p> <p>On Behalf Of/ Organisation Upton Civic Society</p> <p>Address Chairman, Fairfields</p> <p>Address Price's Lane</p> <p>Obj/Supp Supporter</p> <p>Date Received 22/02/2006</p>	<p>[A] (10-33) These paragraphs correctly set out the parameters for the Policies; that the aim of supporting local, sustainable employment opportunities is right; that the paragraphs on Tourist/Holiday accommodation / Home working are to be encourage and we are glad to note the safeguards against abuse of the proposed polices.</p> <p>[B] On residential conversions, again, we support the aims and objectives and welcome the safeguards against abuse of the proposed polices. The abuse of obtaining planning Permission for agricultural workers dwelling and, later selling it on the open market has long been a problem in the planning system.</p> <p>[C] The rest of the proposals are welcome and we do congratulate the Planning Department on the preparation of this most useful set of Proposals. May we simply express the hope that the District Council will strictly adhere to them. They certainly have our support.</p>	<p>[A] No change sought</p>	<p>[A-C] Comments noted</p>	<p>[A-C] No action required</p>
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	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 15 Surname Burrows On Behalf Of/ Organisation Bayton Parish Council Address 5 Summit Road Address Clows Top Obj/Supp Supporter Date Received 22/02/2006	Support	None	Support noted	No action required

Ref No 16 Surname Hardwick On Behalf Of/ Organisation Address Sparrow's Roost Address Dunley Obj/Supp Objector Date Received 22/02/2006	<p>[A] (Gen) Would this not be a good opportunity to introduce the use of photographs to show the existing Rural buildings for record purposes. Photographs are no longer expensive and are now easy to copy. Much store is placed in this document on the characteristics of the existing building and these cannot be adequately shown on 'elevational drawings and floor plans'</p> <p>[B] (167) Details of texture and colour are mentioned (and rightly so) and this could be best shown by photographs.</p> <p>[C] (217,218) Similarly matters to do with boundary treatment can only be properly assessed if there is a clear (photographic) record of existing features.</p>	<p>[A-C] As set out in summary</p>	<p>[A,B,C] Photographs do have a value in terms of recording existing features and their condition and can provide a valuable supplement to annotated plans. However, they should not be seen as a substitute for such information. Nonetheless, photographs have a value and, it is considered appropriate to encourage their use. A reference to the submission of photographs would be best made on the validation check list on page 25 of the draft SPD and following paragraph 20.</p>	<p>[A-B-C] add reference to validation check list and following text after paragraph 20 to read:</p> <p>"This could incorporate annotated photographs"</p>
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Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

Ref No 17
Surname Burrows
On Behalf Of/ Organisation Eastham Parish Council

Support

None

Support Noted

No action required

Address 5 Summit Road**Address** Clows Top**Obj/Supp** **Supporter****Date Received** 22/02/2006

Ref No 18
Surname Sanders
On Behalf Of/ Organisation Kenswick & Wichenford PC

[A] (237) The Parish Council has had first hand experience of property developers who have ignored planning conditions and have not been prosecuted. Will funding be made available by the District Council to ensure that in future developers will be prosecuted when they blatantly breach conditions imposed ? If not, this document is a waste of time and tax payers money !

[a-B] None specified

[B] (237-252) No mention contained here on how retrospective planning applications will be treated. Another device used routinely by developers to circumvent planning conditions.

[A] Failure to comply with planning conditions is not, in itself, a criminal offence. The legal provisions available to the Council through legislation produced by Central Government have limitations. Consequently the Council is not always able to resolve matters as swiftly as it, or others, would like. However, the Council can take measures to reduce the potential for breaches to occur in so far as they relate to pre-commencement conditions. These conditions require details to be submitted to and approved before development commences on site. Prior to the publication of this document, there was not a clear framework setting out what was required to be submitted in order to validate an application for the conversion of rural buildings. This meant that it was difficult for the Council to refuse to validate and consider an application in the absence of particular information. The Government has recognised this is a problem common to all Local

[A-B] No change proposed

Address Clerk to Parish Council**Address** Rimmers Bungalow**Obj/Supp**
Obj/Supp **Objector****Date Received** 23/02/2006

Planning Authority's and has clarified the position to enable us to refuse to validate applications in the absence of specified information. One of the functions of this document is to ensure that as much information is submitted at the outset as possible, thereby reducing, to some extent, the potential for development to proceed before particular matters have been agreed.

[B] All planning applications received by the Council have to be treated on their individual merits. Retrospective applications cannot be refused simply because they are retrospective. Development which is undertaken without the benefit of planning permission (where such permission should have first been obtained) is not a criminal offence, except where it relates to a listed

<p>Ref No 19</p> <p>Surname Willis</p> <p>On Behalf Of/ Organisation</p> <p>Address Lower Hook Farm</p> <p>Address</p> <p>Obj/Supp Objector</p> <p>Date Received 23/02/2006</p>	<p>[A] (59-76) The draft policy and SPD makes clear that permission for residential conversion would not be granted, at least until attempts had been made to market the buildings for alternative commercial use.</p> <p>The requirement to market the premises for alternate uses threatens the desirable renovation of a listed building. That cannot be met except by developing the redundant buildings as residential properties. Clarification in these or similar circumstances is required to ascertain whether such a development would be permitted without having to go through a marketing exercise which, even if successful would fail to address the problem.</p>	<p>building. Inevitably some retrospective applications will be successful, but this will be because the development which has been undertaken is nonetheless considered to be in general accordance with the relevant policies of the development plan, and where enforcement action would not be expedient. Regrettably, some observers will continue to misinterpret the Council's actions as 'rewarding' the transgressor, irrespective of the fact that the decision making process is open and transparent..</p> <p>[A] The Objection seeks to challenge the requirements of Draft Policy EP6 of the emerging local plan which was not part of the consultation exercise . It is considered that the objector has misinterpreted the guidance in the SPD. Marketing of the premises does not require it to have been converted and 'ready for use', although this would clearly be an advantage. Paragraph 74 (as drafted) is considered to address this objection as it makes clear that "applications submitted without evidence of marketing OR a detailed written explanation of why no marketing has been undertaken will usually be refused. It is therefore implicit that there is an opportunity for an applicant to submit a written statement explaining the reasons why no marketing had been undertaken and this could include evidence supporting the proposition that a residential scheme would be the only way of raising sufficient capital to restore the building. There will always be cases where the specific circumstances warrant considerations of such proposals on their own merits but the onus will be on the applicant to make a case why permission should be granted contrary to policy.</p>	<p>No action required</p>
<p>Ref No 20</p> <p>Surname Price</p> <p>On Behalf Of/ Organisation GoWM</p> <p>Address 5 St Philips Place</p> <p>Address Colmore Row</p> <p>Obj/Supp Neither</p> <p>Date Received 23/02/2006 12 June 2006</p>	<p>The Government Office for the West Midlands will not be making any representations in respect of the SPD.</p>	<p>None required</p>	<p>No action required</p>

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 21</p> <p>Surname Rawlings</p> <p>On Behalf Of/ Organisation Advantage West Midlands</p> <p>Address 3 Priestley Wharf</p> <p>Address Holt Street, Aston Science Park</p> <p>Obj/Supp Supporter</p> <p>Date Received 23/02/2006</p>	<p>AWM supports the SPD as being of value in informing applicants and shaping proposals for the re-use of rural buildings, as well as ensuring a consistency of approach by the Council in dealing with such applications. In particular, it is noted that the document identifies the contribution which re-use of rural buildings for commercial purposes can make to Rural Renaissance, and the potential availability of funding for conversion works through the redundant Buildings Grant Scheme.</p>	<p>None</p>	<p>Support noted</p>	<p>No action required</p>
<p>Ref No 22</p> <p>Surname Penn</p> <p>On Behalf Of/ Organisation Tenbury Wells Town Council</p> <p>Address Brick Barns</p> <p>Address Berrington</p> <p>Obj/Supp Objector</p> <p>Date Received 23/02/2006</p>	<p>[A] The draft document provides excellent guidance with regard to the re-use of rural buildings. However it demands an enormous amount of procedural requirements and back-up. These are particularly onerous with regard to residential conversions. As a consequence this will have the effect of reducing the number of applications considerably. In turn this will mean that many buildings will be left to crumble and decay. The document will not encourage the conversion and re-use of many rural buildings and is in certain respects self defeating.</p> <p>[B] (24, 209) The term 'timber frame' is ambiguous and is generally applied to modern house construction.</p> <p>[C] (29, 51) Spelling errors: 'duel' should be 'dual' and ' can not' is usually written as one word 'cannot'</p>	<p>[A] None</p> <p>[B] The use of the term 'traditional timber frame' would remove any ambiguity.</p> <p>[C] As set out in summary.</p>	<p>[A] Since redundant rural buildings, particularly traditional buildings, often have development potential, they represent a significant financial asset to their owners. Since potential candidates for re-use have to be capable of accommodating a proposed use without excessive rebuilding, it is unlikely that they will be allowed to deteriorate to the extent which they no longer qualify for conversion under the terms of Policy EP6. This will also act as a check upon those applicants who seek to use the argument that the building will deteriorate if permission is not forthcoming as leverage against the Local Planning Authority to secure the use they want, rather than the most sustainable use which the policy seeks to secure.</p> <p>[B] (24,209) Agree that the term 'timber frame' could be misunderstood. Where used, the term should be preceded by the word 'traditional' in accordance with objector's suggested change.</p> <p>[C] Noted. The SPD will be amended accordingl</p>	<p>[A] No change</p> <p>[B] Amend reference to 'timber frame' in paragraphs 24 and 209 to read 'traditional timber frame'</p> <p>[C] The draft SPD has been checked for typographical and grammatical errors and amended accordingly.</p>

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 23	English Nature found the document to be concise and generally very promising for species protection, however, we do make the following comments:		[A] (Gen) Agree that the heading on page 11 be changed in accordance with as sought by objector	[A] Amend heading on p11 as proposed by objector to read:
Surname Flanagan				"Habitat Preservation and Creation"
On Behalf Of/ Organisation English Nature	[A] (Gen) the heading on p11 "Habitat Preservation and Creation" should be renamed "Habitat Conservation and Creation"		[B] (108) Agree to include reference to Conservation Regulations 1994	[B] add reference to Conservation Regulations 1994
Address Bronsil House	[B] (108) This paragraph should also include the "Conservation Regulations 1994"		[C] (109) Agree. It is proposed to	[C] Replace existing text of paragraph 109 with following:
Address Eastnor	[C] (109) This paragraph should be re-written as: It is a criminal offence to disturb or destroy all birds' nests whilst being built or in use. All bats and their roosts, whether they are present or not , are also protected. Great Crested Newts, which can		[D] (111) The document is focused on bats because this is the species most commonly found in rural buildings, but the Council accepts that they are not the only protected species affected by the re-use of rural buildings. Agree to amend paragraph as proposed by objector.	"It is a criminal offence
Obj/Supp Obj/Supp Objector	sometimes occupy parts of the curtilage of old buildings, have similar levels of legal protection.		[E] (114) reference to this document is considered more appropriate in paragraph 116 which refers explicitly to Great Crested Newts. However, general reference could be made to other relevant publications in paragraph 114.	to disturb or destroy all
Date Received 23/02/2006	[D] (111) "check for presence of bats" should read "check for presence of bats and other protected species". Generally this document seems to be too focused on bats. Although bats are the most commonly encountered species they are not the only protected species affected by the re-use of rural buildings.		[F] (118) Agree to change as sought by objector with minor amendment to incorporate bat roosts.	birds' nests whilst being built or in use. All bats and their roosts,
	[E] (114) This section should mention English Nature's publication "Great Crested Newts Conservation Handbook" there also needs to be a reference to barn owls in this section.		[G] (208) Agree. It is proposed to delete the first sentence of this paragraph in response to another objection. This action is considered to address the objection.	whether they are present or not , are also protected. Great Crested Newts, which can sometimes occupy
	[F] (118) "In some circumstances, licenses are available from DEFRA to permit action affecting bats" should read "In some circumstances, licenses are available from DEFRA to permit action affecting bats and other European protected species"		[H] Whilst a number of documents are referred to in the SPD, there is no need for a separate bibliography.	parts of the curtilage of old buildings, have similar levels of legal protection."
	[G] (208) This position may need to be tempered by species mitigation and needs to be flexible. It should not override species mitigation. For example, some species of bat require large open roof voids for roosting i.e. Greater Horseshoe Bat.		[I] Disagree. Such detailed guidance would more appropriately be addressed through a separate SPD on protected species.	[D] (111) Replace text "check for presence of bats" with "check for presence of bats and other protected species"
	[H] (omission) The SPD should include a bibliography.			[E] add following text to end of paragraph 114:
	[I] (omission) The SPD should include a chart for good and bad times to survey for commonly encountered species as well as a flow chart to help take the reader through the decision making process.			"and the range of other relevant documents concerning specific protected species"
				[F] (118) Replace first sentence of paragraph with following: "In some circumstances, licenses are available from DEFRA to permit action affecting bats, their roosts and other

European protected species that would normally be prohibited by law."

[G] (208) Delete first sentence of paragraph

[H] No change proposed

[I] No change proposed

Ref No 24	Support	[A] (33) Support noted	[A] (33) No action required.
Surname Mayner	[A] (33) Wholeheartedly support	[B] (150) Disagree. Whilst conversion of rural buildings to residential use may exceptionally be permitted, this does not override the key objective of preserving the original character and appearance of the building. This means resisting alterations and additions which would give it the appearance of a cottage or other conventional dwelling.	[B] (150) No change proposed.
On Behalf Of/ Organisation Guarford Parish Council	[B] (150) dormer windows might be permitted since they are "typical country cottage style"	[C] (151) There may be instances where features such as weather vanes and clock towers are present on a building and constitute original features. The intention here was to avoid the introduction of these features on agricultural buildings which, on the whole, lack such adornments and would look out of place. Accordingly, it is considered that the statement would benefit from qualification and an amendment is proposed to paragraph 151.	[C] (151) Amend paragraph 151 to read "Additional new "features" such as dovecotes, weather vanes, clock towers, cupolas etc, which are not usually found on agricultural buildings should be avoided. Applicants proposing to add such features will need to demonstrate that there is a historic precedent for them on the subject building."
Address Cherry Orchard	[C] (151) Discreet features such as 3A and 3B might be acceptable.	[D] (160) The height of the flue will be determined by its position relative to neighbouring dwellings, but achieving an unobtrusive position for the flue needs to inform the internal layout and use of spaces rather than being a consequence of those decisions.	[D] (160) No change proposed.
Address Guarford	[D] (160) Higher flues as in 4A may be required "to overcome downdraft in country locations"	[E] (161) Disagree. This is not a requirement of Building Regulations.	[E] (161) No change proposed.
Obj/Supp	[E] (161) Rooflights may be required to "meet lighting parameters"	[F] (180) Acknowledged, but this need not be in conflict with a desire to avoid 'mixed' opening windows as shown in 10a. It is proposed to change the wording of paragraph 180 in response to another objection to read: "Units combining both casement windows and top hung lights as shown in Fig 10a should be avoided."	[F] (180) No change proposed as a consequence of this objection.
Obj/Supp Objector	[F] (180) "Top hung windows allow secure opening for ventilation"		
Date Received 24/02/2006	[G] (201) "Porches are necessary and useful in Energy conservation and security where there is no hall"		

Summary of Representation

Change Sought

Summary of Council's Response

Recommendation

Ref No 25
Surname Bloomfield
On Behalf Of/ Organisation Worcestershire Wildlife Trust
Address Lower Smite Farm
Address Smite Hill, Hindlip
Obj/Supp
Obj/Supp Objector
Date Received 24/02/2006

[A] (110) We would suggest that this paragraph makes reference to the need for such information to be available before an application can be determined.
 [B] (112) We would suggest a re-wording to let the paragraph read "mitigate and enhance"
 [C] (113) We would suggest that this paragraph be amended to read " features are retained or added for bats and birds or other protected species." This would be in line with PPS9.
 [D] (114) We welcome this paragraph but would point out that English Nature advice notes are also available for Great Crested Newts, badgers and barn owls.
 [E] (116) We would suggest that this paragraph be amended to include information on the status of Great Crested Newts (and other protected species) Such a paragraph should include details of all species likely to be affected and could perhaps be added to paragraph 109.
 [F] (117) See comments in respect of paragraph 110
 [G] (118) we would suggest that this paragraph makes reference to all European protected Species that could be affected, as well as schedule 1 birds (barn owls)
 [H] (202) We would hope that the use of rainwater collecting vessels would be encourage in this paragraph.

Refer to summary of objections

[G] (201) Acknowledged, but since it is possible to provide an internal hall or porch and choose the position of the main entrance when the scheme is conceived, it should not be necessary to add a porch as an 'afterthought'.

[A] (110) Agree. Although this is explicit in paragraph 114.
 [B] (112) Agree. Recommend that paragraph 112 be amended to reflect objectors suggested wording.
 [C] (113) Agree. Recommend that paragraph 113 be amended to reflect objectors suggested wording.
 [D] (114) Agree, (English Nature have also raised this issue in their response and it is proposed to add a reference to the advice note to paragraph 116)
 [E] (116) The danger in including too much information is that reliance may be placed on this document in isolation from other relevant guidance and legislation. Accordingly no change is recommended to the SPD.
 [F] (117) The point is already made in paragraph 114 and as a consequence of action proposed in respect of point [A] In addition reference is made to the requirement for a detailed ecological assessment of buildings and their surroundings to assess any likely impact on biodiversity at the outset on page 25 of the draft SPD. It is given prominence as being the first bullet point on the list of essential submission requirements.
 [G] (118) Agree. (Again, English Nature have also raised this point and it is proposed to amend paragraph 118 accordingly)
 [H] (202) Agree. Insertion of text encouraging the interception of rainwater from roofs is proposed.

[G] (201) No change proposed.

[A] Add following sentence to end of paragraph 110: "This information must be submitted with the application (see page 25)"
 [B] (112) substitute the word "and" for "or"
 [C] (113) replace text "for bats and birds, whether they are present or not" with "or added for bats and birds or other protected species"
 [D] (114) Add following text to paragraph 116. "Advice notes on Great Crested Newts and other protected species are available from English Nature: www.english-nature.org.uk"
 [E] No change
 [F] No change proposed
 [G] (118) Replace first sentence of paragraph with following: "In some circumstances, licenses are available from DEFRA to permit

action affecting bats, barn owls, their roosts and other European protected species that would normally be prohibited by law."
 [H] Add the existing text of paragraph 203 to end of 202 and insert following text as new paragraph 203: "Interception and collection of the rainwater discharged from the roofs of rural buildings saves water resources and can be used for toilets and irrigation."

<p>Ref No 26</p> <p>Surname Gorman</p> <p>On Behalf Of/ Organisation Kenneth P Gorman</p> <p>Address Byeways</p> <p>Address Madresfield</p> <p>Obj/Supp</p> <p>Obj/Supp Objector</p> <p>Date Received 24/02/2006</p>	<p>[A] (19-22) Allows for too much interpretation and ambiguity. It is not a clear definition. There are already many precedents in the District of extensive re-building which is or has been necessary to preserve the building which is the primary purpose of "the re-use of rural buildings"</p> <p>[B] (29-30) Most agricultural buildings require internal alterations of varying degrees to accommodate most of the recommended alternative uses and many precedents exist already. Once again it becomes a matter of interpretation and ambiguity which can lead to "inconsistency"</p> <p>[C] (36) Totally disagree with this statement . Light and ventilation requirements are strictly controlled in the workplace, HSE requirements and fire regulations are much stricter than for residential use, thus usually generating a similar level of alteration.</p> <p>[D] (59-74) Commercial or potential commercial use for redundant rural buildings particularly isolated single units almost always generate no interest and are frequently objected to by the Highway Authority. The idea that it is necessary to market something which has limited potential for 12 months is, quite frankly, nonsense. Add to this the fact that for cost reasons alone, it is not viable to submit a planning application for 'commercial use' just to 'test the market' and therefore most of such exercises consist of a building being advertised for sale or let as a commercial unit without the benefit of the appropriate planning permission or any indication that it may ever be granted.</p>	<p>None specified</p>	<p>[A] (19-22) Disagree. The objector has offered no alternative definition or identified which areas he considers to be ambiguous. The fact that permission may have been granted in the past for conversions which involved extensive re-building extension or alteration does not prejudice or undermine the Council's ability to introduce controls on such changes now. The adoption of the SPD and emerging local plan mark a fresh start.</p> <p>[B] (29-30) See response to point [A] above.</p> <p>[C] (36) Commercial uses tend to require less subdivision and consequently more likely to retain the open character of the internal spaces of traditional timber frame buildings. There is a direct relationship between the amount of subdivision of internal spaces and the number of new openings required.</p> <p>[D] (59-74) This is an important point. The Council recognise that 'location' and 'accessibility' are factors which will influence 'demand' for commercial uses. Paragraph 74 of the draft SPD makes it clear that "applications submitted without evidence of marketing OR a detailed written explanation of why no marketing has been undertaken will usually be refused. It is therefore implicit that there is an opportunity for an applicant to submit a written statement explaining the reasons why no marketing had been undertaken. There will always be cases where the specific circumstances warrant considerations of proposals on their own merits, but the onus will be on the applicant to make a</p>	<p>[A-D] No change</p>
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Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

[E] (93) Farms, the most prominent feature in the rural landscape, use large areas for 'open storage' including large quantities of PVC wrapped hay and fodder, without such restriction. Surely the limited amount of "open storage" for residential use does not compare.

case why permission should be granted contrary to policy.

[E] (93) The objector appears to imply that open storage associated with agricultural use has a greater impact than that associated with other uses. Indeed Paragraph 88 of the draft SPD states "Agricultural paraphernalia is part and parcel of a working countryside and is not in itself considered harmful to the character and appearance of the area." Paragraph 93 does not refer explicitly to residential storage, nor does it seek to veto open storage. In residential conversions, experience has shown that developers keen to maximise use of the existing buildings for habitable accommodation, make the assumption that the storage needs of the future occupiers can be provided for by new outbuildings or often fail to make any provision. More often than not, existing outbuildings are suitable for this use or storage could be provided within the body of the principal building accessed by an external door thereby removing the requirement for new outbuildings.

Ref No 27
Surname Croall
On Behalf Of/ Organisation Leigh & Bransford Parish Council
Address Clerk to Parish Council
Address 71 Frederick Road
Obj/Supp
Obj/Supp Objector
Date Received 24/02/2006

Very supportive of document overall but:
 [A] (Gen) Consideration to inclusion of some control on the provision of utilities as many sites are situated in remote locations without mains electricity, water and gas. If these are to be provided they should be placed underground so that they do not detract from the character and appearance of the area through encroachment on the skyline.

None specified

[A] Paragraph 223 of the draft SPD recognises that "particular care needs to be given to the siting of services which can have a potentially damaging visual impact". The Council acknowledge that buildings situated in remote locations may not be served by mains utilities, but it is exceptional for a building to be so remotely located from a pre-existing supply of electricity that connection to the mains would result in significant visual intrusion occurring through the provision of over head power lines. The Council is not aware of any cases where this has been an issue and the objector has cited no examples to illustrate their point. In addition, there are now other viable alternatives to mains electricity when considering energy supplies to remote buildings, as outlined in paragraph 130 of the draft SPD which deals with 'Renewable energy'.

[A] Add the following text to the end of paragraph 223:
 "Consideration should be given to the use of renewable energy sources (see para.130)".

A cross reference to that paragraph would emphasise that point and is therefore recommended.

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 28</p> <p>Surname Knight (MP)</p> <p>On Behalf Of/ Organisation DEFRA</p> <p>Address Nobel House</p> <p>Address 17 Smith Square</p> <p>Obj/Supp Neither</p> <p>Date Received 24/04/2006 (late)</p>	<p>Defra understands that the consultation period has closed but its findings will be of interest to the divisions here which deal with Defra's policies for Rural Communities and Sustainable Homes in rural areas. I would therefore be grateful if you could keep us updated as there may be issues the Department would like to follow up at a later date.</p> <p>Defra and ODPM launched the Affordable Rural Housing commission in July 2005. It is due to report on May 17th with practical recommendations to improve access to affordable housing in rural areas. It is anticipated that the Commission will include recommendations to increase the re-use of rural buildings.</p>	<p>None</p>	<p>Comments Noted</p>	<p>No action required</p>
<p>Ref No 29</p> <p>Surname Stephenson</p> <p>On Behalf Of/ Organisation West Mercia Constabulary</p> <p>Address Police Station,</p> <p>Address Castle Street</p> <p>Obj/Supp Objector</p> <p>Date Received 25/01/2006</p>	<p>[A] (omission) Concerns that due to increasing levels in rural crime, there is no mention of encouragement to developers to Design out crime and also design in community safety.</p>	<p>[A] Make reference to 'Designing Out Crime' and as a minimum requirement that consideration be given to include "Developers would be encouraged to build to secured by design standards" and incorporating advice from such documents as 'Safer places - the planning system and crime prevention' produced by the ODPM.</p>	<p>[A] Agree in principle although the documents referred to relate primarily to new buildings and urban situations. An appropriate paragraph could be added to the section on 'Material Considerations' pages 9-13.</p>	<p>[A] Insert new paragraph in 'Material Considerations' section headed "Designing Out Crime" as follows:</p> <p>"A balance needs to be struck between crime prevention and the visual impact of measures used to prevent crime. Buildings surrounding a courtyard should retain an outlook over this common space so as to facilitate natural surveillance."</p> <p>Consequential re-numbering of paragraphs as appropriate.</p>

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
Ref No 30	Support	None	Support Noted	No action required
Surname Rimell				
On Behalf Of/ Organisation Severn Stoke & Croome d'Abitot PC				
Address Dunstall Farmhouse				
Address				
Obj/Supp Supporter				
Date Received 25/01/2006				

Ref No 31	[A] (Gen) The principle of the SPD is commendable but there is an omission of the vital role played by neighbours and community members in the planning process. The SPD is devoid of any suggestion or guarantee that local views will be incorporated into the planning decision. Overwhelming public objection to a scheme must be taken into account or the planning process fails. We should have community referenda for major applications and public meetings are essential. Site Visits by councillors should be mandatory not elective.	[A-D] As set out in the summary.	[A] (Gen) It is not the purpose of the SPD to set out the framework on how the local planning authority will engage with the local community on planning applications or take the views into account. This is done in the Council's adopted Statement of Community Involvement.	[A-D] - no changes to the draft SPD.
Surname Drake				
On Behalf Of/ Organisation				
Address Model Farm				
Address Montpelier Road	[B] (101) Applicants surveys cannot be viewed as independent or impartial. There should be mandatory professional assessments.		[B] (101) The onus lies with the applicant and his/her professional agents to submit the necessary information which should be gathered under professional standards. The survey information will be considered by the appropriate public body - in this case the highway authority.	
Obj/Supp Objector				
Date Received 27/02/2006	[C] (151) This paragraph is overly prescriptive. Why should a weathervane or cupola be a planners decision. They can be important features of Malvern's architecture.		[C] (151) While architectural embellishments on buildings in towns and villages like Malvern can respect a historic heritage, it is considered that such details are likely to be unacceptable on the conversion of simple rural buildings.	
	[D] (92) A plethora of guidance already exists and inappropriate development in an AONB should be nigh impossible - but who judges the adverse effects on the character of an area? Restrictions on multiple individual gardens in previous agricultural land results in one communal garden but that is not deemed to have an adverse effect. Common sense must prevail and locals should judge the scale of development, character, sustainability and impact.		[D] (92)These comments appear to be related to a specific development and are not considered to add to the text within this paragraph. related to the cumulative impact of development in an AONB.	

Summary of Representation**Change Sought****Summary of Council's Response****Recommendation****Ref No** 32

English Heritage have no detailed comments on the draft SPD or None enclosed Sustainability Appraisal. The Council should refer to guidance notes on The Conversion of Historic Farm Buildings and Caring for Farm Buildings when finalising the SPD.

Comments noted

No action required

Surname Taylor**On Behalf Of/****Organisation** English Heritage**Address** West Midlands Region**Address** 112 Colmore Row**Obj/Supp** **Neither****Date Received** 27/02/2006 (late)**Ref No** 33

Support

None

Support noted

No action required

Surname Taplin**On Behalf Of/****Organisation** John W Taplin Associates**Address** The Orchard**Address** Clevelode**Obj/Supp** **Supporter****Date Received** 27/02/2006 (late)**Ref No** 34

We think the proposals are very good and well detailed.

None

Noted

No action required

Surname Perfect**On Behalf Of/****Organisation** Astley and Dunley PC**Address** Sandhampton House**Address** Astley**Obj/Supp** **Supporter****Date Received** 27/02/2006 (late)

	Summary of Representation	Change Sought	Summary of Council's Response	Recommendation
<p>Ref No 35</p> <p>Surname Young</p> <p>On Behalf Of/ Organisation The Countryside Agency</p> <p>Address West Midlands Region, 1st Floor</p> <p>Address Vincent House, Quay Place, 92-93 Edward Street</p> <p>Obj/Supp Neither</p> <p>Date Received 27/02/2006 (late)</p>	<p>Because there are many local consultations in the West Midlands Region, our limited resources mean that we are unable to respond fully on every consultation. We are likely to become involved in only a number of selected local consultations, and we are therefore unable to offer comments on this occasion. We should explain that the absence of comment is simply an expression of our priorities. It should not be taken as implying a lack of interest.</p>	<p>None</p>	<p>No response required.</p>	<p>No action required</p>
<p>Ref No 36</p> <p>Surname Prior</p> <p>On Behalf Of/ Organisation Earls Croome Parish Council</p> <p>Address Flebe Barn</p> <p>Address Church Lane</p> <p>Obj/Supp Supporter</p> <p>Date Received 28/02/2006 (late)</p>	<p>The Parish Council supports the proposal in principle but makes the following comments:</p> <p>[A] (94) This paragraph is contradictory to the current plethora of 'brown' advertising signage that has been permitted around the local area.</p> <p>[B] (95) comment as above.</p> <p>[C] (97) Given the lack of suitable public transport services in the local rural areas, it is highly unlikely that and proposal for re-use will avoid increased private car usage.</p> <p>[D] (98) same comments as paragraph. 97</p> <p>[E] same comment as paragraph. 97.</p> <p>[F] (109) final sentence - check grammar.</p> <p>[G] (111) 'Principle', Not 'principal'.</p> <p>[H] (108- 119) These paragraphs are geared too much to the protection of bats and their habitats.</p> <p>[I] (118) Penultimate sentence - 'roots' should read 'roosts' - twice.</p> <p>[J] (120) 1st sentence - 'eg:' should read 'e.g.:'</p> <p>[K] (223) 2nd Sentence - suggest amendment to read: "Liquefied Petroleum Gas (LPG) tanks, heating oil storage tanks and septic tanks etc</p> <p>[L] final sentence: delete full stop between "the . District Council."</p>	<p>Correction of typographical and grammatical errors in paragraphs (109,111,118,120,248)</p> <p>Paragraphs (108-119) should be made more generic and bats referred to in a separate document.</p>	<p>[A,B] (94,95) 'brown' advertising signage provides a controlled alternative to inappropriate commercial signage.</p> <p>[C,D,E] (97,98,100) Paragraphs (97,98,100) do not seek to assert that the re-use of rural buildings would avoid any increase in private car usage, rather there is an underlying acknowledgment of this fact. This is why the emphasis is on seeking to reduce reliance on the private car.</p> <p>[F,G] (109,111) Noted. The SPD will be amended accordingly.</p> <p>[H] (108-119) Disagree. The protected species most likely to be found in rural buildings are bats, and therefore the guidance is focused appropriately on the preservation of bats and their habitats.</p> <p>[I,J,K, L] (118,120,248) Noted. The SPD will be amended accordingly.</p>	<p>[A-B, I-L] The published draft SPD has been checked for typographical and grammatical errors and amended accordingly.</p> <p>[C-E, H] No change.</p>

Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

Ref No 37

Surname Boughton

On Behalf Of/ Organisation Boughton Butler LLP

Address The Design Studio

Address 6 Sansome Walk

Obj/Supp **Objector**

Date Received 28/02/2006 (late)

[A] (Gen) The tendency of the SPD is for it to be use-focused whereas the focus of control should be the management of the landscape and the potential to enhance. There is a need to be clearer about what the adverse effects of the development will be, particularly since it is the setting of the building that will be the real impact in the landscape,

[B] (12,13) Agree with the need to define 'permanent and substantial' . The definition provided could be used to exclude a traditional building that has been treated in an unsympathetic way whilst underneath it is otherwise original.

[C] (Gen) Whilst the engagement of the public inevitably draws upon exemplification of built solutions, the temptation to be prescriptive should be resisted if at all possible, as it is the interplay of detailed response and the overall solution being offered that makes the difference between good and bad schemes.

[D] (131-132) Notwithstanding paragraphs 131 and 132 there should be some recognition of the importance of retaining older and or architecturally important structures, even when their condition might mean that they are in a insubstantial or inadequate structural condition or too small to be reused. The value of restoring such buildings should not be ruled out if a good case can be made for a proposal that does not have an adverse impact in the landscape.

[A-D] Not specified in more detail.

[A] (Gen) The SPD takes its starting point from the policies set out in the development plan and which seek to control uses for wider planning objectives, e.g. the strategic level of development. Further, the SPD attempts to give sound advice on what may constitute the adverse effects of re-use.

[B] (12,13) The term used seeks to give a clear workable definition. Within this, the Council would consider the overall fabric of the building, not just its external appearance, when assessing the quality of the building.

[C] (Gen) Given that the SPD tries to set out good practice of the re-use of buildings it is inevitable that it is prescriptive in its content.

[D] (132-133) Point noted, however, for a non Listed Building, the whole point of the guidance is that there must be a sound building available to convert in the first place. The policy and the SPD do not encourage re-use which would be tantamount to rebuilding. There may be instances where an unlisted building of architectural or historic interest is considered by the Local Planning Authority to be of such importance that a more pragmatic approach may be justified, but this would be the exception rather than the rule. However, inclusion of a statement to this effect in the SPD is likely to invite abuse. There is enough latitude in the SPD as written, to make exceptions where this is appropriate without 'watering down' the guidance. This is implicit in paragraphs 20 and 21 of the SPD.

[A-D] No change to the draft SPD

Summary of Representation**Change Sought****Summary of Council's Response****Recommendation**

Ref No 38
Surname Roper
On Behalf Of/ Organisation
Address Dolefield Cottage
Address Bank Farm
Obj/Supp **Supporter**
Date Received 28/02/2006 (late)

[A] (Gen) The document is well prepared, covering a wide and difficult subject with virtually all aspects covered.

[B] Steel portal frame buildings do not have an unlimited range of uses.

[C] Some buildings which have already spent a useful period of time serving their original purpose have been converted to a new use when they could or should have been demolished.

[D] Some controls by Planning Departments (and Building Control) do seem over the top. The use of velux lights in roof lines can give a depressing aspect inside a room in winter when a traditional dormer would do very little harm.

None specified

[A] Comments noted.

[B] The limited suitability of modern portal frame buildings for re-use is implicit in paragraphs 14 and 15 of the draft SPD.

[C] Noted. The fact that some buildings should just be demolished rather than brought back into use is a valid argument, particularly where their physical presence has an adverse impact in the landscape. This view is reflected in paragraph 91 of the draft SPD.

[D] The amenities of future occupiers is an important consideration, but since the preservation of a building's character is the principal objective, if the building cannot function satisfactorily without extensive alteration, it is unlikely to constitute a suitable re-use of the building.

Consequently, permission should be refused, rather than allowing it to be extensively altered, simply to facilitate the applicant's proposal.

[A,B,C, D] No change

Malvern Hills District Council Local Development Framework

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Local Development) (England) Regulations 2004

Re-use of Rural Buildings Supplementary Planning Document (SPD)

ADOPTION STATEMENT

This adoption statement is written in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument No: 2204).

Malvern Hills District Council first adopted the Re-use of Rural Buildings SPD on 15th June 2006. However, in order to comply with Regulations 16 and 19 of the Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument No: 2204), Planning Committee resolved on 1st August 2006 to re-adopt the SPD with effect from the 4th August 2006.

Any person aggrieved by the SPD may make an application to the High Court for permission to apply for judicial review of the decision to adopt the SPD. Any such application for leave must be made promptly and in any event no later than 3 months from 4th August 2006.

Subject Matter: The SPD expands on Malvern Hills District Local Plan Adopted Plan - July 2006, principally Policy EP6 The Re-use of Rural Buildings. The SPD aims to address the main issues likely to arise in respect of proposals for the re-use of rural buildings.

Area covered by the Document: District wide.

Availability of Documents: The SPD, Sustainability Appraisal, Consultation Statement and Adoption Notice can be viewed at:

- **Malvern Customer Service Centre, The Library, Graham Road, Malvern**
Monday – Friday, 9.00am – 5.30pm;
- **Tenbury Area Office, Pump Rooms, Teme Street, Tenbury**
Monday – Friday, 9.00am – 1.00pm
- **Upton Library, School Lane, Upton**
Monday 1:30pm – 5:00pm, 5:30pm to 7:00pm, Wednesday & Friday 9:30am – 12:30pm, 1:30pm – 5:00pm, Saturday 9:30am 12:30pm. The library is closed on Tuesdays and Thursdays
- On the Council's website at www.malvernhills.gov.uk

For further information, please contact a Customer Service Officer on (01684) 862151.

Gary Williams Head of Planning Services
Malvern Hills District Council
The Council House
Avenue Road
Worcs WR14 3AF



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