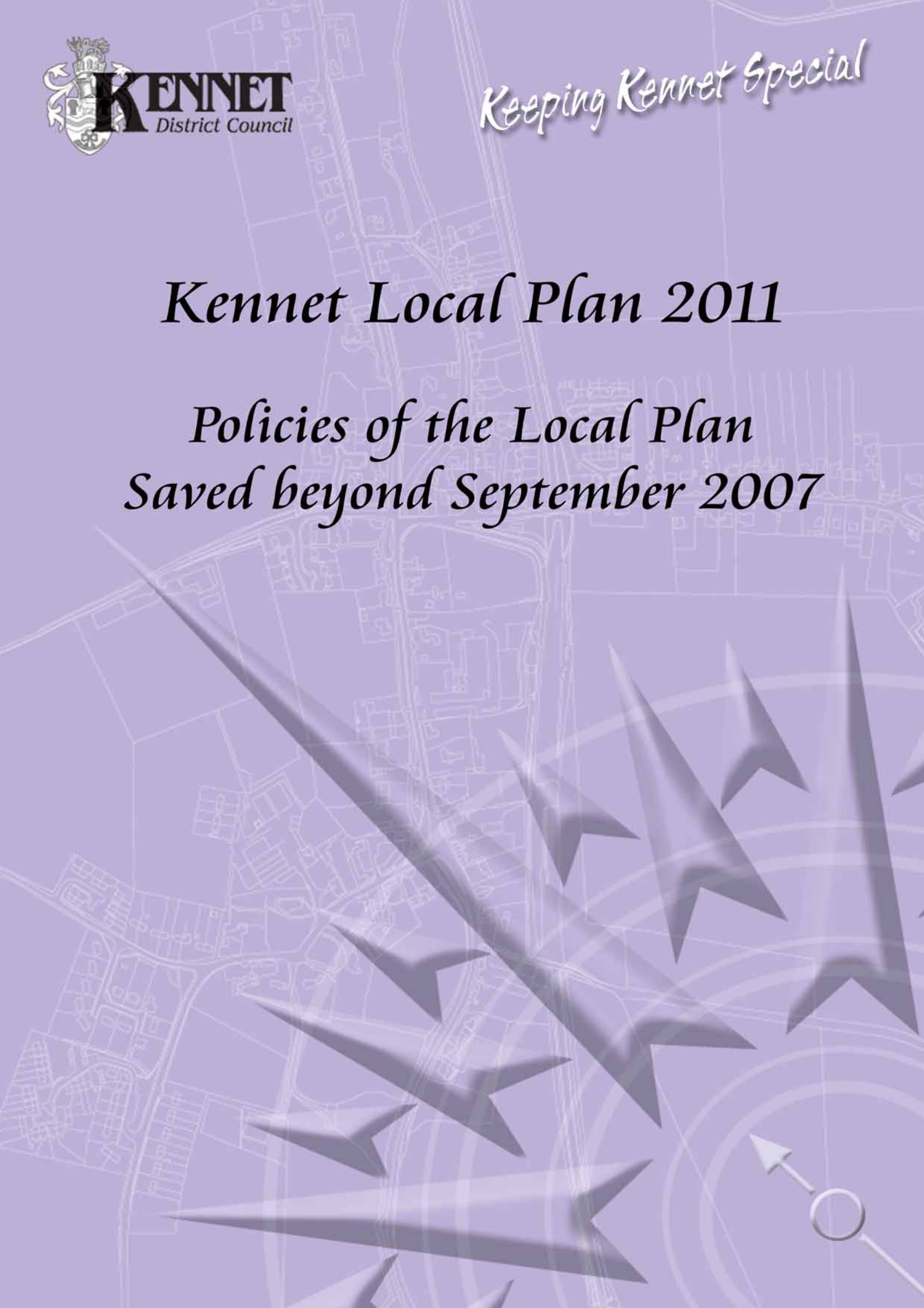


Kennet Local Plan 2011

*Policies of the Local Plan
Saved beyond September 2007*



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Kennet Local Plan 2011

Policies of the Local Plan saved beyond September 2007 by direction of the Secretary of State.

Paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004 states that local plan policies will cease to have effect after 27th September 2007 unless the Secretary of State makes a direction to allow them to be 'saved' for a longer period.

Such a direction was received by Kennet District Council on 26th September 2007. The direction refers to 68 policies which the council requested to be saved. In addition, the Secretary of State has directed that a further 11 policies should also be saved. These policies are those that allocate sites for housing development and the provision of a new school in the local plan.

This document sets out the current extant (saved) policies of the local plan. Schedules providing the reason for either saving or not saving policies are appended to this document. This information is provided to give guidance on where alternative policy advice is to be found in the case of those policies not saved.

List of Saved Kennet Local Plan Policies Saved beyond 27th September 2007

Policy No.	Name
PD1	Development & design
HC1	Strategic housing provision
HC2	Housing allocations
HC5	Net housing density
HC6	Efficient use of land
HC7	Housing Layout
HC9	Quakers Walk
HC10	The North Gate, The Wharf and Devizes Hospital
HC11	Devizes Hospital
HC12	Roundway Mill
HC13	Former Le Marchant Barracks
HC14	Naughton Avenue, Devizes
HC15	Chopping Knife Lane
HC16	Garden Centre, Granby Gardens
HC17	Pewsey Hospital Phase II
HC18	Broomcroft Road/Avonside area
HC19	North East Quadrant
HC20	Old Rectory/Portando House
HC22	Villages with a range of facilities
HC23	Housing in Avebury
HC24	Villages with limited facilities
HC25	Replacement of existing dwellings
HC26	Housing in the countryside
HC28	Affordable homes target
HC29	Definition of affordable housing
HC30	Affordable Housing on Large Sites
HC31	Integration of affordable housing
HC32	Affordable Housing Contributions in Rural Areas
HC33	Rural Exceptions Policy

HC34	Recreation provision on large housing sites
HC35	Recreation provision on small housing sites
HC37	Demand for Education
HC38	New Primary School in Devizes
HC42	Additional social & community needs
HC45	Gypsy sites
ED1	Strategic employment allocations
ED3	Nursted Road, Devizes
ED4	Hambleton Avenue, Devizes
ED5	Marlborough Road, Pewsey
ED7	Protect strategic employment sites
ED8	Employment development on unallocated sites
ED9	Rural employment locations
ED10	Employment development within or on the edge of villages
ED11	Employment Development in Avebury
ED12	Protecting employment and within villages
ED13	Protecting employment and tourism uses on the edge of villages
ED16	Farm shops
ED17	Town centre development
ED18	Prime shopping areas
ED19	Devizes and Marlborough Town Centres
ED20	Retail Dev't in Devizes Town Centre
ED21	The North gate, The Wharf and Devizes Hospital
ED22	Lower Wharf, Devizes
ED24	New development in service centres
ED28	Shopping facilities in rural areas
ED29	Retention of social & community uses
AT1	Transport appraisal process
AT9	Motor vehicle parking standards
AT10	Developer contributions
AT18	Intermodal freight facilities
AT24	Riverside walks in Marlborough and Pewsey
AT25	A342 –A3026 Western Link Road
NR3	Local sites
NR4	Nature conservation outside designated

NR6	Sustainability and protection of the countryside
NR7	Protection of the landscape
NR19	Renewable energy proposals
HH1	Protection of archaeological remains
HH3	Avebury World Heritage Site
HH10	Areas of minimum change
HH11	Marlborough area of special quality
TR2	Facilities for boat users on the Kennet and Avon Canal
TR4	Permanent off-channel boating facilities at Martinslade/ Upper Foxhangers
TR6	Tourist facilities in the Avebury World Heritage Site
TR7	Facilities for visitors to Avebury
TR8	Visitor accommodation in the Avebury World Heritage Site
TR9	Car parking in Avebury World Heritage Site
TR17	Existing Outdoor Sport & Recreation Facilities
TR20	Protection of allotments

SCHEDULE 1: POLICIES THAT HAVE BEEN SAVED AT THE COUNCIL'S REQUEST

Policy	Title	Where appropriate there is a clear central strategy	Policies have regard to the Community Strategy for the area	Policies are in general conformity with the regional spatial strategy	There are effective policies for any part of the authority's area where development of land or conservation of the area is envisaged	Policies are necessary and do not merely repeat national or regional policy	Policies that support the delivery of housing	Policies that support economic development and regeneration, including policies for retailing and town centres	Policies that promote renewable energy; reduce impact on climate change; and safeguard water resources	Reason to be saved
STRATEGY POLICIES										
Housing and community facilities										
HC1	Strategic housing provision	✓		✓		▪	✓			These policies articulate the spatial strategy for Kennet. They interpret Government advice locally and are not covered by existing general national, regional or strategic policies but they are consistent with higher tiers of policy. The policies describe the approach to new housing development and recognise the specific role of the District's main centres. It is essential to retain a cohesive spatial strategy and resist its fragmentation because even those policies directed at smaller areas of development are necessary to resist inappropriate development. Policies HC22 and HC24 are particularly important given the focus on previously developed land and have been used to resist in appropriate scale of housing development in villages eg Honeystreet Mill. PPS7 (para 19) states that local authorities should set out in their LDDs the criteria that will apply to the replacement of countryside
HC2	Housing allocations	✓		✓			✓			
HC22	Villages with a range of facilities	✓		✓			✓			
HC23	Housing in Avebury	✓					✓			
HC24	Villages with limited facilities	✓					✓			

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Policy	Title	Reason to be saved							
		Where appropriate there is a clear central strategy	Policies have regard to the Community Strategy for the area	Policies are in general conformity with the regional spatial strategy	There are effective policies for any part of the authority's area where development of land or conservation of the area is envisaged	Policies are necessary and do not merely repeat national or regional policy	Policies that support the delivery of housing	Policies that support economic development and regeneration, including policies for retailing and town centres	Policies that promote renewable energy; reduce impact on climate change; and safeguard water resources
HC25	Replacement of existing dwellings	✓							buildings and explain what is not acceptable and the scale of development permissible. Policy HC25 is consistent with that advice.
HC26	Housing in the countryside	✓							Avebury is perhaps unique in being a village built largely within a scheduled monument. This policy ensures that no housing will be built within it. It is distinct from Policy HC22 in that, even though Avebury does have a range of facilities, small groups of houses are prohibited. It is in accordance with PPG15 in that it is a specific policy to protect WHS pointing out where some kinds of development would be unacceptable.
HC45	Gypsy sites	✓							
	Economic development								
ED1	Strategic employment allocations	✓		✓					These policies articulate the spatial strategy for Kennet. They interpret Government advice locally and are not covered by existing general national, regional or strategic policies but they are consistent with higher tiers of policy. The policies describe the approach to protecting and encouraging job creation and recognise the specific role of the District's main centres. It is essential to retain a cohesive spatial strategy and resist its fragmentation because even those policies directed at smaller areas of development are necessary to resist inappropriate development.
ED7	Protect strategic employment sites	✓		✓					
ED8	Employment development on unallocated sites	✓							
ED9	Rural employment locations	✓							

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ED10	Employment development within or on the edge of villages	✓						✓	
ED11	Employment Development in Avebury	✓						✓	
ED12	Protecting employment and within villages	✓						✓	
ED13	Protecting employment and tourism uses on the edge of villages	✓						✓	
ED16	Farm shops	✓						✓	
ED17	Town centre development	✓		✓				✓	
ED18	Prime shopping areas	✓		✓				✓	
		<p>Avebury is perhaps unique in being a village built largely within a scheduled monument. Policy ED11 ensures that no new employment development will be built within the henge monument. It is distinct from Policy ED10 in that, it does not allow development on the edge of the village and recognises the special characteristics of Avebury. It is in accordance with PPG15 in that it is a specific policy to protect the WHS pointing out where some kinds of development would be unacceptable.</p> <p>Policies ED12 and ED13 arose in response to particular local concerns about the continued loss of employment opportunities in the rural areas - sites lost to housing - eroding the function of villages. They are local policies defined to meet particular local concerns.</p>							

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ED19	Devises and Marlborough Town Centres	✓						✓		
ED20	Retail Dev't in Devises Town Centre	✓						✓		
ED24	New development in service centres	✓						✓		
ED28	Shopping facilities in rural areas	✓						✓		
	Natural resources									
NR6	Sustainability and protection of the countryside	✓		✓						This policy is a fundamental part of the spatial strategy as it defines where housing policies in the rural areas apply to make sure new development is confined within the existing built up area of appropriate settlements. It also defines the area for the application of countryside and landscape protection policies. Without this policy it would be harder to resist peripheral development in villages.

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	SUSTAINABLE DEVELOPMENT POLICIES									
	<i>Housing and community facilities</i>									
HC5	Net housing density			✓		✓			✓	These policies promote the efficient use of land in accordance with PPS3 and relate that objective to Kennet, recognising the rural characteristics of the District. Without the policy higher densities could be promoted that do not recognise the special characteristics of the district. The policies complement the spatial strategy and should be reviewed when preparing the Core Strategy. Policy HC7 draws together advice in the then current PPG3, PPG13 and local aspirations on promoting sustainable housing development. It promotes a more holistic approach to sustainable development. The policy remains consistent with the objectives of PPS3.
HC6	Efficient use of land			✓		✓			✓	
HC7	Housing Layout					✓			✓	

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	Accessibility and Transport									
AT1	Transport appraisal process								✓	Policy AT1 draws together and builds upon advice in PPG13 and the Wiltshire Local Transport Plan on how to promote more sustainable development by considering the transport impacts of all developments. It has been used successfully to negotiate sustainable transport contributions from large housing sites to provide improved/new bus stops and expand the cycle path network. Policy AT10 provides the mechanism for seeking contributions.
	Natural resources									
NR19	Renewable energy proposals			✓		✓			✓	This policy goes beyond PPS advice by recognising the special character of the landscape and the World Heritage Site at Avebury. Renewable energy policies have gained significance and reflect the core values of the new LDF process.
INFRASTRUCTURE POLICIES										
Housing and community facilities										
HC28	Affordable homes target	✓		✓			✓			These policies provide details on how affordable housing will be delivered in Kennet using advice in PPG3 (advice current

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HC29	Definition of affordable housing	✓	✓				✓			at time of plan preparation), the Kennet Housing Needs Survey 2000 and the Rural White Paper. The policies remain consistent with the advice in PPS3 and should remain in place until they can be reviewed as part of the Core Strategy. The policies reflect aspirations expressed in Community Strategies and the Council's Corporate Strategy. As with the overall spatial strategy, affordable housing policies in total express the overall strategy to deliver the plans targets for affordable housing and should not be fragmented
HC30	Affordable Housing on Large Sites		✓				✓			
HC31	Integration of affordable housing		✓				✓			
HC32	Affordable Housing Contributions in Rural Areas		✓				✓			
HC33	Rural Exceptions Policy		✓				✓			
HC34	Recreation provision on large housing sites		■			✓				PPG17 encourages local planning authorities to set local standards for the provision of recreation space in their areas. These policies act on that advice. They are used regularly to improve the quality of existing play spaces where small developments are proposed and to provide new play spaces in larger developments. They are an important element of the Council's strategy to minimise the impact of new development on existing communities and is supported by up to date SPG.
HC35	Recreation provision on small housing sites					✓				

SCHEDULE 1: POLICIES THAT HAVE BEEN SAVED AT THE COUNCIL'S REQUEST

Policy		Title							Reason to be saved	
HC37	Demand for Education	Where appropriate there is a clear central strategy	Policies have regard to the Community Strategy for the area	Policies are in general conformity with the regional spatial strategy	There are effective policies for any part of the authority's area where significant change in the use or development of land or conservation of the area is envisaged	Policies are necessary and do not merely repeat national or regional policy	Policies that support the delivery of housing	Policies that support economic development and regeneration, including policies for retailing and town centres	Policies that promote renewable energy; reduce impact on climate change; and safeguard water resources	Policy HC37 responds to local concerns that there is not sufficient capacity in existing schools in the District. It has been used successfully to generate funds to improve facilities in Devizes. It is an important element of the Council's strategy to minimise the impact of new development on existing communities and is supported by up to date SPG.
HC42	Additional social & community needs					✓				Policy HC42 responds to local concerns that there are not enough community halls in the District. It has been used successfully to generate funds to improve facilities in Devizes, Pewsey and Ludgershall. It is an important element of the Council's strategy to minimise the impact of new development on existing communities and is supported by up to date SPG.

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Accessibility and Transport										
AT9	Motor vehicle parking standards					✓				Policy AT9 establishes local parking standards as recommended in PPG13 and should remain in place until a review of standards can be undertaken. Parking standards are a sensitive issue in Kennet because of the need to recognise the rural nature of the District and the necessary dependence on the private car in many rural communities. A policy gap would exacerbate the existing problems of housing developers seeking to reduce parking standards in order to increase housing densities.
AT10	Developer contributions					✓				This policy links to Policy AT1 and outlines how developer contributions will be sought to ensure sustainable transport opportunities are realised. It remains consistent with recent practice guidance on planning obligations.
OUTSTANDING SITE SPECIFIC PROPOSALS										
Housing and community facilities										
HC10	The North Gate, The Wharf and Devises Hospital	✓			✓		✓	✓		These are policies where planning permission has not yet been forthcoming on sites essential to delivering the spatial strategy of the plan. They support housing delivery and

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HC11	Devizes Hospital	✓	✓	✓	✓	✓	■	✓	✓	economic development. They should be retained until they can be reviewed as part of the new process. Questions can then be asked about their continued validity in the context of all other sites and a revised spatial strategy. A policy gap would make these sites vulnerable to alternative forms of development.
Economic development										
ED3	Nursteed Road, Devizes	✓						✓		
ED4	Hambleton Avenue, Devizes	✓						✓		
ED5	Mariborough Road, Pewsey	✓						✓		
ED21	The North gate, The Wharf and Devizes Hospital	✓			✓			✓		
ED22	Lower Wharf, Devizes							✓		
Accessibility and Transport										
AT18	Intermodal freight facilities					✓				These are specific proposals that have responded to local aspirations or problems which are still valid. The intermodal

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AT24	Riverside walks in Marlborough and Pewsey				✓					freight facility and Western Link Road proposal are linked to/dependent on the Castledown Park proposals and should continue as policies during the early construction period of that site.
AT25	A342 –A3026 Western Link Road				✓					
	Tourism, recreation and the arts									
TR2	Facilities for boat users on the Kennet and Avon Canal				✓					These policies are positive permissive policies included in the plan after joint working with other public agencies. They express the spatial application of proposals in the Public Transport and Visitor Management Plan for the Kennet & Avon Canal. Without these policies development, in accordance with the management plan, could be constrained by landscape policy.
TR4	Permanent off-channel boating facilities at Martinslade/ Upper Foxhangers				✓					
TR9	Car parking in Avebury World Heritage Site				✓					This policy is a positive permissive policy included in the plan after joint working with other public agencies. It expresses the spatial application of proposals in the Avebury World Heritage Management Plan. Without it the policy framework would be in conflict.

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LOCAL PROTECTION POLICIES (Areas of Conservation)										
<i>Economic development</i>										
ED29	Retention of social & community uses		✓							There has been a consistent decline in local services in Kennet's villages. Policy ED29 was introduced to respond to this problem. It has been used effectively to defend the retention of pubs on several occasions where the economic case has not been justified. The retention of local facilities is a key theme emerging in local community strategies.
<i>Natural resources</i>										
NR3	Local sites				✓	✓				Nationally protected sites are subject to guidance in PPS9. Local sites and nature conservation outside designated areas do not have any protection in PPS9. It is important to recognise the contribution these sites make to ecological diversity. A policy gap would make these sites vulnerable.
NR4	Nature conservation outside designated				✓	✓				
NR7	Protection of the landscape	✓			✓	✓				Fundamental policy to protect the distinctive landscape character of the district. It is supported by a landscape character assessment to help implement the policy. It complements the development strategy.

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	Conservation of the historic heritage									
HH1	Protection of archaeological remains				✓	✓				PPG16 provides basic protection for nationally protected sites but this policy goes further than the PPG advice by protecting locally identified archaeological remains. Within a district like Kennet the wealth of local archaeology is significant and should be acknowledged.
HH3	Avebury World Heritage Site				✓	✓				World Heritage Sites are not protected by PPG15. Instead local policies are needed to protect the special characteristics of the designated area. PPG15 specifically states local authorities should "formulate specific planning policies for protecting these sites and include these policies in their development plans" Policy HH3 meets this recommendation. It is the core policy to afford the archaeological features of the Avebury World Heritage Site extra protection. It is an internationally recognised site and therefore complies with the criteria of an area of significant conservation.
HH10	Areas of minimum change				✓					Policy HH10 complements Policy NR6 that defines Limits of Development. These policies need to be kept as an entity – one defines the outer edge for development; the other, areas of particular quality within that boundary. Without HH10 there will be areas of land within LODs that need to be protected because of their contribution to local character but will not be: areas not covered by conservation area status.

SCHEDULE 1: POLICIES THAT HAVE BEEN SAVED AT THE COUNCIL'S REQUEST

Policy Title		Reason to be saved								
HH11	Marlborough area of special quality	Where appropriate there is a clear central strategy	Policies have regard to the Community Strategy for the area	Policies are in general conformity with the regional spatial strategy	There are effective policies for any part of the authority's area where significant change in the use or development of land or conservation of the area is envisaged	Policies are necessary and do not merely repeat national or regional policy	Policies that support the delivery of housing	Policies that support economic development and regeneration, including policies for retailing and town centres	Policies that promote renewable energy; reduce impact on climate change; and safeguard water resources	Policy HH11 arose because of local concerns about the incremental change of this area adjacent to the conservation area. It is perhaps more crucial now because of increasing emphasis on high density development near to central areas. This area of Marlborough would be vulnerable to such pressure without the policy. In the future, HH11 can be integrated into a core policy on development in Marlborough.
Tourism, recreation and the arts										
TR6	Tourist facilities in the Avebury World Heritage Site				✓					A number of policies were included in the local plan in accordance with PPG15 to recognise the status and significant challenge at Avebury. Policies do not just protect the existing archaeology but promote better visitor management in accordance with the Avebury World Heritage Management Plan. TR6 requires development to not only not harm but to contribute positively to the understanding and interpretation of the site. TR7 and TR8 follow advice in PPG15 to include policies in local plans to actively encourage the re-use of historic buildings. They encourage change that may otherwise be resisted. These policies need to remain in place until either a review of PPG15 strengthens the protection of
TR7	Facilities for visitors to Avebury				✓					

