

## CHAPTER 13 - TOURISM TOPIC AREA POLICIES

### Chapter 13 - General

#### Objections

0095/501	Yatton Keynell and Castle Combe Environmental Protection Association	TM RTM 11/12
0374/508	Charlton Park Estate	TM
0684/501	Yatton Keynell Parish Council	TM

#### Issues

The main issues raised in the representations are:

- a. Whether the Plan should include policies relating to Castle Combe Circuit.
- b. Whether the Plan should include a policy relating to road side services.

#### Reasoning and conclusions

- 13.1 **Issue a.** The objector considers that Policies RTM11 and RTM12 of the NWLP 2001 should have been carried forward into the RDDLP. Those policies relate specifically to Castle Combe Circuit and Motor Sports. In line with Government advice the Council has sought to streamline and simplify the Local Plan. I consider that approach to be appropriate. The requirements of Policies RTM11 and RTM12 are contained in the policies of the RDDLP, in particular Policy C3. It is not necessary to repeat the provisions of the policies of the Local Plan that seek to control development in general in site specific policies, as the document must be read and applied as a whole.
- 13.2 **Issue b.** I recognise that roadside services and facilities, including motels, can be important facilities both in terms of highway safety and promoting tourism. However, that it not to say that the Local Plan need contain a specific policy relating to such facilities. In this case I consider the general development control policies within the Local Plan provide an adequate basis on which to assess any development proposals that may come forward. It may be appropriate in some instances to specifically allocate sites for major service areas, such as those on motorways, where there is an established need for such facilities. However, I do not consider it necessary or appropriate for the Local Plan to contain specific allocations for relatively small motel sites or service areas, such as that suggested by the objector at the junction of the A429 and B4040.

#### Recommendation

- 13.3 **I recommend that no modification be made to the Local Plan in respect of the above objections.**

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### Chapter 13 - General Policy for Tourism: Policy TM1

#### Objections

0013/002	Castle Combe Parish Council	TM1
0070/034	Chippenham Town Council	TM1
0156/046	CPRE (2)	TM1

0319/002	Cotswold Canals Trust	TM1
0335/030	British Waterways	TM1
0338/005	South Cotswold Leisure Ltd and Oaksey Park Ltd	TM1
0374/507	Charlton Park Estate	TM1
0375/546	Corsham Civic Society	TM1
0539/018	The Cotswold Water Park	(14.00)
0539/019	The Cotswold Water Park	(14.00)
0736/501	The Co-operative Group (CWS) Limited	TM1

## Issues

The main issues raised in the representations are;

- a. Whether the policy is over-restrictive.
- b. Whether the Local Plan should contain a policy relating to Castle Combe Circuit.
- c. Whether the Local Plan should contain a policy relating to the Cotswold Water Park.
- d. Whether the Local Plan adequately promotes tourism in towns.
- e. Whether the definition of tourism requires strengthening.
- f. Whether the policy should promote canal use and development.
- g. Whether there should be a greater emphasis on green tourism.

## Reasoning and conclusions

- 13.4 **Issue a.** The objectors are concerned that the policy goes beyond the advice in PPG 21 in that it does not allow for stand alone tourist development and the erection of sensitively designed new buildings in the countryside. It is suggested that the policy should be similar to Policy RTM2 of NWLP 2001. However, that policy and the advice in PPG 21 predate the publication of PPS 7. The PPS recognises the importance of tourism and leisure activities to rural economies. However, as paragraph 35 explains, where new or additional facilities are required, these should normally be provided in or close to service centres or villages. In addition, appropriate facilities may be provided to enhance visitors' enjoyment and/or improve the financial viability of a particular countryside feature or attraction. Facilities requiring new buildings in the countryside may be justified where the required facilities are needed in conjunction with a particular countryside attraction; they comply with the advice in paragraph 35(ii) of the guidance and there are no suitable existing buildings or developed sites available for re-use. I consider the policy as written to be consistent with that advice. In coming to that conclusion, I have taken account of the advice in PPG 21 at paragraphs 5.5 to 5.7 concerning large scale or innovative tourism projects. Paragraph 5.26 of the guidance also recognises that building in the open countryside must be carefully controlled and I consider the policies of the Local Plan provide an adequate basis on which to assess the suitability of any proposals for large scale tourism developments that may come forward. Regarding the issue that the policy should refer to the restoration of mineral workings, such matters are more appropriately addressed in the County Minerals and Waste Local Plan,

while issues relating to the restoration and improvement of canals are covered by Policy TM2.

- 13.5 **Issue b.** For reasons that I have explained above, I do not consider it necessary to include a policy within the Local Plan relating specifically to the racing circuit, as the general development control policies within the plan provide a sufficiently robust basis on which to assess any future development proposals.
- 13.6 **Issue c.** For the reasons given in the above, I also consider it to be unnecessary to include policies in the Local Plan relating to the Cotswold Water Park and the Cleveland Farm site which forms part of the Water Park.
- 13.7 **Issue d.** The RDDLP version of the policy seeks to direct new tourist accommodation to sites within or adjacent to existing towns and villages. The policy approach is appropriate and consistent with the advice at paragraph 35 of PPS 7.
- 13.8 **Issue e.** The objection relates to the definition of tourism in paragraph 13.2 of the RDDLP and whether the plan contains sufficient controls to prevent the conversion of holiday homes to permanent residential accommodation. The definition of tourism to be applied when interpreting the policies of the Local Plan is clearly set out in paragraph 13.2. Developments granted planning permission as tourist accommodation and subsequently uses as permanent residential accommodation would not fall within that definition and could be the subject of enforcement action by the Council. It is not necessary for the Council to specifically refer to the monitoring of such properties as that it is an administrative procedure, while the local plan is primarily concerned with matters of planning policy.
- 13.9 **Issue f.** Having regard to the provisions of Policy TM2, I do not consider that the Local Plan fails to give sufficient regard to canal related tourism development. Objector 0335 while regarding the policy as helpful to the restoration of canals, does not consider that it goes far enough and that a more positive approach could be adopted to development alongside the routes of canals. I consider that the plan provides an appropriate level of protection to canals. The suggested requirement for developers to contribute financially and practically to the restoration of canals would be over prescriptive and could be judged unduly onerous having regard to the circumstances of a particular development.
- 13.10 **Issue g.** All development within the District falls to be assessed against sustainable development principles and in that respect I do not consider it necessary to refer specifically to green tourism development. The objector also raises issues relating to the funding of tourism projects which are not a matter for the Local Plan.

## Recommendation

- 13.11 **I recommend that no modification be made to the Local Plan in respect of the above objections.**

## Chapter 13 - Wilts and Berks/Thames and Severn Canals: Policy TM2

### Objections

0139/014	Swindon Borough Council	TM2
0218/001	Wilts & Berks Canal Trust	TM2
0228/003	Mr S J Bucknell	TM2
0234/504	Wiltshire County Council	TM2
0268/051	Corsham Town Council	TM2
0318/004	Cotswold Water Park Joint Committee	TM2
0319/001	Cotswold Canals Trust	TM2
0322/008	C G Property	TM2
0335/031	British Waterways	TM2
0335/515	British Waterways	TM2
0345/065	Wiltshire County Council	TM2
0387/092	David Wilson Estates	TM2
0521/002	South West of England Regional Development Agency	TM2

### Issues

The main issues raised in the representations are:

- a. Whether the Wiltshire Branch Canal alignment as shown on the Proposals Map is correct.
- b. Whether the policy should promote canal restoration.
- c. Whether the policy sufficiently safeguards natural habitats and the historic integrity of the canal.
- d. Whether criterion ii) is unreasonable and whether the term 'essential development' should be clarified.
- e. Whether criterion iii) is unduly restrictive.
- f. The funding of restoration works.
- g. Whether the policy should refer to specific areas.
- h. Whether the Cotswold Canals feasibility study, the Canals Partnership, the Conservation Management Plan for the Cotswold Canals and the timescale for restoration and canal related development should be referred to in the Local Plan.
- i. Whether the last sentence of the paragraph 13.03 (14.04) is necessary .

### Reasoning and conclusions

- 13.12 **Issue a.** The alignment of the canal at Eysey Manor is amended on the proposals map by PIC 140. In the absence of any other proposed changes or evidence to the contrary, I assume that canal alignment in other areas is now correct.
- 13.13 **Issue b.** The precise nature of the change objector 0218 is seeking to the policy is not clear from the representations. The main areas of concern to the objector appear to be that development should not be permitted that would prevent or impair the restoration and functioning of the Wiltshire and

Berkshire Canal and that when restoration is carried out, care is taken to ensure that the impact on the environment is minimised and where appropriate additional water based natural habitats provided. In my view the issues raised are covered by the policy requirements of the RDDLP and can only be addressed through the development control process.

- 13.14 Regarding the alterations suggested by objector 0319, issues relating to maintaining the character and function of the canal are adequately addressed by the policies of the Local Plan as written. The requirement for developers to contribute financially and practically to the restoration of canals would be unduly onerous and therefore unreasonable. Such contributions should be sought through negotiation and not as a requirement of obtaining planning permission
- 13.15 **Issue c.** I appreciate the concerns expressed that insensitive restoration works to the canal could damage habitats. However, it would be wrong to dismiss the recreational and amenity potential of the canal. In my view, the matters which are of concern to the objector are addressed in the policies of the Local Plan which provide a robust basis on which to reject proposals that would cause unacceptable harm to the natural and/or historic environment.
- 13.16 **Issue d.** It is not unreasonable to require the provision of an alternative alignment where development affects the canal or its associated structures. If the policy did not contain such a requirement the integrity of the canal network could not be maintained. The nature of a required alignment is likely to vary depending on the circumstances of the development and is not a matter which I consider could or should be set out in the policy. I accept that the word 'essential' introduces an unnecessary element of uncertainty into the policy and that it should be deleted.
- 13.17 **Issue e.** In my view criterion iii) of the policy is unduly restrictive. It is appropriate for the criterion to protect the alignment of the canal or to require the provision of an alternative alignment where the canal is affected by development. However, although it may not be the Council's intention, the policy as written could be interpreted as requiring a developer to contribute to the restoration of the canal, irrespective of whether the requirement was reasonable having regard to the particular circumstances of the development. In that respect I find the requirements of the policy to be unreasonable. The reference to the 'development process' in the criterion does not imply clearly, as the Council suggests, that contributions towards restoration would be through negotiation nor does the reasoned justification clarify the issue. As such contributions should be on the basis of negotiation, the reference to restoration of the canal should be deleted.
- 13.18 **Issue f.** How the restoration of canals would be funded is not a matter for the Local Plan.
- 13.19 **Issue g.** As the policy is intended to apply to the whole of the safeguarded canal network, it is unnecessary to refer to specific areas that are subject to the policy, such as the Cotswold Water Park, Cricklade, Latton and Wootton Bassett, or to indicate specific sites where there may be opportunities for canal related developments.

13.20 **Issue i.** In the interests of maintaining a concise plan for the benefit of users of the document, I do not consider that it is necessary include references to the 2001 Cotswold Canals feasibility study and the Canals Partnership as requested by the objector. Nor is it necessary to state that the first phase of restoration is programmed to be completed within the life of the plan as, if there were no prospect of the restoration commencing within the plan period, it would be inappropriate to safeguard the routes. It is not necessary to refer to the Conservation Management Plan for the Cotswold Canals as a material consideration in the determination of planning applications as regard should be given to all relevant material considerations. The development of canal related facilities once the canals are restored is addressed by other relevant policies of the Local Plan.

### Recommendation

13.21 **I recommend that the Policy TM2 be modified as follows: the word 'essential' should be deleted from criterion ii); criterion iii) should be modified to read: 'Ensuring that where the canal is affected by development the alignment is protected or an alternative alignment is provided'; and that the Proposals Map should be modified in accordance with PIC 140. I make no other recommendations in respect of the above objections.**

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## Chapter 13 - Swindon and Cricklade Railway Line: Policy TM3 and Paragraph 13.04

### Objections

0713/547	Wainhomes (North West) Holdings Ltd	13.04
0125/021	The Ramblers' Association	(14.04)
0387/093	David Wilson Estates	(14.04)
0268/052	Corsham Town Council	TM3
0318/003	Cotswold Water Park Joint Committee	TM3

### Issues

The main issues raised in the representations are:

- a. Whether the reasoned justification should include a reference to specific sites or areas.
- b. Whether the last sentence of the paragraph 13.03 (14.04) is necessary.
- c. Whether paragraph 13.04 (14.04) should include a reference to enhancement of the Wiltshire and Berkshire Canal at Wootton Bassett.

### Reasoning and conclusions

13.22 **Issue a.** I do not consider that it would help understanding of the policy to include a reference to the fact that new development at Moredon Bridge could contribute towards the provision of the leisure route, particularly as I do not consider the site suggested by the objector should be allocated for residential development at the present time. As the policy relates to a safeguarded route that incorporates various locations, it would be inappropriate and unnecessary to list every location that the route travels through.

- 13.23 **Issue b.** The objector's concerns, which relate to the FDDLDP, appear to have been addressed in the RDDLP.
- 13.24 **Issue c.** The objection was made to the FDDLDP and relates to the reasoned justification for Policy TM2 (paragraph 13.03 of the RDDLP). As the Proposals Map indicates the safeguarded route of the canal, it is unnecessary to identify every location along the canal where enhancement works may occur.
- 13.25 The objector supports the policy but is concerned about how the enhancement works would be financed. Such issues are not a matter for the Local Plan.

### Recommendation

- 13.26 **I recommend that no modification be made to the Local Plan in respect of the above objections.**

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## Chapter 13 - The Thames Path National Trail: Policy TM4

### Objections

0268/053	Corsham Town Council	TM4
0318/002	Cotswold Water Park Joint Committee	TM4

### Issues

The main issues raised in the representations are:

- a. The effect of the proposal on the public purse.
- b. Whether the reasoned justification should refer to the Cotswold Water Park.

### Reasoning and conclusions

- 13.27 **Issue a.** As with the objections to the preceding policies, the objector is concerned that the proposal should not be a drain on the public purse. As I have previously stated, the sources of funding for such projects is not a matter for the Local Plan.
- 13.28 **Issue b.** As the policy relates to a safeguarded route that incorporates various locations, it would be inappropriate and unnecessary to specifically refer to the Cotswold Water Park in the supporting reasoned justification.

### Recommendation

- 13.29 **I recommend that no modification be made to the Local Plan in respect of the above objections.**
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