



BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE OVERVIEW BOARD

THURSDAY, 12TH MARCH 2009 AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors P. M. McDonald (Chairman), L. J. Turner (Vice-Chairman), A. N. Blagg, Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella and Dr. G. H. Lord

AGENDA

1. To receive apologies for absence
2. Declarations of Interest and whipping arrangements
3. Overview Investigation Proposal (Pages 1 - 44)
4. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature it cannot wait until the next meeting

K DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

10th March 2009

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BROMSGROVE DISTRICT COUNCIL

OVERVIEW BOARD

12TH MARCH 2009

OVERVIEW INVESTIGATION PROPOSAL

Responsible Portfolio Holder	N/A
Responsible Head of Service	Mrs. C. Felton, Head of Legal, Equalities and Democratic Services

1. SUMMARY

- 1.1 An overview and scrutiny proposal form relating to inappropriate development on the green belt has been completed which the Board needs to consider.

2. RECOMMENDATION

- 2.1 That the Board considers the completed proposal form (at Appendix 1) together with information contained within section 3 of this report and agrees to **one of the following options**:
- (a) agrees the topic is included on the work programme and the Board undertakes the investigation;
 - (b) agrees the topic is included on the work programme and a Task Group is established to undertake a more in-depth investigation (if this option is agreed, membership forms would be sent out to all non-Cabinet Members and completed forms, along with a completed overview and scrutiny exercise scoping checklist would be considered at the next meeting);
 - (c) requests further information from a relevant source before deciding whether or not further investigation is required; or
 - (d) decides to take no further action.

3. BACKGROUND

- 3.1 An Overview and Scrutiny Proposal Form relating to the Green Belt has been submitted by Councillor P. M. McDonald and is attached at Appendix 1 for the Board to consider and discuss.
- 3.2 Approximately 90% of the district is made up of areas which have been designated by the government as Green Belt land. It may assist Members to be reminded of the current policy framework relating to the Green Belt.

- 3.3 National guidance on the Green Belt is set out in Planning Policy Guidance 2 (PPG2) a copy of which is attached at Appendix 2. The aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Under PPG2 there is a general presumption against inappropriate development in the Green Belt. Such development should not be approved except in very special circumstances. PPG2 sets out the very limited circumstances where development will not be deemed as inappropriate in paragraphs 3.4 to 3.20.
- 3.4 At a local level there is further detail as to policy to be applied in the Green Belt set out in the Bromsgrove District Local Plan. In particular DS2 Green Belt development criteria and sections S7 to S13A re housing in the Green Belt (Appendix 3). Policy D.39 of the adopted Worcestershire County Structure Plan states that there will be a presumption against allowing inappropriate development in the Green Belt as stemming from national planning guidance PPG2 "Green Belt". Policy D.12 and D.38 of the Worcestershire County Structure Plan and Policy DS2 of the Bromsgrove District Local Plan are in general accordance with PPG2 in resisting development in the Green Belt unless the proposals fall within a defined list of appropriate development.
- 3.5 If a development is deemed to be inappropriate development in the Green Belt planning permission can only be granted if the applicant is able to show that there are very special circumstances to justify the inappropriate development. The very special circumstances must outweigh the harm caused by the inappropriateness of the development. In considering whether very special circumstances apply the decision has to be based on the individual circumstances of the application, and is in effect an opportunity for the decision maker to exercise a discretion conferred on it by the planning regime.
- 3.6 In terms of legal issues to be aware of, case law has established that the test of very special circumstances has to be very strictly applied. In other words only genuinely unique and unusual situations should be deemed to be very special circumstances. If not properly applied the Council may be left in a position where it's decision to grant permission may be legally challenged through judicial review in the High Court. There has also been an increasing trend recently for the Local Government Ombudsman to investigate complaints about planning decisions under the broader heading of maladministration. Finally, because these are planning issues that rest on the individual facts of each case, the legal principle that a local authority must not fetter its own discretion when taking a decision needs to be borne in mind. If it is Members intention to introduce any new policies on the Green Belt then careful consideration needs to be given to ensure that any policies recommended (and subsequently adopted) as a result of the Overview

and Scrutiny exercise are not based on irrelevant legal considerations and that they are drafted in such a way that they do not require the Planning Committee to adhere to them in every case.

- 3.7 If the Board decides that it does wish to investigate this topic further, it then needs to decide whether it is appropriate for the Board itself to undertake the investigation or whether a more in-depth investigation is required which means a task group would need to be established.
- 3.8 Another option is for the Board to request further information on the topic from a relevant source to assist Members to decide whether an investigation is required.
- 3.9 Finally, the Board could decide that it is not a topic it wishes to be investigated in which case no further action would be required.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

5. LEGAL IMPLICATIONS

- 5.1 The legal implications relating to the subject matter of this report are set out in paragraph 3.6 above.

6. COUNCIL OBJECTIVES

- 6.1 This report does not directly link to the Council Objectives, however, information on how the topic links to the Council Objectives and Priorities is included on the proposal form at Appendix 1.

7. RISK MANAGEMENT

- 7.1 There are no risk management issues directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

8. CUSTOMER IMPLICATIONS

- 8.1 There are no customer implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no implications directly relating to this report for the Council's Equalities and Diversity Policies, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

11. OTHER IMPLICATIONS

If the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

Procurement Issues – None
Personnel Implications – None
Governance/Performance Management – None.
Community Safety including Section 17 of Crime and Disorder Act 1998 – None
Policy – None
Environmental – None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No, not at this stage as the Board has yet to make a decision.
Chief Executive	Yes
Executive Director - Partnerships and Projects	Yes
Executive Director - Services	Yes
Assistant Chief Executive	No

Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All Wards.

14. APPENDICES

Appendix 1 - Proposal Form relating to Green Belt

Appendix 2 - Planning Policy Guidance 2 (PPG2) – Green Belts

Appendix 3 - Extracts from the Bromsgrove District Local Plan

15. BACKGROUND PAPERS

None.

CONTACT OFFICERS

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OVERVIEW AND SCRUTINY - PROPOSAL FORM

Name of Councillor:	Peter McDonald
Topic:	Green Belt
Specific subject areas to be investigated:	Inappropriate development on green belt
Reasons why this subject should be considered:	No clear policy
Evidence to support the need for this particular investigation:	Decisions are applied to each individual application, no policy is followed only government guidelines
Council priorities it links to:	Sustainable Development Housing Regeneration
Possible key outcomes: (i.e. what do you anticipate could be achieved?)	A policy fit for purpose

Please indicate if any of the following apply to the proposed subject area:

Poorly performing service	✓
An area of concern identified by internal or external audit process	
Identified as a key issue in the Sustainable Community Strategy	
Contributes to the aims of the Council Plan	✓
Key interest to the public (e.g. low levels of satisfaction with the service/featured in local media)	✓
It affects more than three wards within the District	✓
It affects Bromsgrove District and one or more areas outside the District	
High level of budgetary commitment	
Pattern of overspending or underspending	
Contributes to priority area of central government	✓
Proposed new policy for the Council	✓

Please return completed forms to: Della McCarthy, Scrutiny Officer,
Legal, Equalities and Democratic Services, Bromsgrove District Council
Email: d.mccarthy@bromsgrove.gov.uk

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Planning Policy Guidance 2: Green belts

On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government.

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Publication title: Planning Policy Guidance 2: Green belts

Date published: January 1995 (Amended March 2001)

ISBN: 0 11 753037 9

Price: £8 (available to view below)

Summary

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out.

Order

This is a priced publication available from TSO (The Stationery Office), PO Box 29, Norwich NR3 1GN. Order through the Parliamentary Hotline (Lo-call): 08457 023 474, fax: 0870 600 5533, textphone 0870 240 3701, email: book.orders@tso.co.uk or visit www.tsoshop.co.uk to buy online.

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Foreword

Planning Policy Guidance notes (PPGs) set out the Government's policies on different aspects of planning. Local planning authorities must take their content into account in preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals.

This PPG replaces the 1988 version of PPG2, and advice in Circulars. It:

- states the general intentions of Green Belt policy, including its contribution to sustainable development objectives;
- reaffirms the specific purposes of including land in Green Belts, with slight modifications;
- gives policy a more positive thrust by specifying for the first time objectives for the use of land in Green Belts;
- confirms that Green Belts must be protected as far as can be seen ahead, advises on defining boundaries and on safeguarding land for longer-term development needs; and
- maintains the presumption against inappropriate development within Green Belts and refines the categories of appropriate development, including making provision for the future of major existing developed sites and revising policy on the re-use of buildings.

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1. Introduction

1.1 The Government attaches great importance to Green Belts, which have been an essential element of planning policy for some four decades. The purposes of Green Belt policy and the related development control policies set out in 1955 remain valid today with remarkably little alteration.

History

1.2 The first official proposal "to provide a reserve supply of public open spaces and of recreational areas and to establish a green belt or girdle of open space" was made by the Greater London Regional Planning Committee in 1935. New provisions for compensation in the 1947 Town and Country Planning Act allowed local authorities to incorporate green belt proposals in their first development plans. The codification of Green Belt policy and its extension to areas other than London came in 1955 with an historic circular inviting local planning authorities to consider the establishment of Green Belts.

Extent

1.3 The Green Belts approved through structure plans now cover approximately 1,556,000 hectares, about 12 per cent of England. There are 14 separate Green Belts, varying in size from 486,000 hectares around London to just 700 hectares at Burton-on-Trent. "The general extent and location of the designated areas are given in the table and map opposite."

Intentions of policy

1.4 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development (see paragraph 2.10).

Purposes of including land in Green Belts

1.5 There are five purposes of including land in Green Belts:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The use of land in Green Belts

1.6 Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

1.7 The extent to which the use of land fulfils these objectives is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection. For example, although Green Belts often contain areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives.

2. Designation Of Green Belts

2.1 The essential characteristic of Green Belts is their permanence. Their protection must be maintained as far as can be seen ahead.

Regional guidance and development plans

2.2 Regional and strategic planning guidance set the framework for Green Belt policy and settlement policy, including the direction of long-term development. Regional guidance focuses on issues which are of regional importance or which need to be considered on a wider geographical basis than that of individual structure plans. Strategic guidance performs a similar role in metropolitan areas.

2.3 Green Belts are established through development plans. Structure plans provide the strategic policy context for planning at local level. The general extent of Green Belts has been fixed through the approval of structure plans.

2.4 Many detailed Green Belt boundaries have been set in local plans and in old development plans, but in some areas detailed boundaries have not yet been defined. Up-to-date approved boundaries are essential, to provide certainty as to where Green Belt policies do and do not apply and to enable the proper consideration of future development options. The mandatory requirement for district-wide local plans, introduced by the Planning and Compensation Act 1991, will ensure that the definition of detailed boundaries is completed.

2.5 In metropolitan areas, unitary development plans (UDPs) perform the functions of structure and local plans.

Defining boundaries

2.6 Once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances. If such an alteration is proposed the Secretary of State will wish to be satisfied that the authority has considered opportunities for development within the urban areas contained by and beyond the Green Belt. Similarly, detailed Green Belt boundaries defined in adopted local plans or earlier approved development plans should be altered only exceptionally. Detailed boundaries should not be altered or development allowed merely because the land has become derelict.

2.7 Where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision.

2.8 Where detailed Green Belt boundaries have not yet been defined, it is necessary to establish boundaries that will endure. They should be carefully drawn so as not to include land which it is unnecessary to keep permanently open. Otherwise there is a risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development. If boundaries are drawn excessively tightly around existing built-up areas it may not be possible to maintain the degree of permanence that Green Belts should have. This would devalue the concept of the Green Belt and reduce the value of local plans in making proper provision for

necessary development in the future.

2.9 Wherever practicable a Green Belt should be several miles wide, so as to ensure an appreciable open zone all round the built-up area concerned. Boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges where possible. Well-defined long-term Green Belt boundaries help to ensure the future agricultural, recreational and amenity value of Green Belt land, whereas less secure boundaries would make it more difficult for farmers and other landowners to maintain and improve their land. Further advice on land management is in Annex A.

2.10 When drawing Green Belt boundaries in development plans local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development (for example in terms of the effects on car travel) of channelling development towards urban areas inside the inner Green Belt boundary, towards towns and villages inset within the Green Belt, or towards locations beyond the outer Green Belt boundary.

2.11 Guidance on the treatment of existing villages in Green Belts is given in the box below. The advice on affordable housing in paragraph 3.4 is also relevant.

Existing Villages

Development plans should treat existing villages in Green Belt areas in one of the following ways.

If it is proposed to allow **no new building** beyond the categories in the first three indents of paragraph 3.4, the village should be included within the Green Belt. The Green Belt notation should be carried across ("washed over") it.

If **infilling only** is proposed, the village should either be "washed over" and listed in the development plan or should be inset (that is, excluded from the Green Belt). The local plan should include policies to ensure that any infill does not have an adverse effect on the character of the village concerned. If the village is washed over, the local plan may need to define infill boundaries to avoid dispute over whether particular sites are covered by infill policies.

If **limited development** (more than infilling) **or limited expansion** is proposed, the village should be inset. Development control policies for such settlements should be included in the local plan.

Safeguarded land

2.12 When local planning authorities prepare new or revised structure and local plans, any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the plan. They should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period. In order to ensure protection of Green Belts within this longer timescale, this will in some cases mean safeguarding land between the urban area and the Green Belt which may be required to meet

longer-term development needs. Regional/strategic guidance should provide a strategic framework for considering this issue. In preparing and reviewing their development plans authorities should address the possible need to provide safeguarded land. They should consider the broad location of anticipated development beyond the plan period, its effects on urban areas contained by the Green Belt and on areas beyond it, and its implications for sustainable development. In non-metropolitan areas these questions should in the first instance be addressed in the structure plan, which should where necessary indicate a general area where local plans should identify safeguarded land.

2.13 Annex B gives further advice on safeguarded land, which is sometimes known as "white land".

New Green Belts

2.14 Proposals for new Green Belts should be considered through the Regional/Strategic Guidance or Structure Plan process in the first instance. If a local planning authority proposes to establish a new Green Belt, it should demonstrate why normal planning and development control policies would not be adequate, and whether any major changes in circumstances have made the adoption of this exceptional measure necessary. It should also show what the consequences of the proposal would be for sustainable development.

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3. Control Over Development

Presumption against inappropriate development

3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate.

3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

3.3 Green Belt policies in development plans should ensure that any planning applications for inappropriate development would not be in accord with the plan. These exceptional cases would thus be treated as departures from the development plan, to be referred to the Secretary of State under the Town and Country Planning (Development Plans and Consultation) Directions 1992 (see DOE Circular 19/92).

New buildings

3.4 The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry (unless permitted development rights have been withdrawn - see paragraph D2 of Annex D);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 below);
- limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);
- limited infilling in existing villages (under the circumstances described in the box following paragraph 2.11), and limited affordable housing for local community needs under development plan policies according with PPG3 (see Annex E, and the box following paragraph 2.11); or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C¹.

3.5 Essential facilities (see second indent of paragraph 3.4) should be genuinely required for

uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

3.6 Provided that it does not result in disproportionate additions over and above the size of the **original** building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.

Re-use of buildings

3.7 With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

3.8 The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (eg because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings². (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

3.9 If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes³. Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use.

3.10 Local planning authorities should include in their development plans policies for the re-use

of buildings in Green Belts, having regard to the advice above and in Annex D of this PPG.

Mining operations, and other development

3.11 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. Mineral and local planning authorities should include appropriate policies in their development plans. Mineral planning authorities should ensure that planning conditions for mineral working sites within Green Belts achieve suitable environmental standards and restoration. Relevant advice is in MPG2 and MPG7. Paragraph 3.13 below is also relevant to mineral extraction.

3.12 The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. (Advice on material changes in the use of buildings is given in paragraph 3.8 above).

Land use objectives

3.13 When any large-scale development or redevelopment of land occurs in the Green Belt (including mineral extraction, the tipping of waste, and road and other infrastructure developments or improvements), it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts (see paragraph 1.6). This approach applies to large-scale developments irrespective of whether they are appropriate development⁴, or inappropriate development which is justified by very special circumstances. Development plans should make clear the local planning authority's intended approach.

3.14 Planning obligations may be used to offset the loss of or impact on any amenity present on a site prior to development (see DoE Circular 16/91). In the case where amenity on a site adjacent to the Green Belt is lost as a result of development on that site, it may be reasonable for obligations to provide for offsetting benefits on land in the Green Belt, as long as there is a direct relationship between the two sites.

Visual amenity

3.15 The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

Community Forests

3.16 Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts,

and should respect the woodland setting.

This PPG was amended with effect from 27 March 2001 by Annex E of PPG13 (Transport) which inserted new paragraphs 3.17-3.20 as below:

Park and ride

3.17 The countryside immediately around urban areas will often be the preferred location for park and ride schemes. In many instances, such land may be designated as Green Belt. The Government's commitment to maintaining the openness of the Green Belt means that when seeking to locate park and ride development, non-Green Belt alternatives should be investigated first. However, there may be cases where a Green Belt location is the most sustainable of the available options. Park and ride development is not inappropriate in Green Belts, provided that:

- **(a)** a thorough and comprehensive assessment of potential sites has been carried out, including both non-Green Belt and, if appropriate, other Green Belt locations, having regard to sustainable development objectives, and the need to be flexible about size and layout;
- **(b)** the assessment establishes that the proposed green belt site is the most sustainable option taking account of all relevant factors including travel impacts;
- **(c)** the scheme will not seriously compromise the purposes of including land in Green Belts, as set out in paragraph 1.5;
- **(d)** the proposal is contained within the local transport plan (or in Greater London the Local Implementation Plan) and based on a thorough assessment of travel impacts; and
- **(e)** new or re-used buildings are included within the development proposal only for essential facilities associated with the operation of the park and ride scheme.

3.18 For larger-scale schemes local planning authorities must give particular attention to sub-paragraph (c) above. All the criteria in paragraph 3.17 should also be applied when considering proposals for expansion of existing sites. Approval of park and ride development in a particular location does not create any presumption in favour of future expansion of that site. All proposals must be considered on their merits.

3.19 In all cases, the layout, design and landscaping of the scheme must preserve, so far as possible, the openness and visual amenity of the Green Belt. Particular care will be needed on matters, such as floodlighting, which are essential to the safe operation of park and ride schemes but which may be visually intrusive unless carefully designed. Local authorities should make full use of planning conditions or obligations see paragraph 3.14 and Circulars [11/95](#) and 1/97.

3.20 Park and ride development which does not satisfy the criteria in paragraph 3.17 should be not be approved except in very special circumstances see paragraphs 3.2 and 3.3, and

[Circular 7/99.](#)

¹ See also the transitional provision of paragraph C14 regarding redundant hospital sites and paragraph C17 regarding higher and further education establishments not identified in adopted local plans.

² If a planning application is submitted for the re-use of a building which the local planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.

³ In the case of a tenanted agricultural building, the value in planning terms of the existing use should however be taken into consideration.

⁴ But see paragraph C4 of Annex C regarding the redevelopment of major developed sites.

4. Cancellation Of Advice

4.1 The following advice is hereby cancelled:

- PPG2 (January 1988);
- paragraphs 1-3 of Annex D to PPG12 (February 1992);
- paragraph 34 of PPG17 (September 1991), except the first sentence;
- DOE Circular 12/91;
- DOE Circular 14/84, including the Annex reproducing MHLG Circulars 42/55 and 50/57.

Annex A

Land Management

A1 Local authorities can assist landowners in maintaining and improving their land by working together with them, with voluntary organisations including Groundwork Trusts, and with statutory bodies such as the Countryside Commission, the Forestry Commission, and (where significant areas of derelict or vacant land are involved) English Partnerships. The aim should be to enhance the countryside, and especially those areas of land within the Green Belt or adjacent to it, which are suffering from disuse or neglect.

A2 This is particularly important in areas that are close to existing urban development, or within conurbations, and which can be especially vulnerable to neglect or damage. They may come under intense pressure for development, and if so need to be protected and maintained. But in considering whether to include such areas of land within the Green Belt, where detailed boundaries have not yet been established, authorities should also consider carefully whether the land should be better reserved for future development and thus ease the pressure on other land that should have the long-term protection of the Green Belt. The overall aim should be to develop and maintain a positive approach to land management which **both** makes adequate provision for necessary development **and** ensures that the Green Belt serves its proper purpose.

Annex B

Safeguarded Land

B1 This guidance supplements that in paragraph 2.12, and should be read in conjunction with it.

Identifying safeguarded land

B2 Safeguarded land comprises areas and sites which may be required to serve development needs in the longer term, i.e. well beyond the plan period. It should be genuinely capable of development when needed.

B3 Safeguarded land should be located where future development would be an efficient use of land, well integrated with existing development, and well related to public transport and other existing and planned infrastructure, so promoting sustainable development.

B4 In identifying safeguarded land local planning authorities should take account of the advice on housing in PPG3 and on transport in PPG13. They should also have regard to environmental and landscape quality (so far as is consistent with paragraph 1.7 of this PPG); to the contribution which future redevelopment might make to remedying urban fringe problems, producing attractive, well-landscaped urban edges; and to the advice in PPG7 on protecting the best agricultural land.

Development control policies

B5 Development plans should state clearly the policies applying to safeguarded land over the period covered by the plan. They should make clear that the land is not allocated for development at the present time, and keep it free to fulfil its purpose of meeting possible longer-term development needs. No development which would prejudice later comprehensive development should be permitted (though temporary developments may assist in ensuring that the land is properly looked after). Valuable landscape and wildlife features and existing access for recreation should be protected.

B6 Development plan policies should provide that planning permission for the permanent development of safeguarded land should only be granted following a local plan or UDP review which proposes the development of particular areas of safeguarded land. Making safeguarded land available for permanent development in other circumstances would thus be a departure from the plan.

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Annex C

Future Of Major Developed Sites In The Green Belt

C1 Green Belts contain some major developed sites such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. These substantial sites may be in continuing use or be redundant. They often pre-date the town and country planning system and the Green Belt designation.

C2 These sites remain subject to development control policies for Green Belts, and the Green Belt notation should be carried across them. If a major developed site is specifically identified for the purposes of this Annex in an adopted local plan or UDP, infilling or redevelopment which meets the criteria in paragraph C3 or C4 is not inappropriate development. In this context, infilling means the filling of small gaps between built development.

Infilling

C3 Limited infilling at major developed sites in continuing use may help to secure jobs and prosperity without further prejudicing the Green Belt. Where this is so, local planning authorities may in their development plans identify the site, defining the boundary of the present extent of development and setting out a policy for limited infilling for the continuing use within this boundary. Such infilling should:

- (a) have no greater impact on the purposes of including land in the Green Belt (paragraph 1.5) than the existing development;
- (b) not exceed the height of the existing buildings; and
- (c) not lead to a major increase in the developed proportion of the site.

Redevelopment

C4 Whether they are redundant or in continuing use, the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it. Where this is the case, local planning authorities may in their development plans identify the site, setting out a policy for its future redevelopment. They should consider preparing a site brief. Redevelopment should :

- (a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
- (b) contribute to the achievement of the objectives for the use of land in Green Belts (paragraph 1.6 - see also paragraph 3.13);

- (c) not exceed the height of the existing buildings; and
- (d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

C5 The relevant area for the purposes of (d) is the aggregate ground floor area of the existing buildings (the "footprint"), **excluding** temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

C6 The character and dispersal of proposed redevelopment will need to be considered as well as its footprint. For example many houses may together have a much smaller footprint than a few large buildings, but may be unacceptable because their dispersal over a large part of the site and enclosed gardens may have an adverse impact on the character of the Green Belt compared with the current development. The location of the new buildings should be decided having regard to the openness of the Green Belt and the purposes of including land in it, the objectives for the use of land in Green Belts, the main features of the landscape, and the need to integrate the new development with its surroundings. For instance it may be more appropriate to site new development closer to existing buildings.

C7 The site should be considered as a whole, whether or not all the buildings are to be redeveloped. The test of area in paragraph C5 relates to the redevelopment of the entire site; any proposals for **partial** redevelopment should be put forward in the context of comprehensive, long-term plans for the site as a whole.

C8 Proposals should be considered in the light of all material considerations, including for example visual amenity (see paragraph 3.15 of this PPG) and the traffic and travel implications of redevelopment (see [PPG13](#)).

C9 Where buildings are demolished rather than being left in a semi-derelict state pending decisions about their redevelopment, it will be necessary to keep suitable records for the purposes of paragraph C5. These should be agreed between the local planning authority and the landowner.

C10 In granting any planning permission local authorities may wish to consider whether to impose conditions to ensure that buildings which are not to be retained permanently are demolished as new buildings are erected, thus keeping the total developed area under control.

Architectural and historic interest

C11 Suitable re-use is to be preferred to redevelopment where the buildings are of architectural or historic interest. Any proposals for altering or demolishing listed buildings or which affect their settings should be considered in the light of the advice in [Planning Policy Guidance 15: Planning and the Historic Environment](#).

C12 Local planning authorities should have regard to the desirability of preserving gardens and grounds of special historic interest. The English Heritage register of historic gardens lists sites of particular importance (see [PPG15](#)).

Public expenditure

C13 Redevelopment should not normally require additional expenditure by the public sector on the provision of infrastructure, nor should it overload local facilities such as schools and health care facilities. Local planning authorities should take account of any additional infrastructure requirements (eg roads) which may have significant adverse effects on the Green Belt. Adequate financial provision should where necessary be made for the future maintenance of landscaped areas (taking account of advice in DoE Circular 16/91, Planning Obligations).

Redundant hospitals

C14 The special position of redundant hospitals in Green Belts was recognised in DoE Circular 12/91 and earlier advice. That Circular is cancelled by this PPG; hospitals are covered by this Annex. As a transitional measure, pending the next local plan or UDP review, the redevelopment of redundant hospital sites which are not identified in development plans but meet the criteria in paragraph C4 above is not inappropriate development.

Higher and further education establishments

C15 Previous policy allowed "institutions standing in extensive grounds" to undertake new development, because such institutions pre-dated Green Belt policy. It was unclear how much new development was permitted. More recently this provision has been used to press for wholly new development on a scale that is inappropriate in the Green Belt. This revision of PPG2 makes it clear that development by institutions is subject to the same controls as other development in the Green Belt.

C16 It is however Government policy to encourage more people to undertake higher and further education (HFE). There has been a large increase in student numbers and further increases can be expected. The lack of a reasonable alternative site outside the Green Belt (whether within the urban area or elsewhere) for the proposed expansion of an HFE establishment located in or adjacent to the Green Belt should be taken into account in preparing or reviewing a development plan. Green Belt boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. Local planning authorities will wish to take an early opportunity to consult HFE establishments in or adjacent to the Green Belt about their development intentions. Plan preparation procedures provide opportunities for full public consultation on proposals to alter boundaries. Guidance on the timing of plan reviews is given in PPG12.

C17 Meanwhile, pending the next local plan or UDP review, the infilling or (partial or complete) redevelopment of HFE establishments on major sites in the Green Belt, which are not identified in development plans but otherwise meet the criteria in paragraph C3 or C4 of this Annex, is not inappropriate development. HFE establishments means: universities, colleges, schools and institutes of higher education; and establishments funded by the Further Education Funding Council for England, including colleges of further education, VI form colleges, and agricultural and horticultural colleges.

Annex D

Re-Use Of Buildings - Additional Advice

Agricultural buildings

D1 It is important to discourage abuse of permitted development rights. Local planning authorities should examine particularly carefully applications for re-use made within four years of the substantial completion of agricultural buildings erected under the General Development Order. This should alert them to the possibility that, when it was substantially completed, the building was in breach of planning control because there was no genuine agricultural justification.

D2 When granting permission for the use of agricultural buildings for non-agricultural purposes, local planning authorities should consider whether proliferation of farm buildings constructed under permitted development rights could have a seriously detrimental effect on the openness of the Green Belt. If so, they should consider whether it would be reasonable to attach a condition withdrawing these rights for new farm buildings in respect of that particular agricultural unit or holding. Such a condition should be used with great care, and must fairly and reasonably relate to the proposed development. While a restriction on additions to a particular group of farm buildings without specific permission might be reasonable, a restriction which sought to cover the whole of a large holding in connection with the re-use of a single building might well be unreasonable. Authorities should, where appropriate, include in their local plans a policy indicating the factors that they would take into account. If permitted development rights have been withdrawn, very special circumstances would need to be established for a new agricultural building to be permitted.

Residential conversions

D3 The following advice from PPG7, *The Countryside and the Rural Economy* (January 1992), is relevant to the re-use of buildings in Green Belts for residential purposes.

"In some villages, the pressure to convert existing buildings to dwellings is great, and applications for a change of use may, if granted, lead to adverse effects on the local rural economy. The need to accommodate local commerce and industry may well be a material consideration in deciding such applications." (Paragraph 2.13)

"Local planning authorities should examine applications for changes to residential use with particular care. The advice in paragraph D4 of PPG7, is often particularly relevant to such proposals. New housing in the open countryside is subject to strict control (paragraph 2.18 of PPG7); it may be appropriate to apply similar principles to proposals for the conversion of existing rural buildings to dwellings, especially where such buildings are unsuitable for conversion without extensive alteration, rebuilding and/or extension. Residential conversions can often have detrimental effects on the fabric and character of historic farm buildings. While new uses can frequently be the key to the preservation of historic buildings, it is important to ensure that the new use is sympathetic to the rural character. In addition, the creation of a residential curtilage around a newly converted building can sometimes have a harmful effect on the character of the countryside, especially in areas of high quality landscape, including

National Parks and Areas of Outstanding Natural Beauty." (Paragraph D5)

"Residential conversions have a minimal impact on the rural economy. However conversions for holiday use can contribute more, and may reduce pressure to use other houses in the area for holiday use. Separate considerations apply to agricultural dwellings (see Annex E of PPG7)". (Paragraph D6).

Listed buildings

D4 If a building is listed, listed building consent may be needed for its conversion as well as planning permission (see PPG15).

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Annex E

Further Guidance From Other PPGs And Circulars

Other PPGs and Circulars provide further guidance on Green Belt aspects of some specific types of development. Relevant passages are reproduced below.

Affordable Housing (from Annex A of PPG3, March 1992)

"11 This guidance does not alter the general presumption against inappropriate development in the Green Belts. Green Belt policy remains as set out in Planning Policy Guidance note 2.

"12 Most Green Belt areas are by their nature close to the main conurbations, and conditions are not typical of the generality of rural areas to which this policy is addressed. Special considerations may, however, arise in some of the more extensive areas of Green Belt away from the urban fringe, particularly in areas where there are many small settlements and it may not be practicable or appropriate to define Green Belt boundaries around each one.

"13 In some of these areas local planning policies already recognise that very limited development within existing settlements may be acceptable and consistent with the function of the Green Belt. It is for local planning authorities to judge whether low cost housing development for local community needs would fall within the scope of such policies.

"14 The release, exceptionally, for small-scale, low cost housing schemes of other sites within existing settlements, which would not normally be considered for development under such policies, would again be a matter for the judgement of the planning authority, having regard to all material considerations, including the objectives of Green Belt policy and the evidence of local need."

Motorway Service Areas (from Annex A of PPG13, March 1994)

"13 In Green Belts, there is a general presumption against inappropriate development. In line with PPG2, approval should not be given for an MSA within a Green Belt except in very special circumstances. One of the material considerations which could justify such an exception could be the lack of any signed MSAs. The greater the interval between the proposed site and any existing facility the more weight should be placed on the needs of motorway users. Developers should bear in mind the sensitive nature of Green Belt sites and avoid them where possible. Where no alternatives are readily available, developers will be expected to take great care to mitigate the likely impact of the development."

All-seater Football League Stadia (from PPG17, September 1991)

"50 Because of the size of the structures involved, major football stadia cannot be regarded as appropriate development within an approved Green Belt. As PPG2 makes clear, very special circumstances would be needed to justify setting aside the general presumption against inappropriate development in the Green Belts. It would be most unusual for a stadium proposal to meet those very special circumstances unless all other practicable options for location had been exhausted and other considerations had been fully addressed. A site for development as

large as a major football stadium should normally be identified in a local plan. It could be considered alongside any proposal for the adjustment of Green Belt boundaries. Such boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. The procedures for making and reviewing local plans provide opportunities for full public consultation on proposals to alter boundaries."

Gypsy Sites (from paragraph 3 of DOE Circular 1/94)

"As a rule it will not be appropriate to make provision for gypsy sites in areas of open land where development is severely restricted, for example, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and other protected areas. Gypsy sites are not regarded as being among those uses of land which are normally appropriate in Green Belts. Green Belt land should not therefore be allocated for gypsy sites in development plans."

District Strategy

8.1 The policies contained within this section provide a framework to which all other policies in the Plan must adhere. The planning emphasis for the District will remain one of restraint to development in the Green Belt, whilst accommodating necessary new development to meet economic and social needs. The Strategy does not preclude new development that contributes positively to the environment and respects these and other policies in the Plan.

Green Belt Designation

DS1 The designation of a Green Belt in accordance with County Structure Plan Policy is confirmed and the boundaries are shown on the Proposals Map.

8.2 The relevance of the Green Belt to Bromsgrove District is threefold:

- * to prevent the further growth of the West Midlands conurbation into the countryside;
- * to limit the expansion of built-up areas in the Green Belt area in order that neighbouring towns and villages will not merge with one another;
- * to safeguard the open countryside having regard for the interests of agriculture and for the informal recreation needs of people who wish to visit the countryside.

8.3 The District Council fully supports the importance and function of the Green Belt and the Secretary of State's view that the future growth of Bromsgrove town should preserve the particularly narrow and vulnerable Green Belt gaps to the north and south of the town.

8.4 Green Belt boundaries in Bromsgrove District have previously been confirmed in adopted local plans for Belbroughton, Wythall and Hagley/Clent; the remainder of the District has relied upon boundaries originally proposed in the County Development Plan for Worcestershire (1957) and confirmed generally in Structure Plans since 1975. Where the Green Belt boundary has been redefined in this Local Plan to allow minor alterations to boundaries or to accommodate land for future development needs, firm and definable physical features have been followed wherever possible. Changes to the established Green Belt have only been proposed where there exists special circumstances providing an overriding justification for so doing. Appendix 2 lists the amendments to the Green Belt boundaries and the reasons in support of the proposed changes.

8.5 In order to comply with policy GB2A of the County Structure Plan, the District Council considered whether those settlements currently in the Green Belt, in particular the larger villages such as Alvechurch and Belbroughton, should be removed. The District Council endorsed the views of the 1996 Local Plan Inspector that the village of Alvechurch could be removed from the Green Belt without detriment to it. The Inspector however accepted the Council's position that both Belbroughton and Romsley should not be removed from the Green Belt as they were less sustainable locations since they are not located on transport corridors.

Green Belt Development Criteria

DS2 Permission for development in the Green Belt will not be given, except in very special circumstances, for the construction of new buildings or for the change of use of existing buildings unless one of the following instances applies:

- a) development is for the purposes of agriculture and forestry;
- b) proposals are for essential facilities for outdoor sport and outdoor recreation (see Policy RAT2);

- c) development is for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- d) development is for housing in accordance with the special circumstances set out in policy S9;
- e) proposals are for the re-use of rural buildings, in accordance with policy C27;
- f) proposals are for the limited extension, alteration or replacement of existing dwellings (subject to the provisions of Policy S11 and S12);
- g) proposals are for the sub-division of an existing dwelling in accordance with Policy S13;
- h) proposals are for the change of use of a dwelling to a commercial use (subject to the provisions of Policy S13A).

Proposals for development should be environmentally and ecologically acceptable and should not damage the visual amenities of the Green Belt.

8.6 There is a general presumption against development in the Green Belt. Only in very special circumstances will permission be given in Green Belt locations. Proposals will also be required to comply with other relevant policies contained in this Plan.

8.7 PPG2 indicates that the construction of new buildings for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it may be appropriate. The Council will expect any applicant to fully demonstrate that a proposal fulfils these criteria before accepting any new building.

Main Locations For Growth

- DS3** The majority of growth during the Plan period will be centred on the urban area of Bromsgrove. This area has the majority of the population and is well served by existing public transport networks including the railway station.

8.8 Bromsgrove is the main urban area in the District. It is the focus of the area's transport system being at a key point in the motorway system; it has main line railway connections and is well served by public transport links to the conurbation. The town has the majority of shopping, social and recreational facilities.

8.9 The District Council believes the town's role and function during the Plan period should be reinforced. This aim promotes the concept of 'sustainability' through the practical benefit of matching the greatest proportion of the District's population to the location with most facilities.

8.10 Consequently Bromsgrove town will receive the majority of development during the current Plan period to meet both residential and employment land needs as expressed in the County Structure Plan.

Other Locations for Growth

- DS4** For other settlements excluded from the Green Belt (Alvechurch, Barnt Green, Blackwell, Cofton Hackett, Grimes Hill, Hagley, Majors Green, Rubery, Stoke Prior, Walkers Heath and Wythall) any proposals for development will need to be in accord with the policies of this Plan.

Housing

9.1 The District Strategy identifies the broad distinction to be made between settlements and the priority for growth attached to each. This section indicates the general policies to be pursued by the District Council in covering the various communities in the District.

Structure Plan Requirements

- S1** Sufficient land will be allocated to accommodate the strategic housing requirement of the Hereford and Worcester County Structure Plan to enable the construction and completion of about 6,200 dwellings between 1st April 1986 and 31st March 2001. The majority of this land will be located in, or adjacent to, Bromsgrove town.

9.2 The Hereford and Worcester County Structure Plan (1990) requires that "about 6,200" dwellings are provided in Bromsgrove District between 1986 and 2001. The majority of sites will be found at Bromsgrove town, taking into consideration environmental and social considerations, the need to maximise use of public transport and decrease long journeys. For the purposes of this policy "in, or adjacent to, Bromsgrove town" applies to the core area of Bromsgrove town plus the urban areas of Lickey End, Catshill and Marlbrook. Some development, albeit on a more limited scale, may take place in other parts of the District but will normally be restricted to settlements identified in policies DS3 and DS4.

Housing Site Allocations

- S2** The housing sites (HAG1 and BROM1) shown on the Proposals Map are the remaining allocations at the end of the Plan period.

9.3 Sufficient land was allocated in this Plan and supplemented by windfall schemes to meet the demand for new housing in the District during the Plan period (1986 to 2001). Two allocations remain to be completed and are shown on the Proposals Map and listed in Appendix 4.

9.4 The overall housing land position for the District at the end of the Plan period (April 2001) is given in Appendix 5. This shows the number of completions which took place and the number of units under construction or outstanding at the end of the Plan period.

Windfall Policy

- S3** The District Council will allow for a "windfall" element in determining housing land availability.

9.5 In the absence of adopted local plans for parts of the District including Bromsgrove town a large number of dwellings have received planning permissions which can be classified as 'windfalls' (i.e. sites gaining a permission for housing purposes but not specifically allocated for that purpose in a formal plan). These are likely to continue to constitute a significant element of housing land supply.

9.6 The District Council adopted a completions-based method in assessing the likely supply from small windfall sites. This is set out in Appendix 6. Small windfall sites are defined by the Council as sites of up to 9 dwellings.

9.7 The District Council has also made a separate allowance for medium windfalls, based on extrapolating past planning permissions. The methodology is set out in Appendix 6. Medium windfalls sites are defined as providing between 10 and 25 dwellings or with a site area of up to 1 hectare. An average of 50 completions per annum from medium windfalls occurred over the lifetime of the Plan.

Monitoring Of Housing Sites

- S4 The District Council will monitor the release of sites for housing purposes to enable the maintenance of a 5 year supply of housing land and to ensure that there is a relatively even supply of land for any given period of time.**

9.8 The District Council was required to provide about 6,200 dwellings for the 15 year period 1986 - 2001. This equated to an annual average rate of 413 units. Between 1st April 1986 and 31st March 2001 (the Plan period), 6,366 dwellings were built at an annual average of 424 units.

Special Needs Housing

- S6 In considering proposals for the provision of new dwellings or the conversion or redevelopment of existing stock, the District Council will take account of the changing housing needs of the population, particularly the trend towards smaller households and for the special needs of particular groups.**

9.9 Consideration will be given to the needs of particular groups within the District such as the very elderly, children, single parents, people with a mental handicap or physical disability. In acknowledging the particular housing requirements of such special groups, the District Council will encourage housebuilders, landowners and voluntary organisations to assist in meeting some of the identified housing requirements of those special needs groups. Some areas are particularly appropriate close to shops and public transport although an over-concentration must be avoided.

New Dwellings Outside The Green Belt

- S7 Proposals involving development of new dwellings outside the Green Belt will be considered favourably providing that they meet the following criteria:**
- a) the proposal does not lead to development at a density inappropriate for the site;
 - b) *(intentionally blank)*
 - c) the form and layout of the development is appropriate to the area;
 - d) the proposal minimises the loss of mature hedges, trees and landscaping;
 - e) the proposal does not adversely affect the existing amenities of adjoining occupiers;
 - f) the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
 - g) the development can be appropriately serviced;
 - h) the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
 - i) it conforms with other relevant policies of the Plan.

9.10 Areas are identified on the Proposals Map where Green Belt policies do not apply. Within these areas it is reasonable to expect that proposals for residential development will be submitted even though they are not specifically identified in the Local Plan. Whilst the majority of new housing will be provided on identified sites, the development of other sites, where such proposals are sound, will assist in housing supply as 'windfall' dwellings. Examples of possible schemes could, for instance, be the infilling of a undeveloped plot in an otherwise built-up frontage or cover proposals for a compact, cohesive group of dwellings suitable for the location in question and capable of meeting the specified criteria. Other relevant policies include S8 and S19.

Plot Sub-Division

- S8 The District Council will not permit proposals for plot sub-division or housing on backland sites where such development would be detrimental to the character, traditional pattern or amenity of the location.**

9.11 Homes with large back gardens are a common feature in Bromsgrove's suburban and village areas. In certain instances and localities it may be acceptable to develop back gardens for new housing which is in keeping with the character and quality of the local environment. Such development will require careful planning. The District Council will pay careful attention to the established density of development in any particular area and will not favour proposals which introduce densities which are inconsistent with the character of the surrounding development; where dwelling to garden plot ratios are out of keeping with the area; where developments are proposed which would lead to the unacceptable loss of trees and hedges; or where such changes would lead to or threaten a substantial change to the character or amenity of an area.

9.12 In some locations the open character of development makes a positive contribution to the overall environment and backland development will not normally be permitted.

New Dwellings In the Green Belt

- S9 Proposals for new residential development in the Green Belt will only be considered where they accord with relevant Structure Plan policies and comply with Local Plan policy DS2 or otherwise fall within the following categories:**
- a) where a dwelling is required for forestry or agricultural purposes (see policies C21, C22 and C23);
 - b) where a dwelling results from the re-use of a rural building (see Policy C27);
 - c) it is limited affordable housing for local communities in accordance with Policy S16;
 - d) it is limited infill within the present boundary of the settlements where a 'village envelope' has been defined (see Appendix 3).
 - e) where it concerns a replacement dwelling in accordance with Policy S12;
 - f) where it concerns the sub-division of an existing dwelling in accordance with Policy S13.

9.13 In general planning policy has prevented housing development in open areas of the countryside and restricted it elsewhere in the Green Belt. Nevertheless, there has been an insidious intrusion of dwellings in some traditional semi-rural parts of the Green Belt which threatens to undermine the character of these areas. The District Council seeks, by this policy, to confirm its intention to safeguard all Green Belt areas from continuing pressure for piecemeal residential development and to confine acceptable uses to a minimum allowing only for certain specialised uses, limited infill, replacement dwellings and the sub-division of existing dwellings in acceptable locations.

9.14 Bromsgrove is both a Green Belt and Urban Fringe Authority. As such the low-cost (affordable) housing policy applicable in Green Belt areas can apply. The Council has already introduced a number of schemes in urban centres across the District which have provided this type of housing. This may well help to off-set some of the need which might otherwise exist in rural areas. It is not anticipated therefore that many low-cost schemes in the Green Belt are likely to be forthcoming but the Council will consider any scheme on its merits. Proposals will, in particular, need to indicate how they comply with sub-section c) of policy S9.

9.15 The term 'settlement' as defined in the above policy does not include dispersed villages and groups of housing in open countryside where infilling could adversely affect the open character of that environment. In those settlements where 'infill' development may be acceptable, the 'infilling' of a gap by one or two dwellings will normally follow the existing building line and development in depth will not be acceptable.

9.16 It should be noted that even where a potential gap or site does exist it does not imply that a planning permission will be given. It may be desirable, because of the contribution of the site to the landscape, a conservation area, the built environment or its amenity value, to maintain such a gap as an essential feature of the street scene.

Extensions To Dwellings Outside The Green Belt

- S10** In general an application for an extension to a dwelling in a location not in the Green Belt will be considered favourably if it is in accordance with the following principles:
- a) extensions to dwellings should normally be of matching design in materials and detailing and should be built in a style similar to that of the original building which should always remain as the dominant feature of the resulting compound building;
 - b) where applications are received which would result in an 'extension' becoming over-dominant and lead to significant changes in the basic character, floor plan and/or cubic content of the original building, other considerations will apply and the proposal will be treated as if it were a completely new dwelling rather than an extension;
 - c) where it is proposed to add an extension to a building which has a pitched roof, and the extension will be of a similar height to the original building, then the extension should, in most circumstances, have a similar roof pitch. Flat roof extensions will not normally be permitted;
 - d) the proposed extension should not adversely affect the existing amenities of adjoining occupiers.

9.17 Extensions outside the Green Belt will normally be favourably considered. Those which are over and above permitted development rights will be judged against the guidelines produced by the District Council (see Policy Guidance Note 1 - Residential Design Guide). In general extensions should be in scale with, and well related to, the original building and should not have a detrimental affect on the street scene or locality.

Extensions To Dwellings In The Green Belt

- S11** Within the Green Belt, limited extension of an existing dwelling will be permitted, subject to:-
- a) the extension not resulting in a disproportionate addition over and above the size of the original dwelling;
 - b) the works respecting the scale and character of the existing dwelling;
 - c) no material harm to the amenity of nearby occupiers.

9.18 Where extensions are proposed to existing dwellings in Green Belt locations the District Council will seek to ensure that any works are appropriate to the form of the original building and would not be likely to lead to the creation of separate dwelling units. Further guidance on this policy is provided in the Council's supplementary planning guidance 'Extensions to dwellings in the Green Belt'.

Replacement Of Dwellings In The Green Belt

- S12** Within the Green Belt a replacement dwelling will be considered on the site of an existing building providing the proposal is for a replacement of a similar scale and character to the original building. A replacement may not be acceptable where:
- a) it significantly enlarges the original dwelling by increasing the volume and/or floor area;
 - b) it has a demonstrable and adverse impact on the character and purpose of the Green Belt;
 - c) it has unacceptable traffic implications or where it perpetuates a traffic hazard;
 - d) the original structure was not constructed as a permanent static dwelling.

9.19 Green Belt policies nationally as reflected in PPG2 (Green Belts) are designed to protect vulnerable areas of the countryside from pressures for development. Proposals for new buildings other than for a restricted range of uses (see policy DS2) will not be allowed. Whilst proposals for extensions, alterations or the replacement of dwellings may be acceptable in the Green Belt the District Council will consider such proposals carefully against the criteria mentioned above. Where a replacement is intended applicants will always be advised to ensure that a planning consent for rebuilding can be obtained before demolishing a property.

9.20 Major factors to consider will be whether any such proposal would constitute demonstrable harm to character and interests of the Green Belt and whether the scale and character of the existing dwelling is generally reflected in the proposed changes. Account will also be taken of the applicants 'permitted development rights' and ability to extend existing properties under other policies, e.g. S11.

9.21 Outline consents to rebuild will not normally be considered. Applicants will be required to submit details together with any other relevant information in order to demonstrate that a proposal is acceptable.

Sub-Division Of Dwellings In The Green Belt

- S13** Proposals in the Green Belt for the sub-division of an existing dwelling into two or more dwellings will be considered against the following criteria:
- a) any sub-division of use must not have a materially greater impact than the existing dwelling on the openness of the Green Belt and the purposes of including land in it;
 - b) extensions to any sub-divided dwelling and associated land surrounding the dwelling will be strictly controlled where this would conflict with the openness of the Green Belt and the purposes of including land in it;
 - c) additional free-standing buildings will not be permitted;
 - d) the work respects the scale and character of the existing dwellings;
 - e) the proposals do not have unacceptable traffic implications and/or create or perpetuate a traffic hazard;
 - f) no material harm is caused to the amenity of nearby occupiers.

The Council will consider withdrawing permitted development rights in the interest of safeguarding the openness of the Green Belt.

9.22 Where the sub-division of existing dwelling units is proposed in the Green Belt, the Council will seek to ensure that any works are appropriate to the form of the original building.

Changes Of Use Of Dwellings In The Green Belt

- S13A Applications for a change of use in the Green Belt from an existing dwelling unit to an alternative use will only be permitted subject to the following criteria:**
- a) any change of use must not have a materially greater impact than the existing dwelling on the openness of the Green Belt and the purposes of including land in it;
 - b) extensions to any re-used dwelling and associated land surrounding the dwelling will be strictly controlled, where this would conflict with the openness of the Green Belt and the purposes of including land in it;
 - c) the dwelling is of permanent and substantial construction and is capable of conversion without major works or complete reconstruction; the Council may request a structural survey to demonstrate this;
 - d) the form, bulk and general design of the conversion scheme is in keeping with its surroundings and respects local building styles and materials;
 - e) traffic generated by the development can be accommodated and parking facilities should exist or could be provided, without detriment to highway safety or the visual amenities of the Green Belt;
 - f) the provision of necessary services does not adversely affect the environmental character or visual amenities of the Green Belt;
 - g) the change of use does not lead to a number of dispersed land uses that would be detrimental to the function and vitality of nearby settlements;
 - h) no material harm is caused to the amenity of nearby residents.

9.23 There are a number of large country houses which remain in the District though their continued occupation as single household accommodation is declining. In the majority of cases most properties of this type lie within the Green Belt where there is a presumption against change. The District Council will consider sympathetically appropriate proposals leading to the retention of these buildings

9.24 PPG2 notes that with suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts. The District Council will therefore consider the re-use of dwellings where this is practical and appropriate.

Range Of Housing Types And Tenures

- S14 The District Council, in partnership with other agencies, will endeavour to increase the range of housing types available in the District. Proposals leading to the provision of affordable housing will be welcomed where these provide housing for rent, sale or for shared ownership. The majority of units will be provided in existing urban areas whilst the provision of affordable housing to meet local needs may also be forthcoming in appropriate rural settlements.**

Affordable Housing In Urban Areas

- S15** On major housing sites allocated for development in policy S2, or on any major site which comes forward, the District Council will negotiate with developers to achieve a mix of housing types and to ensure that a proportion of affordable housing is provided. This includes subsidised housing for rent or shared equity ownership or low cost market housing, available to people who generally cannot compete on the open market in the District.

Where affordable housing is to be provided:

- a) those eligible for rented, shared equity or low-cost housing will have to justify their need, whether they are existing residents in need of separate accommodation, providers of important services, those with long standing links or those with employment opportunities who cannot remain in the District because of a lack of affordable housing;
- b) satisfactory arrangements should be made to ensure, that:
 - i) occupancy of affordable housing will be restricted to those in housing need;
 - ii) affordable dwellings will always be available for occupation at a tenure appropriate to and at a price which is and which will remain affordable by persons on low incomes;
 - iii) affordable housing will be available to all initial and subsequent occupiers on the same terms as mentioned in (ii) subject to statutory provisions;
 - iv) occupancy criteria will be controlled by planning conditions or a planning obligation where a registered social landlord is not involved;
- c) the site should conform with all environmental and control policies in both the Local Plan and the County Structure Plan;
- d) there may on occasions, be a possibility that the Council will seek a contribution, financial or otherwise, towards the provision of affordable housing on a different site within its area.

9.25 Major sites referred to in the policy relate to sites that have a threshold size of 25 or more dwellings [1 ha. or more]. In settlements of 3000 or fewer inhabitants, the threshold is 15 dwellings or more [0.5ha or more]. The Council will seek affordable housing provision in accordance with these thresholds.

9.26 The Council intends to produce supplementary planning guidance (SPG) concerning affordable housing. This SPG will look at affordable housing needs together with appropriate thresholds from development sites and in accordance with Circular 6/98, should these thresholds be lower than at present, full justification will be provided.

9.27 The District Council will require a "cascade" approach to be adopted for occupancy of affordable dwellings. In the first instance residents in housing need in the same or adjacent parishes/wards will be eligible for consideration. If the affordable housing remains unallocated after a certain time, the occupancy criteria will widen in geographical area to include neighbouring parishes/wards in order to ensure that a suitable occupant is found.

9.28 Where a registered social landlord is involved, sufficient controls over future occupancy are secured. Where other private companies build affordable houses the District Council will require a planning obligation or it may impose conditions to control occupancy to ensure an adequate supply of suitable occupants. Where affordable units are to be transferred by the developer to a registered social landlord, the

District Council may ask the developer to execute planning obligations or conditions might reasonably be imposed in order to deliver the objectives of the local plan policy as follows:

- a) specify that a proportion of general market housing cannot be occupied until the affordable element is built and transferred to a registered housing association or allocated in accordance with occupancy criteria as set out in the local plan;
- b) ensure the affordable housing should only be used for the purposes of providing association accommodation to meet the objectives of a registered social landlord;
- c) ensure that if funding is not forthcoming by a certain date, then a specified alternative arrangement can be used, such as low cost market housing which would still provide some affordable housing on site.

9.29 Where no social landlord is involved, but the developer/land owner is to provide affordable units, it may be appropriate for the District Council to ask the applicant to execute planning obligations or it may impose conditions to:

- a) specify that a proportion of general market housing cannot be occupied until the affordable element is built and allocated in accordance with occupancy criteria as set out in the local plan, by condition or other planning obligation;
- b) ensure occupancy criteria, preferably with some form of cascade approach to ensure an adequate supply of suitable occupants, with reference to the appropriate Plan policy.

9.30 Financial or other contributions to affordable housing on a different site in the District may be acceptable in some circumstances. This could be in the form of new houses on another site or an equivalent parcel of free land or the provision of existing, satisfactory dwellings acquired on the open market and brought into the ownership and management of a registered social landlord. Wherever possible direct provision on-site should be made in accordance with the policies of the Local Plan. Where off-site provision is accepted, the scale of the overall requirement for affordable housing will not be reduced but planning obligations might reasonably be imposed to:

- a) allow the developer to make the contribution towards the costs of affordable housing on a different site only on the signing of contracts to provide the affordable housing element; or
- b) include a covenant to the effect that a sum or sums paid by the developer to the District Council for the purpose of meeting or contributing towards the costs of affordable housing on a different site shall be repaid to the developer on or by a specified date if such sums have not been used for that purpose.

Affordable Housing In The Green Belt

S16 Proposals for affordable housing in rural areas to meet local needs may be granted as an exception to normal restrictions operating as a result of Green Belt constraints. Such affordable housing includes subsidised housing for rent, shared equity ownership or low cost market housing. Proposals will need to comply with the provisions of Policy S9. Schemes will be considered on their merits having regard to the following criteria:

- a) the site is within or adjoining the boundary of the settlement and the proposal is small scale and suitable for the location;
- b) any application on unallocated land must be accompanied by a local needs survey which shows conclusively that there is a genuine local need for the type, mix and scale of the proposed dwellings;
- c) the site should conform with all environmental and control policies in both the Local Plan and the County Structure Plan;

- d) **the proposal must include arrangements to ensure that the benefits of affordable housing are retained for future occupiers; and**
- e) **the proposal does not involve "cross-subsidy".**

9.31 The Council's interpretation of affordable housing is stated in the supporting paragraphs to Policy S15.

9.32 On rural exception sites it is necessary to ensure that adequate occupancy controls are in place to reserve the affordable housing for local needs in perpetuity and this may involve the use of conditions or planning obligations. A cascade approach will be required whereby residents in housing need in the same or adjacent parishes will be eligible for consideration. If the affordable housing remains unallocated after a certain time, the occupancy criteria will widen in geographical area to include neighbouring parishes in order to ensure that occupants will always be found for any accommodation, thereby safeguarding an adequate stream of revenue for those managing the development whilst ensuring that people in local housing need take priority.

9.33 Under this approach the eligibility criteria will initially be restricted to local residents within the parish who qualify as one or more of the following:

- a) those with social or employment ties but without a dwelling of their own;
- b) people with local employment opportunities but who are deterred by the difficulty of finding and affording suitable accommodation;
- c) those who provide important local services and need to live near the community;
- d) other existing residents who wish to remain in the locality but who otherwise cannot afford to do so.

9.34 On rural exception sites the District Council will ask a registered social landlord to implement planning obligations or it may impose conditions to ensure that the affordable housing remains in perpetuity and is occupied by households in need of affordable housing in the local plan area. Where no registered social landlord is involved, the District Council will ask the applicant to implement planning obligations or alternatively the Council will impose conditions to provide occupancy criteria to ensure an adequate supply of suitable occupants, whilst ensuring that people in local housing need take priority.

9.35 Rural exception sites cannot be set against housing requirements and sites for this purpose will not be formally allocated in the Local Plan. However when the Plan is rolled forward such housing can be taken account of in the calculation of housing need which remains to be met. The Council will make full use of its own sites to satisfy demand where these are in suitable locations and where the need has been adequately justified by a rigorous local housing needs survey.

9.36 The scale and location of exception site schemes will be examined carefully. Proposals which are of a high standard of design and layout and relate sympathetically to their natural and built surroundings are more likely to be acceptable. Schemes involving any element of cross-subsidy i.e. allowing for more expensive houses for sale, will not be considered.

Caravan And Mobile Home Sites

- S17 Residential caravan sites and mobile homes will only be considered in locations where permanent residential uses would be appropriate. Sites in the Green Belt will not be acceptable, except in cases which fall within Policies C25 and C26.**

9.37 Whilst the accommodation provided in units on these sites may be argued as representing 'low-cost dwellings' the District Council sees its responsibility to protecting the fundamental integrity of the Green Belt as one of overriding importance. Uses of this nature rarely prove to be temporary and must be seen as representing an unacceptable intrusion into the countryside.

Gypsies

- S18** The District Council will have regard to the needs of gypsies' residing in or resorting to the area and in consultation with the County Council will review site provision as necessary. Where an application for private gypsy site provision is forthcoming the applicant will need to demonstrate to the satisfaction of the District Council:
- a) that evidence of need exists for the provision of a site/extension to an existing site and whether this is a seasonal or permanent use;
 - b) that the location of the site is appropriate to the needs of potential users particularly where it is of a transitory nature;
 - c) that the location can be adequately serviced;
 - d) that the site is acceptable with regard to other relevant planning policies e.g. Green Belt;
 - e) that the site would be so located and designed so as to minimise potential disturbance to residents/other land uses in the vicinity of the site.

9.38 The District Council has an existing gypsy site at Houndsfield Lane, Wythall. The District Council will monitor the suitability of the current level of provision made and the need for additional plots. Where need can be demonstrated additional plots would be provided at this location prior to the establishment of a further site. Adequate justification will need to be established prior to the granting of a permission for further sites.

Incompatible Land Uses

- S19** In areas where residential uses predominate the District Council will not allow employment or other land uses which would adversely affect residential amenity whether through noise, smell, safety, traffic or health reasons. The availability of residential land will also be a factor taken into account (see also policy E6).

9.39 Problems frequently arise where incompatible land uses exist on adjacent sites. The District Council will seek to reduce this problem by encouraging the relocation of uses to more appropriate premises where this is possible. Future proposals for uses incompatible with the predominant land use will be resisted. Land use zones are defined on the Proposals Map.