

Green Belt and Open Countryside Supplementary Planning Document (SPD)



**South
Staffordshire
Local Plan**

April 2014

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1. Introduction

What is the purpose of the SPD?

- 1.1 This Supplementary Planning Document (SPD) seeks to provide greater detail on the issues and implications of proposals for various development types on sites within the Green Belt and Open Countryside in South Staffordshire.
- 1.2 Once adopted, the SPD will form part of the South Staffordshire Local Plan where the SPD is referenced in the policies.
- 1.3 This document is in addition to the policies contained in the Local Plan and is not the starting point for decision making. This document provides guidance as to how the policies will be interpreted and is not formal planning policy in its own right.
- 1.4 The SPD is divided into sections and is directly linked to policies GB1 and OC1 of the adopted Core Strategy, where the SPD is specifically mentioned.
- 1.5 All proposals for development in the Green Belt shall be compliant with the guidance contained in the Village Design Guide SPD¹. In many circumstances, good design principles can contribute to the acceptability of potential impact.
- 1.6 Please note that this SPD and the guidance contained within it applies to developments where planning permission is required and does not affect your existing permitted development (PD) rights if you have them. The PD fallback position will be taken into account when assessing proposals.
- 1.7 The SPD covers three elements:
 - Replacement of existing buildings
 - Extension or alteration of existing buildings
 - Limited infilling



The Green Belt

- 1.8 There are 5 main purposes of the Green Belt, which are upheld by South Staffordshire Council through planning new development in the most appropriate locations and through the careful management of all developments.
- 1.9 The purposes of the Green Belt are as follows:
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns 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.

¹ The VDG is being updated and will be renamed South Staffordshire Design Guide.

- 1.10 In the Council's role in protecting the Green Belt, policies are contained in the Core Strategy which are used in the determination of planning applications and will be used when allocating sites for future developments. Around 80% of the district is made up of Green Belt land, which surrounds the majority of settlements in the district and is present in all 5 localities. Due to the restrictive nature of Green Belt policy at a national and a local level, the Council will seek to protect the Green Belt from inappropriate development and to maintain the character and openness of the Green Belt.
- 1.11 This document seeks to clarify policy set out in policy GB1 and how this will be used in decision making in Development Management.
- 1.12 It is important to note that Core Policy 1: The Spatial Strategy of the Core Strategy applies to the Green Belt, which encourages development to be in sustainable locations. See the Core Strategy for further details.
- 1.13 Where the Core Strategy is silent on Green Belt issues, the Council will defer to the NPPF which is a material planning consideration. A recent appeal decision² has confirmed that the supporting text to GB1 makes it clear that in order to be acceptable, any proposals must comply with the provisions of the NPPF.

The Open Countryside beyond the West Midlands Green Belt

- 1.14 The Open Countryside is located in the north west of the district and makes up a proportion of localities 1 and 2. 80% of the District is Green Belt, with the remaining 20% being Open Countryside and land within village envelopes. The main settlements surrounded by Open Countryside are:



- Penkridge (north)
- Dunston
- Coppenhall
- Acton Trussell
- Wheaton Aston
- Weston Under Lizard
- Great Chatwell
- Brineton
- Blymhill

- 1.15 It is important to note that National Policy 1: The Presumption in Favour of Sustainable Development of the Core Strategy applies to the Open Countryside,

² APP/C3430/A/13/2196656

namely that the 'presumption in favour of sustainable development' is applicable. However, the Open Countryside of South Staffordshire has a traditional agricultural landscape, with this being the main land use. Due to the important character of this landscape, the Council will retain this character by ensuring that development remains sympathetic to its setting and therefore development is restricted. This is reflected in policy OC1 of the adopted Core Strategy.

Using this SPD

- 1.16 The following principles are relevant in the application of guidance provided in this SPD
- 1.17 All applications for development in the Green Belt will be assessed using all relevant policies in the Development Plan, and Green Belt policy will not be used in isolation. Preference will be given to those sites in sustainable village locations. It is recommended that applicants request pre-application advice prior to submitting an application to ascertain whether or not an application is likely to be acceptable.
- 1.18 The principle of applying a range of percentage increases for extensions, alterations or replacements dwellings is to allow for flexibility in the application of the policy. For some proposals, a 20% (10%) increase may be considered disproportionate; whereas a 40% (20%) increase on a different building, in a different location may be acceptable. All proposals will therefore be considered on the individual merits of the case.
- 1.19 The onus is on the applicant to provide evidence of very special circumstances and each proposal is taken on its merits.
- 1.20 Where reference is made to floor area, this will be calculated on the basis of external floor area.
- 1.21 The Council expects good design to be an integral part of any proposal and this is supported by the Village Design Guide.

2. The Green Belt Policy

Core Strategy Policy GB1: Development in the Green Belt

Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation , nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or
- c) affordable housing where there is a proven local need in accordance with Policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt land or the fulfilment of its purposes.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.*

3. Replacement of existing buildings

Use

- 3.1 The replacement of an existing building is an acceptable form of development within the Green Belt as stated in policy GB1; this is also considered to be acceptable in terms of the NPPF (providing it is in the same use). Should an application be submitted for a replacement building in a different use, this would constitute inappropriate development – see para 1.13. In such cases the applicant will be required to demonstrate ‘very special circumstances’ in order to outweigh the harm to the Green Belt.

Size

- 3.2 The Council’s adopted policy (GB1) on replacement buildings states that the replacement must not be materially larger than the building it replaces. In order to judge this a range of floor area increases will be used as guidance, this range is between 10-20%. This will be the basis for making a judgment on planning applications put before the Council, however all applications will be judged on their merits on a case by case basis. We will require complete floor plans and elevations (of both existing and proposed), because we will, as part of the application process, calculate floor areas and in some cases volume. If the proposal is for a building that is considered to be materially larger it will be contrary to policy GB1 and is likely to be unsuccessful. However, intelligent architectural design can sometimes increase usable floor area, whilst reducing bulk and impact of the building on the openness of the Green Belt. For example this can include subterranean levels and reduced building height.

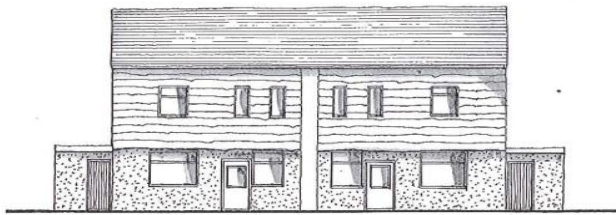
Positioning

- 3.3 In some instances replacement buildings are desired elsewhere on a site. Sometimes the replacement of buildings can have a greater or lesser impact dependent on their location on a site. In these cases the Council will assess the existing site and the impact the existing building has on the site. If the new position would be incongruous, and/or more open to view, or reduce the openness of the Green Belt, the proposal is less likely to be acceptable. However, if it is considered to improve the openness, it is likely to weigh in favour of the application.

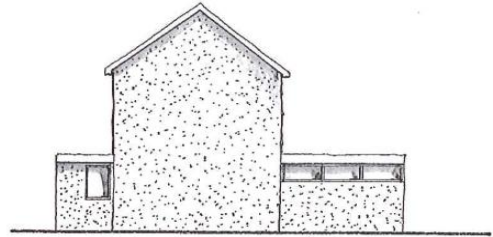
Other buildings on site

- 3.4 Generally off-setting garden or ancillary buildings would not be an acceptable approach to adding bulk, massing, floor area or volume to a new building. Ancillary buildings are usually low and sometimes constructed from more natural materials such as timber which blend into the landscape. Some ancillary buildings have been softened over time with landscaping and have a minimal impact on openness. Therefore these types of buildings are unlikely to be acceptable to adding significantly to a replacement building. The opportunity to off-set ancillary buildings in lieu of a larger replacement building will be dealt with on a case by case basis. If off-setting is considered to be an acceptable approach by the Council, removal of Permitted Development rights may be considered.

Acceptable Replacement Dwelling – Not Materially Larger



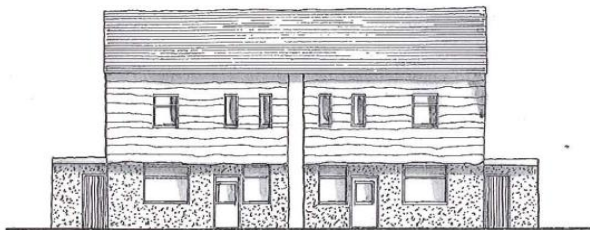
Existing



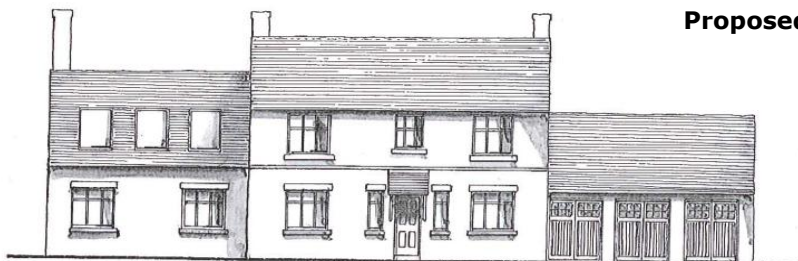
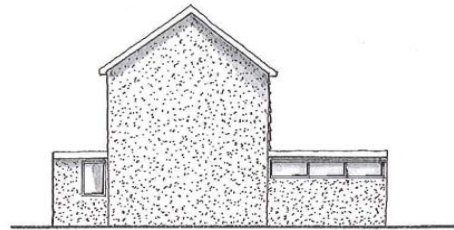
Proposed



Unacceptable Replacement Dwelling – Materially Larger



Existing

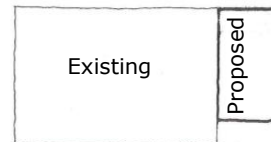
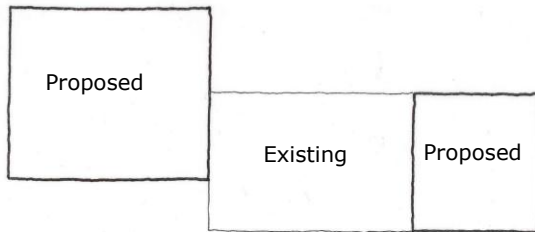


Proposed



4. Alterations or extensions to existing buildings

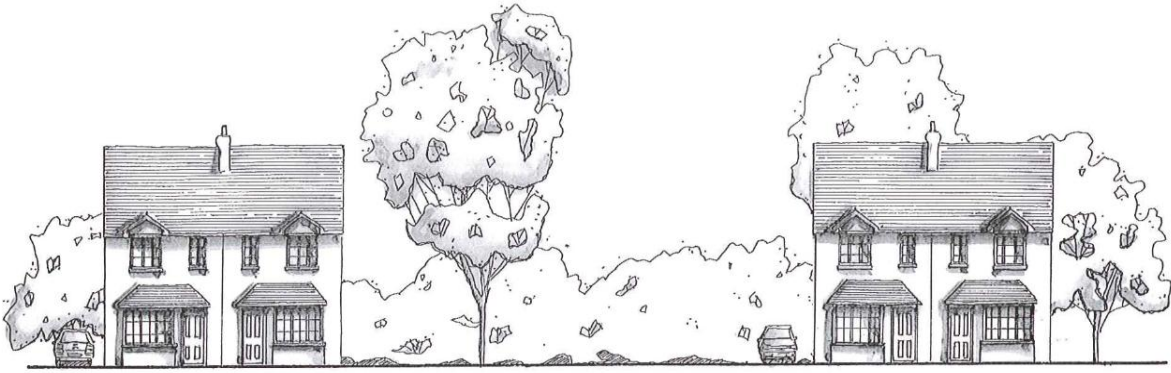
- 4.1 Extensions and alterations to buildings are not considered in National or Local planning policy to constitute inappropriate development, providing that any extension or alteration is not disproportionate and therefore by definition harmful to the openness of the Green Belt. This element of policy guidance was historically specific to dwellings. However following the publication of the NPPF and the requirement for Local Plan policies to conform to national guidance, the reference to buildings was introduced into policy GB1. This approach will therefore be reflected in the guidance to be in accordance with Local and National planning policy.
- 4.2 In relation to dwellings, the Council has historically applied a 30% limit on extensions to dwellings in the Green Belt; this related to an increase in 30% of footprint over the original footprint. [NB. Original footprint is that which existed on 01 July 1948 or as originally built if building constructed after that date.
- 4.3 For this SPD a percentage range is considered to be the most appropriate approach; this range is between 20-40%. A range is proposed to recognise that a 'one size fits all' approach is not always suitable.
- 4.4 Anything above the 20-40% range will be likely to be disproportionate simply because it would not be in proportion with the host building and therefore would be likely to have an impact on openness. This range will be applied to floor area, rather than footprint which had been used historically (for dwellings). The reason for this is that often single storey additions can have a limited impact on the openness of the Green Belt, and conversely multiple storey or bulky additions can have a significant detrimental impact on openness, whilst remaining within a percentage limit.
- 4.5 All cases will be dealt with on an individual basis and the Council will make a judgement, as part of the decision making process, as to whether the extension is disproportionate or not. If the extensions or alterations are likely to appear disproportionate the application will be unacceptable in Green Belt terms.
- 4.6 If, however, an applicant or agent considers that additions deemed disproportionate by the Council are absolutely necessary for the function of the building, or have a limited effect on the openness of the Green Belt, or will bring community or economic benefit, then a case to demonstrate 'Very Special Circumstances' will be required in the form of a supporting statement. This element will then be weighed up, including the quality of the design, in the planning balance and will form part of the decision making process.
- 4.7 If the 'Very Special Circumstances' are considered to outweigh the harm to the openness of the Green Belt and the application is acceptable, it will be determined by the Regulatory Committee which is not bound to follow the officer recommendation.



Disproportionate/Proportionate Extensions

5. Limited Infilling

- 5.1 Limited infilling does not constitute inappropriate development in Green Belt terms and was not previously defined in the 1996 Local Plan. However in the Core Strategy it is defined in policy GB1 as the filling of small gaps (1 or 2 buildings) within a built up frontage of development, which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.
- 5.2 Limited infilling will be considered to be acceptable where it would not harm the character or the openness of the Green Belt. For example, a strong ribbon of development with a gap suitable for an additional building would not necessarily be harmful to the openness of the Green Belt, as it would strengthen the ribbon. This is providing the building is no higher than, and is sympathetic to the surrounding buildings. The design of the building would need to be suitable and the development would need to be acceptable in terms of other appropriate policies within the Core Strategy.
- 5.3 An example of limited infilling that is also likely to be acceptable is within a tight cluster of buildings, where the additional building is unlikely to impact on the openness of the area, due to its position within the cluster.
- 5.4 In both examples, a building at the end of a ribbon, or the edge of a cluster does not fall within the definition of limited infilling, and would therefore constitute inappropriate development and would therefore be unacceptable.
- 5.5 Where 'infilling' is considered to constitute 'appropriate development' in the Green Belt, as defined in Policy GB1 and the NPPF, it is important to remember that all relevant policies in the Development Plan for South Staffordshire need to be considered when making decisions on planning proposals. However, developments should be in sustainable locations in accordance with policy CP1 of the Local Plan.



Limited Infilling

6. The Open Countryside beyond the West Midlands Green Belt Policy

Core Strategy Policy OC1 – Development in the Open Countryside Beyond the West Midlands Green Belt

The Open Countryside beyond the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map will be protected for its own sake, particularly for its landscapes, areas of ecological, historic, archaeological, agricultural and recreational value.

Development within the Open Countryside will normally be permitted where the proposed development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the appearance or character of the Open Countryside beyond the Green Belt; or
- c) affordable housing where there is a proven local need in accordance with policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extensions(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the appearance or character and local distinctiveness of the Open Countryside beyond the Green Belt.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the appearance and character of the Open Countryside beyond the Green Belt.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, and not lead to a major increase in the developed proportion of the site.*

7. Replacement of existing buildings

Use

- 7.1 The replacement of an existing building is an acceptable form of development within the Open Countryside, providing that 'it is not materially larger than the building it replaces', as stated in policy OC1. Should an application be for a replacement building in a different use, the judgment on suitability will be based on the social, environmental and economic implications of that use, having regard to Policy NP1 ('presumption in favour of sustainable development'), and additional paraphernalia resulting from that use. Whether or not the new use is likely to have a greater impact on the character of the landscape than the existing use is likely to be an important factor in the decision.

Size

- 7.2 The Council's adopted policy (OC1) on replacement buildings states that the replacement must not be materially larger than the building it replaces. In order to judge this a range of floor area increases will be used as guidance; this range is between 10-20%. This will be the basis for making a judgement on planning applications put before the Council. We will require complete floor plans and elevations (of both existing and proposed), because we will, as part of the application process, calculate floor areas and in some cases volume. If the proposal is for a building that is harmful to the character of the landscape it will be contrary to policy OC1 and is likely to be unsuccessful. However, intelligent architectural design can sometimes increase usable floor area whilst reducing bulk and impact of the building on the character of the landscape. For example, this can include subterranean levels and reduced building height.


Positioning

- 7.3 In some instances replacement buildings are desired elsewhere on a site. Sometimes the replacement of buildings can have a greater or lesser impact based on their location on a site. In these cases the Officer will assess the existing site and the impact the existing building has on the site. If the new position would be incongruous and/or more open to view, or have an impact on the character of the landscape, the proposal is less likely to be acceptable. However, if it is considered to improve the openness, it is likely to weigh in favour of the application.

Other buildings on site

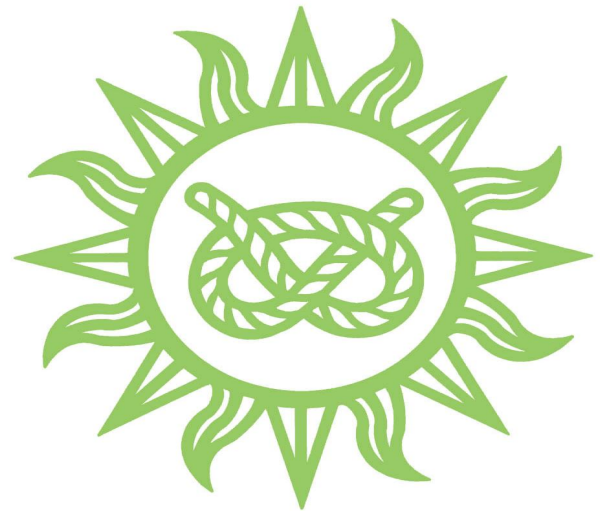
- 7.4 Generally, off-setting garden or ancillary buildings would not be an acceptable approach to adding bulk, massing, floor area or volume to a new building. Ancillary buildings are usually low and sometimes made from more natural materials such as timber which blend into the landscape. Some ancillary buildings have been softened over time with landscaping and have a minimal impact on the character of the area. Therefore these types of buildings are unlikely to be acceptable to adding significantly to a replacement building. The opportunity to off-set ancillary buildings in lieu of a larger replacement building will be dealt with on a case by case basis. If off-setting is considered to be an acceptable approach by the Officer, removal of Permitted Development rights may be considered.

8. Alterations or extensions to existing buildings

- 8.1 Extensions and alterations to buildings are not considered in local planning policy to be unacceptable within the Open Countryside. This is providing that any extension or alteration is not disproportionate to the original building.
- 8.2 The size of extension must be proportionate to the building and not adversely harm the intrinsic character of the Open Countryside.
- 8.3 For this SPD a percentage range is considered to be the most appropriate approach; this range is between 20-40%. A range is proposed to recognise that a 'one size fits all' approach is not always suitable.
- 8.4 Anything above the 20-40% range will be likely to be disproportionate, simply because it would not be in proportion with the host building and therefore would be likely to have an impact on the character of the landscape of the Open Countryside. This will be applied to floor area, rather than footprint which had been used historically (for dwellings). The reason for this is that often single storey additions can have a limited impact on the character of the area and conversely multiple storey or bulky additions can have a significant detrimental impact on character whilst remaining within a percentage limit.
- 
- 8.5 All cases will be dealt with on an individual basis and the Council will make a judgement as part of the decision making process as to whether the extension is disproportionate or not. If the extensions or alterations are likely to appear disproportionate, the application will be unacceptable in the Open Countryside as per policy OC1.
- 8.6 If however an applicant or agent considers that additions deemed disproportionate by the Council are absolutely necessary for the function of the building, or will bring community or economic benefit, then a case to justify the development will be required in the form of a supporting statement. This element will then be weighed up, including the quality of the design, in the planning balance and will form part of the decision making process.
- 8.7 If the justification put forward is considered to outweigh the harm to the character of the Open Countryside and the application is acceptable, it will be determined by the Regulatory Committee which is not bound to follow the officer recommendation.

9. Limited Infilling

- 9.1 Limited infilling is acceptable within the Open Countryside and was previously defined in the 1996 Local Plan. Limited infilling has been defined in policy OC1 of the Core Strategy as the filling of small gaps (1 or 2 buildings) within a built up frontage of development, which would not exceed the height of the existing buildings and not lead to a major increase in the developed proportion of the site.
- 9.2 Limited infilling will be considered to be acceptable where it would not harm the character of the Open Countryside. For example, a strong ribbon of development with a gap suitable for an additional building would not necessarily be harmful to the character of the Open Countryside or the landscape as it would strengthen the ribbon and the character of that area. This is providing the building is no higher than, and is sympathetic to the surrounding buildings. The design of the building would need to be suitable and the development would need to be acceptable in terms of other appropriate policies within the Core Strategy.
- 9.3 An example of limited infilling that is also likely to be acceptable is within a tight cluster of buildings, where the additional building is unlikely to impact on the openness of the area due to the position within the cluster.
- 9.4 In both examples, a building at the end of a ribbon, or the edge of a cluster does not fall within the definition of limited infilling, and would therefore be unacceptable.



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