



**REVISED
GREEN BELT AND OPEN COUNTRYSIDE
(DWELLINGS) POLICY GUIDANCE**

Supplementary Planning Document

**Rural building conversions
replacement dwellings
extensions to dwellings
extensions to dwellings formed
from conversions of rural buildings
and changes of use of land to gardens
in the Green Belt and Open Countryside**

August 2010

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Chapter 1 . Introduction

1. **Introduction**

1.1 South Staffordshire is a rural District on the north western edge of the West Midlands Conurbation. Much of the District lies within the West Midlands Green Belt – 32,310 hectares (80%) and the remainder to the north of the Green Belt boundary is defined as 'Open Countryside'. South Staffordshire is made up of 27 parishes with a dispersed and diverse settlement pattern of villages ranging from small hamlets to large villages with over 13,000 residents, each with their own distinctive character set in attractive countryside. There is no single dominant settlement and South Staffordshire can be described as a 'community of communities'.

1.2 The attractive rural nature of the District brings pressures for extensions, improvements and replacement of existing dwellings. In order to preserve the distinctive character of the District, very careful consideration needs to be given to the impact of extensions, new dwellings and new garden areas on the rural character.

Purpose of the Document

1.3 In order to guide development towards proposals which maintain the rural character, the Council considers that additional detailed guidance on national, regional and local Green Belt and Open Countryside Policy is required. The purpose of this document is therefore to give more specific advice and guidance to the public, developers, Council Officers, and Council Members on the local interpretation of national, regional and local Green Belt and Open Countryside policy. It sets out the size limitations and criteria within which proposals will be considered favourably in order to maintain the openness of the Green Belt and Open Countryside.

1.4 This document does not introduce new policy; it supplements and gives the local level of detail to a suite of national, regional, and local policies. Further explanation of the policy background can be found in Section 2.

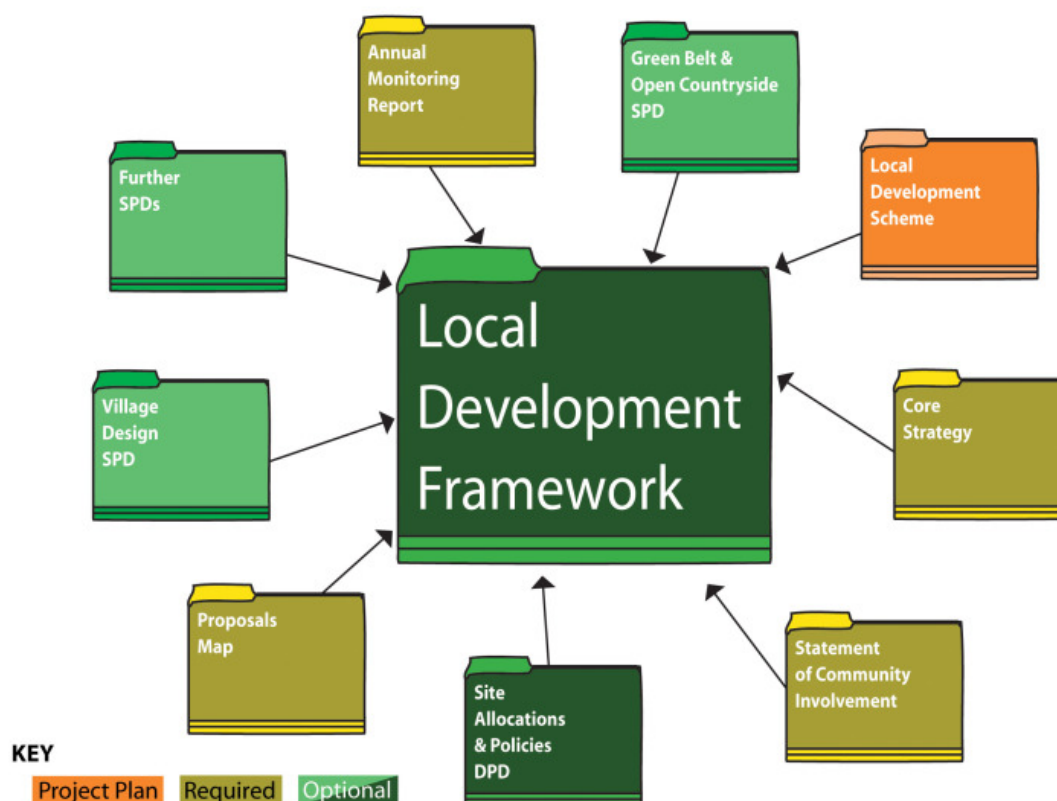
Status of the Document

1.5 This document will be adopted by the Council as a Supplementary Planning Document (SPD) as part of the South Staffordshire Local Development Framework (LDF).

1.6 The Council is preparing a Local Development Framework (LDF) to help shape a sustainable future for South Staffordshire. It will replace the existing Local Plan adopted in 1996 and will set out the spatial planning strategy for the District up to 2026. The LDF will consist of a number of statutory and non-statutory documents that together will set out the planning policies and proposals to guide the development of the District, and these can be seen in the diagram over.

Chapter 1 . Introduction

The statutory documents are known as Development Plan Documents (DPDs) and these will form part of the Development Plan for South Staffordshire. The non-statutory documents include Supplementary Planning Documents (SPDs), which give detailed guidance on policies and proposals in the Development Plan.



1.7 Until such time as policies in the Local Development Framework are adopted, the saved policies in the Local Plan remain part of the Development Plan for South Staffordshire. This SPD is a supplement to the local planning policies on Green Belt and Open Countryside, and further details of the policy background can be found in Section 2.

1.8 This SPD should be read in conjunction with other Supplementary Planning Guidance and Documents, including The Conversion of Redundant Farm Buildings and the Village Design Guide. This document does not affect normal permitted development rights where these apply.

1.9 The responses to earlier consultation on the previous SPD along with background evidence have been taken into consideration in the revised consultation draft SPD. The revised document will replace the Green Belt and Open Countryside SPD adopted by the Council in September 2009.

Chapter 2 . Planning Policies

2. Planning Policies

National Policy

Green Belts

2.1 In January 1995, the Government published **Planning Policy Guidance Note 2 "Green Belts" (PPG2)** (amended 2001) which sets out the Government's intention with regard to development in the Green Belt. The fundamental aim of the policy is to prevent urban sprawl by keeping the land permanently open. It says that the most important attribute of Green Belts is their openness (paragraph 1.4).

2.2 Consequently, in the Green Belt there is a general presumption against inappropriate development which should not be approved except in very special circumstances (paragraph 3.1). Inappropriate development (i.e. development not in accordance with paragraphs 3.4-3.6 of PPG2) is by definition harmful to the Green Belt.

2.3 In the Green Belt the construction of new buildings is inappropriate unless it is for certain specified purposes (paragraph 3.4), this includes:
"- limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below)".

2.4 With regard to extensions and replacement dwellings, PPG2 states at paragraph 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 the Green Belt. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces."

2.5 For conversions of rural buildings, paragraph 3.8 states:
"The re-use of buildings inside a Green Belt is not inappropriate development providing: ...
(b) strict control is exercised over the extension of re-used buildings"

2.6 In respect of changes of use of land, paragraph 3.12 notes:
"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 of use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt."

Chapter 2 . Planning Policies

Rural Areas

2.7 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) published in 2004 (and amended in 2009), and **Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4)** provide guidance for development within rural areas, and are complementary to, but do not supersede, PPG2. PPS7 aims to raise the quality of life and the environment in rural areas, promote more sustainable patterns of development, improve economic performance and promote sustainable, diverse and adaptable agricultural sectors. PPS4's overarching objective is sustainable economic growth, including raising the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural communities whilst continuing to protect the open countryside for the benefit of all.

2.8 PPS7 notes that new house building (including single dwellings) in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled (paragraph 9 – still extant). The Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and the wealth of its natural resources, so it may be enjoyed by all.

Local Policy

2.9 Open Countryside is a local designation in respect of the rural areas outside the Green Belt, and therefore not subject to any national policies other than PPS7 and PPS4. However the same considerations apply in terms of a restriction on development within this area. The adopted Local Plan indicates that rebuilding and disproportionate extensions will not normally be permitted.

2.10 The South Staffordshire Local Plan was adopted by the Council in December 1996 and on the commencement of the Planning and Compulsory Purchase Act 2004 became the "saved" plan for a period of 3 years. In September 2007, the Secretary of State issued a direction in respect of policies in the Local Plan, together with a Schedule of those policies to be saved beyond 27th September 2007. A list of the saved policies can be found on the Council's website and include the following policies that are relevant to the conversion of rural buildings to form dwellings, extending and replacing dwellings in the Green Belt and Open Countryside:

Policy GB1

The construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes: ...

c) limited extension, alteration and replacement of existing dwellings (subject to paragraph 3.6 of PPG2 Revised).

Chapter 2 . Planning Policies

Policy C1

Planning permission will be granted for the re-use of rural buildings where the use proposed is consistent with other policies in the Plan and the advice contained in Planning Policy Guidance Note 7 (The Countryside and the Rural Economy) provided that the building is:....

b) physically capable of conversion to its new use without significant extension or rebuilding, and the conversion is in keeping with the character of the building and its surroundings without significant alteration.

Policy C4

The following development will not normally be permitted in the Green Belt or Open Countryside: ...

b) The replacement of an existing dwelling which would result in a new dwelling materially larger than the dwelling it replaces;
 c) the alteration of a dwelling which involves substantial rebuilding and results in disproportionate additions over and above the size of the original building.

Policy C8

Planning applications which involve the alteration or extension of an existing dwelling will be determined in relation to the effect of the proposal and any associated works on the scale, design and general appearance of the dwelling and its immediate setting within the countryside.

2.11 Although these policies set out general policy guidance the Council is of the view that more specific advice is necessary so that applicants, the public, officers and members of the Council have more detailed criteria upon which to base decisions. In particular the advice needs to:

- establish guidance to define what the Council regards as “disproportionate additions”, “materially larger” and “significant extension”.
- establish what matters will be taken into account in making a decision, and
- set out what matters may be regarded as “very special circumstances” and “material considerations” when considering applications which are exceptions to the policy.

Chapter 3 . Conversion Of Existing Rural Buildings To Dwellings

3. **Conversion Of Existing Rural Buildings To Dwellings**

3.1 Conversion of existing rural buildings to alternative uses is generally an acceptable form of development and, in the past, the majority of such development has tended to relate to the conversion to dwellings. However, Policy EC12 of PPS4 notes that the re-use of buildings in the countryside for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building. The re-use for dwellings is not the Council's preferred approach following publication of PPS4 ie if there is potential for a re-use for commercial purposes then it should be marketed as such in advance of consideration of residential use.

3.2 Guidance on conversion is set out in paragraphs 3.7-3.8 of PPG2 and saved policy C1 of the adopted Local Plan. One of the criteria in those policies is that strict control will be exercised over the extension of re-used buildings. Planning permission is initially granted on the basis of the re-use, through conversion, of the existing buildings. This is generally taken to mean that the buildings should be of a size to allow the proposed use, ideally without any extension to the built form. The proposed conversion should be in keeping with the design and form of the existing building and should respect the character and layout of the existing buildings.

3.3 In granting consent for conversion to residential use, and in order to control future extensions and alterations to the property it is the Council's usual practice to impose conditions removing permitted development rights in respect of alterations and extension that would apply to a new residential property.

Green Belt

3.4 In respect of proposals to convert an existing rural building in the Green Belt to an alternative use, there will be a general presumption against extensions greater than 15% of the existing building. This extension would be relative to each individual proposed unit and not to the complex as a whole.

3.5 Subject to conforming to other Development Plan policies, planning applications to convert (an) existing rural building(s) to a dwelling(s) within the Green Belt will generally be considered favourably providing that a conversion to residential use is the most appropriate use given the importance of supporting economic development as expressed through PPS4 and the emerging Local Development Framework (LDF) for South Staffordshire. Where a residential conversion is appropriate, and in respect of applications where there is no increase, or (where specifically required to allow conversion) any increase to the building footprint, floor area and volume is each no greater than 15% increase over existing.

Chapter 3 . Conversion Of Existing Rural Buildings To Dwellings

Open Countryside

3.6 In respect of proposals to convert an existing rural building in the Open Countryside to an alternative use, there will be a general presumption against extensions greater than 25% of the existing building.

3.7 **Subject to conforming to other Development Plan policies, planning applications to convert (an) existing rural building(s) to a dwelling(s) within the Open Countryside will generally be considered favourably providing that a conversion to residential use is the most appropriate use given the importance of supporting economic development as expressed through PPS4 and the emerging Local Development Framework (LDF) for South Staffordshire. Where a residential conversion is appropriate, and in respect of applications where there is no increase, or (where specifically required to allow conversion) any increase to the building footprint, floor area and volume is each no greater than 25% increase over existing.**

Chapter 4 . Extensions To Existing Dwellings

4. **Extensions To Existing Dwellings**

Green Belt

4.1 There will be a general presumption against extensions to dwellings in the Green Belt which exceed 30% over the original dwelling at ground and first floor levels, such proposals will only be acceptable if the proposal is justified by very special circumstances that outweigh the harm to the Green Belt (see section 8)

4.2 Subject to conforming to other Development Plan policies, planning applications to alter or extend dwellings within the Green Belt will generally be considered favourably in respect of applications where the footprint, floor area and volume are each no greater than 30% increase over original.

Open Countryside

4.3 Extensions to dwellings in the Open Countryside which are no greater than 50% increase over the original dwelling will normally be permitted. Proposals for extensions larger than this may be acceptable where the proposal is justified by the material considerations of the particular case that outweigh the harm to the Open Countryside (see section 8)

4.4 Subject to conforming to other Development Plan policies, planning applications to alter or extend dwellings within the Open Countryside will generally be considered favourably in respect of applications where the footprint, floor area and volume are each no greater than 50% increase over original.

Green Belt and Open Countryside – Removal of permitted development rights

4.5 When granting planning permission for extensions to which this guidance relates, the Council will normally remove (by condition) the right to carry out further extensions, or to erect further buildings within the curtilage of the dwelling under the Town and Country Planning (General Permitted Development) Order 2008 (or as subsequently amended). This would apply particularly in circumstances where the applicant has sought to justify their proposal by the demolition of existing buildings. Any future applications for additional accommodation, garaging, storage etc will be considered, but are unlikely to be considered favourably.

Chapter 5 . Extensions To Existing Dwellings-Previously Formed From Conversions Of Rural Buildings

5. Extensions To Existing Dwellings - Previously Formed From Conversions Of Rural Buildings

5.1 It is considered that the policies in PPG2 and the Local Plan relating to the strict control over extensions to proposals for the conversion of rural buildings should apply not only at the conversion stage but also subsequent to the initial conversion. In these circumstances, it is considered that the level at which an extension is proportionate or not disproportionate should be set lower than that for purpose-built dwellings.

Green Belt

5.2 There will be a general presumption against extensions to dwellings previously formed from the conversion of a rural building in the Green Belt which exceed 15% over the original dwelling at ground and first floor levels. Such proposals will only be acceptable if the proposal is justified by very special circumstances that outweigh the harm to the Green Belt (see section 8).

5.3 Where there has been an addition to the building as part of the original conversion scheme, then this will be taken into account in calculating the percentage increase over original.

5.4 Subject to conforming to other Development Plan policies, planning applications to alter or extend a dwelling that has been converted from a rural building within the Green Belt will generally be considered favourably in respect of applications where the footprint, floor area and volume are each no greater than 15% increase over original.

Open Countryside

5.5 Extensions to dwellings previously formed from the conversion of a rural building in the Open Countryside which are no greater than 25% increase over the original dwelling will normally be permitted. Proposals for extensions larger than this may be acceptable where the proposal is justified by the material considerations of the particular case that outweigh the harm to the Open Countryside (see section 8).

5.6 Where there has been an addition to the building as part of the original conversion scheme, then this will be taken into account in calculating the percentage increase over original.

5.7 Subject to conforming to other Development Plan policies, planning applications to alter or extend a dwelling that has been converted from a rural building within the Open Countryside will generally be considered favourably in respect of applications where the footprint, floor area and volume are each no greater than 25% increase over original.

Chapter 6 . Replacement Dwellings

6. Replacement Dwellings

Green Belt

6.1 There will be a general presumption against replacement dwellings in the Green Belt which exceed 10% over the size of the existing dwelling at ground and first floor levels. Such proposals will only be acceptable if they are justified by very special circumstances that outweigh the harm to the Green Belt.

6.2 Subject to conforming to other Development Plan policies, planning applications for replacement dwellings within the Green Belt will generally be considered favourably where the increase in footprint, floor area, and volume are each no greater than 10% of the existing dwelling. Any increase in height should be limited to a maximum of 10% of that existing.

Open Countryside

6.3 Replacement dwellings in the Open Countryside which are no greater than 20% over the size of the existing dwelling will normally be permitted. Proposals for replacement dwellings that are larger than this will only be acceptable if the proposal is justified by the material considerations of the particular case which outweigh the harm to the Open Countryside.

6.4 Subject to conforming to other Development Plan policies, planning applications for replacement dwellings within the Open Countryside will generally be considered favourably where the increase in footprint, floor area, and volume are each no greater than 20% of the existing dwelling. Any increase in height should be limited to a maximum of 10% of that existing.

Green Belt/Open Countryside – Removal of permitted development rights

6.5 When granting planning permission for replacement dwellings to which this guidance relates, the Council will normally remove (by condition) the right to carry out further extensions, or to erect further buildings within the curtilage of the dwelling under the Town and Country Planning (General Permitted Development) Order 2008 (or as subsequently amended). This would apply particularly in circumstances where the applicant has sought to justify their proposal by the demolition of existing buildings. Any future applications for additional accommodation, garaging, storage etc will be considered, but are unlikely to be considered favourably, unless the proposals meet the criteria set out in section 8.

Chapter 7 . Changes Of Use Of Land To Form Gardens

7. Changes Of Use Of Land To Form Gardens

Green Belt and Open Countryside

7.1 In the Green Belt, PPG2 notes at paragraph 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.”

7.2 In the Open Countryside, PPS7 and PPS4 give advice for the rural areas outside the Green Belt, and seek to protect the rural character of the area generally. The Government’s overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

7.3 Change of use from another use to garden land is a material change of use, in most cases. The land will remain in the Green Belt or Open Countryside, even if planning permission is granted for the change of use. It is considered that the introduction of domestic character, the installation of domestic type fencing, the erection of garden buildings and structures do not maintain the openness of, and generally conflict with, Green Belt and Open Countryside objectives. Therefore it is not appropriate development and there is a general presumption against such development. The change of use to garden land will only be acceptable if there are very special circumstances/material considerations to justify the particular case, which clearly outweigh the visual, and any other harm, to the area.

7.4 Within the Green Belt and Open Countryside, changes of use of land to form extensions to residential curtilages to extend gardens will not normally be allowed.

7.5 When changes of use are allowed, the Council will normally impose appropriate conditions to control the boundary treatment or other form of enclosure to the extended garden area, both initially and in the future. In addition the Council will normally remove by condition the right to erect any buildings or structures within the extended curtilage, under the Town and Country Planning (General Permitted Development) Order 2008 (or as subsequently amended).

Chapter 8 . Very Special Circumstances/Material Consideration

8. Very Special Circumstances/Material Consideration

Green Belt

8.1 In the Green Belt, there will inevitably be applications where “very special circumstances” may exist, which may be taken into account in considering applications which would otherwise exceed the size criteria in this guidance. PPG2 notes that the proposal will only be justified on the very special circumstances if the harm to the Green Belt, together with any other harm, is clearly outweighed by the very special circumstances.

Open Countryside

8.2 In the Open Countryside, material considerations will be taken into account when considering applications which exceed the guidelines listed above.

Green Belt and Open Countryside

8.3 Such very special circumstances/material considerations which may be taken into account could include:

Permitted Development - The extent to which the dwelling could be extended under permitted development rights set out in The Town and Country (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or as subsequently amended.

Design – The extent to which the proposal takes account of the local vernacular and traditional character of the surrounding development. For extensions, whether the proposal is subservient to the existing dwelling and whether the proposal results in a visual improvement of the existing dwelling. Proposals should meet the objectives of the Village Design Guide.

Sustainability – The extent to which the proposed extension/replacement would reduce the carbon footprint of the existing dwelling.

Original size – Where the size of the original dwelling is so small that an acceptable extension could be so small so as not to result in an extension of any practical value.

The extent to which the extension is justified in bringing the dwelling up to a basic level of amenity.

Openness - Whether the proposal reduces the openness of the Green Belt.

Surrounding development - The relationship of the property to the type, scale and character of adjoining development, e.g. is it in a ribbon of development or a compact cluster of dwellings, and whether the resultant house is in scale with surrounding dwellings.

Chapter 8 . Very Special Circumstances/Material Consideration

Demolition - Whether any extensions/outbuildings within the residential curtilage are to be demolished as part of the proposal, the floorspace/volume of which might be offset against the proposed extensions/replacement dwelling. This would only apply to permanent and substantial buildings.

Extant permissions - Whether there are in existence any unimplemented or part-implemented permissions which the applicant may be willing to revoke.

NB - Personal circumstances will **not** normally be taken as constituting very special circumstances.

Chapter 9 . Interpretation

9. **Interpretation**

Green Belt and Open Countryside

9.1 Original - The term "original" means either the dwelling as originally constructed or as existed on 1st July 1948 whichever is the later. This will include any extensions where these have been added prior to 1st July 1948. Any detached building will not be counted as part of the original dwelling or an extension to it for the purposes of calculating the size of the original dwelling.

Demolition - Where there has been demolition of part of the dwelling between 1948 and the date of the application under consideration, the size of the dwelling at the date of submission of the application shall be used for the purposes of calculating the percentage increase.

NB Any part of the dwelling which has been demolished and subsequently re-erected, in whole or in part, will not count as part of the original dwelling for purposes of this document.

Previous extensions - All extensions erected since 1948 (whether constructed with the benefit of planning permission or not) will be taken into account in determining the aggregate of extensions already added to the property.

Extensions – includes any extension attached to the dwelling and used for habitable purposes (including attached garages).

Outbuildings – any detached buildings will not be classed as extensions for the purposes of calculating the area of the original dwelling.

Basements – any wholly below ground level basement (existing or proposed) will not be included within the calculations to establish percentage increase.

9.2 Any application for extensions or replacement dwellings will be expected to provide detailed information on the size and height of the original dwelling, and should identify any previous extensions.

Chapter 10 . Helpful Websites

10. Helpful Websites

10.1 A number of useful websites exist which can further advise on planning matters:

- www.sstaffs.gov.uk

Our website gives further information about planning in South Staffordshire.

- www.planningportal.gov.uk

The Planning Portal is a one-stop-shop for planning information and services online. The website provides general information on the planning system, advice on how to apply for planning permission, the facility to appeal against a planning decision, and information on the latest government policy.

- www.planning-inspectorate.gov.uk

The Planning Inspectorate's main work is the processing of planning and enforcement appeals and holding inquiries into local development plans.

- www.communities.gov.uk

The Department for Communities and Local Government website provides detailed information on Planning, including links to policy documents,

guidance and advice, research, consultation papers and statistics.

- www.gowm.gsi.gov.uk

The Government Office for the West Midlands website provides information on regional and national planning policy.

Chapter 11 . Contact Details

11. Contact Details

For any enquiries please contact the Planning Support Team on:

Tel: 01902 696404

Email: dcapps@sstaffs.gov.uk

If you are planning to come to the Council Offices to discuss a specific case with an officer, you are strongly advised to contact the offices beforehand to make an appointment.

If you are planning to come to the Council Offices to check planning histories, you are also strongly advised to contact the Council before your visit in order to book the files you wish to view.

You can visit solutions reception at the Council Offices between 08:45 - 17:00 on Monday, Wednesday, Thursday and Friday and 08:45 - 20.00 on Tuesday and 09.30 – 13.00 on Saturday.

Chapter 12 . How You Can Make Your Comments On This Document

12. How You Can Make Your Comments On This Document

We welcome your comments on this consultation document and you can respond in the following ways:

- By visiting the Council's website www.sstaffs.gov.uk and completing the on-line representation form through the Limehouse consultation pages. By using Limehouse consultation, you can read the document and comment on each section in turn and view what other people have said. It is also possible to sign up for email alerts, which will notify you when new documents are published on-line. To view the document and submit your comments through our consultation portal please visit: <http://sstaffs-consult.limehouse.co.uk/portal>

Note: To submit your comments on-line you will need to register with Limehouse, our secure on-line consultation server. Your details will only be stored in relation to the South Staffordshire Local Development Framework. By registering, you can automatically receive updates on our LDF documents.

- By visiting the Council Offices, Codsall, main libraries and Parish Offices in the District where copies of the **document** will be available for inspection and representation forms will be available to complete.
- By completing the representation form and sending it to:

Development Plans Team
South Staffordshire Council
Council Offices
Wolverhampton Road
Codsall
South Staffordshire
WV8 1PX

