



# Supplementary Planning Guidance in Sefton

## Development in the Green Belt

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Andy Wallis  
Planning and Economic  
Regeneration Director  
Balliol House  
Balliol Road  
Bootle  
L20 3RY





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## 1 Introduction

There are specific reasons for including land within the Green Belt, such as to prevent towns and settlements from spreading into the countryside (urban sprawl). This is achieved by restricting the type of development that can be built in Green Belts. The national policy on Green Belts (see Planning Policy Guidance Note 2) sets out what developments are appropriate. In these cases, the information in this guidance note will apply.

Any other form of development is inappropriate and will only be allowed in exceptional circumstances. These circumstances will not exist unless the harm caused by the development (to the Green Belt or otherwise) is clearly outweighed by other considerations.

This Supplementary Planning Guidance note explains our draft policy on developments in Green Belts and how we will assess proposals for particular types of development. It replaces the supplementary planning guidance note on Re-Use of Buildings in the Green Belt published in July 1991. All developments in the Green Belt need to comply with the following draft policies.

- CS 1 (Development and Regeneration)
- CS 2 (Restraint on Development and Protection of Environmental Assets)
- CS 3 (Development Principles)
- GBC 1 (The Green Belt)
- GBC 2(Development in the Green Belt)
- GBC 5(Landscape Character)
- GBC 6 (Agricultural Land Quality)

You should contact us (see the contact details on page 10) to find out what other supplementary planning guidance notes may be relevant to your development. (Please note, extensions and alterations to homes in the Green Belt are covered by the Home Extensions Supplementary Guidance Note.)

## 2 Buildings and structures in the Green Belt

Any development in the Green Belt should have a minimal effect on the openness and attractiveness of the Green Belt. The physical effect buildings and structures have on the Green Belt depends on factors a to e listed below. By considering each of these factors, the physical effect a development has on the Green Belt can be reduced.

### a) Size

The size of a building or structure, which should be thought of in terms of its total volume, should be kept to the minimum size necessary for meeting essential needs.

### b) Design

New buildings and structures must not stand out too much. Materials, colours, construction methods and building styles should fit in with the traditional building styles of the area, and should not form a prominent feature in the landscape.

### c) Position and screening of the development

New developments should be placed where they have least effect on the landscape, avoiding prominent locations, and should use structures, individual buildings or groups of buildings as screening where appropriate. If your proposal is unacceptable because of its size, design or position, you cannot make it acceptable by planting trees as screening.

### d) Enclosures

Any enclosure (wall, fence, hedge, and so on) should be the minimum size necessary and should be appropriate to its location in terms of materials and style. It is preferable to plant a hedge of native species (for example, hawthorn) rather than to use fences or walls which give a built-up appearance to an area. Fences and walls may be acceptable within settlements that have a tradition of using them instead of hedges.

### e) Lighting

We will not allow proposals for floodlighting in the Green Belt unless you can show that the lighting will not detract from the character of the Green Belt. (Lighting can detract from the character and openness of the Green Belt through 'light spillage', 'light glare' and 'sky glow' - see appendix



1.) You can reduce or remove these effects by using a lower strength light source and a cover which surrounds light to focus light onto a specific area.

### 3 Agriculture and forestry

#### a) Applications for new agricultural or forestry buildings or structures

Any new agricultural or forestry building or structure must be needed and designed only for agricultural or forestry purposes. This prevents the building of property which is intended to be converted (for example, into a home).

#### b) Applications for a new agricultural or forestry worker's home

Green belt land in Sefton is never more than 3km from a built-up area where there is a considerable supply of housing. For this reason, we will grant planning permission for an agricultural or forestry worker's home in the Green Belt only in very exceptional circumstances. In particular, we will consider whether the home is needed to support existing agricultural activities or to allow new farming activities.

#### c) Existing agricultural activities

We will allow an agricultural or forestry worker's home needed to support an existing agricultural activity only if your proposal meets the criteria listed in annex I of Planning Policy Guidance note 7 (The Countryside), relevant draft planning policies and factors **a)** to **e)** listed in section 2 of this guidance note (page 5).

#### d) New agricultural activities

If an agricultural or forestry worker's home is needed to allow a new agricultural activity (whether the home would be on an established agricultural unit or a newly-created one), accommodation should normally be provided for the first three years by a caravan, a temporary structure that can be easily dismantled, or another form of temporary accommodation.

We will allow temporary accommodation only if your proposal meets the criteria listed in annex I of Planning Policy Guidance note 7 (The Countryside), relevant draft planning policies and factors a to e listed in section 2 of this guidance note (page 5). If we grant permission for temporary accommodation it will apply for a maximum of three years, and after this time the temporary home will

have to be removed and the site restored to a satisfactory condition.

#### e) Conditions

If we grant planning permission for a permanent home, we will remove rights for further extensions to, and new buildings within the curtilage (the small area forming part or parcel of the home or building within which it is contained or to which it is attached) of the agricultural or forestry worker's home. This is to make sure that further development cannot reduce the openness of the Green Belt.

If we grant planning permission, we will apply an 'occupancy condition' to state that the home can be lived in only by a person who mainly works, or last worked, in agriculture or forestry in the area, or such a person's widow, widower or dependants.

#### f) Removing the occupancy condition

We may remove the occupancy condition explained above only if you can show that:

- the worker no longer needs to live close to the relevant activity (in which case you will have to say why); and
- there is no demand for a worker's home in the area. (In this case, the worker's home must have been put up for sale with a land agent, at a price agreed with us that takes account of the occupancy condition, for at least 12 months and have received no reasonable offer. Adverts should have been placed regularly in local newspapers and agricultural publications, including the Farmer's Guardian. We will need written proof in the form of invoices for adverts and correspondence with land agents, valuers, interested parties, and so on).

#### g) Diversifying a farming business

We realise that farm businesses may need to diversify (move into other business activities) in rural areas to bring about benefits such as protecting or creating jobs, re-using buildings that might otherwise become derelict, and supporting other rural businesses. Diversification can take a variety of forms from setting up a farm shop to using farmland for leisure activities (such as paintball and so on). Further examples, with strong rural or agricultural connections, can be found in annex C of Planning Policy Guidance note 7 (The Countryside).





We will assess the farm business through draft policy GBC 2 (Development in the Green Belt) and other relevant draft policies. We allow existing buildings to be re-used for other purposes under section 2 of GBC 2, as long as the use does not have a significantly greater effect than the present use on the openness of the Green Belt, and does not conflict with the purposes of including land in the Green Belt. The same two conditions apply for making any significant change in the use of land under section 4 of GBC 2. Diversification will not justify activities that harm the openness or purposes of the Green Belt or the attractiveness of the area. We do not think that new buildings will be needed for diversification as existing buildings would be used.

#### **h) Farm shops**

You do not need planning permission to sell unprocessed goods produced on your farm, and a minimal amount of other related goods, from your farm. Farm shops play an important role in providing fresh produce to local people, and are a good example of diversification. You need to apply for planning permission to sell produce which you have not produced on your farm. We are unlikely to grant planning permission for such farm shops.

#### **i) Economic diversification in rural areas**

Economic diversification in rural areas is different from farm diversification. It relates to the creation of new businesses not directly related to farming. As no part of the Green Belt in Sefton is more than 3km away from a built-up area, and there is a significant amount of vacant industrial land and industrial properties available for use, there are ample opportunities for new businesses to be set up within built-up areas. Economic diversification in rural areas is not sufficient reason for needing new buildings for a new non-agricultural business in the Green Belt. Even before considering Green Belt issues, non-agricultural businesses are often better suited to a built-up area because they have better public-transport links, they promote development on land that has been built on before and they are closer to a greater number of potential customer, workers and supporting services

## **4 Equestrian development**

Equestrian development is developing the land, including creating new buildings, for purposes related to horses and horse riding. You may not need planning permission for an equestrian development. You should contact us (see the contact details on page 10) with full details of your proposal to find out if you will need planning permission.

#### **a) Criteria**

If you do need planning permission for your equestrian development in the Green Belt, we will grant it only if your proposal meets factors a to e listed in section 2 of this guidance note, relevant draft planning policies and the following criteria.

- You must provide at least 0.4 hectares of grazing land, unobstructed by buildings, for each animal on the site (as recommended by the British Horse Society).
- Stables should be a suitable distance away from homes to avoid problems of smell, noise, pests and so on (taking account of wind directions and other relevant factors). We will get guidance on an appropriate distance from our Environmental Protection Department.
- Buildings should be no larger than the minimum size set out by a reputable national animal-welfare charity.
- You should use existing buildings wherever possible and any new buildings should be made from wood so they are relatively easy to dismantle when they are no longer needed and are in keeping with the character of the Green Belt.
- Your development must have easy access to a bridleway and the area must be able to cope with the number of horses you would have.

#### **b) Agricultural or forestry workers' homes**

An equestrian development does not justify building an agricultural or forestry worker's home in the Green Belt.

## **5 Converting existing buildings**

We will grant planning permission to convert an existing building only if your proposal meets factors **a) to e)** listed in section 2 of this guidance note, relevant draft planning policies, and the following criteria.

- If you propose to convert a building to a residential use, it must comply with draft policy H3 and the Supplementary Planning Guidance note on Regulating the Supply of Residential Land.



- The converted building must not have a significantly greater effect than the present use on the openness of the Green Belt and the reason for including land within the Green Belt.

When we are considering this issue we will compare the effect the building currently has to the effect any development will have. If the building has not been used for a significant period, it is possible that any previous use may have been abandoned. In this case, any new use is in fact a new development. You should contact us (see the contact details on page 10) as early as possible with details of your proposal so you can get advice. We will not usually allow development which does not help us to improve built-up areas (for example, developments for businesses which could be set up in towns).

- The nature and size of the proposed use must be appropriate for the building and its curtilage.
- The home should be able to be created in the existing building and its boundary without significantly extending it or its outbuildings, building new outbuildings, or extending the property's curtilage.

We are not likely to allow a proposal which needs large car-parking areas and hard-standings, outdoor storage, security fencing, floodlighting and so on.

- The nature and scale of the proposed use must not adversely affect existing activities, local amenity (the attractiveness of an area which may depend on factors such as tranquility, outlook, degree of activity etc.), or the landscape quality of the area.

We will assess the effect any extra noise, smell and traffic has on neighbours in line with draft UDP policies, taking account of the fact that acceptable levels for such nuisances in the Green Belt will be different from levels in built-up areas.

When we consider your proposal we will take account of the activities in the immediate area, especially if the building is within a group of buildings being re-used. We are not likely to accept proposals that would result in a significant intensification of activity or direct significantly more or larger vehicles onto country roads.

We will also consider the effect local activities (such as keeping livestock and storing slurry) have on your proposed development.

- The building must be of a permanent and substantial

construction and capable of being converted without being mainly or completely rebuilt.

Rebuilding, where a significant amount of the fabric of the building is replaced, can have an adverse effect on the character and nature of the building and its surroundings. You should contact us (see the contact details on page 10) at an early stage to see if your building work is likely to need planning permission.

It is not appropriate to convert steel-frame buildings and other modern agricultural structures for other uses.

Services and access must be available or be able to be supplied or upgraded without having an adverse effect on the environment.

Access to the site must be suitable for the proposed use and its surrounding area. If the existing access needs to be upgraded, you must pay for this.

Essential services for the site (for example, phone lines, electricity cables, septic tanks and so on) must not have an adverse effect on the attractiveness of the Green Belt.

- Your proposal must not have an adverse effect on protected species or their habitats.

Any application you make to convert a building in the Green Belt must be accompanied by a bat and barn owl survey (see 'Procedure' on page 9). The survey and details of how you can overcome any obstacles must be carried out by a suitably qualified and licensed expert satisfactory to our ecologist. You should contact us at an early stage (see the contact details on page 10).

- Your proposal must keep and improve the form, bulk and general appearance of the building and curtilage, and keep any external features of architectural or historic interest.

Your building work must use construction materials and methods that match, or are as close as possible to, those in the existing building. Avoid replacing traditional roofing materials with modern substitutes and fitting roof lights (although conservation roof lights may be suitable in some cases). The number of new doorways and window openings you create should be kept to a minimum. You should keep external features of interest (such as doors, openings and ornamentation) as they identify the building's past. We may set conditions for you to improve the appearance of the outside of the building.





### a) Procedure

Supply the following with your planning application.

- A full structural survey of the building, showing the condition of the building and what work is needed. This survey must have been carried out by a qualified building surveyor.
- An investigation to determine whether bats or barn owls are present or have used the building as a shelter or roost, the likely effect of your development on them, and the measures you need to take to reduce the possible effects on them. This survey must have been carried out by a suitably qualified and licensed expert. We must receive details of the surveyors' qualifications, experience and bat and barn owl licences.

### b) Removing 'permitted development rights'

If we grant planning permission for a building to be converted, we will remove all your rights to make alterations that affect the outside appearance (including adding of windows and doors), extend the property, create outbuildings and put up walls, fences and other boundary features. This is to make sure that future alterations to the building and development within its curtilage do not affect the attractiveness or openness of the Green Belt.

## 6 Replacing homes

We will grant planning permission for replacement homes only if your proposal meets factors a to e listed in section 2 of this guidance note, relevant draft planning policies and the following criteria.

- Both the home to be replaced and the proposed curtilage must be lawful.
- The replacement home must not be materially or substantially larger than the home it is replacing (no more than 15% in volume – see appendix 1 for details of what to include when working out the volume of buildings).
- Replacement homes must not be significantly more visible and stand out more than the existing home.
- You must submit plans and calculations of the increase in volume of the replacement house with your application.

- We will not allow you to replace a temporary home (such as a caravan) with a permanent structure.
- Replacing a home converted from a traditional local building (such as a barn) with a more modern home would affect the character of the Green Belt and we will not allow it unless keeping the building as it is has proved not to be possible.
- In exceptional circumstances, where you are planning on removing outbuildings which spoil the openness of the green belt, we may allow you to build a larger replacement home.

You should get advice from us (see the contact details on page 10) when the home you are replacing has already been demolished or has not been used for a long period. In either of these cases, use as a home will have ceased and a planning application for a new home will be necessary. In most cases, if we grant planning permission we will remove the right to extend or alter the building, or build further outbuildings, in the future. You will need to apply for planning permission for any further development.

## 7 Change of use of land

Planning applications to change the way land is used will need to show that the openness of the Green Belt will not be affected and there is no conflict with the reason the land was made part of the Green Belt.

If you are applying to change the use of land (such as agricultural land) to residential use, we will probably reject your proposal. The land belonging to a home and used for residential use (that is, as gardens) is known as 'residential curtilage'. Extending the residential curtilage into the Green Belt often reduces the openness of the Green Belt by introducing features such as outbuildings, fences, walls, gates, garden plants, garden furniture, and so on.

## 8 Essential facilities for outdoor sport and recreation

If you are planning on setting up or modernising essential facilities for outdoor sport and recreation, your proposal must show that related buildings will take the form of traditional agricultural or rural buildings rather than modern or temporary buildings (portable cabins or caravans and so on). We will consider non-essential facilities (for example,







## Appendix 1

### Calculating volumes

Use external measurements.

When working out the volume of the existing home to be replaced, include:

- the roofspace of the home;
- outbuildings (for example, garages) or structures which have a roof and so enclose space (for example, carports), which are within 5m of the home; and
- extensions to the main home

Your measurements should not include:

- outbuildings or structures which are more than 5m away from the home;
- basements and any other parts of the home which are below ground level;
- the volume of an area enclosed by walls in the grounds of the home, but which do not have a roof, no matter how near to home the area is;

For a definition of the 'original' home in relation to house extensions, see the House Extensions SPG.

### Light spillage, light glare and sky glow

Floodlights can have the following three effects which can lead to an adverse effect on the Green Belt.

- Light spillage (also known as light trespass) – this is light spilling beyond the boundary of the property the light is on. It can lead to large areas in the Green Belt being made highly visible and standing out.
- Light glare – this is dazzling people, causing blind spots in their vision, which can cause a serious danger to drivers.
- Sky glow – this is when artificial light, from the ground is scattered through the atmosphere by dust particles and water droplets. This results in a glow in the sky (making it difficult to see the night sky) and increased light levels on the ground, even in areas some distance away from the light sources.

## Appendix 2

### Statement of public consultation

- a) The Planning Committee approved a draft 'Development in the Green Belt' supplementary planning guidance note for feedback and to help it make decisions about planning applications on 15 January 2003. Planning committee approved minor changes to this draft version on 12 March 2003. It was placed on our website later that year.
- b) We consulted interested organisations in July 2003. In total, we sent over 600 letters to local agents, developers, housebuilders and other interested groups (such as parish councils). We then consulted with the general public in September and October 2003. We placed adverts in the local press and the guidance was available in the two planning offices and at four main public libraries (the main library at Bootle was closed for repair in 2003).
- c) Our consultation procedure is in line with Planning Policy Guidance Note 12 'Development Plans' (PPG12) which stresses the importance of consulting widely if we and the Secretary of State are to rely on Supplementary planning guidance notes to help make decisions about planning applications.
- d) We received a number of comments about the guidance note from Government Office North West and Capricorn Land Ltd. Formby Civic Society wrote to support all of our Supplementary planning guidance notes. The table over the page summarises the comments we received, and our responses.
- e) We consulted Plain English Campaign on the guidance to help make its wording clearer.
- f) We revised the guidance note to take account of the comments received during the consultation process, changes proposed to the draft plan, to correct mistakes in the guidance and to make the wording clearer in line with Plain English Campaign's suggestions.
- g) We reported the results of the consultation process to the Planning Committee on 19 November 2003. The 'Development in the Green Belt' Supplementary Planning Guidance note was adopted on 19 November 2003.



**Table – summarising comments received and our responses**

| Person or Organisation commenting   | Summary of comment   | Summary of our response   |
|---|--|---|
| <b>General comments about all Supplementary planning guidance notes</b>   |  |   |
| Formby Civic Society  | Support all of the Supplementary planning guidance notes.  | We made a note of the support.  |
| <b>Development in the Green Belt Supplementary planning guidance note</b> |  |   |
| Government Office North West  | A general introduction to the concept of appropriate and inappropriate development and the need to prove very special circumstances for inappropriate development and what this means would be helpful to set the context for the rest of the SPG. | The introduction to the SPG has been amended to address this issue.   |
| Government Office North West  | The SPG should refer to the UDP Policies as draft policies if they are to be adopted before the UDP.   | The SPG will make appropriate reference to draft policies.  |
| Government Office North West  | Section 4 on Equestrian Development could make it clear that only small stables would be appropriate in the Green Belt.  | No change made. Paragraph 10.38 of GBC7 specifies that stables should be no larger than necessary. The SPG further clarifies this matter by stating that buildings should be no larger than the minimum size set out by a reputable animal welfare charity. |
| Government Office North West  | Section 6 should read “we will grant planning permission for replacement homes only”, as the current criterion implies that it applies to replacement homes for those that have already been demolished or not used for a long time.               | The section will be amended to clarify this issue and it will now make it clear that it refers to all replacement homes.  |





| Person or Organisation commenting | Summary of comment   | Summary of our response   |
|-----------------------------------|--|---|
| Government Office North West      | In section 6, the criterion requiring the volume of a replacement home to be no more than 15% larger in volume than the home it is replacing is contradictory to advice in the 'New Housing Developments' SPG, which gives a criterion of 33%.   | No change made, as the criterion should read 15%. However, whilst the SPG is correct, it will be necessary to amend the 'New Housing Developments' SPG for consistency.   |
| Government Office North West      | The reference in Section 6 to replacement homes not being "significantly" larger than those they are replacing needs to be deleted. This should read "materially" to comply with the requirements of PPG2 paragraph 3.6.   | The original text used the word "materially", but was changed at the request of the Plain English Campaign to "significantly". To clarify the position, it is suggested that the wording in the text be amended to read "materially (i.e. significantly)" to avoid the need for a footnote, glossary or further definition. |
| Capricorn Land Ltd                | The SPG does not contain any reference to minerals extraction. Paragraph 3.11 of PPG2 makes it clear that this need not be inappropriate development in the Green Belt, a stance endorsed by Policy GBC2(iii) of the draft UDP. Reference is made in Paragraph 10.18 to the Green Belts SPG but this is not followed up with comments relating to minerals extraction. | No change made. We consider that the UDP gives sufficient guidance on the subject, when considering the small number of planning applications related to this issue. Paragraph 10.18 does not make a specific reference to minerals extraction.   |



