

CHAPTER 2

GREEN BELT

INTRODUCTION

- 2.1. The policies of this Plan to safeguard the Green Belt are supplemented by policies which seek to protect and enhance the environmental quality and amenity value of the open countryside within the Borough. The mixture of urban fringe and high quality landscapes provides the setting within which the competing requirements of agriculture, outdoor recreation and nature conservation as well as other uses which may need to be accommodated in the Green Belt, have to be balanced.

POLICY CONTEXT

- 2.2. Government policy for defining broad areas of restraint in the form of 'green belts' is firmly established and widely supported. It was first promoted in 1955 and most recently in PPG2 "Green Belts", published in January 1995. PPG1 "General Policy and Principles" explains (para.30) that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open.
- 2.3. PPG2 sets out five purposes of the Green Belt:-
- (a) to check the unrestricted sprawl of large built-up areas
 - (b) to prevent neighbouring towns from merging into one another;
 - (c) to assist in safeguarding the countryside from encroachment;
 - (d) to preserve the setting and special character of historic towns; and
 - (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.4. The guidance also states explicitly the objectives for the use of land in Green Belts:
- (a) to provide opportunities for access to the open countryside for the urban population;
 - (b) to provide opportunities for outdoor sport and outdoor recreation near urban areas;
 - (c) to retain attractive landscapes, and enhance landscapes, near to where people live;

- (d) to improve damaged and derelict land around towns;
 - (e) to secure nature conservation interest; and
 - (f) to retain land in agricultural, forestry and related uses.
- 2.5. The Green Belt around London extends to a depth of 12-15 miles and includes the whole of the Borough which is at the belt's inner edge. The Green Belt in Spelthorne was first defined in the Middlesex County Development Plan (1956), and was subsequently embodied in the Staines and Sunbury Town Map (1974) which formed part of the Surrey Development Plan (1971). The permanence of the Green Belt is a cornerstone of the Surrey Structure Plan and its long term protection in Spelthorne has been strongly supported by the local community and by successive Secretaries of State and their Inspectors in determining planning appeals.
- 2.6. In PPG2 the Government reaffirms the importance it attaches to Green Belts and the broad and positive planning role they play. The Guidance Note recognises that permanence is an essential characteristic and that once the general extent of a Green Belt has been approved and detailed boundaries defined in local plans or earlier approved development plans it should be altered only in exceptional circumstances. Where alterations are proposed it is made clear that the Secretary of State will wish to be satisfied that an Authority has considered alternative opportunities for development within the urban areas or beyond the Green Belt.

NATURE AND EXTENT OF THE GREEN BELT IN SPELTHORNE

- 2.7. Since 1956, when Green Belt Policy was first formally applied in the Borough, only limited amendments have been made to the boundaries. In preparing the 1991 Local Plan, the Borough Council examined the existing boundary and the function of land within it. Some formal amendments were made to reflect releases made since the approval of the Staines and Sunbury Town Map resulting mainly from planning appeal decisions, and to remove sites which clearly did not perform a Green Belt function. However, it was concluded that apart from these minor amendments there was no land which should be excluded from the Green Belt.
- 2.8. In carrying out this review of the Plan the Council has recognised that any release of Green Belt land would conflict with the advice in PPG2 on permanence and the importance the Government attach to this. The Council recognises the particular strategic and local importance of the Green Belt in Spelthorne and the extent to which it is already fragmented is such that it serves only to underline the importance of retaining such land, and the risk of otherwise undermining its integrity as a whole in the Borough.
- 2.9. The Council has however, taken the opportunity to ensure that all existing boundaries are clearly and unambiguously defined and, as a result, some minor amendments to resolve anomalies and inconsistencies have been identified. To reflect the essential permanence of the Green Belt therefore, the boundary defined in this Plan will be strictly maintained during and beyond the Plan period.

IMPROVEMENT OF THE LANDSCAPE WITHIN THE GREEN BELT

- 2.10. Whilst the remaining sections of this chapter deal with the Council's approach to development proposals in the Green Belt, enhancement of the Green Belt is also an issue of importance. This is dealt with in the Rural Environment chapter under landscape improvement. The Council has for many years had a policy of seeking landscape improvements and in August 1990 published 'A Strategy for Landscape Improvement in Spelthorne'. In so far as much of the land concerned within the Borough lies in the Green Belt, this approach accords with the latest Government guidance on objectives for the use of Green Belt land set out in paragraph 2.4 above. The sections on landscape improvement which should be particularly referred to in Chapter 3 are:-
- (a) paragraph 3.12 and Policy RU1 on land management and enhancement in general;
 - (b) paragraph 3.16 and Policy RU3 on tracts of degraded landscape requiring major improvement;
 - (c) paragraph 3.17 and Policy RU4 on landscape improvement around major features, and also small scale improvement schemes;
 - (d) paragraph 3.60 and Policy RU22 on the improvement of land affected by mineral extraction.

DEVELOPMENT PROPOSALS WITHIN THE GREEN BELT

- 2.11. PPG2 advises that the construction of new buildings inside a Green Belt is inappropriate unless it is for agriculture, forestry, outdoor sport, outdoor recreation, cemeteries, limited extension, alteration or replacement of existing dwellings, or other uses of land which preserve the openness of the Green Belt. Where development contrary to Green Belt policy is approved there must be very special circumstances. PPG2 (para. 3.5) makes clear that in respect of outdoor sport, outdoor recreation, cemeteries and other uses which preserve the openness of the Green Belt, such facilities should be essential and be genuinely required and not conflict with the purposes of including land in the Green Belt. The guidance gives examples of such facilities including small changing rooms, unobtrusive spectator accommodation for outdoor sport and small stables for outdoor sport and outdoor recreation. In respect of limited extensions or alterations PPG2 (para. 3.6) makes clear such additions should not be disproportionate over and above the size of the original building and in the case of replacement dwellings the new dwelling is not inappropriate so long as it is not materially larger than the dwelling it replaces.

- 2.12. Where the re-use of buildings in the Green Belt is proposed PPG2 (para. 3.8) explains this 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 (e.g. 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 surroundings. (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).
- 2.13. Engineering or other operations, including material changes in use, are inappropriate unless they maintain openness and do not conflict with the purposes of including land in the Green Belt (PPG2 para. 3.12).
- 2.14. Within the Green Belt in Spelthorne there is a limited amount of commercial and residential development, much of which existed prior to Green Belt designation. In seeking to prevent any inappropriate development within the Green Belt, the Council will strictly control the redevelopment or extension of any buildings within it. In addition, the Council will seek to ensure that the visual amenities of the Green Belt will not be injured by proposals for development within, or conspicuous from, the Green Belt which, although not prejudicial to its main purpose, might be inappropriate by reason of siting, materials or design.
- 2.15. Within the Green Belt there is some existing development which would not be permitted today under current policy. From time to time there are proposals to redevelop such sites. Where such buildings and the associated activity might otherwise remain for the foreseeable future, there can be merit in redevelopment which enables the site to make a more significant contribution to Green Belt objectives. Such exceptional cases would constitute 'departures' from this plan but will be considered carefully where significant environmental benefits might accrue. Such applications would normally have to be referred to the Secretary of State. The above advice needs to be considered in conjunction with Policy GB4 which deals with the reuse of buildings in the Green Belt.
- 2.16. Having regard to the advice in PPG2 summarised in the preceding paragraphs the following policy toward development in the Green Belt will be applied.

POLICY GB1

The Green Belt shown on the Proposals Map will be permanent and within it development will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness. Subject to the above, development will not be permitted except for uses appropriate to the Green Belt, comprising:-

- (a) agriculture and forestry**
- (b) essential facilities for outdoor sport and 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**
- (c) limited extension, alteration or replacement of existing dwellings**
- (d) appropriate re-use of buildings (see also Policy GB4)**
- (e) appropriate engineering and other operations**

- 2.17. PPG2 states that Local Plans may identify major existing developed sites in the Green Belt. Where, on such identified sites, proposed development meets the criteria in the guidance, the construction of new buildings may not be inappropriate. The Council has considered all land in the Borough in the light of the PPG and concluded there are no sites within the Borough which should be designated in the Local Plan. The Inspector who conducted the Inquiry into objections to the Deposit Draft of this Plan also came to this conclusion.
- 2.18. Within the Borough's Green Belt, Thames Water has a substantial land holding and range of facilities related to the storage, transfer and treatment of drinking water. It has a major water treatment works at Ashford Common occupying a site of some 52.6 hectares. The works are one of four major strategic water works in the west of London. The Ashford Common Treatment Works are connected to the London Ring Main and have an important role in providing approximately 590 mega-litres of drinking water per day for the capital and surrounding areas, including part of the Borough itself.
- 2.19. The water industry is subject to a variety of European Commission and National Statutory Regulations governing both standards of water purity and operation. The scale and nature of treatment facilities and connection to the supply and distribution system is such that relocation is not likely to be an option therefore new requirements must generally be met at existing sites in the form of infilling and alterations. A significant upgrade of facilities at Ashford was completed in 1994 to meet the requirements of the EC Drinking Water Directive. Advice to Local Authorities on the handling of proposals to meet this Directive was given in Circular 17/91 'Water

Industry Investment - Planning Considerations'. It emphasised the importance of enabling water companies to meet tight deadlines; the need for them to carefully consider the design of buildings, other installations and their impact on the environment; and that local authorities should recognise their locational constraints.

- 2.20. Such development is normally inappropriate within Green Belts requiring very special circumstances to be demonstrated. However, the Council acknowledge the importance and fixed nature of Thames Water's facilities at Ashford Common Water Treatment Works, and the principle of special regard established in Circular 17/91 in respect of such undertakings, requires sympathetic and expeditious consideration to be given to proposals for their maintenance and improvement. The detail of specific proposals will be assessed against Policy BE35 having regard to the need to protect as far as possible the openness of the Green Belt.

EXISTING RESIDENTIAL DEVELOPMENT

- 2.21. None of the isolated areas of residential development within the Green Belt has been defined as a 'Rural Settlement' within the terms of Structure Plan Policy RU1. Therefore 'infilling' and 'rounding off' will not be acceptable within any of the residential areas covered by the Green Belt. New dwellings will not be permitted in the Green Belt except in very special circumstances. The extension or rebuilding of existing dwellings in the Green Belt may be acceptable but only subject to certain strict criteria.
- 2.22. Any proposal to rebuild or extend an existing dwelling in the Green Belt must have regard to the visual impact on the character of the area. A building or extension which is unduly prominent or which results in the loss of existing landscape features, such as trees or hedgerows, will not be acceptable. The extent or scale of the visual impact will depend both on the design of any proposal and the character of the area in which it is located. The Council will also have regard to the cumulative effect of proposals on the character of an area.
- 2.23. It is important that materials used in the extension of an existing building are sympathetic to, or match, those of the original. In the case of a rebuild, the requirement to match the original dwelling will not be directly relevant but it will still be necessary for the materials to be in keeping with the character of the area and, where appropriate, complementary to any other adjoining buildings. The use of materials which would be obtrusive or out of character with the area will not be acceptable.
- 2.24. It is unlikely that an extension to provide basic amenities, such as a separate bathroom or an additional bedroom, will significantly change the scale of an existing dwelling except in the case of a very small dwelling. Thus, even where there might be sufficient space to build a large extension, which could, for example, double the size of the existing dwelling, such a proposal would be unacceptable because it would be out of scale with the original, and result in a more prominent building. By 'original' the Council means the form of the building as it was originally constructed i.e. the original building as first constructed and not a replacement which may already be

significantly larger. The Council will have regard to the full planning history back to 1948 in assessing applications. The Council is keen to ensure that the character and scale of properties in a particular area is not altered by incremental extension and will carefully consider the cumulative impact of enlargements to dwellings.

- 2.25. The size of plot on which a dwelling is situated may be a factor in determining the acceptability of any particular proposal. For example, even a small extension may not be appropriate on a very small plot because of the reduction in amenity space or the relationship with an adjoining property. However, it will not be acceptable, in terms of Green Belt policy, to seek to justify a large extension or rebuild on the grounds that it is situated on a large plot. The character of a particular area may depend on small dwellings situated within large plots where the space between the buildings is a significant factor. To permit such dwellings to be replaced or extended so that the space between the buildings was significantly altered would effectively change the character of the area and thereby be contrary to Green Belt policy.

POLICY GB2

Rebuilding and/or extension of dwellings in the Green Belt will not be permitted except where proposals do not:-

- (a) detract from the character of the area**
- (b) detract from the appearance of the existing building**
- (c) significantly change the scale of the original building, regardless of the size of the plot.**

AGRICULTURAL DWELLINGS

- 2.26. In cases where a planning application is made for a dwelling for those employed in connection with an agricultural holding, permission will only be granted where the Council is satisfied that accommodation in adjoining urban areas is not appropriate. It will be necessary to demonstrate that the accommodation is essential to the operation of the enterprise and its long term viability. As suggested in PPG7 "The Countryside - Environmental Quality and Economic and Social Development" (published February 1997) the Council will apply a functional test as to the need for the accommodation, and if necessary a financial test. Applicants may consider it worthwhile preparing a 'farm plan' which clearly sets out the justification for the new dwelling in the context of firm intentions for the future of the holding, especially if the proposal is linked with other proposals for diversification (see booklet "Surrey Farm Plan System" published by Surrey County Council). Where permission is granted conditions will be applied restricting occupation to those engaged in agriculture. Where application is made for an additional dwelling, or to relax an occupancy condition because there is claimed to be no current or likely future requirement for the accommodation in relation to the use of the site, supporting evidence from an independent agricultural advisor may be required.

POLICY GB3

Permission for a new dwelling in the Green Belt for persons engaged in agriculture will only be granted where it can be demonstrated to the satisfaction of the Borough Council that:-

- (a) accommodation in nearby urban areas is not available or appropriate; and**
- (b) the dwelling is essential to the operation of the enterprise and its long term viability.**

Where applications are approved, conditions restricting occupancy will be applied. Conditions will only be relaxed where it is clearly demonstrated that there is no current or likely requirement for the accommodation.

RE-USE OF BUILDINGS IN THE GREEN BELT

2.27. There are often opportunities for re-using or adapting existing rural buildings for new commercial, industrial, or recreational uses, and where appropriate planning permission for change of use will be granted. Paragraph 2.12 above sets out the advice in PPG2 on those circumstances where such development is appropriate. Further guidance is provided in PPG7 at paragraphs 3.14 to 3.17 and Annex G. Re-use of buildings in accordance with this guidance will allow a beneficial use of such structures for the duration of their life without adverse impact on the Green Belt. There are, however, a number of important qualifications to this:-

- (a) The new use of the building must not involve the change of use of adjoining land as this may have a materially greater impact on its openness.
- (b) The Council will wish to be satisfied that in the case of agricultural buildings permitted development rights are not going to be used to erect further buildings resulting in a proliferation of buildings in the Green Belt detrimental to the landscape. The Council may impose conditions on any change of use withdrawing permitted development rights.
- (c) Where the building and or its immediate surroundings are unattractive, the Council may require improvements before the building is accepted for the new use.
- (d) Permission will not be granted for buildings which are incapable of use without major or complete reconstruction.
- (e) There must be no other adverse environmental impact on the character of the area or by virtue of increasing traffic

- 2.28. Many rural buildings in the Borough are attractive and contribute to the character of the area. A number have been listed as being of architectural or historic interest. Proposals to reuse such buildings will be encouraged to ensure their long term preservation but any alterations will be expected to respect the integrity of the building and the character of its setting (see policy BE20). For this reason the conversion of agricultural buildings to residential use is unlikely to be acceptable.
- 2.29. The re-erection of an existing building on a new site, whether it is listed or not, will be subject to the same strict criteria which would apply to the construction of a totally new building in the Green Belt. It will not be acceptable to reconstruct a redundant building solely on the basis that it could fulfil a new use on a new site.

POLICY GB4

The re-use of buildings in the Green Belt will be permitted provided that:-

- (a) the use has no adverse impact on amenity including that arising from generated traffic**
- (b) 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**
- (c) the building is capable of accommodating the proposed use without major or complete reconstruction.**

Strict control will be exercised over the extension of re-used buildings, and over any associated use of land surrounding the building which might conflict with the openness of the Green Belt. Conditions will be attached to any permission to ensure that the new use does not lead to any adverse impact on the area, and where appropriate on agricultural buildings, to restrict permitted development rights.

RECREATION

- 2.30. In principle the use of land for outdoor sport and recreational purposes is acceptable within the Green Belt although this will not be taken as overriding the need to protect the best and most versatile agricultural land. (See Policy GB1 and paragraph 2.11 above). Small scale buildings and structures to provide ancillary facilities will normally be acceptable subject to them being small scale and incidental in use to the recreational use of the site as a whole, and their careful siting, having regard to the site and adjoining land. There will be a presumption against those recreational activities requiring apparatus and structures which are inconsistent with the objective of maintaining the open nature of the Green Belt. See also paragraph 4.16 and Policy BE4 on proposals for lighting.

- 2.31. PPG17 "Sport and Recreation" does recognise the particular problems that may face Football League clubs who are required to make improvements to their grounds in the interests of public safety in line with the Taylor Report and the very special circumstances of these clubs which might justify an exception to Green Belt policy, where all other options have been exhausted.

POLICY GB5

The use of Green Belt land for recreation, and buildings and structures directly ancillary to such use, will only be permitted where:-

- (a) they are consistent with the character of the area**
- (b) they do not lead to irreversible loss of the best and most versatile agricultural land**
- (c) buildings are small scale and incidental to the recreational use of the site as a whole or, if comprising spectator accommodation, they are unobtrusive.**
- (d) there is no adverse effect on nature conservation.**

HORSE KEEPING

- 2.32. Horse riding is a popular recreational activity and a number of sites in the Borough are used for horse keeping. Provision for horse riding and bridleways is referred to in Chapter 11 - Recreation, paragraph 11.29. PPG7 Annex F explains that planning permission is not needed for the use of land for the purposes of agriculture, which includes the keeping and breeding of livestock, where they are bred or kept for agricultural purposes or where the use of land is for grazing. Land can be said to be used for 'grazing' if horses are turned onto it with a view to feeding them from it but not if they are kept on it for some other purpose such as for exercise or recreation where grazing is incidental. Planning permission is normally required for the use of land of keeping horses and for equestrian activities unless they are kept as 'livestock' or the land is used for 'grazing'.
- 2.33. The Borough Council will seek to discourage over intensive grazing, which can have an adverse effect on the appearance of the land and on wildlife, and will encourage the proper maintenance of the land and its boundary fencing. To avoid the degradation of grazing land a site area of about 0.6 hectares per horse is normally required where horses are continuously grazed on the land. Proposals for stables and similar horse related development will need to be acceptable in terms of design, siting, means of enclosure and impact on residential amenity, highway safety and the Green Belt. Further guidance on this subject is provided in "Horses in the Countryside" a Countryside Agency publication (CCP261).

POLICY GB6

Proposals for horse related development will be acceptable where there have no adverse impact on:-

- (a) the amenities of adjoining residents**
- (b) the appearance of the land through over-intensive grazing**
- (c) the environment generally (individually or cumulatively)**
- (d) highway safety**

and they comply with the design policies of the Plan. In addition, in the Green Belt, horse keeping facilities will only be permitted where:-

- (e) the structures and areas of hard surfacing are kept to a minimum and, together with the means of enclosure, are appropriate and do not detract from the openness of the Green Belt.**