

Chapter Two**The Green Belt**

Index	Page
Topic	
Introduction	12
Objectives	12
Development in the Green Belt	13
General Principles	13
Re-use of Buildings in the Green Belt	13
Redevelopment or Replacement of Industrial Development	14
Residential Development in the Green Belt	15
Rebuilding of Existing Dwellings in the Green Belt	15
Extensions to Dwellings	16
Garden Extensions	17
Agricultural Dwellings	18
Agriculture and Ancillary Development	18
Recreational Uses	19
Nature Conservation	19
Landscape	19

The Green Belt

Introduction

- 2.1. Green Belt policy has been successful in resisting the outward spread of London and maintaining an attractive area of open countryside close to the Capital.
- 2.2. The general extent of the outer Green Belt boundary is described in the Approved Essex Structure Plan (Second Alteration), and places the Borough within the Green Belt. The inner boundary of the Green Belt falls to be determined by the Borough Council as part of the Local Plan Process.
- 2.3. Once established, the Green Belt boundary will become 'permanent' i.e. it will substantially exceed the lifetime of the Plan. It is therefore essential that the Green Belt boundary takes account of likely development needs beyond the Plan period.

Objectives

- 2.4. The objectives of establishing a Green Belt as defined by the Department of the Environment are:
 - ☐ To check the unrestricted sprawl of large built up areas.
 - ☐ To safeguard the surrounding countryside from further encroachment.
 - ☐ To prevent neighbouring towns from merging into one another.
 - ☐ To preserve the special character of historic towns.
 - ☐ To assist urban regeneration.
- 2.5. Definition of a boundary in accordance with these objectives will have the dual effect of preventing the coalescence of settlements and safeguarding the countryside to provide for recreational needs and the protection of natural features, flora and fauna and their habitats.
- 2.6. In order to ensure a consistency of approach in defining a defensible long term Green Belt boundary, the following criteria have been applied:-
 1. All open land which performs a Green Belt function shall be included within the Green Belt.
 2. Land will only be designated as safeguarded land where there are foreseen long term needs which cannot be met elsewhere.
 3. The Green Belt Boundary shall be drawn so as not to include land which it is unnecessary to keep permanently open.
 4. Where possible the Green Belt boundary shall be defined by reference to recognisable features such as roads, streams, belts of trees or woodland edges.
- 2.7. In some areas it is difficult to identify a Green Belt boundary. This is particularly the case where frontage development with long rear gardens is considered. In such cases, where it has been determined to retain the rear gardens in the Green Belt, the Green Belt boundary has been drawn as close to the urban development as possible.

- 2.8. The Proposals Map indicates the definitive, defensible Green Belt boundary. In order to clarify the precise areas of land contained within the Green Belt, large scale maps have been produced showing the boundary in greater detail. These maps do **not** form part of the Local Plan, but are for guidance only and are available for inspection.

Development within the Green Belt

General Principles

- 2.9. In order to maintain the national objectives of the Green Belt, as set out in Planning Policy Guidance Note 2, it is essential to control development within the Green Belt. The Essex Structure Plan (Second Alteration) reaffirms the need for strict control of development in **Policy S9** (See **Appendix 1**), and the Borough Council would wish to reiterate this as follows:

POLICY GB1 - CONTROL OF DEVELOPMENT

WITHIN THE GREEN BELT IDENTIFIED ON THE PROPOSALS MAP PERMISSION WILL NOT BE GIVEN, EXCEPT IN VERY SPECIAL CIRCUMSTANCES, FOR THE CONSTRUCTION OF NEW BUILDINGS, OR FOR THE CHANGE OF USE OF LAND, OR FOR THE EXTENSION OF EXISTING BUILDINGS (OTHER THAN REASONABLE EXTENSIONS TO EXISTING DWELLINGS) FOR PURPOSES OTHER THAN:

- i. AGRICULTURE;
- ii. MINERAL EXTRACTION;
- iii. FORESTRY;
- iv. ESSENTIAL FACILITIES FOR OUTDOOR PARTICIPATORY SPORT AND OUTDOOR RECREATION;
- v. CEMETERIES OR OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND WITHIN IT.

ANY DEVELOPMENT WHICH IS PERMITTED SHALL BE OF A SCALE, DESIGN AND SITING THAT THE APPEARANCE OF THE COUNTRYSIDE IS NOT IMPAIRED.

- 2.10. **Appendix 2** provides guidance on “reasonable extensions” to existing dwellings.
- 2.11. Whilst the above policy controls the change of use of land in the Green Belt, **Policy GB2** below provides for the re-use of existing buildings in the Green Belt.

Re-use of buildings in the Green Belt

- 2.12. The re-use or adaptation of existing buildings in the Green Belt for commercial, light industrial or recreational uses can help to reduce demands for new building and can encourage new enterprises and jobs. The Council recognises the need to develop local employment opportunities and in principle supports the re-use of buildings for new uses providing that the activity proposed is of a scale and character appropriate to its Green Belt location, that its traffic impact is acceptable, and that the building concerned is appropriate in terms of its structure in order to avoid extensive rebuilding or alteration to the detriment of its external appearance. Uses requiring the external storage of materials or equipment will not be considered appropriate. Particular care will be taken when considering

residential conversions, which may require extensive alterations to the existing building and which may involve the creation of a residential curtilage around the converted building which may have a harmful effect on the character of the countryside.

- 2.13. The re-use of Listed Buildings requires a particularly sensitive approach. Attention is drawn to the Supplementary Planning Guidance produced by Essex County Council ("Barn Conversions" and "Residential Barn Conversions") and **Policy EC35** "Re-use of Listed Buildings" of this document.

POLICY GB2 - RE-USE OF BUILDINGS IN THE GREEN BELT

IN DETERMINING ANY APPLICATION FOR THE ADAPTATION OR RE-USE OF BUILDINGS IN THE GREEN BELT, THE COUNCIL WILL HAVE REGARD TO:

- i. THE SCALE AND NATURE OF THE USE PROPOSED AND ITS SUITABILITY TO THE LOCATION;
- ii. ITS LIKELY TRAFFIC GENERATION, ACCESS AND IMPACT ON THE HIGHWAY NETWORK;
- iii. ITS EFFECT ON THE CHARACTER AND AMENITIES OF THE ADJOINING GREEN BELT;
- iv. THE SUITABILITY OF THE BUILDING OR BUILDINGS FOR THE PROPOSED USE;
- v. THE SCALE AND TYPE OF STORAGE USE INVOLVED; AND
- vi. ANY OTHER RELEVANT POLICIES CONTAINED IN THE LOCAL PLAN.

ANY PROPOSAL WHICH IT IS CONSIDERED WOULD HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT WILL BE REFUSED.

- 2.14. Temporary consents may be granted in appropriate cases in order to allow the impact of proposed schemes to be fully assessed before any final decision is made.

Redevelopment or Replacement of Industrial Development

- 2.15. The Green Belt contains a number of employment sites, many of which predate the Town and Country Planning system and Green Belt designation.

- 2.16. These uses can generate significant levels of noise, traffic movement and general disturbance which can be detrimental to the amenities of residents living adjacent to such uses and other users of the Green Belt and has led to increasing pressure for the redevelopment of such sites, being the substantial removal of existing buildings and structures and their replacement with purpose-built structures, for residential purposes.

- 2.17. Whilst it may be desirable in some cases to remove such non-conforming uses from the Green Belt, it is considered that their redevelopment for residential purposes is likely to lead to the intensification of built development in the Green Belt and potentially the sprawl of urban areas to the detriment of the objectives of the Green Belt. In addition, in view of the shortage of employment land in the Borough, it is considered desirable to maintain such uses where possible.

POLICY GB3 - REDEVELOPMENT OR REPLACEMENT OF INDUSTRIAL DEVELOPMENT

THE REDEVELOPMENT OR REPLACEMENT OF EXISTING INDUSTRIAL DEVELOPMENT OR AGRICULTURAL BUILDINGS FOR RESIDENTIAL PURPOSES WITHIN THE GREEN BELT WILL NOT BE PERMITTED.

- 2.18. Whilst redevelopment of a site for residential purposes is unacceptable, the re-use of buildings for residential purposes, where no substantial redevelopment is required, or the replacement of existing dwellings in the Green Belt, will be considered in the light of **Policies GB2** and **GB4** respectively.

Residential Development in the Green Belt

Rebuilding of Existing Dwellings in the Green Belt

- 2.19. The Green Belt in Castle Point contains a number of occupied dwellings, many of which are relatively small, lack modern facilities, are in poor condition or are nearing the end of their life. The replacement of such dwellings need not be inappropriate, provided the new dwelling is not materially larger than that which it replaces. In considering such enlargement, the Council will accept an increase in the cubic volume of the dwelling up to that of the unimplemented permitted development rights of the original dwelling. However, in order to prevent any further expansion of development which might prejudice the Green Belt function of the site the Council will, in appropriate cases, seek a legal agreement with the owners and occupiers, to restrict or withdraw permitted development rights from the new property, including the conversion of roof and garage space to habitable rooms.

POLICY GB4 - REBUILDING OF EXISTING DWELLINGS IN THE GREEN BELT

PROPOSALS FOR THE REBUILDING OF DWELLINGS IN THE GREEN BELT WILL BE PERMITTED PROVIDED ALL OF THE FOLLOWING CRITERIA ARE SATISFIED:

- (i) THE RESIDENTIAL USE OF THE DWELLING TO BE REPLACED HAS NOT BEEN ABANDONED;
- (ii) THE REPLACEMENT DWELLING SHALL BE SITED IN THE SAME POSITION AS THE EXISTING OR FORMER DWELLING UNLESS ITS RESITING WOULD BE LESS OBTRUSIVE AND WOULD IMPROVE THE APPEARANCE OF THE GREEN BELT;
- (iii) THE SIZE, GENERAL LINES AND FORM OF THE REPLACEMENT DWELLING ARE SIMILAR TO THAT OF THE PREVIOUS DWELLING. ADDITIONAL CUBIC VOLUME UP TO THAT OF THE MAXIMUM OF THE UNIMPLEMENTED PERMITTED DEVELOPMENT RIGHTS OF THE ORIGINAL DWELLING MAY BE INCLUDED;
- (iv) IN ALL PROPOSALS FOR REPLACEMENT DWELLINGS IN THE GREEN BELT, GAPS SHALL BE MAINTAINED BETWEEN THE FLANK WALLS (Contd) OF ANY STRUCTURE AND THE BOUNDARIES OF THE CURTILAGE WHICH COINCIDE WITH THE GAPS AROUND THE STRUCTURES TO BE REPLACED, OR PROVIDE MINIMUM GAPS OF 3m (10ft), WHICHEVER IS THE GREATER;
- (v) A SCHEME OF LANDSCAPING, INCLUDING, WHERE APPROPRIATE, SUBSTANTIAL STRIPS ALONG CURTILAGE BOUNDARIES, SHALL BE PROVIDED, IMPLEMENTED AND APPROPRIATELY MAINTAINED;
- (vi) THE REPLACEMENT DWELLING SHALL BE SYMPATHETIC IN SCALE, FORM, DESIGN, HEIGHT AND MATERIALS, TO THE RURAL CHARACTER OF ITS SURROUNDINGS AND NEARBY BUILDINGS.

IN DETERMINING UNDER CRITERION (i) WHETHER OR NOT THE RESIDENTIAL USE OF AN ORIGINAL DWELLING IN THE GREENBELT HAS BEEN ABANDONED, THE COUNCIL WILL TAKE ACCOUNT OF THE FOLLOWING FACTORS:

- (a) THE PHYSICAL CONDITION AND APPEARANCE OF THE BUILDING;
- (b) THE LENGTH OF ANY PERIOD OF DISCONTINUANCE AND NON-USE;
- (c) WHETHER THERE HAS BEEN ANY INTERVENING USE;
- (d) EVIDENCE OF THE OWNERS INTENTIONS.

THE COUNCIL WILL SEEK TO SECURE, WHERE APPROPRIATE, A LEGAL AGREEMENT TO RESTRICT PERMITTED DEVELOPMENT RIGHTS, INCLUDING THE CONVERSION OF ROOF AND GARAGE SPACE TO HABITABLE ROOMS, IN ORDER TO ENSURE THAT CRITERIA (iii) AND (iv) ABOVE ARE MAINTAINED, PRIOR TO ANY PERMISSION BEING GRANTED FOR THE REBUILDING OF DWELLINGS UNDER THIS POLICY.

2.20. **Appendix 2** elaborates on the phrase “size, general lines and form”.

2.21. **Appendix 3** describes those classes of development contained in the General Permitted Development Order which may be restricted under the above Policy.

Extensions to Dwellings

2.22. The Council wishes to ensure that all extensions to dwellings in the Green Belt, including garages or similar domestic buildings within the curtilage of the dwelling, are in sympathy with the character, form, scale, height and materials of the existing dwelling and the surrounding area in order to ensure the Council's objective of maintaining an open character within the Green Belt is achieved.

2.23. In order to prevent the subsequent conversion of garages and roofspace to habitable rooms, the Council will seek a legal agreement with the owners and occupiers, to restrict or withdraw permitted development rights.

POLICY GB5 - EXTENSIONS TO DWELLINGS

PROPOSALS FOR THE EXTENSION OF EXISTING DWELLINGS IN THE GREEN BELT WILL SATISFY THE FOLLOWING CRITERIA:

- (i) THE SCALE, CHARACTER AND ORIGINAL FORM OF THE EXISTING DWELLINGHOUSE SHALL NOT BE IMPAIRED;
- (ii) THE PROPOSED EXTENSION SHALL NOT BE OF UNDUE PROMINENCE;
- (iii) THE PROPOSED EXTENSION SHALL NOT HAVE AN ADVERSE IMPACT ON THE APPEARANCE OR CHARACTER OF THAT PART OF THE GREEN BELT;
- (iv) THE PROPOSED EXTENSION SHALL BE SYMPATHETIC IN TERMS OF SCALE, FORM, DESIGN, HEIGHT AND MATERIALS TO THE EXISTING DWELLING AND ITS SURROUNDINGS;
- (v) A HIGH QUALITY OF DESIGN WILL BE EXPECTED FOR ALL EXTENSIONS;

(Contd)

- (vi) THE HEIGHT OF ANY NEW PITCHED ROOF SHALL HARMONISE WITH THE LINE AND FORM OF THE ORIGINAL DWELLING;
- (vii) A MINIMUM SIDE ISOLATION SPACE OF 3m (10') SHALL BE MAINTAINED BETWEEN ALL FLANK WALLS OF ANY BUILT STRUCTURE AND THE PLOT BOUNDARY.

THE COUNCIL WILL SEEK TO SECURE, WHERE APPROPRIATE, A LEGAL AGREEMENT TO RESTRICT PERMITTED DEVELOPMENT RIGHTS, INCLUDING THE ERECTION OF ANCILLARY BUILDINGS WITHIN THE CURTILAGE OF THE DWELLING AND THE CONVERSION OF ROOF AND GARAGE SPACE TO HABITABLE ROOMS IN ORDER TO ENSURE CRITERIA (i), (ii), (iii), (iv), (v), (vi) AND (vii) ABOVE ARE MAINTAINED, PRIOR TO ANY PERMISSION BEING GRANTED FOR THE EXTENSION OF DWELLINGS IN THE GREEN BELT.

- 2.24. In addition, proposals for extensions to dwellings in the Green Belt will be the subject the guidance offered by **SPG2, SPG3, SPG4, SPG12, SPG19, SPG 24, SPG25, SPG26, SPG28, SPG29, SPG30, SPG31, Policy H18** and **Appendix 4**. Those Classes of development which may be restricted are described in **Appendix 3**.

Extensions to Gardens in the Green Belt

- 2.25. The incorporation of land into a domestic garden is a change of use requiring planning permission. The use of land previously in the Green Belt as a private garden could be detrimental to the viability of an agricultural holding, may affect nature conservation interests, or be detrimental to the visual amenities of the Green Belt. Consequently, when considering applications for garden extensions, the Council will apply the following policy:

POLICY GB6 - GARDEN EXTENSIONS

APPLICATIONS FOR EXTENSIONS TO PRIVATE GARDENS INTO THE GREEN BELT WILL BE REFUSED WHERE THEY WOULD:

- (i) BE DETRIMENTAL TO THE VISUAL AMENITIES OR CHARACTER OF THE GREEN BELT;
- (ii) AFFECT THE VIABILITY OF AGRICULTURAL HOLDINGS; AND/OR
- (iii) AFFECT SITES OF NATURE CONSERVATION INTEREST OR AREAS OF OPEN LANDSCAPE. (Contd).

WHERE CONSENT IS EXCEPTIONALLY GRANTED THE COUNCIL WILL SEEK TO SECURE A LEGAL AGREEMENT TO RESTRICT PERMITTED DEVELOPMENT RIGHTS IN RESPECT OF THE ERECTION OF ANCILLARY BUILDINGS WITHIN THE EXTENDED CURTILAGE OF THE DWELLING.

Agricultural Dwellings

- 2.26. Applications for agricultural worker's dwellings will need to be supported by a statement demonstrating that the proposed dwelling is required for the viability of the holding. It will be necessary for applicants to show that it is essential for 24 hour attendance to be on hand on the agricultural holding in question. Where necessary, the Council will seek independent professional advice. The Council may also require evidence of the financial viability of the holding in support of applications for agricultural dwellings.

- 2.27. Where the provision of agricultural dwellings can be justified the Council will expect such dwellings to be sited adjacent to existing groups of farm buildings or settlements and the development to incorporate an agreed scheme of landscaping to lessen the development's visual impact on the open countryside and the Green Belt.

POLICY GB7 - AGRICULTURAL DWELLINGS

IN CONSIDERING PLANNING APPLICATIONS FOR PERMANENT DWELLINGS FOR AGRICULTURE OR ALLIED PURPOSES WITHIN THE GREEN BELT THE COUNCIL WILL HAVE REGARD TO ESSEX STRUCTURE PLAN POLICY S9, AND POLICY GB1 OF THE LOCAL PLAN. IN ADDITION, DEVELOPMENT WILL SATISFY THE FOLLOWING CRITERIA:

- (i) THE AGRICULTURAL HOLDING IN QUESTION REQUIRES A FULL TIME AGRICULTURAL/HORTICULTURAL WORKER;
- (ii) IT IS ESSENTIAL FOR 24 HOUR ATTENDANCE TO BE ON HAND;
- (iii) A DWELLING IS JUSTIFIED TAKING INTO ACCOUNT THE POTENTIAL OFFERED BY EXISTING RESIDENTIAL ACCOMMODATION IN THE AREA AND THE PROXIMITY¹ OF THE HOLDING TO AN ESTABLISHED RESIDENTIAL AREA.

ANY PERMISSION GRANTED WILL BE SUBJECT TO A PLANNING CONDITION LIMITING THE OCCUPANCY OF THE DWELLING TO A PERSON SOLELY OR MAINLY EMPLOYED, OR LAST EMPLOYED IN THE LOCALITY, IN AGRICULTURE, OR IN FORESTRY OR A DEPENDANT OF SUCH A PERSON RESIDING WITH HIM OR HER, OR THE WIDOW OR WIDOWER OF SUCH A PERSON.

¹In the context of this policy, 'proximity' is defined as being within 5 minutes drive time of the agricultural holding.

Agriculture and Ancillary Development

- 2.28. Development related to agriculture is subject to **Policies EC9,10 and 11**. (Chapter 3).

Recreational Uses

- 2.29. **Policy GB1** states that only essential facilities for outdoor participatory sport and recreation will be allowed in the Green Belt. In this context large buildings for sports halls would be unacceptable (see **Policy RE1**). The provision of golf courses is considered in **Policy RE2** and the provision of horse riding facilities in **Policy RE11**. Provision for informal recreational activities is considered in **Policies RE8 and RE9** (Chapter 8).

Nature Conservation

- 2.30. The Green Belt provides significant areas of wildlife habitat. Consideration of the protection of such habitats is made in **Policy EC12 and EC13**, (Chapter 3).

Landscape

- 2.31. The Council will encourage landowners and applicants, in the case of development proposals, to adequately landscape the land concerned, and protect existing natural features through the application of **Policies EC16 to EC20**, (Chapter 3).

