

## **Development Department**

Leeds Unitary Development Plan  
(Review 2006)

## Volume 2: Appendices

# A5. CONTROL OF DEVELOPMENT IN THE GREEN BELT

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## **CONTROL OF DEVELOPMENT IN THE GREEN BELT**

### **A5.1 INTRODUCTION**

- A5.1.1 The protection of the Green Belt is seen by the public as a whole as one of the most important functions of a local planning authority. Because of this public interest, this Appendix provides detailed Policies and guidance on the control of development in the Green Belt, to supplement Policy N33 (Volume 1, and reproduced below in para. A5.4.1).
- A5.1.2 The control of development in the Green Belt is essentially a negative control on the use of land. It is not the function of control to ensure that land is productive and well-tended. Rather, that is the function of a positive framework of rural planning and management which is the subject of the "Leeds Countryside Strategy" (Volume 1, Chapter 5.5).

### **A5.2 NATIONAL GUIDANCE ON GREEN BELT CONTROL**

- A5.2.1 The general policies controlling development in the countryside apply with equal force in the Green Belt but there is, in addition, a presumption against inappropriate development. National guidance on Green Belts and the control of development within them is contained in PPG 2.

### **A5.3 STRATEGIC PLANNING GUIDANCE FOR WEST YORKSHIRE**

- A5.3.1 The Guidance issued by the Secretary of State for the Environment in July 1989 for the preparation of Unitary Development Plans in West Yorkshire is as follows:

"The Green Belt in West Yorkshire protects open land between the urban areas, within the core of the conurbation, and around its outer edges. It regulates the growth of urban areas, prevents the coalescence of settlements, preserves the open land that extends into the urban areas for recreational or amenity use and provides for easy access to open country. It has contributed to the maintenance of the unusually open and often attractive character of the conurbation. It will also assist in the process of urban regeneration. Green Belts are permanent features and their protection must be maintained. The policies governing the control of development in Green Belts are set out in Planning Policy Guidance No 2 and Unitary Development Plans should have regard to that guidance.

The general area of the Green Belt within West Yorkshire was reviewed and approved in the County Structure Plan in 1980. In some areas detailed boundaries have been determined but there are many areas where boundaries have yet to be finalised. A full-scale review of the Green Belt is not warranted for West Yorkshire

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but the preparation of Unitary Development Plans provides the opportunity to give precision to the Green Belt where boundaries have not yet been clearly defined and, exceptionally, to review the existing boundaries where economic regeneration may be constrained by a lack of suitable industrial sites. The exercise must establish boundaries which are secure having taken account of the likely scale and pattern of development needs well into the next century. If an alteration to the Green Belt boundary is proposed, the Secretary of State will wish to be satisfied that the local planning authority has fully considered opportunities for development elsewhere, preferably within the urban areas, or that the area affected by the boundary change is no longer capable of making a significant contribution to the objectives of the Green Belt. Where land is not needed for immediate development but is omitted from the Green Belt to meet potential long-term needs, it should be protected in the meantime by strong development control policies."

- A5.3.2 Regional Planning Guidance for Yorkshire and Humberside (RGP12) was issued in March 1995. It does not add to Strategic Planning Guidance on the issue of Green Belts. However in launching RPG12 the Minister reported that the Government has asked the local planning authorities in the region to advise on the early review of green belt boundaries, by March 1997.

### **A5.4 LEEDS UNITARY DEVELOPMENT PLAN - CONTROL OF DEVELOPMENT IN THE GREEN BELT**

- A5.4.1 Volume 1 of the Leeds UDP states the strategic policies for Leeds Green Belt and sets out their rationale and justification. Those policy statements are repeated here for convenience and completeness:

**N32: THE AREA SHOWN ON THE PROPOSALS MAP IS DESIGNATED AS GREEN BELT.**

**N33: EXCEPT IN VERY SPECIAL CIRCUMSTANCES APPROVAL WILL ONLY BE GIVEN IN THE LEEDS GREEN BELT FOR:**

- **CONSTRUCTION OF NEW BUILDINGS FOR PURPOSES OF AGRICULTURE AND FORESTRY; ESSENTIAL FACILITIES FOR OUTDOOR SPORTS AND OUTDOOR RECREATION; ESSENTIAL FACILITIES FOR THE PARK AND RIDE SITES SHOWN ON THE PROPOSALS MAP; AND OTHER USES COMPATIBLE WITH GREEN BELT PURPOSES;**
- **LIMITED EXTENSION, ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS;**

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- **LIMITED INFILLING AND REDEVELOPMENT OF MAJOR EXISTING DEVELOPED SITES;**
- **LIMITED INFILLING IN IDENTIFIED VILLAGES AND LIMITED AFFORDABLE HOUSING FOR LOCAL COMMUNITY NEEDS.**
- **RE-USE OF BUILDINGS, WHERE ALL THE DETAILED CRITERIA OF POLICY GB4 ARE SATISFIED;**
- **CHANGE OF USE OF LAND FOR PURPOSES WHICH DO NOT COMPROMISE GREEN BELT OBJECTIVES.**
- **CEMETERIES**

**DEVELOPMENT WITHIN THE GREEN BELT WILL ONLY BE PERMITTED IF IT CONFORMS TO THE DETAILED GREEN BELT POLICIES CONTAINED IN APPENDIX 5 IN VOLUME 2.**

A5.4.2 The following policies are provided to describe the acceptability of various forms and types of development in the Green Belt. The intent is expressed in the first Green Belt Policy:

**GB1: WITH THE EXCEPTION OF INFILL DEVELOPMENT, COVERED BY POLICY GB2, DEVELOPMENT CONTROL IN THE GREEN BELT WILL BE EXERCISED TO:**

- i. **KEEP LAND PERMANENTLY OPEN;**
- ii. **CHECK THE UNRESTRICTED SPRAWL OF LARGE BUILT-UP AREAS;**
- iii. **PREVENT NEIGHBOURING TOWNS FROM MERGING INTO ONE ANOTHER;**
- iv. **ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT;**
- v. **PRESERVE THE SETTING AND SPECIAL CHARACTER OF HISTORIC TOWNS; AND**
- vi. **ASSIST IN URBAN REGENERATION, BY ENCOURAGING THE RECYCLING OF DERELICT AND OTHER URBAN LAND;**
- vii. **PROVIDE OPPORTUNITIES FOR ACCESS TO THE OPEN COUNTRYSIDE FOR THE URBAN POPULATION;**

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- viii. **PROMOTE THE USE OF LAND NEAR URBAN AREAS FOR OUTDOOR SPORT, RECREATION AND LEISURE;**
- ix. **RETAIN ATTRACTIVE LANDSCAPES, AND ENHANCE LANDSCAPES, NEAR TO WHERE PEOPLE LIVE;**
- x. **IMPROVE DAMAGED AND DERELICT LAND AROUND TOWNS;**
- xi. **SECURE NATURE CONSERVATION INTEREST;**
- xii. **RETAIN LAND FOR AGRICULTURAL, FORESTRY AND RELATED PURPOSES;**
- xiii. **ENSURE PRIMARILY THAT THE USE OF ANY LAND IS APPROPRIATE TO GREEN BELT;**
- xiv. **PROTECT THE BEST AND MOST VERSATILE AGRICULTURAL LAND;**
- xv. **PROTECT THE VIABILITY OF AGRICULTURAL HOLDINGS, AS FAR AS IS PRACTICAL;**
- xvi. **PROTECT AND WHERE OPPORTUNITY ARISES IMPROVE THE VISUAL AMENITIES OFFERED BY THE GREEN BELT.**

A5.4.3 The following policies reflect and amplify national guidance and address the particular problems faced in the day - to - day control of development in the Leeds Green Belt.

A5.4.4 This Appendix is concerned solely with control for green belt purposes. Special regulations apply to agricultural and forestry developments. Otherwise consideration of applications in the Green Belt will include all the matters considered in a planning application elsewhere, especially siting, design, materials, access and drainage. Indeed, because of the rural nature of the Green Belt, a higher standard of siting, design, materials and landscaping may be required than in many urban areas.

### **Infilling**

A5.4.5 Within villages which are washed over by the Green Belt (i.e. they are not 'islands' of development which have been excluded from the Green Belt on the Proposals Map), there may be opportunities for minor infill development which would not harm the overall openness of the Green Belt. Such development is defined as the filling of a small gap within an existing small group of buildings.

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**GB2: INFILLING WILL ONLY BE PERMITTED WHERE ALL THE FOLLOWING APPLY:**

- i. THE SITE HAS A FRONTAGE TO THE ROAD;
- ii. THE SITE IS A SMALL GAP BOUNDED BY EXISTING DEVELOPMENT;
- iv. THE PROPOSAL IS IN SCALE AND CHARACTER WITH THE SURROUNDING AREA AND DOES NOT CONSOLIDATE RIBBON DEVELOPMENT.

### **A5.5 CHANGES OF USE**

A5.5.1 A change of use is as much development as is new building. The same considerations shall be applied to an application for a change of use in the Green Belt as to an application for new building. Policy GB3 deals with Buildings of Historic or Architectural Interest, and Policy GB4 with other buildings.

**GB3: WHERE AN APPROPRIATE GREEN BELT USE CANNOT BE FOUND FOR A BUILDING OF HISTORIC OR ARCHITECTURAL INTEREST, ANOTHER USE MAY BE PERMITTED PROVIDED THIS RESULTS IN THE RETENTION, SUBSTANTIALLY UNALTERED, OF THE BUILDING AND ITS CHARACTER, CURTILAGE AND SETTING.**

A5.5.2 The buildings covered by Policy GB3 are defined as:

- i. a building appearing on the Statutory List, compiled under Section 54 of the Planning, Listed Buildings and Conservation Areas Act 1990, or on the Draft Lists and including buildings designated Grade III, and
- ii. a building on which the Local Planning Authority has served a Building Preservation Notice.

**GB4: PLANNING PERMISSION FOR CHANGE OF USE OF A BUILDING IN THE GREEN BELT WILL NOT BE GRANTED UNLESS THE FOLLOWING CRITERIA ARE MET:**

- i. ANY PHYSICAL CHANGES TO THE BUILDING AND ITS CURTILAGE WOULD MAINTAIN OR ENHANCE THE OPENNESS, CHARACTER AND APPEARANCE OF THE GREEN BELT; AND



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- ii. **THE BUILDING CAN BE SHOWN TO BE IN A GENERALLY SOUND PHYSICAL CONDITION AND IS OF A SIZE, STRUCTURAL FORM AND MATERIALS SUITABLE FOR THE INTENDED AFTER USE WITHOUT NEED OF SUBSTANTIAL REBUILDING OR EXTENSION; AND**
- iii. **A SAFE ACCESS FOR THE BUILDING CAN BE ACHIEVED WITHOUT HARMING THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE; AND**
- iv. **NO SIGNIFICANT ADDITIONAL EXPENSE WILL FALL ON THE PUBLIC UTILITIES OR SERVICES; AND**
- v. **IN THE CASE OF A BUILDING USED OR LAST USED IN CONNECTION WITH AGRICULTURE, PERMITTED DEVELOPMENT RIGHTS FOR FURTHER NEW FARM BUILDINGS ON THE HOLDING MAY BE WITHDRAWN BY A CONDITION TO THE PLANNING PERMISSION; AND**
- vi. **IN THE CASE OF CONVERSION OF A BUILDING TO RESIDENTIAL USE, THE BUILDING IS NOT OF A SCALE WHICH WOULD PRODUCE A NEW HAMLET IN THE GREEN BELT; AND**
- vii. **APPLICANTS SHOULD DEMONSTRATE THAT A PROPOSAL TO CHANGE THE USE OF A BUILDING TO RESIDENTIAL USE WOULD NOT SERIOUSLY HARM THE LOCAL ECONOMY.**

**GB5: IN CONSIDERING PROPOSALS FOR THE REUSE OF GREEN BELT BUILDINGS, COMMERCIAL USES WILL BE PREFERRED TO RESIDENTIAL USE. WHERE THE LATTER IS PROPOSED THE APPLICANT SHOULD SUPPLY EVIDENCE OF HAVING MADE EVERY REASONABLE ATTEMPT TO SECURE A BUSINESS RE-USE.**

A5.5.4 “Commercial use” in the context of Policy GB5 refers to those uses which have the capacity to generate employment or income and thus includes industrial, business, storage and recreation uses. The aim is to encourage diversification of the rural economy and to promote tourism and recreation, whilst ensuring proposals are compatible with the aim and purposes of the Green Belt.

A5.5.5 In the interests of diversification of the rural economy, proposals to convert buildings outside settlements for alternative commercial uses (see para A5.5.4) will in principle be supported, but proposals for residential

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use will have to be accompanied by evidence that the rural economy will not suffer as a result.

**GB6: WHERE AN EXISTING BUILDING DIRECTLY ADJOINS OR IS WITHIN A SETTLEMENT IN THE GREEN BELT, CONVERSION FOR RESIDENTIAL USE WILL BE ACCEPTABLE IN PRINCIPLE PROVIDED THAT THE FOLLOWING CRITERIA ARE MET:**

- i. **THE BUILDING IS IN GENERALLY SOUND CONDITION (I.E. IS NOT DERELICT);**
- ii. **THE BUILDING IS OF A CHARACTER (IN TERMS OF DESIGN AND MATERIALS) WHICH IS APPROPRIATE TO THAT SETTLEMENT;**
- v. **NO SIGNIFICANT ADDITIONAL EXPENSE WILL FALL ON PUBLIC SERVICES.**

A5.5.6. At the major developed sites within the Green Belt which are identified in Policy GB7, alternative uses and some infill development may be acceptable. Strict criteria, as set out in national guidance will be applied, to ensure that such development would have no greater impact on the purposes of the green belt than existing development and that it would contribute to the objectives of the green belt. Amongst other considerations, the height of new development should not exceed that of the existing buildings and there should be no major increase in the developed proportion of the site.

**GB7: AT THE FOLLOWING MAJOR DEVELOPED SITES WITHIN THE GREEN BELT, ALTERNATIVE USES AND LIMITED INFILL DEVELOPMENT MAY BE ACCEPTABLE:**

- **AIREDALE AND WHARFEDALE COLLEGE, CALVERLEY LANE, HORSFORTH**
- **HIGH ROYDS HOSPITAL, GUISELEY**

## **A5.6 REBUILDING, ALTERATION AND EXTENSIONS**

A5.6.1 Alterations and extensions will only be accepted for dwellings and for no other building types save those at sites identified in Policy GB7, and subject to the following policy requirements:

**GB8: EXTENSIONS TO DWELLINGS IN THE GREEN BELT WILL BE PERMITTED WHERE THE EXTENSION:**

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- i. **WOULD NOT MATERIALLY INCREASE THE IMPACT OF THE BUILDING ON THE OPENNESS OF THE GREEN BELT; AND**
- ii. **WOULD NOT EXCEED THE ORIGINAL DWELLING IN SIZE; AND**
- iii. **THE EXTENDED DWELLING WOULD NOT BE LARGER THAN IS NEEDED FOR ONE HOUSEHOLD.**

A5.6.2 Redevelopment of a dwelling in the Green Belt requires special care to ensure that the replacement dwelling would have no greater impact on openness or on the purposes of the Green Belt than the dwelling replaced. In the case of other buildings, replacement will only be acceptable in principle at the locations identified under Policy GB7.

**GB9: REDEVELOPMENT OF ANY BUILDING USED FOR A PURPOSE WHICH IS INAPPROPRIATE IN THE GREEN BELT WILL NOT BE PERMITTED, EXCEPT IN THE CASE OF DWELLINGS. REDEVELOPMENT OF DWELLINGS WILL BE PERMITTED PROVIDED ALL THE FOLLOWING CRITERIA ARE MET:**

- i. **USE OF THE EXISTING BUILDING AS A DWELLING HOUSE HAS PLANNING PERMISSION, HAS BEEN GRANTED A CERTIFICATE OF LAWFUL USE, OR IT CAN BE DEMONSTRATED THAT A CERTIFICATE WOULD BE GRANTED IF APPLIED FOR AND THE USE HAS NOT BEEN ABANDONED.**
- ii. **THE PROPOSED REPLACEMENT DWELLING AND ASSOCIATED WORKS WOULD MAINTAIN OR ENHANCE THE OPEN CHARACTER AND APPEARANCE OF THE LOCALITY.**
- iii. **THE REPLACEMENT DWELLING AND ANY CURTILAGE DEVELOPMENT WOULD HAVE NO GREATER IMPACT IN TERMS OF HEIGHT OR SITE COVERAGE THAN THE EXISTING DWELLING AND ITS ASSOCIATED CURTILAGE DEVELOPMENT**
- iv. **THE BUILDING IS NOT INCAPABLE OF USE IN ITS PRESENT STATE AND HAS NOT BECOME SO DERELICT THAT IT COULD BE BROUGHT BACK INTO USE ONLY WITH COMPLETE OR SUBSTANTIAL RECONSTRUCTION.**

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### A5.7 UNTIDY LAND

A5.7.1 The fact that a site is untidy, degraded or derelict shall not be considered a sufficient reason to grant permission for development in the Green Belt which would otherwise have been withheld:

**GB11: REINSTATEMENT OR IMPROVEMENT OF UNTIDY, DEGRADED OR DERELICT LAND WILL ONLY BE ALLOWED FOR USES APPROPRIATE IN THE GREEN BELT.**

A5.7.2 Where appropriate, notice may be served under the Town and Country Planning Act 1990 requiring the owner and occupier of such land to abate a serious injury to the amenity of the area.

### A5.8 AGRICULTURAL BUILDINGS

A5.8.1 The use of any land, and buildings occupied with that land, for the purposes of agriculture does not involve development and does not, therefore, require planning permission. Within the terms of the General Development Order agricultural buildings (except dwellings) on agricultural holdings of 5 hectares or more are permitted development except:

- i. where the building exceeds 465 sq m either by itself or in aggregation with another building which has been erected within the previous 2 years, any part of which is within 90 m;
- ii. where the building exceeds 12 m in height (3 m within 3 Km of the perimeter of an aerodrome);
- iii. where any part of the building is within 25 m of the metalled part of a trunk or classified road.

A5.8.2 The definition of "agriculture" is given in Section 336(1) of the Town and Country Planning Act 1990 and is quoted in full in Annex II. It does not include farm shops. A range of agricultural buildings and other operations enjoy permitted development rights and these are set out in Part 6 of Schedule 2 to the Town and Country Planning General Development Order (and the subsequent 1991 Amendment).

A5.8.3 Applications for buildings related to the intensive breeding, rearing or fattening of livestock in the Green Belt shall be considered in the context of para. A5.4.4 above. Planning permission should normally be granted for bona fide purposes if the criteria are satisfied.

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### **Retail Development in the Green Belt, including Farm Shops.**

- A5.8.4 Within the Green Belt, Government guidance as expressed by PPG2 (Green Belts) and Revised PPG6 (June 1996: Town Centres and Retail Developments) is that there is no place for major retail development. However, the Council recognises that, in order to facilitate and foster the development of the rural economy, there is a role for farm shops within the rural areas. Farm shops can bring the farmer closer to the rural consumer and they can also help to diversify individual farm businesses making them more stable financially.
- A5.8.5 The Council wishes to ensure that farm shops do not develop to the extent that they become inappropriate to a rural area or generate unnecessary travel. Where a small scale craft enterprise has planning approval in the GB, modest on-site retail sales of the goods produced on the premises may also be acceptable, subject to the impact on the factors outlined in GB12 below. To enable a farm shop to offer a reliable service all year, some produce from off the farm may be sold, but a majority of the goods offered should be produced on the farm. Policy S9 (Chapter 9 Volume 1) will apply to factory shops within the GB.

### **GB12: RETAIL DEVELOPMENT WITHIN THE GREEN BELT WILL ONLY BE PERMITTED WHERE:**

- i. THE DEVELOPMENT WOULD NOT PREJUDICE THE OBJECTIVES SET OUT IN GB1;**
- ii. IT WOULD NOT SERIOUSLY HARM:**
  - a. THE LIVING CONDITIONS OF NEARBY RESIDENTS;**
  - b. THE APPEARANCE OF THE AREA;**
  - c. HIGHWAY SAFETY; OR**
  - d. THE VIABILITY OF CONVENIENCE SHOPPING WITHIN A VILLAGE.**
- iii. THE RETAIL PROPOSAL WOULD COMPLEMENT AN EXISTING FARM OR OTHER AUTHORISED SMALL SCALE RURAL BUSINESS BY SELLING TO THE PUBLIC PRODUCE FROM THE FARM OR GOODS MADE OR SERVICES OFFERED BY THE SMALL BUSINESS. WHERE A YEAR ROUND SERVICE TO CUSTOMERS CANNOT OTHERWISE BE MAINTAINED A MINORITY OF IMPORTED GOODS MAY BE SOLD.**

## **A5.9 HORSE REARING AND OTHER EQUESTRIAN ACTIVITIES**

A5.9.1 The grazing of horses is an agricultural use and is appropriate to the Green Belt. The development of stables via building or change of use and other equestrian activities such as riding schools, horse training schools and livery stables normally require planning permission. Accordingly:

**GB13: STABLES AND OTHER EQUESTRIAN DEVELOPMENT WILL ONLY BE PERMITTED WHERE:**

- i. **THE DEVELOPMENT IS ESSENTIAL TO OUTDOOR EQUESTRIAN ACTIVITY AND IS SUBSERVIENT TO THAT ACTIVITY; AND**
- ii. **SERIOUS HARM DOES NOT ARISE TO THE HIGHWAY AND BRIDLEWAY NETWORK, VISUAL AMENITY, THE OPERATION OF NEIGHBOURING LAND USES OR THE LIVING CONDITIONS OF ADJACENT OCCUPIERS.**

A5.9.3 Applications for dwelling houses, bungalows, or flats related to equestrian activities in the Green Belt will be treated as analogous to the case for farm workers dwellings outlined in A5.10 below and will be subject to the same requirements for planning conditions or a legal agreement to restrict the occupancy to a person employed in equestrian activities. Only viable centres will be permitted to develop permanent residential accommodation. Temporary accommodation may be permitted where a full justification has been presented and accepted for a dwelling but the business has not yet proved to be viable, and where it is deemed that such accommodation is necessary to the continued existence of the operation.

## **A5.10 BUILDING OF NEW DWELLINGS**

### **A. New dwellings and agricultural occupancy conditions**

A5.10.1 The context for granting planning permission for residential development in the Green Belt is provided by the following Policy:

**GB15: THERE IS A PRESUMPTION AGAINST THE DEVELOPMENT OF NEW DWELLINGS IN THE GREEN BELT EXCEPT WHERE THE ESSENTIAL NEEDS OF A FARMING OR FORESTRY ENTERPRISE REQUIRE ONE OR MORE WORKERS TO LIVE AT THEIR PLACE OF WORK. BEFORE PERMISSION IS GRANTED IN SUCH CASES, THE FUNCTIONAL NEED FOR THE DWELLING AND THE ECONOMIC VIABILITY OF THE ENTERPRISE MUST BE DEMONSTRATED. WHERE THE NEED WILL ARISE FROM A NEW ENTERPRISE, TEMPORARY**

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### PLANNING PERMISSION WILL BE GIVEN FOR A CARAVAN OR SIMILAR HOME.

- A5.10.2 This exception shall not normally apply where a dwelling house has been severed from the farm unit by the owner at the time of the application or by the previous owner. A farm unit refers to a holding for the purpose of agriculture as defined in the Town and Country Planning Act 1990 Section 336(1).
- A5.10.3 Where planning permission is granted for a dwelling in the Green Belt for a farm or forestry worker, a condition will be imposed to restrict occupancy to persons presently or last working in agriculture or forestry or to a widow, widower or resident dependents of such a worker.
- A5.10.4 Changes in the scale and character of agriculture in response to market changes may well affect the requirement for dwellings for occupation by agricultural or forestry workers. Dwellings should not be left vacant unnecessarily but, where it is proposed to remove an occupancy condition, it must be shown that there is no longer a realistic need in the general locality from persons who would satisfy the condition. Advertisement of the dwelling for sale or rent at a sum reflecting the planning condition, over a substantial period, together with some assessment of short to medium term future needs in the locality would usually be an acceptable way to demonstrate this. Accordingly:

**GB16: AN AGRICULTURAL OCCUPANCY CONDITION WILL ONLY BE REMOVED WHERE THERE IS NO PRESENT OR FORESEEABLE NEED FOR THE DWELLING ON THE HOLDING OR IN THE LOCALITY FROM AGRICULTURAL OR FORESTRY WORKERS, OR FROM RETIRED SUCH WORKERS OR FROM A WIDOW OR WIDOWER OF SUCH A WORKER**

### B. Affordable housing

- A5.10.5 The City Council regards the provision of affordable housing as a significant need throughout the District (paras 7.6.10 -7.6.27). Those needs which arise from villages inset from the Green Belt and others which are close to an inset village or the urban area will be met through negotiations with developers of allocated housing sites and of larger "windfall" sites (see Policies H11, H12 and H13).
- A5.10.6 There may however be needs for affordable housing arising from the smaller villages within the Green Belt, where there is a presumption against housing development. Where that need cannot be met in the urban area or in a village inset from the Green Belt, a small development exclusively of affordable dwellings may exceptionally be approved in the GB, subject to strict criteria being met. A proposal addressing such need

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should be supported by evidence of real value and importance of local need and an explanation of why that need cannot be satisfied by open market housing or by affordable housing outside the Green Belt. This evidence should be in a form to be agreed with the Council. Policies H13 and H14 (paras 7.6.24 -26) together with the Policy below will apply to such proposals.

### **GB17: PROPOSALS FOR AFFORDABLE HOUSING IN VILLAGES WITHIN THE GREEN BELT, WILL NOT BE PERMITTED UNLESS THE FOLLOWING CRITERIA ARE ALL SATISFIED:**

- i. THE APPLICATION IS ACCOMPANIED BY SUBSTANTIAL EVIDENCE OF A LOCAL HOUSING NEED WHICH CANNOT BE MET ON A SITE OUTSIDE THE GREEN BELT;**
- ii. THE SITE IS WITHIN OR ABUTS A VILLAGE;**
- iii. HARM TO THE OPENNESS, PURPOSES, CHARACTER AND APPEARANCE OF THE GREEN BELT IS MINIMISED;**
- iv. THE DEVELOPMENT WILL BE IN SCALE AND CHARACTER WITH THE ESTABLISHED VILLAGE.**

A5.10.7 Schemes comprising both market and affordable housing to provide on-site cross- subsidy are expressly excluded from this policy.

A5.10.8 Only applications for full planning consent will be considered, in view of the specific detail required.

## **A5.11 OUTDOOR SPORT AND OUTDOOR RECREATION**

A5.11.1 Use of land for outdoor sport and recreation fulfils the fundamental aim of the Green Belt in preventing urban sprawl by keeping land open and gives opportunities for the urban population to enjoy the countryside. The best and most versatile agricultural land should remain available for farming but change of use of other land for recreation and the development of new buildings ancillary to such uses will be permitted subject to the policies below.

### **GB19: CHANGE OF USE OF LAND FOR OUTDOOR SPORT AND OUTDOOR RECREATION WILL BE PERMITTED IN THE GREEN BELT WHERE:**

- i. THE LAND IS NOT THE BEST AND MOST VERSATILE FOR AGRICULTURE (MAFF GRADES 1-3A); AND**



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- ii. **NO SERIOUS HARM WOULD ARISE AS A RESULT OF TRAFFIC HAZARD, NOISE, VISUAL IMPACT, EROSION OF AN IMPORTANT WILDLIFE RESOURCE OR INCONVENIENCE TO USERS OF PUBLIC RIGHTS OF WAY.**

**GB20: NEW BUILDINGS AND OTHER STRUCTURES ESSENTIAL FOR OUTDOOR SPORT AND OUTDOOR RECREATION WILL BE PERMITTED IN THE GREEN BELT PROVIDED**

- i. **THE DEVELOPMENT IS REQUIRED FOR A USE WHICH PRESERVES THE OPENNESS OF THE GREEN BELT, AND**
- ii. **DOES NOT EXCEED IN SIZE THE NEEDS OF THOSE TAKING PART OR VIEWING THE SPORT OR RECREATION, AND**
- iii. **THE VISUAL IMPACT ON THE COUNTRYSIDE IS MINIMISED.**

### **A5.12 HOLIDAY ACCOMMODATION INCLUDING CARAVAN AND CAMPING SITES**

A5.12.1 Guidance on holiday accommodation developments within the Green Belt is provided by the following Policies:

**GB21: NEW STATIC CARAVAN SITES (FOR RESIDENTIAL OR HOLIDAY USE), HOTELS, AND OTHER PERMANENT HOLIDAY ACCOMMODATION WILL NOT BE PERMITTED WITHIN THE GREEN BELT.**

A5.12.2 Proposals for the change of use of rural buildings to provide for hotels and other holiday accommodation, and for caravan storage will be considered against Policy GB4.

**GB22: PROPOSALS FOR MINOR ANCILLARY DEVELOPMENT TO ACHIEVE COMPLIANCE WITH CITY COUNCIL STANDARDS AT CAMPING, TOURING AND STATIC CARAVAN SITES, AT HOTELS AND OTHER PERMANENT HOLIDAY ACCOMMODATION, WILL NOT BE PERMITTED UNLESS ALL THE FOLLOWING CRITERIA ARE MET:**

- i. **THE PROPOSED DEVELOPMENT DOES NOT CREATE A VISUAL INTRUSION IN A RURAL LANDSCAPE OR LEAD TOWARDS THE PHYSICAL OR VISUAL**

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### COALESCENCE OF SETTLEMENTS;

- ii. **AGRICULTURAL LAND WHICH IS THE BEST AND MOST VERSATILE AGRICULTURAL LAND IS NOT IRRETRIEVABLY LOST TO FOOD PRODUCTION UNLESS THERE ARE GOOD REASONS FOR ITS AGRICULTURAL PRODUCTIVITY NOT BEING REALISED (E.G. THE LAND DOES NOT AND CANNOT FORM PART OF A VIABLE AGRICULTURAL HOLDING);**
- iii. **DETAILED PLANNING, ENVIRONMENTAL HEALTH, AND HIGHWAY CONSIDERATIONS CAN BE SATISFACTORILY RESOLVED;**
- iv. **NO SIGNIFICANT ADDITIONAL EXPENSE WILL FALL ON PUBLIC UTILITIES OR SERVICES.**

A5.12.3 Sites should be based in areas with local opportunities for informal countryside recreation or other tourist attractions, but should not themselves become detrimental to those attractions. Particular care and attention should be paid to proposals located in Special Landscape Areas, or close to sites of nature conservation interest.

A5.12.4 Proposals for the permanent accommodation of a bona fide Site Warden employed in a full-time capacity, on holiday caravan sites will be treated on their merits. Any approval will be subject to planning conditions or a legal agreement to control such accommodation.

**GB23: THERE WILL BE A PRESUMPTION AGAINST THE USE OF LAND FOR THE STORAGE OF CARAVANS IN THE GREEN BELT.**

### **A5.13 ALLOTMENT GARDENS**

A5.13.1 Allotment gardens may be an appropriate use for land on the urban fringe for which no other viable use can be found. Accordingly:

**GB24: ALLOTMENT GARDENS WILL USUALLY BE PERMITTED WITHIN THE GREEN BELT PROVIDED THEY ARE NOT DETRIMENTAL TO VISUAL AMENITY.**

## CONTROL OF DEVELOPMENT IN THE GREEN BELT

### A5.14 GARDEN EXTENSIONS

A5.14.1 Proposals to extend gardens within the Green Belt will be considered under the following Policy:

**GB25: THERE WILL BE A PRESUMPTION AGAINST GARDEN EXTENSIONS INTO GREEN BELT EXCEPT WHERE SUCH EXTENSIONS FORM A LOGICAL INFILLING OR ROUNDING OFF TO THE INDIVIDUAL SETTLEMENT, WOULD NOT AFFECT THE RURAL CHARACTER OF THE AREA AND WOULD NOT INVOLVE A SIGNIFICANT LOSS OF AGRICULTURAL LAND.**

A5.14.2 In those cases where express permission is granted, a condition restricting permitted development rights will be applied.

### A5.15 MINERALS AND WASTE DISPOSAL

A5.15.1 Because of their scale and style some Green Belt buildings (Chapter 5.5) may lend themselves to conversion to waste transfer stations. However, concerns remain about the possible environmental implications of such changes. Accordingly:

**GB26: CHANGES TO USE OF GREEN BELT BUILDINGS TO WASTE TRANSFER STATIONS AND USES IN CLASS B OF THE USE CLASSES ORDER WILL ONLY BE PERMITTED IF ALL THE FOLLOWING CRITERIA ARE MET:**

- i. THE BUILDING CONFORMS WITH POLICY GB4;
- ii. THE OPERATION, ASSOCIATED ACTIVITIES, AND THE GARAGING OF ALL VEHICLES CAN BE WHOLLY CONTAINED WITHIN EXISTING COVERED BUILDINGS;
- iii. THE SCALE OF DELIVERY AND COLLECTION VEHICLES AND THE FREQUENCY OF THEIR MOVEMENTS WILL NOT LEAD TO ENVIRONMENTAL, TRAFFIC OR ROAD SAFETY PROBLEMS;
- iv. NO OPERATIONS PREJUDICIAL TO THE CONTINUATION OF AGRICULTURE OR OTHER OPEN USES IN THE IMMEDIATELY SURROUNDING AREA ARE INVOLVED;

## CONTROL OF DEVELOPMENT IN THE GREEN BELT

- v. **THE PROPOSED DEVELOPMENT MEETS WASTE DISPOSAL POLICY REQUIREMENTS;**
- vi. **THE PROPOSED DEVELOPMENT MEETS OTHER PLANNING, HIGHWAY AND ENVIRONMENTAL HEALTH REQUIREMENTS.**

### **A5.16 IMPLEMENTATION**

- A5.16.1 Exceptions to the Green Belt policies contained in a development plan constitute a Departure from the Development Plan for which a procedure is defined in the Town and Country Planning Development Plans (England) Direction 1992. Where it is proposed to grant planning permission contrary to the Policies contained in this Appendix, this will normally involve a Departure.
- A5.16.2 Planning permission in accordance with these Policies may also constitute a Departure, for example, the use of a Listed Building for, say, offices. In such cases, if the City Council is minded to grant permission, any necessary advertisement will be carried out prior to the decision being reached.

# CONTROL OF DEVELOPMENT IN THE GREEN BELT

## ANNEX 1

### EXTRACT FROM DEPARTMENT OF THE ENVIRONMENT "THE GREEN BELTS" (HMSO 1988)

#### "Restrictions on building in a Green Belt"

This Section is reproduced from the 1962 booklet, with the addition of the final paragraph.

"The object of including land in a Green Belt is to keep it permanently open. Consequently there is a clear presumption against any new building and against new employment which might create a demand for more building.

It is very difficult to get permission to build in a Green Belt. Anyone who wants to do so must be prepared to show either that the building is required for purposes appropriate to a Green Belt (e.g., for agriculture) or that there is some special reason why it should be allowed, despite the general presumption to the contrary. A cottage which simply fills a gap in an established village may well be permissible but it is not to be assumed that further houses will be allowed on land adjoining any that already exist. Nor is it enough to show that the building will be inconspicuous or will do no harm on the particular site, though these arguments can reinforce a case which has other merits. The Green Belt concept implies no further building except where there is a positive argument for allowing it."

"Development which does not interfere with the open character of the land may be permissible. Buildings for sport or recreation, hospitals and similar institutions standing in extensive grounds, cemeteries and mineral working may be allowed. In such cases the decision is likely to turn on the need for the proposals as against any damage it will do to the rural appearance of the land."

"As it is the intention that a Green Belt shall have a rural character, restrictions on building are somewhat similar to those applying to the ordinary countryside which lies beyond\*. The main difference is that in the rural areas beyond the Green Belt it may be necessary at some time to allocate areas for building which may be quite extensive. Within the Green Belt the presumption is against any new building at any time, subject only to such limited exceptions as are stated in the development plan, or as may be specially approved in accordance with the preceding paragraphs."

This statement of Green Belt policy, as set out in the 1962 booklet, remains valid today. It was reinforced and supplemented in DoE Circulars

## **CONTROL OF DEVELOPMENT IN THE GREEN BELT**

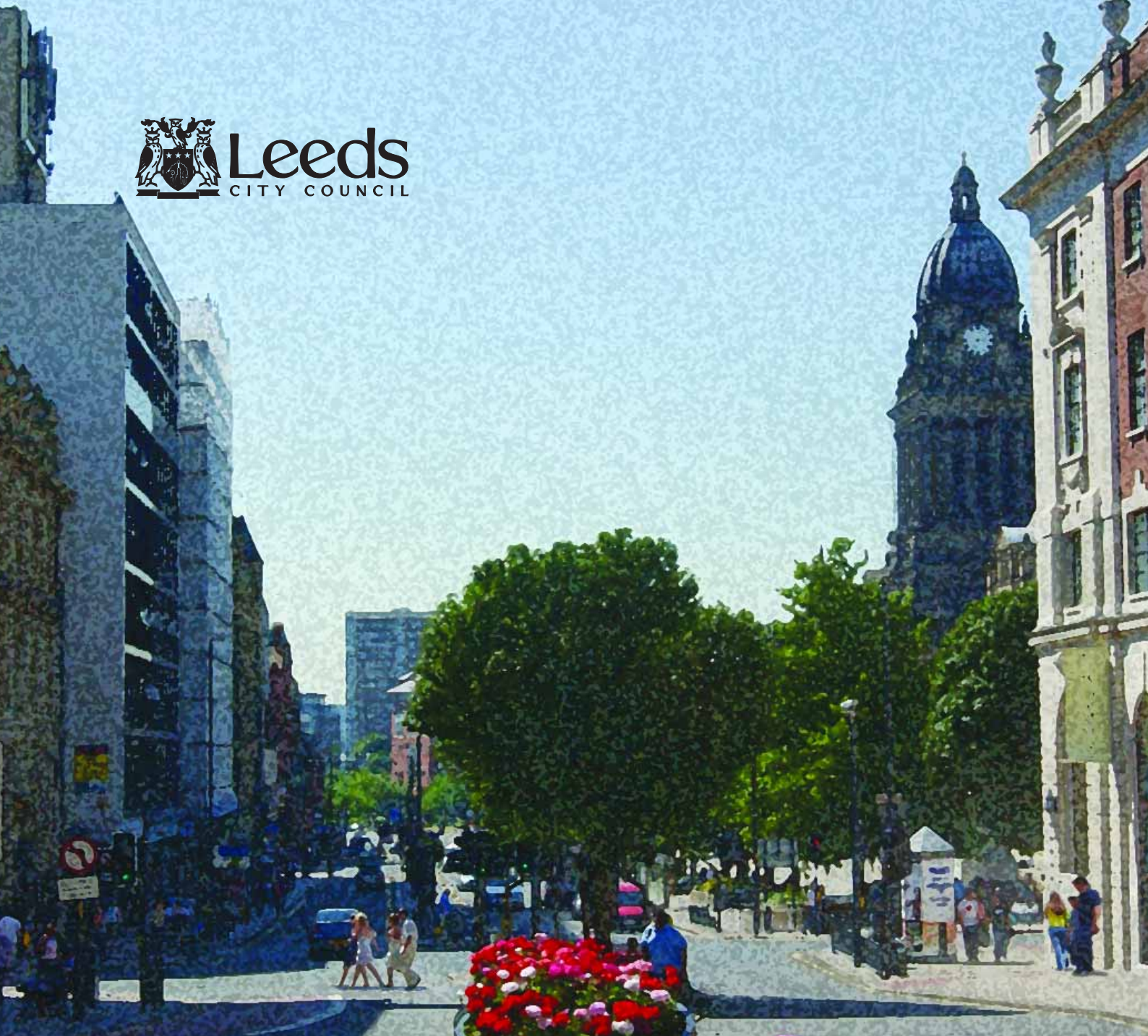
14/84 and 12/87, which have been incorporated in Planning Policy Guidance Note No 2; an extract from that Note is reproduced in the Annex to this new edition of the booklet.

\* Guidance on planning control in rural areas is given in the DoE booklet "Rural Enterprise and Development" (HMSO, 1987) and in Planning Policy Guidance Note No 7 (HMSO, 1997).

### **ANNEX 2**

#### **THE DEFINITION OF "AGRICULTURE" AS GIVEN IN SECTION 336(1) OF THE TOWN AND COUNTRY PLANNING ACT 1990**

"Agriculture" includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly.



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