

PART 1 - PUBLIC

- Info on notices, orders or directions

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Decision Maker: **Development Control Committee**

Date: **14<sup>th</sup> October 2008**

Decision Type: Urgent Non-Executive Non-Key

**TITLE: THE IMPACT OF THE CONSTRAINTS IMPOSED BY GREEN BELT AND METROPOLITAN OPEN LAND DESIGNATIONS**

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Chief Officer: Bob McQuillan

Ward: N/A

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1. Reason for report

This report was requested by the Chairman of Development Control Committee to enable Members to discuss this topic without reference to a particular planning application.

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2. **RECOMMENDATION(S)**

Members comments are requested.

Corporate Policy

N/A

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Financial

1. N/A
  2. N/A
  3. Budget head N/A
  4. Total budget for this head £N/A
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Staff

1. Number of staff (current and additional) – N/A
  2. If from existing staff resources, number of staff hours – N/A
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Legal

1. No statutory requirement or Government guidance
  2. Call-in is not applicable:
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Customer Impact

Estimated number of users/beneficiaries (current and projected) - N/A

### 3. COMMENTARY

- 3.1 Bromley is the largest London Borough in area and the fourth largest in terms of population. Around 50% of the Borough is designated Green Belt or Metropolitan Open Land. In Green Belt and MOL there is a presumption against inappropriate development.
- 3.2 Inappropriate development is set out in national guidance PPG2 on GREEN Belts, the LondonPlan and the UDP. The following is an extract from the UDP:

#### **POLICY G1**

Within the Green Belt, as defined on the Proposals Map, permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.

The construction of new buildings or extensions to buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:

- (i) agriculture and forestry (unless permitted development rights have been withdrawn);
- (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
- (iii) limited extension, alteration or replacement of existing dwellings;
- (iv) limited infilling or redevelopment in accordance with the guidance in PPG2 Annex C within the designated major developed sites at Biggin Hill Airport and Cheyne Centre, Woodland Way, West Wickham.

The material change of use of land, engineering and other operations within the Green Belt will be inappropriate unless they maintain the openness and do not conflict with the purposes of including land in the Green Belt.

The re-use of a building in the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;
- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.

- 3.3 The most significant change in Green Belt guidance in recent years was introduced by PPG2 when it was published in 1995. Until then “institutions in large grounds” had been within the classes of appropriate development. From 1995 they have been inappropriate. The main impact of this change has been in respect of schools and other educational establishments which were no longer to be regarded as appropriate development.
- 3.4 With 50% of the Borough Green Belt it is not surprising that many schools and educational establishments were located within it. As applications come forward for additional development on these sites it is now necessary to provide a convincing very special circumstances case. As each application has to be considered on its individual merits, the very special circumstances case will need to reflect the particular requirements of each proposal and address the impact of the development on the visual amenities and openness of the Green Belt/MOL.
- 3.5 In this respect, Members will be aware of the issues raised in the Langley Park School for Boys case and, in particular, the need for applicants to consider different siting options, depending upon the degree of harm caused by the development.
- 3.6 With regard to higher or further education establishments (such as universities and colleges), PPG2 advises that infilling and/or development associated with ‘major sites’ may be considered appropriate, provided the relevant criteria are met.

<b>Non-Applicable Sections:</b>	Policy implications; financial implications; legal implications; personnel implications
<b>Background Documents: (Access via Contact Officer)</b>	PPG2 Green Belts; London Plan; UDP