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**DEVELOPMENT CONTROL POLICY GUIDANCE  
NOTE 9**

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**CONVERSION AND RE-USE OF BUILDINGS IN  
THE GREEN BELT**

**A CONSULTATION DRAFT SUPPLEMENTARY  
PLANNING DOCUMENT (SPD)**

**SUPPLEMENTARY  
SUSTAINABILITY  
APPRAISAL SCOPING  
REPORT**

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## 1.0 INTRODUCTION

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Under the Planning and Compulsory Purchase Act 2004 (PCPA)<sup>1</sup>, Sustainability Appraisal (SA) is mandatory for a range of Local Development Documents (LDDs), including Supplementary Planning Documents (SPDs). The purpose of SA is to promote sustainable development through better integration of sustainability considerations into the preparation and adoption of planning documents.

This Scoping Report forms part of the first stage of the SA of the Draft Development Control Guidance Note 9 - Conversion and Re-use of Buildings in the Green Belt SPD and should be read in conjunction with the Local Development Framework (LDF) Sustainability Appraisal Scoping Report for the Core Strategy, which establishes an overarching SA framework and is available from the council's web site<sup>2</sup>.

## 2.0 BURY UNITARY DEVELOPMENT PLAN

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The policies within the Bury Unitary Development (UDP) have been 'saved' for a period of three years from the commencement of the PCPA (September, 2004). The current UDP policies therefore continue to be the policies against which any new SPDs are linked, as required under regulation 13 (7) of the Town and Country Planning (Local Development) (England) Regulations, 2004.

The SPD to which this SA scoping report is associated, is designed to support UDP Policy OL1/4 - Conversion and Re-use of Existing Buildings in the Green Belt. This policy acknowledges that when suitable safeguards are taken the re-use or conversion of buildings should not prejudice the openness of the Green Belt. These safeguards include a number of listed criteria addressing issues such as the impact on the openness of the Green Belt and the suitability of the buildings for conversion. Consideration is also given to design, access, traffic generation and the impact of the development on protected species.

The UDP has not been subject to sustainability appraisal. ODPM advisory guidance (2005)<sup>3</sup> states that "where the SPD has been prepared on the basis of a saved plan, policy or policies which have not been subject to SA, the authority will need to carry out a SA of that policy or policies and report on these." To satisfy this requirement one of the options subject to appraisal will be the "do nothing" or rely on the existing policy, which will enable appraisal of the existing policy to take place.

## 3.0 STRATEGIC ENVIRONMENTAL ASSESSMENT

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Local authorities must also comply with the European Directive 2001/42/EEC and the Strategic Environmental Assessment (SEA) Regulations<sup>4</sup>. The SEA Regulations require a determination to be made on whether there are likely to be significant environmental effects

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<sup>1</sup> Section 19 (5)

<sup>2</sup> <http://www.bury.gov.uk/Environment/Planning/DevelopmentPlanning/LocalDevelopmentFramework/default.htm>

<sup>3</sup> ODPM (2005) Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents: Guide for Regional Planning Bodies.

<sup>4</sup> Environmental Assessment of Plans and Programmes Regulations (2004).

as a result of the SPD. However, Regulation 5 (6) states, “an environmental assessment need not be carried out for a plan or programme which determines the use of a small area at the local level or for minor modifications to an existing plan.” Guidance produced by the Office of the Deputy Prime Minister (2005) identifies that SPDs are most likely to fall within this category. We will therefore undertake a Screening of the SPD, to determine whether the SPD is likely to have significant<sup>5</sup> environmental effects. If there are no significant environment effects then the SPD is exempt from the SEA Directive.

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## **4.0 STAGES IN THE SA PROCESS**

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The SEA Regulations prescribe the steps that must be undertaken during the environmental assessment of a plan, for instance deciding on the scope and level of detail to be included in the environment report and the consideration of alternatives. ODPM SA guidance on sustainability appraisal absorbs the requirements of the SEA directive<sup>6</sup> and expands the same rigorous process required by SEA to include social and economic impacts. The same guidance sets out the following stages to the SA process:

- Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope.
- Stage B: Developing and refining options and assessing effects.
- Stage C: Preparing the Sustainability Appraisal Report.
- Stage D: Consulting on the draft SPD and sustainability appraisal report.
- Stage E: Monitoring the significant effects of implementing the SPD.

This Scoping Report covers Stage A, this involves the following tasks:

- Task A1: Identifying other relevant policies, plans and programmes, and sustainability objectives.
- Task A2: Collecting baseline information.
- Task A3: Identifying sustainability issues and problems.
- Task A4: Developing the SA Framework.
- Task A5: Consulting on the scope of the SA.

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## **5.0 THE SCOPE OF THE SA**

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Regarding the scope of the SA that will accompany this SPD, we have determined that the SA Scoping Report for the LDF Core Strategy has already covered stages A1 to A4. This Scoping Report was subject to a 5-week period of consultation between the 20<sup>th</sup> June and the 25<sup>th</sup> July 2005. The updated SA Framework including Stages A1- A4 has been available from the Council’s web site since February 2006 and will be used for appraising this SPD.

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<sup>5</sup> Significance will be determined by taking into account criteria specified in Schedule 1 of the SEA Regulations and ANNEX II of the Directive.

<sup>6</sup> Although, para 1.6 of the ODPM guidance details that the purpose of the guide “is to provide information to assist users to comply with the SEA Directive. It is however not intended as a legal interpretation”.

We consider this approach to be appropriate because the Core Strategy will be the broadest ranging of all the DPDs/SPDs to be prepared. The related sustainability objectives, indicators and baseline information identified within it are intended to cover the full range of social, environmental and economic issues that the DPD and SPD alternatives will need to be assessed against. Therefore, Stages A1- A4 will not be repeated here again. We would however like to draw your attention to national planning policies contained in PPG2 - Green Belt (1995) and PPS7 - Sustainable Development in Rural Areas (2004), which are relevant to the SPD. We have also identified a number of specific issues and problems, objectives and reasonable alternatives related to this SPD, these are:

## **ISSUES AND PROBLEMS**

- Applicants often fail to consider other more sustainable uses in comparison to the proposed use in terms of location and access to public transport with inadequate justification.
- Applicants often fail to consider the suitability of the proposed new use in terms of the delivery of sustainable development objectives.
- Design issues such as:
  - the use of inappropriate materials;
  - the submission of poorly designed internal layouts which require significant modifications to the external appearance of buildings and subsequently detracts from the original character and simplicity of the original building.
  - poorly designed extensions which fail to conserve the character of the existing building.
- Applicants often fail to consider the treatment of land surrounding the building, for example the creation of 'suburban-style' gardens and/or the use of inappropriate boundary treatments can all have a negative impact on the openness of the Green Belt.

## **OBJECTIVES**

- To clarify when a building in the Green Belt may be suitable for conversion and re-use.
- To ensure that the building's new use is no less sustainable than its previous use in terms of location and access to public transport and local services.
- To provide useful general and design related advice to ensure that conversions and the intended new use of the building do not have a greater impact on the openness of the Green Belt than its current use.
- To prevent the introduction of predominately urban elements upon the land surrounding the building intended for conversion, in particular 'suburban-style' gardens.
- To ensure that the environmental quality, amenity, wildlife interest and character of the Green Belt is maintained and where possible, enhanced.

## **ALTERNATIVE OPTIONS**

- Rely on existing policy.
- Seek to provide additional clarity on the implementation of existing policy and to ensure that the conversion and the re-use of existing buildings and use of surrounding land has a minimal impact on the openness and character of the Green Belt.

## **6.0 CONSULTATION**

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To fulfil the requirements of Stage A5 in the SA process we will send this Scoping Report to the following consultation bodies:

1. The Countryside Agency
2. The Historic Buildings and Monuments Commission for England (English Heritage);
3. English Nature; and
4. The Environment Agency.
5. Government Office for the North West.

The SA report will be subject to a statutory public consultation period alongside the Draft SPD for a minimum of 4 weeks. If you wish to make any comments on this report, then representations should be submitted to the address below, by no later than the 26<sup>th</sup> May 2006:

Planning Policy Section  
2<sup>nd</sup> Floor, Craig House  
5 Bank Street  
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BL9 0DN

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