

NPPF and PPG Green Belt

Evidence Needed to Support
Successful Grey Belt
Application / Appeal

Andy Cook: Head of Environment



NPPF Para 154 (g)

Development in the Green Belt is inappropriate unless one of the following exceptions applies:

(g)

“Limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not **cause substantial harm to the openness** of the Green Belt.”

NPPF Para 155

Development in the Green Belt

- Utilise Grey Belt land
- Grey Belt Definition – NPPF Annex 2 Glossary

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

Assessing Land as Grey Belt

- Any assessment area that is **not judged to strongly contribute to any one of purposes a, b, or d can be identified as grey belt land.**
- Subject to the exclusion of land where the application of the policies relating to the areas or assets in footnote 7 to the NPPF (other than Green Belt) would provide a strong reason for refusing or restricting development.

Purpose A – To Check The Unrestricted Sprawl of Large Built-up Areas

This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.

Strong Contribution –

Assessment areas that contribute strongly are likely to be free of existing development and **lack physical feature(s) in reasonable proximity that could restrict and contain development.**

They are also likely to include all of the following features:

- be adjacent or near to a large built up area
- if developed, **result in an incongruous pattern of development** (such as an extended development and into the Green Belt)

Purpose A – Continued

To Check The Unrestricted Sprawl of Large Built-up Areas

Moderate Contribution –

Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose a, such as (but not limited to):

- **having physical feature(s) in reasonable proximity that could restrict and contain development**
- be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development
- contain existing development
- **being subject to other urbanising influences**

Purpose A – Continued

To Check The Unrestricted Sprawl of Large Built-up Areas

Weak or None Contribution –

Assessment areas that make only a weak or no contribution are likely to include those that:

- are not adjacent to or near to a large built up area
- are adjacent to or near to a large built up area, **but containing or being largely enclosed by significant existing development**

Purpose B – To Prevent Neighbouring Towns Merging into One Another

This purpose relates to the merging of towns, not villages.

Strong Contribution –

Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:

- forming a substantial part of a gap between towns
- **the development of which would be likely to result in the loss of visual separation of towns**

Purpose B – Continued To Prevent Neighbouring Towns Merging into One Another

Moderate Contribution –

Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to):

- forming a small part of the gap between towns
- **being able to be developed without the loss of visual separation between towns.** This could be (but is not limited to) **due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation**

Purpose B – Continued To Prevent Neighbouring Towns Merging into One Another

Weak or None Contribution –

Assessment areas that contribute weakly are likely to include those that:

- do not form part of a gap between towns, or
- **form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation**

Purpose D – To Preserve The Setting and Special Character of Historic Towns

This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

Strong Contribution –

Assessment areas that contribute strongly are likely be free of existing development and to include all of the following features:

- **form part of the setting of the historic town**
- make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, **or of significant visual importance to the historic aspects of the town**

Purpose D – Continued To Preserve The Setting and Special Character of Historic Towns

Moderate Contribution –

Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to):

- being separated to some extent from historic aspects of the town by existing development or topography
- containing existing development
- **not having an important visual, physical, or experiential relationship to historic aspects of the town**

Purpose D – Continued To Preserve The Setting and Special Character of Historic Towns

Weak or None Contribution –

Assessment areas that make no or only a weak contribution are likely to include those that:

- do not form part of the setting of a historic town**
- have no visual, physical, or experiential connection to the historic aspects of the town**

Considering The Potential Impact of Development on The Openness of the Green Belt

What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?

Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case.

By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume

the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness

the degree of activity likely to be generated, such as traffic generation

Landscape Report / Proof Addressing Green Belt / Grey Belt

1. Introduction and scope of analysis
2. Effect of **site** on Green Belt
 - The site and how it has a bearing upon the openness of Green Belt
 - Effect of the site on the Purposes of Green Belt -
 - Purpose A – Unrestricted Sprawl
 - Purpose B – Towns Merging
 - Purpose C – Encroachment
 - Purpose D – Historic Towns
 - Purpose E – Urban Regeneration
 - How the site has a bearing upon the remaining Green Belt across the area of the plan
3. Existing landscape character of the site and surrounding area

Landscape Report / Proof Addressing Green Belt / Grey Belt

4. Description of the Proposed Development
 - Improvements to Green Spaces (NPPF para 159)
 - Accessible green space
 - Green space standards
 - Nature Recovery
5. Effect of development on landscape character
 - Development context is key consideration
6. Effect of development on Green Belt openness
 - Spatial aspect
 - Visual aspect (based on LVIA viewpoints)
 - Duration and remediability
 - Level of activity
 - Basket of effects – overall harm to openness

Landscape Report / Proof Addressing Green Belt / Grey Belt – Continued

7. Effect of the **development** on the purpose of the Green Belt -
 - Purpose A – Unrestricted Sprawl
 - Purpose B – Towns Merging
 - Purpose C – Encroachment
 - Purpose D – Historic Towns
 - Purpose E – Urban Regeneration
8. Effect of the development on the remaining Green Belt across the area of the plan
9. Summary & Conclusions

Improvements to Green Spaces

- NPPF Dec 2024 Para 159
- Required as Part of the Golden Rules
- Contribute positively to the **landscape setting of the development**
- Support nature recovery.
- Meet local standards for green space provision
- Where no locally specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England standards on accessible green space) and urban greening factor and Green Flag criteria)
- Where land has been identified as having particular potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes.

How can major housing development on land which is released from the Green Belt through plan making, or on sites in the Green Belt, contribute to accessible green space?

The following contributions to accessible green space should be considered:

- New residents and the wider public should be able to access good quality green spaces.
- Accessible green spaces are areas of vegetation set within a landscape or townscape.
- Where possible access to green spaces should include safe active travel routes.
- Creation or enhancement of existing green spaces can contribute to the priorities for nature recovery
- Where appropriate, authorities should consider the use of conditions

Improvements to Green Space Opportunity to Prepare Green Infrastructure Enhancement Strategy Document

- Explain a positive approach to landscape design
- Enhance visual amenity
- Enhance biodiversity
- Informal education opportunities
- Sustainable drainage provision (blue infrastructure)
- Climate resilience and adaptation
- Informal and formal recreational opportunities

Appeal Ref: APP/Q4245/W/24/3354822

Land at Wild Fowl Farm, Carrington Lane, Carrington, Greater Manchester, M31 4AD

The development proposed is Erection of a 35MW battery storage facility with boundary fencing, landscaping and associated infrastructure.

- The appeal allowed decision date 17th Feb 25
- **Para 24.** Paragraph 155(d) – The ‘Golden Rules’ do not apply in this case since they address major housing developments
- **Para 25.** I am satisfied that the relevant criteria in para 155 are satisfied and thus the proposal would not constitute inappropriate development. It would therefore not be a conflict with the Green Belt’s purpose to safeguard the countryside from encroachment.

Appeal Ref: APP/V4630/W/24/3347424

Land off Chapel Lane, Great Barr, Walsall

The development proposed is the construction of a temporary 49.35MW battery energy storage facility, with security fencing, access and associated works.

- The appeal allowed decision date 13th Jan 25
- **Para 112.** this proposal would utilise Grey Belt land and having regard to the provisions of Framework para 155, the development would not comprise inappropriate development in the GB.

Appeal Ref: APP/Q3115/W/24/3350890

Burcot Farm, Burcot, Abingdon, Oxfordshire OX14 3GW

The development proposed is the installation of a ground mounted solar photovoltaic array, co-located battery energy storage scheme (BESS) together with associated infrastructure; security fencing; CCTV; access gate; and on-site Biodiversity New Gain.

- The appeal allowed decision date 4th March 25
- **Para 4.** The first reason for refusal to the proposed development being inappropriate development in the Green Belt. Agreed in the supplementary SoCG that the appeal site falls under the definition of Grey Belt, that it would accord with the requirements in Para 155 of the Framework, and so **would now not** be inappropriate development. These are conclusion that I agree with.

Thank you.

Andy Cook: Head of Environment

Andrew.cook@pegasusgroup.co.uk

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | PLANNING | PROPERTY | TRANSPORT & INFRASTRUCTURE