



BRIEFING PAPER

Number 00934, 17 November 2017

Green Belt

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Inside:

1. How well is the Green Belt working?
2. Extent of the Green Belt
3. Green Belt planning policy
4. Will Green Belt policy change?
5. Further reading



Contents

Summary	3
1. How well is the Green Belt working?	7
1.1 Should the Green belt be strengthened?	8
1.2 Is the Green Belt hampering growth?	9
2. Extent of the Green Belt	11
2.1 How big is the Green Belt?	11
2.2 Where is the Green Belt?	11
2.3 How much building has there been in the Green Belt?	14
3. Green Belt planning policy	15
3.1 Purpose of Green Belt land	15
3.2 What does policy guidance say about protecting the Green Belt?	16
National Planning Policy Framework	16
Planning practice guidance	18
3.3 Use of Secretary of State “recovery” powers	20
3.4 Traveller site issues	20
Attempt to recover planning appeals relating to traveller sites on Green Belt land	21
Green Belt and traveller sites policy update	23
3.5 Waste facilities on Green Belt land	24
3.6 Green Belt boundary reviews	24
4. Will Green Belt policy change?	27
4.1 DCLG consultation, December 2015	27
4.2 Housing white paper, February 2017	29
4.3 Will there be more building on the Green Belt?	31
4.4 What next? Autumn Budget 2017	31
4.5 OECD Economic survey, 2017	32
5. Further reading	34

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Summary

This briefing from the House of Commons library examines some of the controversy about the Green Belt and how policy towards the Green Belt might change.

How well is the Green Belt working?

The question of whether the Green Belt is working well, which is often tied up with questions of how to meet the need for housing, can prove contentious. Some commentators argue that the protections afforded by the Green Belt are too weak, and inappropriate development can encroach on the Green Belt, while others argue that the protections are too strong, and get in the way of building sufficient housing and so limit economic growth.

The Select Committee on Communities and Local Government published a [report on the operation of the National Planning Policy Framework \(NPPF\)](#) in December 2014. The committee concluded that there had been inappropriate development and local authorities should be encouraged to review their Green Belts.

The 2010 Natural England and CPRE report, [Green Belts: A greener future](#), concluded Green Belt policy was “highly effective” in its principal purpose, but called for “more ambition” to further enhance the Green Belt protection for future generations. Paul Cheshire, Professor Emeritus of Economic Geography, LSE, [has argued](#) that building on the least attractive and lowest amenity parts of greenbelts could solve housing supply and affordability problems. The [OECD](#) has also criticised the Green Belt system for being an obstacle to house building.

Whether this level of protection for the Green Belt remains necessary or appropriate - or whether, conversely, it places obstacles in the way of providing new housing – remains controversial. The Royal Town Planning Institute (RTPI), for example, has questioned some aspects of the Government’s approach. In its [initial analysis of the housing white paper](#) (discussed later), the RTPI suggested that the role, purposes and social impact of Green Belts should be revisited and Green Belt boundaries “may well” need to change, albeit with safeguards:

Green belt boundaries may well need to change, but only through careful reviews over wider areas than single local authorities, and where safeguards are put in place to ensure that development is sustainable, affordable and delivered in a timely manner, and without prejudice to the renewal of brownfield land.

Paul Cheshire, Professor Emeritus of Economic Geography, LSE, [has argued](#) that building on the least attractive and lowest amenity parts of greenbelts could solve housing supply and affordability problems. The [OECD](#) has also criticised the Green Belt system for being an obstacle to house building.

How large is the Green Belt?

The Green Belt was 1,634,700 hectares at the end of 2016/17, according to statistics published by DCLG. The Green Belt has reduced in size by around 4,800 hectares since 2010/11, primarily because of local authorities adopting new plans that alter the area of that authority’s Green Belt. Eight local authorities adopted new plans in 2016/17, resulting in a decrease of 790 hectares.

How much building has there been in the Green Belt?

Research by Glenigan in 2015 found “a sharp increase in the number of houses securing full planning approval in the greenbelt.” According to the research in 2009/10, 2,258 homes were approved in Green Belt areas. In 2013/2014, the number had risen to 5,607 and in 2014/2015, it was 11,977 homes. According to DCLG’s land use change statistics, 356 hectares of Green Belt land changed to residential use in 2015-16.

Green Belt planning policy

Government policy on protection for the Green Belt is set out in chapter 9 of the [National Planning Policy Framework](#) (NPPF). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF states that the construction of new buildings should be regarded as “inappropriate” for the Green Belt, although there are some exceptions, which are listed. It is for local authorities to define and maintain Green Belt land in their local areas. The Government expects local planning authorities with Green Belts to establish Green Belt boundaries in their Local Plans, which can be altered as part of the plan review process.

Online [Planning Practice Guidance](#) issued by Government in March 2014 aimed to make clear that “unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt”. This was followed up with further changes to planning guidance issued in October 2014.

The previous Government [consulted](#) on the case for changing planning policy and practice guidance to strengthen Green Belt protection in regard to traveller sites. The current Government when it revised its [Planning Policy for Traveller Sites](#) in August 2015.

From August 2015 the current Government [announced](#) that the Planning Inspectorate would monitor all appeal decisions involving unauthorised development in the Green Belt and that, in addition, it would consider the recovery of a proportion of relevant appeals in the Green Belt for the Secretary of State’s decision.

Further change?

A December 2015 [Government consultation](#) proposed to amend Green Belt policy to allow starter homes to be built in the Green Belt when a site has been identified in a neighbourhood plan and to allow for starter homes to be built on some brownfield sites in the Green Belt.

In its [summary of the consultation responses](#), DCLG noted that – although there was support for providing more policy support for new settlements as a way of meeting development needs – some concerns had been raised about (amongst other things) protecting the Green Belt. On development on brownfield land, the Government noted that here too there was broad support for strengthening policy, but some respondents had voiced concerns about unintended consequences. On starter homes, the Government remarked that there had been mixed views about whether rural exception sites should be used to deliver starter homes in rural areas and about whether (for example) this might make it more difficult to provide affordable housing.

The [housing white paper](#), published in February this year, contained some proposals relating to planning and reiterated the Government’s commitment to the Green Belt. It also emphasised that authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements.

Will there be more building on the Green Belt?

The circumstances in which future applications to build on the Green Belt might be considered were set out in a [PQ reply in October 2017](#):

[In] the Housing White Paper, *Fixing our broken housing market*, we proposed that a local authority should be able to alter a Green Belt boundary when it demonstrates that it has examined all other reasonable options for meeting its identified development needs, including:

- effective use of suitable brownfield and estate regeneration;
- the potential offered by under-used land (including surplus public sector land);
- optimising the density of development; and
- exploring whether other authorities can help to meet some of the identified development requirement.

We have been analysing the consultation responses on this proposed clarification, and will announce our conclusions in due course.

Research by Glenigan in 2015 found “a sharp increase in the number of houses securing full planning approval in the greenbelt.” According to the research in 2009/10, 2,258 homes were approved in Green Belt areas. In 2013/2014, the number had risen to 5,607 and in 2014/2015, it was 11,977 homes.

What next? Autumn Budget 2017

[Media reports have suggested](#) that house building and reforms to planning will be central to the Budget. The [housing minister, Alok Sharma, has been quoted](#) as suggesting that house-building would be “turbo-charged”:

The prime minister is leading on this. She has said this is going to be the mission that she has in her government and we have a big meeting on Tuesday which she’ll be leading with the big developers, with housing associations, with local government, so that we can turbocharge our efforts to build more homes.

Despite several Government statements reiterating the Conservative manifesto pledge to protect the Green Belt, [there has been speculation](#) that the Budget may pave the way for a review of the Green Belt, to facilitate more homes being built.

Backing for a review of the Green Belt came from a [survey by the Organisation for Economic Co-operation and Development \(OECD\)](#), published in October 2017. In considering [relaxing housing constraints](#), the OECD suggested (not for the first time) that planning regulations could hamper growth. Denser building (the OECD argued) might not be enough to meet the demand for more housing, and there might be other, better ways to integrate green space into cities rather than around them, so a review of Green Belt protection was needed:

A careful reassessment of the overall economic costs and environmental benefits of maintaining the Green Belt is needed, including alternative ways to preserve or create green space, more integrated in the cities (parks) rather than around them.

The OECD acknowledged, though, that the Government was not so far persuaded.

Other Commons Library briefings

Separate Commons Library briefings on [Planning for Housing](#) and [Stimulating housing supply](#) give more information on housing issues.

Briefings on various other matters to do with planning are available on the Library's [topic page for housing and planning](#).

1. How well is the Green Belt working?

In a nutshell

The question of whether the Green Belt is working well, which is often tied up with questions of how to meet the need for housing, can prove contentious. Some commentators argue that the protections afforded by the Green Belt are too weak, and inappropriate development can encroach on the Green Belt, while others argue that the protections are too strong, and get in the way of building sufficient housing and so limit growth.

In 2010, Natural England and the CPRE published a report - [Green Belts: A greener future](#) - which examined the history of the Green Belt, its legislative and policy protections, the state of the Green Belt and how successful the policy had been at protecting land. The report concluded that Green Belt policy continued to be “highly effective” in its principal purpose and brought many benefits:

This report shows that Green Belt policy continues to be highly effective in terms of its principle purposes of preventing urban sprawl and maintaining a clear physical distinction between town and country. Alongside this, fresh evidence has been presented on the benefits which Green Belt land is delivering and how these relate to the ecosystem services they provide. For example, it reveals that Green Belt land has a greater proportion of woodland and a more concentrated range of public access opportunities than other parts of England.¹

The report also called for “more ambition” to further enhance the Green Belt protection for future generations:

Quite separate from the debate about the location of housing growth, this report emphasises the need for multi-functional use of land, particularly in the face of climate change and population growth. ‘Green infrastructure’ within and around towns and cities has an important role to play. Green Belt is already making a contribution which could have even a greater significance in the future if it is managed effectively to maximise the benefits that a natural environment can deliver.

The challenge is to find mechanisms and ways to invest in the land that realise its potential. This will involve working across public and private sectors, and across a range of disciplines. The summary document accompanying this evidence report takes this message forward and identifies opportunities to achieve a greener future for Green Belt.²

Also in 2010, the historian and then MP Tristram Hunt argued that countries without a green belt had done worse:

In America, they chose a different path – and the relentless anywhere-nowhere sprawl of an Atlanta, Phoenix, or Los Angeles is awful to behold as “boomburbs”, “techno-burbs” and retail parks eat ever deeper into the rural hinterland. On the east Coast

¹ Natural England and CPRE, [Green Belts: A greener future](#), 2010: page 90

² As above: page 7

a vast megalopolis lurches along the seaboard from New York to Washington, taking in New Jersey and Baltimore with it. (...)

And on the Continent, it is heading in the same direction. Even with declining populations, cities along southern France's Rhone corridor or on the Spanish coast have started to sprawl at worrying rates. In the absence of any green belts, Marseilles and Valencia as well as northern cities such as Helsinki and Copenhagen have expanded outward and not upward. And according to a recent EU report, "there is no apparent slowing in these trends" even as the ecological consequences of low-density suburban living are becoming more obvious.³

The Select Committee on Communities and Local Government, in its [report on the operation of the National Planning Policy Framework \(NPPF\)](#), concluded that there had been inappropriate development and local authorities should be encouraged to review their Green Belts:

Third, we must address the complex issue of land supply. Provisions in the NPPF relating to the viability of housing land are leading to inappropriate development: these loopholes must be closed. There also needs to be clearer guidance about how housing need should be assessed. In addition, local authorities should be encouraged to review their green belts as part of the local planning process.⁴

1.1 Should the Green belt be strengthened?

In 2015, the 60th anniversary of its introduction, the Campaign to Protect Rural England (CPRE) launched a campaign, [Our Green Belt](#), calling on the Government to

- be more specific on the limited circumstances in which Green Belt boundaries can be changed through local plans;
- call in or direct local authorities to refuse damaging developments in the Green Belt that are not identified in existing local or neighbourhood plans; and
- target public funding, through organisations such as Natural England and Local Enterprise Partnerships, to increase the quality of and access to Green Belt.

The CPRE published its most recent [Green Belt Under Siege](#) report in July 2017. Here it argued that too few of the houses being planned for the Green Belt were affordable:

425,000 houses now planned for Green Belt, of which more than 70% are unaffordable. (...)

Based on local and city-regional planning policies and new data from planning consultants Glenigan, CPRE's annual Green Belt Under Siege report shows that more than 70% of houses proposed for development are not expected to be 'affordable'. It also demonstrates that just 16% of houses built on Green Belt land since 2009 outside local plans were classed as 'affordable'.⁵

The [Open Spaces Society](#) urges the public to monitor local plan reviews for proposals to use Green Belt land and respond.

³ "Southmouth doesn't exist. Thank the Green Belt", *Times*, 28 January 2010

⁴ Communities and Local Government Committee, [Operation of the National Planning Policy Framework](#), 16 December 2014, HC 190 2014/15: Summary

⁵ CPRE, [Green Belt under siege 2017](#) (accessed 9 November 2017). The CPRE also detail '[Green Belt Myths](#)' aimed at countering arguments for building on Green Belt land, with quotes from this and previous Governments and a list of references.

A December 2014 report by the London Society - [Green sprawl: Our current affection for a preservation myth?](#) - provided a history of the London Green Belt and suggested how the Green Belt should be considered in the future, to encompass “spatial rebalancing”:

(1) Scale: There is a clear need to reconsider the area at which we plan. Whether through a new framework which reflects London’s functional area or an expanded administrative area of the Greater London Authority (over which the Mayor of London has control), a larger scale would have benefits. It would better reflect the existing catchment and enable the type of planning required to consider infrastructure, growth and green belt requirements at the appropriate level. If cross-party support and a Royal Commission are required, as they may well be to secure buy-in, let’s acknowledge that and take the idea forward.

(2) Approach: We must explore a joined-up approach to growth which once again twins discussion about the green belt with recognition of the need for development. In doing so, we must dispel the preservation myth that has emerged and recognise that unless actively pursuing a strategy of national spatial rebalancing which directs growth elsewhere in the country, new development will be required in London, including in some parts of the present green belt. Meeting this challenge will require strong, central leadership.⁶

1.2 Is the Green Belt hampering growth?

Whether this level of protection for the Green Belt remains necessary or appropriate - or whether, conversely, it places obstacles in the way of providing new housing – remains controversial.

The Royal Town Planning Institute (RTPI), for example, has questioned some aspects of the Government’s approach. In its [initial analysis of the housing white paper](#) (discussed later), the RTPI suggested that the role, purposes and social impact of Green Belts should be revisited and Green Belt boundaries “may well” need to change, albeit with safeguards:

Maintaining protection for the green belt, which can only be built on “in exceptional circumstances”. The RTPI considered his issue in [Where should we build more Homes](#) (Housing the Nations) and believes we need to make green belts work for everybody.

A managed approach to urban expansion, whilst avoiding urban sprawl around our major cities, has been successfully achieved through planning policies such as green belts. The planning profession has championed this policy for over 60 years. But it is important to revisit the purposes that green belts need to fulfil over the coming generation. The value of green belts is not simply about what is ugly and what is attractive, as some argue. We need to talk about who green belts are for, and about their social impact, along with their continued role in shaping and managing urban growth.

Green belt boundaries may well need to change, but only through careful reviews over wider areas than single local authorities, and where safeguards are put in place to ensure that development is

⁶ London Society, [Green sprawl: Our current affection for a preservation myth?](#), December 2014: pages 15-16

sustainable, affordable and delivered in a timely manner, and without prejudice to the renewal of brownfield land.⁷

In an article in [The Conversation](#) in September 2013, Paul Cheshire, Professor Emeritus of Economic Geography at the London School of Economics, argued that building on the least attractive and lowest amenity parts of greenbelts could help to solve problems of housing supply and housing affordability.⁸

In February 2011, the Institute of Directors proposed a series of measures to stimulate economic growth without cost, including releasing some Green Belt land for development:

Approximately 90 per cent of the population live on 9 per cent of the land in the UK. Expected population growth means ever increasing pressure for higher urban densities, especially in the South East of England. Surely there is an opportunity here to release a substantial portion of green belt land for development. This could help boost the construction sector and economic recovery in the short term, whilst improving urban congestion in the long term. Greater land release could also lead to lower land and house prices and greater affordability.⁹

The [Organisation for Economic Co-operation and Development](#), too, has for several years criticised the Green Belt system for being an obstacle to house building.¹⁰ OECD's 2011 economic survey of the UK (for example) criticised policies that restricted housing development, including Green Belts:

19. The response of housing supply to demand in the United Kingdom has been one of the lowest among OECD countries over the last 20 years. Hence, making the land use planning system more flexible, more predictable and more responsive to market signals, without compromising its social and environmental objectives, is essential. Even though England is a high-density country, especially in the South, there is scope to make more land available for building houses. In particular, Green Belts constitute a major obstacle to development around cities, where housing is often needed. Replacing Green Belts by land-use restrictions that better reflect environmental designations would free up land for housing, while preserving the environment.¹¹

OECD's survey for 2017 is discussed later.

Some of the articles listed later also touch on some of these issues.

⁷ RTPI, [Housing white paper initial analysis](#), 8 February 2017

⁸ "[Greenbelt myth is the driving force behind housing crisis](#)" *The Conversation*, 13 September 2013. See also Paul Cheshire's LSE blog article [Where should we build on the Green Belt?](#) 14 July 2014

⁹ Institute of Directors, *Freebie growth plan published by IOD*, 7 February 2011

¹⁰ OECD, [Economic Surveys: United Kingdom overview](#), March 2011

¹¹ OECD, [Economic Survey March 2011 United Kingdom Overview](#), 16 March 2011

2. Extent of the Green Belt

In brief

- The most recent [Green Belt statistics](#) put the size of the Green Belt at **1,634,700 hectares** at the end of 2016/17.
- The Green Belt is clustered around 15 urban cores, primarily outside London and cities in the North West.
- The Green Belt has reduced by around 4,800 hectares since 2010/11, primarily due to local authorities adopting new plans that change Green Belt boundaries.

2.1 How big is the Green Belt?

In 1979 the total size of the UK Green Belt was 721,500 hectares (a hectare is about a third bigger than the New Wembley Stadium pitch).¹²

In 1997 the figure for Green Belt in England was 1,649,640 hectares.¹³

In 2005, 47,300 hectares of Green Belt land was re-designated to become the New Forest National Park. Since then, the size of the Green Belt has been relatively consistent: it has fallen by around 0.1% since 2006. The Green Belt was 1,634,700 hectares at the end of 2016/17.¹⁴

Changes in the estimated size of the Green Belt are mostly due to local authorities adopting new plans that alter the area of that authority's Green Belt. Since 2010/11, the Green Belt has reduced by around 4,800 hectares due to these changes. Eight local authorities adopted new plans in 2016/17, resulting in a decrease of 790 hectares.¹⁵

Statistics on other types of protected land, including Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty and National Parks are set out in the [UK Biodiversity Indicators 2017](#), which show that the extent of these protected areas is generally increasing.¹⁶

2.2 Where is the Green Belt?

The Green Belt is clustered around 15 urban cores. The chart below shows the area of Green Belt associated with each urban core.

¹² HC Deb 28 July 1997 c47W

¹³ HC Deb 10 December 2008 c138W

¹⁴ Department for Communities and Local Government (DCLG) [Planning statistical release: Local Planning Authority Green Belt: England 2016/17](#), 7 September 2017

¹⁵ As above

¹⁶ Joint Nature Conservation Committee, [UK Biodiversity indicators 2017](#), August 2017

GREEN BELT AREA BY URBAN CORE	
As at 31 March 2017	
Urban core	Area (hectares)
London area	514,030
Liverpool, Manchester and West Yorks	503,410
Birmingham	230,580
North East	72,430
Bristol and Bath	71,630
Derby and Nottingham	60,700
Stoke	44,440
Bournemouth	36,000
Oxford	34,910
York	27,940
Cambridge	25,180
Gloucester	7,500
Blackpool	2,600
Morecombe	1,740
Burton upon Trent	720
England	1,634,700

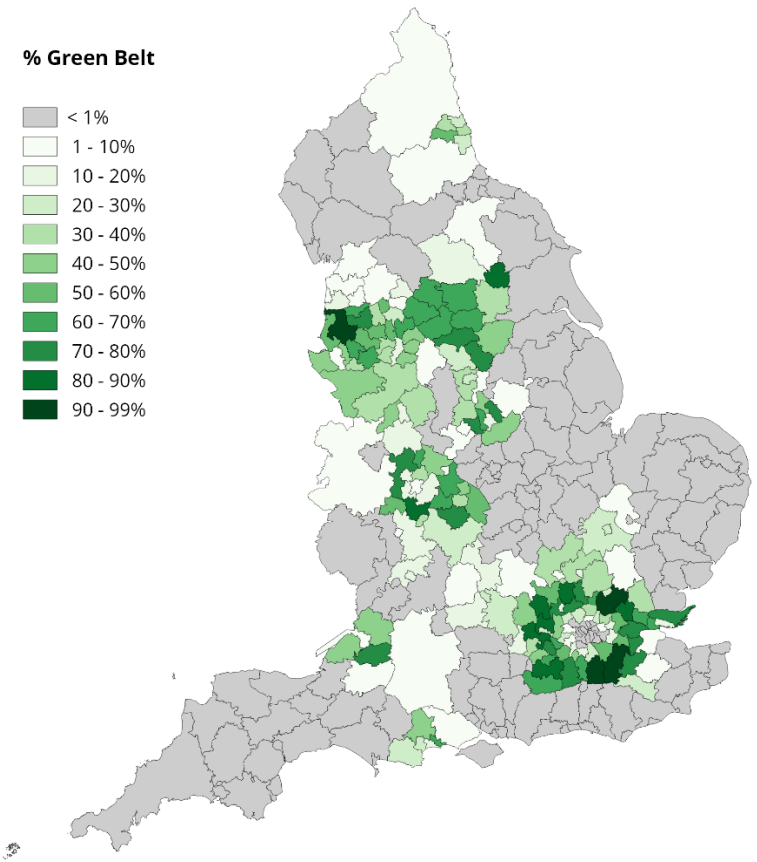
Source: DCLG, [Local planning authority Green Belt: England 2016/17](#), Table 3

Notes: Figures are rounded to the nearest ten hectares and are estimates, which means that urban core figures do not sum to the England total.

The map on the next page shows the proportion of land in each English local authority that is Green Belt in 2017. West Lancashire has the highest proportion: 99% of its land is Green Belt. Tandridge, Sevenoaks and Epping Forest are also all over 90% Green Belt.

A number of detailed, interactive maps of Green Belt boundaries have been produced: for example, by [Troy Planning](#) (a planning consultancy, last updated in 2016) and by [Alisdair Rae of the University of Sheffield](#) (last updated in 2015).

PERCENTAGE OF GREEN BELT PER LOCAL AUTHORITY, ENGLAND, 2017



LOCAL AUTHORITIES WITH HIGHEST GREEN BELT PROPORTION
Hectares, as at 31st March 2017

	Green Belt area	Total area	Green Belt proportion
1 West Lancashire	34,470	34,678	99%
2 Tandridge	23,300	24,819	94%
3 Epping Forest	31,680	33,898	93%
4 Sevenoaks	34,400	37,035	93%
5 Brentwood	13,700	15,312	89%
6 Bromsgrove	19,300	21,697	89%
7 Guildford	24,040	27,093	89%
8 Chiltern	17,380	19,635	89%
9 South Bucks	12,350	14,128	87%
10 Windsor and Maidenhead	16,480	19,843	83%

Sources: DCLG, [Local planning authority Green Belt: England 2016/17](#), Annex Table 2; ONS, *Standard Area Measurements (2016) for Administrative Areas in the UK*

Notes: Proportions are calculated using each local authority's total area to mean high water. This is a measurement that is clipped to the coastline but includes all inland water.

2.3 How much building has there been in the Green Belt?

In August 2012, a CPRE briefing paper - [Green Belt: under renewed threat?](#) - identified areas in the country where planning applications had been submitted for Green Belt development.

An August 2014 report [Greenbelt under Development](#), by construction industry insight company Glenigan, examined the number of new homes granted planning permission in Green Belt locations:

Glenigan's analysis shows that a small but growing number of new homes are being granted on green belt locations. In 2013/14, 1.6% of planning approvals for schemes of three or more homes were on the green belt, but the number of new homes involved is growing. As the demand for new homes increases as the economy recovers, so will the potential pressure on the green belt.

This was followed by Glenigan research for the BBC's *File on 4* programme in June 2015 which found "a sharp increase in the number of houses securing full planning approval in the greenbelt":

In 2009/10, 2,258 homes were approved. In 2013/2014, the number had risen to 5,607. By the following year, 2014/2015, it had more than doubled to 11,977.¹⁷

DCLG's land use change statistics show that 356 hectares of Green Belt land changed to residential use in 2015-16, of which 25% was previously-developed land within the Green Belt. Overall, 3% of new residential addresses created between 2013 and 2016 were created in the Green Belt.¹⁸

¹⁷ ["Building on greenbelt land has soared over five years"](#), BBC News, 9 June 2015

¹⁸ DCLG, [Live tables on land use change statistics](#), Tables P382 and P311

3. Green Belt planning policy

- The [housing white paper](#), published in February this year, contains some proposals relating to planning. It says that the existing strong protections for the Green Belt will remain.¹⁹
- In a statement in September 2017 on local housing need, the Communities Secretary, [Sajid Javid, reiterated the Government's stance](#) on the Green Belt.²⁰

It is for local authorities to define and maintain Green Belt land in their local areas. The Government expects local planning authorities with Green Belts to establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Green Belt boundaries can be altered as part of the Local Plan review process. Local Plans are the plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.²¹

To find out which land in a particular area is designated as Green Belt, contact the relevant local planning authority.

3.1 Purpose of Green Belt land

According to the Government's [National Planning Policy Framework](#) (NPPF), the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.²²

The CPRE (Campaign to Protect Rural England) describes Green Belts as a buffer between towns, and town and countryside whereby within their boundaries, damaged and derelict land can be improved and nature conservation encouraged.²³

¹⁹ Department for Communities and Local Government (DCLG), [Fixing our broken housing market](#), Cm 9352, February 2017

²⁰ [HC Deb 14 September 2017 c1023](#)

²¹ DCLG, [National Planning Policy Framework: Protecting green belt land](#), March 2012

²² As above

²³ CPRE, [Green Belts: breathing spaces for people and nature](#) (undated, accessed 3 November 2017)

3.2 What does policy guidance say about protecting the Green Belt?

National Planning Policy Framework

In March 2012, the Government replaced much of the planning guidance, including *Planning Policy Guidance 2: Green Belts*, with the [National Planning Policy Framework](#) (NPPF).²⁴

The NPPF sets out the Government's planning policies for England and how it expects these to be applied. It contains a presumption in favour of sustainable development, which it defines as having three dimensions: economic, social and environmental. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The policy on protection for the Green Belt is contained in section 9 of the NPPF, which sets out the fundamental aim of Green Belt policy:

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.²⁵

The NPPF also states that new green belts should only be established in "exceptional circumstances":

82. The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions.²⁶

Similarly, Green Belt boundaries should (it says) only be altered in "exceptional circumstances" and LPAs should consider the consequences of channelling development away from the Green Belt (or towards towns and villages within it):

83. Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

84. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.²⁷

²⁴ DCLG, [National Planning Policy Framework: Protecting green belt land](#), March 2012

²⁵ As above

²⁶ As above

²⁷ AS above

It also makes clear that the construction of new buildings should be regarded as “inappropriate” for the Green Belt, although there are exceptions:

89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

The NPPF urges local planning authorities (LPAs) to “plan positively” to enhance the Green Belt’s use. New Green Belts should (it says) only be established in “exceptional circumstances”.²⁸

The NPPF also cautions against inappropriate development, which should be approved only in “very special circumstances”:

87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any

²⁸ As above

harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.²⁹

Renewable energy projects are specifically mentioned as being "inappropriate" for Green Belt development.³⁰

Planning practice guidance

In March 2014, the previous Government published new web-based [Planning Practice Guidance \(PPG\)](#) to accompany the NPPF and give further detail about its policies. This guidance sets out that unmet housing need in a particular area is unlikely to meet the "very special circumstances" test to justify Green Belt development:

Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt.³¹

The PPG was updated in October 2014. The aim was to reaffirm local authorities' abilities to "safeguard their local area against urban sprawl, and protect the green lungs around towns and cities". The then Government said that it wanted to make planning policy clear that housing need – including for traveller sites – does not justify the harm done to the Green Belt by inappropriate development. The new guidance reads:

Do housing and economic needs override constraints on the use of land, such as Green Belt?

The National Planning Policy Framework should be read as a whole: need alone is not the only factor to be considered when drawing up a Local Plan.

The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as sites of special scientific interest; land designated as green belt, local green space, an area of outstanding natural beauty, heritage coast or within a national park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.

The Framework makes clear that, once established, green belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.

Do local planning authorities have to meet in full housing needs identified in needs assessments?

²⁹ DCLG, [National Planning Policy Framework: Protecting green belt land](#), 27 March 2012

³⁰ As above

³¹ DCLG, [Planning Practice Guidance, Housing and economic land availability assessment, Methodology – Stage 5: Final evidence base](#), 6 March 2014

Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs.

However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a strategic housing land availability assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as green belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need.³²

In December 2014, the then Planning Minister, Brandon Lewis, wrote to the Chief Executive at the Planning Inspectorate about Strategic Housing Market Assessments (SHMAs). This letter set out the relationship between housing figures produced as part of a SHMA and those in a Local Plan and how to take into account constraints such as Green Belt land:

However, the outcome of a Strategic Housing Market Assessment is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans.

Councils will need to consider Strategic Housing Market Assessment evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing requirement. They also need to consider whether there are opportunities to co-operate with neighbouring planning authorities to meet needs across housing market areas. Only after these considerations are complete will the council's approach be tested at examination by an Inspector. Clearly each council will need to work through this process to take account of particular local circumstances in responding to Strategic Housing Market Assessments.³³

There has been some disagreement however, in the specialist planning press, about how far this letter can be seen as compatible with the NPPF. An article in *Planning* sets out the scope of differing specialist opinion and what this means for Green Belt reviews.³⁴ Some commentators have suggested that it would allow some LPAs to resist meeting requirements for housing in their area, whereas others suggest that LPAs will still have to demonstrate how they fully meet objectively assessed housing need.

Ultimately any disagreement about the letter's compatibility with the NPPF and Green Belt boundaries would be a legal question for a court to determine in the case of dispute.

³² DCLG press release, [Councils must protect our precious green belt land](#), 4 October 2014

³³ Letter from Brandon Lewis to the Chief Executive at the Planning Inspectorate about [strategic housing market assessments](#), 19 December 2014

³⁴ ["Lewis letter 'may slow plans'"](#), *Planning*, 9 January 2015

3.3 Use of Secretary of State “recovery” powers

In a 31 August 2015 [letter](#) to Chief Planning Officers in England, the Government set out its intention to have the Planning Inspectorate monitor appeals involving unauthorised development in the Green Belt. It also said that the Secretary of State would recover a “proportion of relevant appeals in the Green Belt:

...the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt to enable the government to assess the implementation of this policy.

In addition we will consider the recovery of a proportion of relevant appeals in the Green Belt for the Secretary of State’s decision to enable him to illustrate how he would like his policy to apply in practice. Such appeals will be considered for recovery under the criterion set out in 2008: “There may on occasion be other cases which merit recovery because of the particular circumstances.”

After six months we will review the situation to see whether it is delivering our objective of protecting land from intentional unauthorised development.³⁵

In a [written ministerial statement](#) on 17 December 2015, the Government said that it was “particularly concerned about harm that is caused by intentional unauthorised development in the Green Belt.”³⁶ It confirmed that the Planning Inspectorate would monitor all appeal decisions involving unauthorised development in the Green Belt and that in addition it would “consider the recovery of a proportion of relevant appeals in the Green Belt for the Secretary of State’s decision”. This policy would apply to all new planning applications and appeals received since 31 August 2015 and the situation would be reviewed after six months to see whether it was delivering the objective of protecting land from intentional unauthorised development.³⁷

For information about the Government’s attempt to recover planning appeals relating to traveller sites on Green Belt land, see section 2.3 below.

3.4 Traveller site issues

In a [written ministerial statement](#) to Parliament on 17 January 2014, Communities and Local Government Minister, Brandon Lewis, said that unmet need for traveller sites and housing was unlikely to justify development in the Green Belt:

I also noted the Secretary of State’s policy position that unmet need, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the “very special circumstances” justifying inappropriate development in the green belt. The Secretary of State wishes to re-emphasise this policy point to both local

³⁵ Letter from Government to Chief Planning Officers in England, [Green Belt protection and intentional unauthorised development](#), 31 August 2015

³⁶ [HCWS423, 17 December 2015](#)

³⁷ [HCWS423, 17 December 2015](#)

planning authorities and planning inspectors as a material consideration in their planning decisions.³⁸

Attempt to recover planning appeals relating to traveller sites on Green Belt land

In a [written ministerial statement](#) on 1 July 2013 the former Secretary of State announced his intention to “recover” planning appeals relating to traveller sites on Green Belt land for a period of six months. This would mean that the Secretary of State would take the final decision on the appeal, instead of a planning inspector.³⁹

In a further [written ministerial statement](#) to Parliament on 17 January 2014 it was confirmed that the Secretary of State would continue to consider recovery of appeals involving traveller sites in the Green Belt.⁴⁰

The Secretary of State’s decision to recover appeals relating to traveller sites was subsequently challenged in the High Court in the case of [Moore and Coates v SSCLG](#).⁴¹

The issue before the court was the approach taken by the Secretary of State for Communities and Local Government in relation to his use of recovery powers and that the use of these powers had led to delay in decision making. In the case, it was put forward that, although the Secretary of State did not at first seek to recover all such appeals, he was doing so from the latter part of 2013, and did so until September 2014, when he reduced the percentage recovered to 75 per cent. As the great majority of such appeals related to pitches used by particular ethnic communities (Romany gypsies and Irish Travellers), the effect of the practice led to legal challenge.

The claimants contended that the Secretary of State had acted in breach of the provisions of the Equality Act 2010 (“EA 2010”), in a way which had led to unlawful indirect discrimination contrary to section 19 of the Act, and to a breach of the Public Sector Equality Duty imposed on him by section 149 of the Act. The intervener in this case, the Equality and Human Rights Commission (EHRC), also contend that the Secretary of State had acted in breach of Articles 6 (right to a fair trial) and 8 (right to respect for family and private life) of the European Convention of Human Rights (“ECHR”).

In his judgement, Mr Justice Gilbert found that the challenges based on breaches of the Equality Act 2010 and of Article 6 of the European Convention of Human Rights had succeeded, and in particular that:

“The Article 6 challenge has succeeded because substantial delays have occurred in dealing with the appeals of Mrs Moore and Ms Coates, and with many other cases. In the context of delay, Article 6 of the ECHR does no more than encapsulate the long standing principle of the common law that justice should not be unreasonably delayed, as it was and has been here. The Claimants were and are entitled to have their appeals determined within a

³⁸ [HC Deb 17 Jan 2014 c35WS](#)

³⁹ [HC Deb 1 July 2013 c24WS](#)

⁴⁰ [HC Deb 17 Jan 2014 c35WS](#)

⁴¹ [Moore and Coates v SSCLG](#) [2015] EWHC 44 (Admin), 21 January 2015

reasonable time. The delays they have experienced have also affected those who oppose their appeals.”⁴²

(...)

What was unlawful was the application of the policies in WMS 1 [written ministerial statement] and WMS 2 in such a way as to recover all traveller’s pitch appeals, which, due to the way the practice was approached, amounts to a breach of ss 19 and 149 of the 2010 Act. I have also found that the practice of recovering all appeals, or an arbitrary percentage thereof, was and is unlawful. The effect of the approach of the Secretary of State was also to breach Article 6 so far as Mrs Moore and Ms Coates are concerned.⁴³

The judgement made clear that it was the fact that the Secretary of State had decided to recover all appeals in this area and then an arbitrary percentage of them that was unlawful. He made clear that it would *not* be unlawful to continue to recover appeals of “individual cases on their merits”:

I have no doubt that the Secretary of State and his Ministers will not seek to carry on a practice which this Court has ruled unlawful. But equally, the Court does not wish to prevent the Secretary of State and his Ministers from being able to exercise their discretion to recover jurisdiction over such appeals as require it. It follows from the terms of this judgment that in the absence of the exercise required by ss 19 and 149 of the 2010 Act, a policy of recovery of all or some other arbitrary percentage is unlawful. But recovery of individual cases on their merits is not unlawful, and as indicated earlier, a properly considered decision within the parameters of the 2010 Act to recover a number of appeals would also not be unlawful.⁴⁴

He also made clear that it would be unlawful for the Secretary of State to continue to recover appeals which were recovered not because of their merits but because they were cases of travellers’ pitches. Mr Justice Gilbert suggested that a review of cases should be conducted by the Secretary of State to sort out those cases which can be recovered on their merits and which should not actually have been recovered.

In response to the judgement, [planning Minister Brandon Lewis](#) was quoted as saying:

This government makes no apologies for seeking to safeguard green belt protection and trying to bring a sense of fair play to the planning system. The government’s planning policy is clear that both temporary and permanent traveller sites are inappropriate development in the green belt. Today’s judgment does not question that principle.⁴⁵

An [editorial piece](#) in the specialist publication *Planning* speculated on the implications of this judgement for recovered appeals in this area:

⁴² [Moore and Coates v SSCLG](#) [2015] EWHC 44 (Admin), 21 January 2015: paragraph 173

⁴³ As above: paragraph 180

⁴⁴ [Moore and Coates v SSCLG](#) [2015] EWHC 44 (Admin), 21 January 2015:: paragraph 181

⁴⁵ “[Judge raps Pickles for breaching European Convention on Human Rights over traveller appeals](#)” *Planning*, 21 January 2015

Some commentators have immediately suggested that the ruling will have implications for all green belt traveller site appeals recovered by the secretary of state since July 2013. Indeed, the judge himself acknowledged that his ruling would "call into question the legality of many other recoveries".

But it is not immediately clear how the government will respond. Experts say that DCLG's decision not to seek leave to appeal the verdict to the Court of Appeal means that the judgement is now established legal authority that can be cited in other cases. However, the DCLG's spokeswoman would say only that the two appeals covered by the High Court ruling would be reconsidered, but declined to comment on how other cases would be treated.⁴⁶

Another article in *Planning* set out opinions from a number of different planning professionals on the implications of this judgement.⁴⁷

In response to a [written question](#) in the House of Lords on 23 March 2015, the Government confirmed its intention to "de-recover" appeals for traveller developments in the Green Belt on which a decision had not yet been reached:

This Government continues to attach great importance to safeguarding the Green Belt. It will address concerns about the harm caused when there is unauthorised development of land in advance of obtaining planning permission and there is no opportunity to appropriately limit or mitigate the harm that has already taken place. For these reasons, the Secretary of State for Communities and Local Government will introduce a new planning and recovery policy for the Green Belt early in the new Parliament to strengthen protection against unauthorised development. This new policy will apply to all development within the Green Belt. In the meantime he has also decided to de-recover those cases of appeals for Traveller development in the Green Belt on which a substantive decision has not been reached. These will be remitted back to the Planning Inspectorate and, where appropriate, we will re-assess them in light of the new recovery policy.⁴⁸

Green Belt and traveller sites policy update

In a [written ministerial statement](#) to Parliament on 17 January 2014, the Government said that it would consider improvements to planning policy and practice guidance to strengthen Green Belt protection in relation to traveller sites:

Moreover, ministers are considering the case for further improvements to both planning policy and practice guidance to strengthen green belt protection in this regard. We also want to consider the case for changes to the planning definition of 'travellers' to reflect whether it should only refer to those who actually travel and have a mobile or transitory lifestyle. We are open to representations on these matters and will be launching a consultation in due course.⁴⁹

⁴⁶ [Ministers must act to rectify traveller discrimination, by Richard Garlick](#)", *Planning*, 23 January 2015

⁴⁷ Why Pickles' 'unlawful' intervention could prompt reviews of traveller appeals" [Planning](#), 30 January 2015

⁴⁸ [HL5936, 23 March 2015](#)

⁴⁹ [HC Deb 17 January 2014 c35WS](#)

A [consultation on planning and travellers](#) was launched in September 2014.⁵⁰ The Government [responded to this consultation](#) in August 2015.⁵¹

In its [Planning Policy for Traveller Sites](#), the Government has now changed the weight which can be given to any absence of a five year supply of permanent sites when deciding planning applications for temporary sites in land designated as Green Belt, sites protected under the Birds and Habitats Directives, sites designated as Sites of Special Scientific Interest, Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park or the Broads. As the consultation explained:

“the absence of an up-to-date five year supply of deliverable sites would therefore no longer be a significant material consideration in favour of the grant of temporary permission for sites in these areas. It would remain a material consideration, but its weight would be a matter for the decision taker.”

The Government has also changed planning policy to make clear that (subject to the best interests of the child), unmet need and personal circumstances are unlikely to clearly outweigh harm to the Green Belt, and any other harm so as to establish very special circumstances. This change applies equally to the settled and traveller communities.

3.5 Waste facilities on Green Belt land

On 16 October 2014 the then Secretary of State for Communities and Local Government [announced](#) that he had “strengthened the policy on planning for waste facilities such as recycling plants making clear that companies and councils looking to build these should first look for suitable sites and areas on brownfield land.” The new wording changes the previous policy, to mean that councils can now no longer give special consideration to locational needs, or wider economic benefits the site could bring, over other considerations, as justification for building waste facilities on Green Belt land.

The Government’s [National Planning Policy for Waste](#) was published on 16 October 2014.

3.6 Green Belt boundary reviews

Although it is intended that Green Belt land has a degree of permanence, it is possible for a local planning authority to conduct a review of Green Belt land and consider redefining boundaries which add or take away Green Belt land in order to meet local planning requirements. Paragraph 83 of the NPPF sets this out:

Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of

⁵⁰ DCLG, [Consultation: planning and travellers](#), 14 September 2014.

⁵¹ DCLG, [Planning and travellers: proposed changes to planning policy and guidance: Consultation response](#), 31 August 2015

the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

The para above sets out that a Green Belt review should only happen in “exceptional circumstances”. This concept is further elaborated on in para 82 as being “for example when planning for larger scale development such as new settlements or major urban extensions.”

The previous Government encouraged local councils to use existing laws to review and tailor the extent of Green Belt land in their local areas. As an incentive to use these powers, councils who review Green Belt land in their local plans will have their local plan examination process prioritised:

The Green Belt is an important protection against urban sprawl, providing a 'green lung' around towns and cities. The Coalition Agreement commits the Government to safeguarding Green Belt and other environmental designations, which they have been in the new National Planning Policy Framework. The Localism Act allows for the abolition of Labour's Regional Spatial Strategies which sought to bulldoze the Green Belt around thirty towns and cities across the country, subject to the Strategic Environmental Assessment process, as outlined in my Statement of 3 September 2012, Official Report, Column 5WS.

As has always been the case, councils can review local designations to promote growth. We encourage councils to use the flexibilities set out in the National Planning Policy Framework to tailor the extent of Green Belt land in their areas to reflect local circumstances. Where Green Belt is considered in reviewing or drawing up Local Plans, we will support councils to move quickly through the process by prioritising their Local Plan examinations. There is considerable previously developed land in many Green Belt areas, which could be put to more productive use. We encourage Councils to make best use of this land, whilst protecting the openness of the Green Belt in line with the requirements in the National Planning Policy Framework.⁵²

The CPRE criticised this policy for relaxing protection of Green Belt land:

Paul Miner, senior planning campaigner for the CPRE, said: “This is going directly against the Government’s assurance that it would maintain protection for the Green Belt.

“Green belt land is not only important to prevent the spread of urban sprawl into the countryside, it is usually very valuable to local communities for recreation and access to green areas. Green belt land has more public footpaths on it than the countryside as a whole.

“It has to be understood that the Green Belt’s boundaries should only be changed exceptionally and this does not appear to be the case for us.”⁵³

An article in *Planning* gave Cheshire East Council as an example where there are proposals to swap parts of the existing Green Belt for new

⁵² [HC Deb 6 Sep 2012 cc29WS](#)

⁵³ “Swathes of green belt land sacrificed” [The Telegraph](#), 24 November 2012

settlements and to designate new Green Belt elsewhere in the area in its place.⁵⁴

In February 2014 there were press reports that a planning inspector had told Reigate and Banstead Borough council that it must release Green Belt land if it is to be able to adopt its local plan.⁵⁵ Following these reports the then Planning Minister Nick Boles [wrote](#) to Sir Michael Pitt, Chief Executive of the Planning Inspectorate to emphasise that it was for the local authority to choose to review its Green Belt land as part of its local plan process and should not be for the Planning Inspectorate to recommend at examination stage:

It has always been the case that a local authority could adjust a Green Belt boundary through a review of the Local Plan. It must however always be transparently clear that it is the local authority itself which has chosen that path – and it is important that this is reflected in the drafting of Inspectors' reports. The Secretary of State will consider exercising his statutory powers of intervention in Local Plans before they are adopted where a planning inspector has recommended a Green Belt review that is not supported by the local planning authority.

I would be grateful if you could circulate a copy of this letter to all Inspectors and ensure that they understand the need to choose their words carefully and reflect government policy very clearly in all future reports.⁵⁶

In the case of *R (on the application of Luton Borough Council) v Central Bedfordshire Council*, the Court of Appeal upheld a decision to grant planning permission for development in the Green Belt.⁵⁷ The Court held that that the National Planning Policy Framework (NPPF) did not create a presumption or requirement that Green Belt boundaries had first to be altered via the local plan before development could take place in the Green Belt.

⁵⁴ "Council proposes green belt land swap" *Planning*, 11 January 2013

⁵⁵ "Inspector advises Surrey council to release green belt sites" [Planning](#) 4 February 2014

⁵⁶ Letter from Nick Boles MP Parliamentary Under Secretary of State (Planning) to Sir Michael Pitt, Chief Executive Planning Inspectorate, [Inspectors' Reports on Local Plans](#), 3 March 2014

⁵⁷ [\[2015\] EWCA Civ 537](#), May 2015

4. Will Green Belt policy change?

Changes to Green Belt policy have been under consideration for some time.

4.1 DCLG consultation, December 2015

In December 2015, the [DCLG consulted on a proposal](#) to amend Green Belt policy to allow starter homes to be built in the Green Belt when a site has been identified in a neighbourhood plan and to allow for starter homes to be built on some brownfield sites in the Green Belt.⁵⁸

The consultation also proposed to change policy to support the regeneration of previously developed brownfield sites in the Green Belt by allowing them to be developed in the same way as other brownfield land, providing this contributes to the delivery of starter homes, and subject to local consultation. The Government would:

...amend the current policy test in paragraph 89 of the National Planning Policy Framework that prevents development of brownfield land where there is any additional impact on the openness of the Green Belt to give more flexibility and enable suitable, sensitively designed redevelopment to come forward. We would make it clear that development on such land may be considered not inappropriate development where any harm to openness is not substantial.⁵⁹

The consultation estimated that based on data from the 2010 National Land Use Database, across England there were 500 to 600 hectares of brownfield land in the Green Belt viable for starter homes development and not on open land.

In its [summary of the consultation responses](#), DCLG noted that – although there was support for providing more policy support for new settlements as a way of meeting development needs – some concerns had been raised about (amongst other things) protecting the Green Belt:

The majority of respondents were supportive of the proposal to provide greater policy support for new settlements in meeting development needs, but felt it should remain a locally-led process delivered through Local Plans. Some respondents raised concerns about the impact of the proposals – such as the level of protection given to Green Belt locations, the effect the proposal would have on the plan led system and the need for national financial support to deliver such schemes. A few respondents suggested that support should also be provided for the major expansion of existing smaller and urban settlements and that policy should focus on the use of brownfield land before a new settlement is considered. Some respondents felt that existing policy in paragraph 52 of the Framework already provided sufficient support for new settlements.

Government response:

⁵⁸ DCLG, [Consultation on proposed changes to national planning policy](#), December 2015

⁵⁹ As above: page 20

The Government welcomes the broad support for this recommendation, and will strengthen national planning policy to give support for new settlements in meeting development needs. As set out in Chapter 1 of and the Annex to the Housing White Paper, the Government recognises the need to make the most of the potential for new settlements alongside developing existing areas, and is supporting the creation of ten new garden towns and 14 new garden villages.⁶⁰

On development on brownfield land, the Government noted that here too there was broad support for strengthening policy, but some respondents had voiced concerns about unintended consequences:

Respondents felt that it was important: i) to retain local determination in order to ensure policy is applied within the context of the local market conditions; ii) that brownfield sites should only be considered as suitable for development where they have adequate access to services and amenities; iii) that they can be retained for employment purposes in circumstances where there is a demonstrable need; and iv) that the delivery of housing on brownfield land should not be to the detriment of affordable housing provision. Other respondents felt that brownfield sites can be environmentally sensitive, and that there is a need to ensure that the planning process affords appropriate weight to this aspect. They also considered that inclusion of sites on the brownfield register should not override other policy considerations.

Some respondents felt that existing policy was adequate to bring forward brownfield land for development, while others expressed concern about the viability of brownfield sites and suggested that financial incentives should be considered to make brownfield more attractive to developers. Some respondents also expressed concern about the relationship between permission in principle and the brownfield register.

Government response:

The Government is committed to bringing forward more brownfield land for development and Chapter 1 of and the Annex to the Housing White Paper set out proposals to amend the National Planning Policy Framework to indicate that great weight should be attached to the value of using suitable brownfield land within existing settlements for homes.⁶¹

On starter homes, the Government remarked that there had been mixed views about whether rural exception sites should be used to deliver starter homes in rural areas and about whether (for example) this might make it more difficult to provide affordable housing:

(...) It was suggested that starter homes should only be allowed to be included within rural exception schemes, where they are required to assist with the viability of the development and should be provided instead of market housing. It was commented that landlords were willing to release land for rural exception sites because of their understanding that it would be used for affordable housing that would be affordable in perpetuity, and questioned the likelihood of rural landowners' willingness to release land for starter homes as the policy stands. It was also

⁶⁰ DCLG, [Proposed Changes to NPPF \(Dec 2015\) - Summary of Consultation Responses](#), February 2017: page 7

⁶¹ As above: page 8

considered that starter homes would push up the price of rural exception sites, which will make it unaffordable to provide affordable housing. It was considered that exception sites for starter homes within the Green Belt would be at odds with the government's pre-election pledge to protect the Green Belt, that Areas of Outstanding Natural Beauty should be exempted from having starter homes on exception sites and that a specific requirement should be included to protect existing and future provision of affordable homes in perpetuity in Areas of Outstanding Natural Beauty. There was general agreement that there should be a local connection test.

Government response:

The Government acknowledges that rural exception sites are an established means for supporting sensitive housing growth where it is locally supported and will meet local needs. In response to the consultation responses, and as set out in Chapter 3 to the Housing White Paper, we will clarify that starter homes, with appropriate local connection tests, can be acceptable on rural exception sites.⁶²

4.2 Housing white paper, February 2017

In brief

- The [housing white paper](#), published in February this year, contains some proposals relating to planning.⁶³
- As the Commons Library briefing on the [planning reforms within the white paper](#) explains, the white paper says that the Government's commitment to the **Green Belt** remains unchanged. The white paper also emphasises that authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements.⁶⁴

On planning for the right homes in the right places, the housing white paper says that the existing strong protections for the Green Belt will remain:

Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements;

(...)

1.3 In spite of the progress being made to bring more brownfield land back into use, plans don't always encourage a sufficiently wide range of sites to come forward to meet local housing requirements. Often, there is also scope to involve the community earlier in the design of schemes, and to do more with the land which is identified, so homes can be accommodated efficiently. We remain committed to our manifesto promise to protect the Green Belt.⁶⁵

⁶² As above: page 16

⁶³ DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017

⁶⁴ CBP 07896, 8 February 2017

⁶⁵ DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017: pages 18-22

The housing white paper refers back to the Government's manifesto commitment to protect and enhance the natural environment and mentions the "high bar" protecting the Green Belt:

1.37 Our Manifesto commits ours to be the first generation to leave the natural environment better than we found it – which we will take forward through our 25 Year Environment Plan. The Green Belt is highly valued by communities, particularly those on the edge of urban areas. The fundamental aim of Green Belt, since its introduction in the 1950s, has been to prevent urban sprawl by keeping land permanently open. It has been largely successful in this aim – the percentage of land covered by Green Belt has remained at around 13% since at least 1997. However parts of it are not the green fields we often picture, and public access can be limited, depending on ownership and rights of way.

1.38 In the last Parliament, the Government increased Green Belt protection by abolishing the unpopular and counter-productive Regional Strategies that sought to delete areas of Green Belt. Our manifesto reiterated our commitment to protecting the Green Belt. The National Planning Policy Framework is already clear that Green Belt boundaries should be amended only "in exceptional circumstances" when plans are being prepared or revised, but does not define what those circumstances are. The Government wants to retain a high bar to ensure the Green Belt remains protected, but we also wish to be transparent about what this means in practice so that local communities can hold their councils to account.⁶⁶

Thus, national policy will be amended, to specify when authorities may amend Green Belt boundaries and to require that, when land is removed from the Green Belt, the impact is offset by compensatory improvements:

1.39 Therefore **we propose to amend and add to national policy to make clear that:**

- authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements, including:
 - making effective use of suitable brownfield sites and the opportunities offered by estate regeneration;
 - the potential offered by land which is currently underused, including surplus public sector land where appropriate;
 - optimising the proposed density of development; and
 - exploring whether other authorities can help to meet some of the identified development requirement.
- **and where land is removed from the Green Belt, local policies should require the impact to be offset** by compensatory improvements to the environmental quality or accessibility of remaining Green Belt land. We will also explore whether higher contributions can be collected from development as a consequence of land being released from the Green Belt.

⁶⁶ DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017: page 28

1.40 We welcome other suggestions for what reasonable options local authorities should be expected to examine before amending Green Belt boundaries.⁶⁷

4.3 Will there be more building on the Green Belt?

In a statement in September 2017 on local housing need, the Secretary of State, [Sajid Javid, reiterated the Government's stance](#) on the Green Belt:

I will happily reaffirm the Government's position. We remain absolutely committed to the protections that are already in the planning code. Nothing that I have announced today will change the protections that are rightly afforded to the green belt, or our demand that when it comes to development, the priority should always be brownfield.⁶⁸

More recently, the circumstances in which applications to build on the Green Belt might be considered were set out in a [PQ reply in October 2017](#):

The National Planning Policy Framework sets out strong protections for the Green Belt, and makes clear that a local authority may alter the shape of its Green Belt only in exceptional circumstances, using the Local Plan process. The Framework does not define these 'exceptional circumstances'. However, in the Housing White Paper, *Fixing our broken housing market*, we proposed that a local authority should be able to alter a Green Belt boundary when it demonstrates that it has examined all other reasonable options for meeting its identified development needs, including:

- - effective use of suitable brownfield and estate regeneration;
- - the potential offered by under-used land (including surplus public sector land);
- - optimising the density of development; and
- - exploring whether other authorities can help to meet some of the identified development requirement.

We have been analysing the consultation responses on this proposed clarification, and will announce our conclusions in due course.⁶⁹

4.4 What next? Autumn Budget 2017

[Media reports have suggested](#) that house building will be central to the Budget, with reforms to planning.⁷⁰ The [housing minister, Alok Sharma, was quoted](#) as suggesting that house-building would be "turbo-charged":

Housing and tax relief are likely to be two of the key areas under consideration for further reform, according to the Sunday Times.

Information about the [autumn Budget 2017](#) is on [gov.uk](#).

⁶⁷ DCLG, *Fixing our broken housing market*, Cm 9352, February 2017: page 28

⁶⁸ [HC Deb 14 September 2017 c1023](#)

⁶⁹ [PQ 107174, 16 October 2017](#)

⁷⁰ See, for example, "[Chancellor Philip Hammond puts homes at heart of budget](#)", *Times* online (paywall), 5 November 2017

In her speech to Conservative conference this month, which was overshadowed by an interruption by a prankster and her coughing fit, May announced an extra £2bn for affordable housing, including the building of an extra 12,500 homes for social rent each year in 2020 and 2021.

(...)

The housing minister, Alok Sharma, said the government accepted there was more to do, but stopped short of committing to give councils more financial flexibility. "We're going to see a lot more house building, but also house building within the social sector," he told ITV's Peston on Sunday.

"The prime minister is leading on this. She has said this is going to be the mission that she has in her government and we have a big meeting on Tuesday which she'll be leading with the big developers, with housing associations, with local government, so that we can turbocharge our efforts to build more homes."⁷¹

Despite the several statements (mentioned earlier) reiterating the Conservative manifesto pledge to protect the Green Belt, there has been speculation that the Budget may pave the way for a review of the Green Belt, to facilitate more homes being built:

Philip Hammond is looking to reform the planning system by [allowing building on the green belt](#) to help more young people get on the housing ladder.

In an attempt to resolve the housing crisis in high-demand areas, the Chancellor is expected to use this month's budget to suggest reclassifying some of the protected countryside.

The land would be used as part of a deal to allow extra borrowing to fund house building to tackle the country's poor productivity.

A Whitehall source told the Telegraph: "The Chancellor is keen to liberalise planning restrictions and is looking very closely at the green belt and what can be done there. But there is difficulty in that the Prime Minister is not convinced by it."⁷²

4.5 OECD Economic survey, 2017

Backing for a review of the Green Belt has come from the OECD, which for several years – and most recently in October 2017 - has called for a relaxation of planning regulations.⁷³

In the section of the 2017 survey report dealing with relaxing housing constraints, the OECD suggested (not for the first time) that planning regulations could hamper growth. Denser building (the OECD argued) might not be enough to meet the demand for more housing, and there might be other, better ways to integrate green space into cities rather than around them, so a review of Green Belt protection was needed:

Recent government plans also foresee the simplification of the delivery of building permits, which would be a major step forward. A key bottleneck to the growth of cities or city-regions are tight land use and planning regulations, both for residential

⁷¹ "[Philip Hammond under pressure to deliver bold budget, say Tory sources](#)", *Guardian* online, 15 October 2017

⁷² "[Philip Hammond risks Tory backlash with gamble on opening up the green belt](#)", *Telegraph* online, 4 November 2017

⁷³ OECD, [Economic survey of the UK 2017](#)

and commercial real estate across all major urban areas, with London showing the strongest price increases (Hilber and Vermeulen, 2016). Urban areas allow more easily an exchange of ideas in a knowledge-based economy, which is done more efficiently through personal, physical contacts, despite advances in communication technology (OECD, 2016a; 2015a). Therefore, creating conditions for cities to expand in an organic way by allowing land permits to match local demand should be a key priority.

The authorities should also thoroughly review the boundaries of protected areas around major cities, so-called "Green Belt", as recommended in past *Surveys* (OECD, 2011, 2013, 2015c). Developing small sites and increasing densities (Table7) may prove insufficient to address housing shortages. A careful reassessment of the overall economic costs and environmental benefits of maintaining the Green Belt is needed, including alternative ways to preserve or create green space, more integrated in the cities (parks) rather than around them. Planning decisions should also be put on a more rule-based system, and local authorities should be better incentivised to approve housing projects (see below) to avoid that particular interests.⁷⁴

The OECD acknowledged, though, that the Government was not so far persuaded:

The government does not consider Green Belt release to be the most appropriate means of bringing additional land for housing. Instead, the housing White Paper published in February 2017 focuses on ... other ways in which more homes can be accommodated, such as on small sites and by increasing densities. It also proposes a number of new policy tests to be satisfied before Green Belt is released for development. The aim is to ensure that the use of Green Belt land remains a last resort, while enabling its boundaries to be reviewed where there is a clear and specific justification.⁷⁵

⁷⁴ OECD, [Economic surveys: UK October 2017: Overview](#); pages 46-48

⁷⁵ As above: page 47

5. Further reading

- ["White Paper gives too much green belt protection, say sector bodies"](#), *Inside Housing*, 10 May 2017
- ["Housebuilding 'corridors' proposed on London greenbelt - Test new approach for development around cities to address shortages, academics urge"](#), *Financial Times* (subscription), FT 1 August 2016
- ["Campaigners accuse Conservatives of failing to protect England's green belt: Research shows 50% rise of new homes planned for greenfield sites with more than 70% not classed as 'affordable'"](#), *Guardian*, 3 July 2017
- ["New homes eroding green belt 'at fastest rate for 20 years': Campaign to Protect Rural England accuses councils of altering boundaries and the government of facilitating the process"](#), *Guardian*, 25 April 2016

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