



## BRIEFING PAPER

Number 00934, 4 January 2019

# Green Belt

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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 has been reflected in the updating of the National Planning Policy Framework in July 2018.

### 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 [Organisation for Economic Co-operation and Development \(OECD\)](#) 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](#) in February 2017, 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.

### How large is the Green Belt?

The Green Belt was 1,629,510 hectares (16,295 km<sup>2</sup>) at the end of March 2018, according to statistics published by the Ministry for Housing, Communities and Local Government (MHCLG). The Green Belt has reduced in size by around 10,020 hectares (100 km<sup>2</sup>) since 2010-11, primarily because of local authorities adopting new plans that alter the area of that authority’s Green Belt. Ten local authorities adopted new plans in 2017/18, resulting in a decrease of 5,070 hectares (51 km<sup>2</sup>) – the largest decrease in recent years.

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

Research by the construction industry insight company Glenigan has found that the number of residential units built on the Green Belt has been increasing. There were 8,143 units completed in the Green Belt in 2017/18, 92% higher than in 2016/17. Of these, 3,387 were on 'greenfield' (that is, non-previously-developed) sites, almost three times the number in 2016/17.

According to MHCLG's land use change statistics, a total of 2,890 hectares (28.9 km<sup>2</sup>) of Green Belt land changed to a developed use category in 2016-17, of which 1,783 hectares (17.8 km<sup>2</sup>, 62%) was not previously developed. 565 hectares (5.7 km<sup>2</sup>) of Green Belt land changed to residential use.

## Green Belt planning policy

Government policy on protection for the Green Belt is set out in [chapter 13 of the NPPF 2018](#), which opens by stating that:

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.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. 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.

The [updated NPPF](#) was published in July 2018, following a consultation. The [Government response to the consultation](#) highlighted the diversity of views expressed about the proposals relating to the Green Belt and brownfield land in the Green Belt and noted that there had been mixed responses on making greater use of brownfield land in the Green Belt. The Government would (it said) amend the NPPF to incorporate the suggested changes but would not review national Green Belt policy and would not ban all development in the Green Belt.

The NPPF 2018 thus reiterates Government policy and encourages the use of brownfield land in almost the same terms as the draft revised NPPF. On protecting the Green Belt, it urges LPAs to maximise the use of suitable brownfield sites before considering changes to Green Belt boundaries and sets out the conditions that must be fulfilled for "exceptional circumstances" to exist, to justify such changes.

NPPF 2018 – including its provisions on the Green Belt - is discussed at more length in the Commons Library briefing [What next for planning in England? The National Planning Policy Framework](#) (CBP 08260, 5 October 2018)

The [Planning Practice Guidance on housing and economic land availability assessment](#) was updated in September 2018, following publication of the revised NPPF. It makes no mention of the Green Belt. There will be some further revision to the PPG, in the light of NPPF 2018, and so there might be some further guidance on Green Belt issues in due course.

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 had 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 2017, reiterated the Government’s commitment to the Green Belt. It also emphasised that authorities should amend Green Belt boundaries only when they could demonstrate that they had examined fully all other reasonable options for meeting their identified development requirements.

### Will there be more building in the Green Belt?

Backing for a review of the Green Belt came from a [survey by the 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 protection was needed. The OECD acknowledged, though, that the Government was not so far persuaded.

[Media reports at the time suggested](#) that house building would be central to the Autumn Budget 2017, with reforms to planning. The housing minister at the time, [Alok Sharma](#), [was quoted](#) as suggesting that house-building would be “turbo-charged” and [there was speculation](#) that the Budget might pave the way for a review of the Green Belt, to facilitate more homes being built. In the event, [the Chancellor, Philip Hammond’s, speech](#) gave a commitment to protecting the Green Belt:

Solving the housing challenge takes more than money—it takes planning reform. We will focus on the urban areas where people want to live and where most jobs are created, making best use of our urban land and continuing the strong protection of our green belt, in particular building high quality, high density homes in city centres and around major transport hubs.

#### 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.<sup>1</sup>

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.<sup>22</sup>

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

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

<sup>2</sup> As above: page 7

parks eat ever deeper into the rural hinterland. On the east Coast 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.<sup>3</sup>

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.<sup>4</sup>

## 1.1 Should the Green Belt be strengthened?

In 2015, the 60<sup>th</sup> anniversary of the Green Belt's 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 [Open Spaces Society](#) urges the public to monitor local plan reviews for proposals to use Green Belt land and respond.

The CPRE published its most recent [report on the state of the Green Belt](#) in August 2018. Here it argued that building on the Green Belt could not solve the crisis in affordable housing and there should be a genuine "brownfield first" approach. Amongst its key findings were:

- The number of housing units completed on greenfield development in the Green Belt has risen from zero in 2009/10 to 3,387 in 2017/18.
- Huge amounts of greenfield land designated as Green Belt has been released or included in councils' local plans since 2013, representing enough land for almost 460,000 housing units.

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

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

- Of the homes approved on greenfield land, only 27% meet the government's definition of 'affordable'. This is below the average target of 31% across local planning documents for development on such sites.
- Local authorities with Green Belt land have enough brownfield land for over 720,000 homes so there is no reason for them not to be prioritising brownfield development.<sup>5</sup>

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":

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.

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.<sup>6</sup>

## 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

<sup>5</sup> CPRE, [State of the Green Belt 2018](#), August 2018: Executive Summary

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



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

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.<sup>8</sup>

The [Organisation for Economic Co-operation and Development](#) (OECD), too, has for several years criticised the Green Belt system for being an obstacle to house building.<sup>9</sup> 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.<sup>10</sup>

OECD's survey for 2017 is discussed later.

In an article in [The Conversation](#) in September 2013, Paul Cheshire, Professor Emeritus of Economic Geography, LSE, argued that building on the least attractive and lowest amenity parts of Green Belts could solve problems of housing supply and affordability.<sup>11</sup>

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

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

<sup>8</sup> Institute of Directors, *Freebie growth plan published by IOD*, 7 February 2011

<sup>9</sup> OECD, [Economic Surveys: United Kingdom overview](#), March 2011

<sup>10</sup> OECD, [Economic Survey March 2011 United Kingdom Overview](#), 16 March 2011

<sup>11</sup> Paul Cheshire, "[Greenbelt myth is the driving force behind housing crisis](#)" on *The Conversation* website, 9 September 2013

## 2. Green Belt statistics

### In brief

- The most recent [Green Belt statistics](#) put the size of the Green Belt at **1,629,510 hectares** at the end of March 2018.
- 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 9,910 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?

The Green Belt in England was estimated to be 1,629,510 hectares at the end of March 2018 – around 12.5% of the land area of England.<sup>12</sup> A hectare is a hundredth of a square kilometre or about the size of a full-size international rugby pitch. The Green Belt in March 2018 was equivalent to 16,295 km<sup>2</sup> or 6,292 square miles, which is about three times the size of Norfolk.

In 1979 the UK-wide Green Belt was 721,500 hectares.<sup>13</sup> By 1997, the figure for Green Belt in England was 1,649,640 hectares.<sup>14</sup> 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.

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 10,020 hectares due to these changes. Ten local authorities adopted new plans in 2017-18, resulting in a decrease of 5,070 hectares.<sup>15</sup> This was the largest single-year fall in over a decade. The statistical release from MHCLG explains this in more detail:

Of the ten local authorities reporting changes to their designated Green Belt areas, two (Coventry and Warwick) contributed over 50% of this change between them. For Warwick, this represents a relatively small change in terms of their total Green Belt. With respect to Coventry, whilst the amount of land designated as Green Belt has been halved, according to the local authority's explanation for the change (see Annex A), a significant proportion has been designated instead as Local Green Space, and is therefore still under the same level of protection from development.<sup>16</sup>

Statistics on other types of protected land, including Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty and National

<sup>12</sup> MHCLG, [Local authority green belt statistics for England: 2017/18](#), October 2018

<sup>13</sup> HC Deb 28 July 1997 c47W

<sup>14</sup> HC Deb 10 December 2008 c138W

<sup>15</sup> MHCLG, [Local authority green belt statistics for England: 2017/18](#), October 2018

<sup>16</sup> Ibid., pp. 5-6

Parks are set out in the [UK Biodiversity Indicators 2018](#), which show that the extent of these protected areas is generally increasing.<sup>17</sup>

## 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.

GREEN BELT AREA BY URBAN CORE	
As at 31 March 2018	
Urban core	Area (km <sup>2</sup> )
London area	5,139
Liverpool, Manchester & West Yorks	5,024
Birmingham	2,275
North East	723
Bristol and Bath	716
Derby and Nottingham	614
Stoke	444
Bournemouth	360
Oxford	349
York	279
Cambridge	251
Gloucester	68
Blackpool	26
Morecombe	17
Burton upon Trent	7
<b>England total</b>	<b>16,295</b>

Source: MHCLG, [Local authority green belt statistics for England: 2017/18](#), Table 3

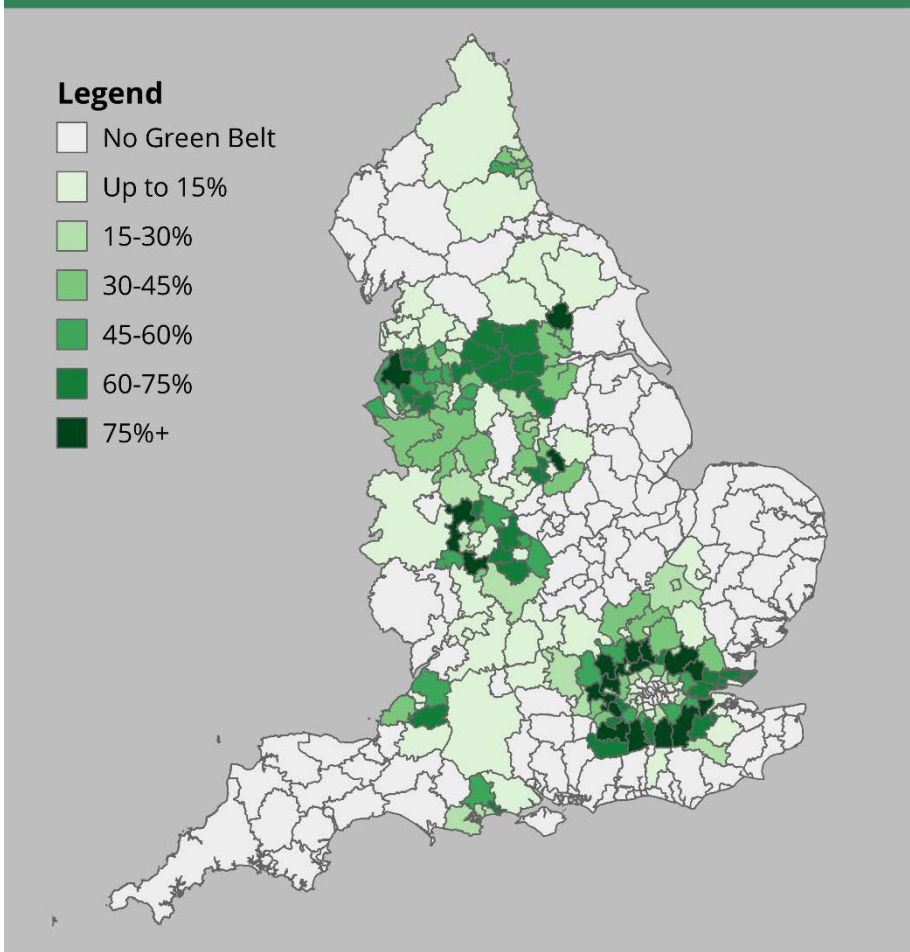
Notes: Figures are rounded estimates, which means that urban core figures do not sum to the England total.

The map on the next page shows the proportion of land in each English local authority that is Green Belt in 2018. 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 2017) and by [Alasdair Rae of the University of Sheffield](#) (last updated in 2015).

<sup>17</sup> Joint Nature Conservation Committee, [UK Biodiversity indicators 2018](#), July 2018

**WHAT PROPORTION GREEN BELT IS EACH LOCAL AUTHORITY?**  
 England, 31 March 2018



**LOCAL AUTHORITIES WITH THE HIGHEST PROPORTION OF GREEN BELT**  
 km<sup>2</sup>, as at 31st March 2018

		Green Belt area	Total area	Proportion Green Belt
<b>1</b>	West Lancashire	344.7	346.8	99%
<b>2</b>	Tandridge	233.0	248.2	94%
<b>3</b>	Epping Forest	316.8	339.0	94%
<b>4</b>	Sevenoaks	344.0	370.3	93%
<b>5</b>	Brentwood	137.0	153.1	90%
<b>6</b>	Bromsgrove	193.0	217.0	89%
<b>7</b>	Guildford	240.4	270.9	89%
<b>8</b>	Chiltern	173.8	196.3	89%
<b>9</b>	South Bucks	123.5	141.3	87%
<b>10</b>	Windsor and Maidenhead	164.7	198.4	83%

Source: MHCLG, [Local authority green belt statistics for England: 2017/18](#), Annex tables

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

In May 2018, Glenigan – a construction industry insight company – produced a [report commissioned by the CPRE](#) on planning permissions and housing completions in the Green Belt. According to data collected by Glenigan:

- There were 8,143 residential units completed on Green Belt projects in 2017-18. Of these, 3,387 (42%) were on non-previously-developed ('greenfield') land.
- Completions have been growing since 2012-13. The total number of units completed in 2017-18 was 92% higher than the 2016-17 figure (4,243). The number completed on non-previously-developed land was almost three times higher (862 units in 2016-17).
- A total of 24,154 units were completed on the Green Belt between 2009-10 and 2016-17.
- In 2017-18, planning permission was granted for planning applications with 3,977 residential units, of which 2,117 were on non-previously-developed sites.
- The trend in planning permissions is less clear-cut, with more fluctuation between years. It is also worth noting that the number of units given planning permission since 2009-10 (64,960) is substantially smaller than the number completed (24,254).<sup>18</sup>

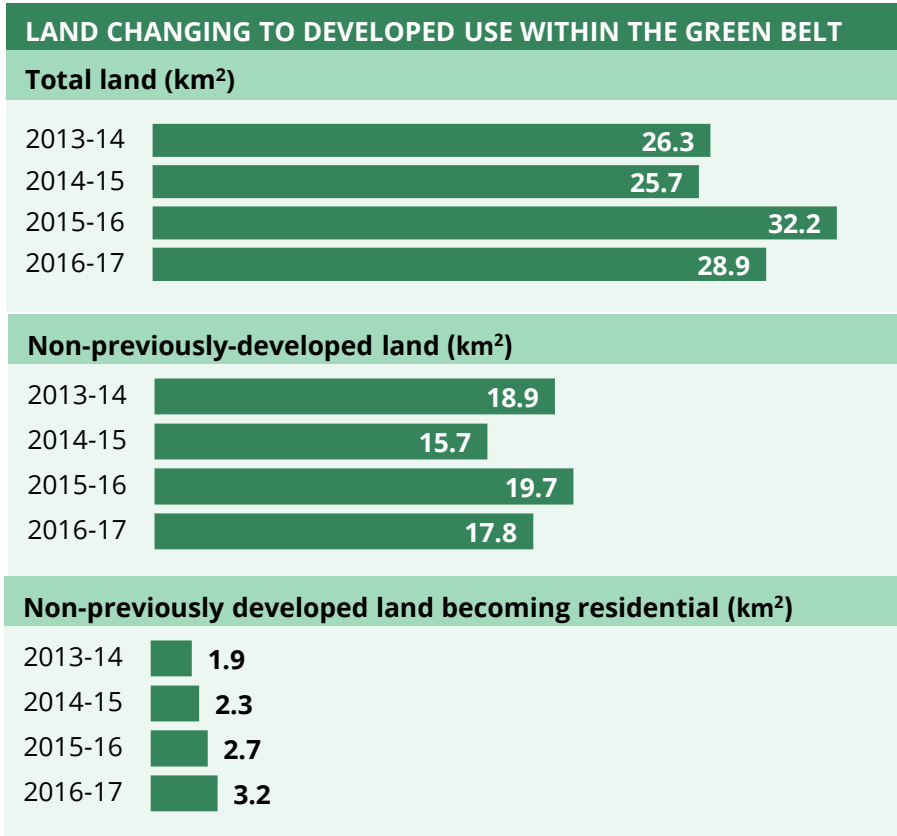
MHCLG has published data on land use change in the Green Belt up to 2016-17. In total, 2,890 hectares (28.9 km<sup>2</sup>) of Green Belt land changed to a developed use category in 2016-17, of which 1,783 hectares (17.8 km<sup>2</sup>, 62%) was not previously developed. The remaining 38% was previously-developed land (e.g. industrial sites becoming residential).

565 hectares (5.7 km<sup>2</sup>) of Green Belt land changed to residential use (20% of all Green Belt land changing use). 56% of land changing to residential use was non-previously-developed land.<sup>19</sup>

The charts overleaf show the trend since 2013-14.

<sup>18</sup> Glenigan, [The use of greenfield and brownfield land in Greenbelt housing & commercial projects](#) (May 2018), Tables 7 and 9

<sup>19</sup> MHCLG, [2016 to 2017 land use based change tables](#), Tables P380 and P383



Source: MHCLG, [2016 to 2017 land use based change tables](#), Tables P380 and P383

### 3. Green Belt planning policy

- The [Housing White Paper](#), published in February 2017, contained some proposals relating to planning. It said that the existing strong protections for the Green Belt would remain.<sup>20</sup>
- In a statement in September 2017 on local housing need, the then Communities Secretary, [Sajid Javid](#), [reiterated the Government's stance](#) on the Green Belt.<sup>21</sup>

It is for local planning authorities (LPAs) to define and maintain Green Belt land in their local areas. The Government expects LPAs 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 LPA in consultation with the community.

To find out which land in an area is designated as Green Belt, contact the relevant LPA.

#### 3.1 Purpose of Green Belt land

[According to the NPPF 2018](#), 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.<sup>22</sup>

The CPRE 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.<sup>23</sup>

<sup>20</sup> DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017

<sup>21</sup> [HC Deb 14 September 2017 c1023](#)

<sup>22</sup> MHCLG, [National Planning Policy Framework](#), Cm 9680, July 2018: page 40

<sup>23</sup> CPRE, [Green Belts: breathing spaces for people and nature](#) (undated, accessed 4 January 2019)

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

### NPPF 2012

In March 2012, the Government of the time replaced a large amount of the planning guidance (including *Planning Policy Guidance 2: Green Belts*) with the [NPPF 2012](#).

The NPPF set out the Government's planning policies for England and how it expected these to be applied. It contained a presumption in favour of sustainable development, which it defined as having three dimensions: economic, social and environmental.

The policy on protection for the Green Belt was contained in section 9 of the NPPF 2012, which set 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.<sup>24</sup>

The NPPF urged LPAs to “plan positively” to enhance the Green Belt's use. It also stated that new Green Belts should only be established in “exceptional circumstances”:

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.<sup>25</sup>

Similarly, Green Belt boundaries should (NPPF 2012 said) only be altered in “exceptional circumstances” and LPAs should consider the consequences of channeling development away from the Green Belt (or towards towns and villages within it).<sup>26</sup> It also made clear that the construction of new buildings should be regarded as “inappropriate” for the Green Belt, although there were 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 NPPF provides the framework for producing local plans for housing and other development, which in turn provide the background against which applications for planning permission are decided.

<sup>24</sup> DCLG, [National Planning Policy Framework: Protecting green belt land](#), 2012

<sup>25</sup> As above

<sup>26</sup> As above



- 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.<sup>27</sup>

The NPPF also cautioned against inappropriate development, which should be approved only in “very special circumstances”.<sup>28</sup> Renewable energy projects were specifically mentioned as being “inappropriate” for Green Belt development.<sup>29</sup>

## NPPF 2018

The [updated NPPF](#) was published in July 2018, following a consultation.<sup>30</sup>

On 5 March 2018, MHCLG [launched the consultation](#) on an updated NPPF. The [draft text for consultation](#) set out how MHCLG proposed to amend and update the NPPF; one of the consultation’s headings was *protecting Green Belt land*.<sup>31</sup> There was also a [consultation proposals document](#) setting out why and how the NPPF was being changed. The

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<sup>27</sup> DCLG, [National Planning Policy Framework: Protecting green belt land](#), 2012

<sup>28</sup> As above

<sup>29</sup> As above

<sup>30</sup> MHCLG, [National Planning Policy Framework](#), Cm 9680, July 2018

<sup>31</sup> MHCLG, [National Planning Policy Framework: Draft text for consultation](#), March 2018

[Government response to the consultation](#) was published with the updated NPPF in July 2018.

The [NPPF consultation proposals document](#) set out how the Government's earlier proposals for the Green Belt would be broadened and taken forward, referring to the "high bar" to the release of Green Belt land:

The Framework maintains the strong protections of the Green Belt and retains a high bar before Green Belt land may be released. Paragraphs 136-137 implement the housing White Paper proposals that certain criteria should be satisfied before 'exceptional circumstances' are used to change Green Belt boundaries, and that where Green Belt is released first consideration should be given to land which has been previously-developed or which is well-served by public transport.<sup>32</sup>

The [Government response to the consultation](#) highlighted the diversity of views expressed about the proposals relating to the Green Belt and brownfield land in the Green Belt and noted that there had been mixed responses on making greater use of brownfield land in the Green Belt. The Government would (it said) amend the NPPF to incorporate the suggested changes but would not review national Green Belt policy and would not ban all development in the Green Belt.<sup>33</sup>

The [NPPF 2018](#) thus reiterates Government policy and encourages the use of brownfield land in almost the same terms as the draft revised NPPF. On protecting the Green Belt, it urges LPAs to maximise the use of suitable brownfield sites before considering changes to Green Belt boundaries and sets out the conditions that must be fulfilled for "exceptional circumstances" to exist, to justify such changes.<sup>34</sup>

## Planning Practice Guidance 2014

In March 2014, the Government at the time published new web-based Planning Practice Guidance (PPG) to accompany the NPPF and give further detail about the policies in it. This guidance stated that unmet housing need in an area was unlikely to meet the "very special circumstances" test to justify Green Belt development.<sup>35</sup>

The PPG was updated in October 2014. The aim was to reaffirm LPAs' ability to "safeguard their local area against urban sprawl and protect the green lungs around towns and cities" and that housing need (including for traveller sites) did not justify the harm done to the Green Belt by inappropriate development. The new guidance read:

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

NPPF 2018 – including its provisions on the Green Belt - is discussed at more length in the Commons Library briefing [What next for planning in England? The National Planning Policy Framework](#) (CBP 08260, 5 October 2018)

<sup>32</sup> MHCLG, [National Planning Policy Framework: Consultation proposals](#), March 2018: page 20

<sup>33</sup> MHCLG, [Government response to the draft revised National Planning Policy Framework consultation](#), July 2018

<sup>34</sup> MHCLG, [National Planning Policy Framework](#), Cm 9680, July 2018: pages 40-1

<sup>35</sup> DCLG, [Planning Practice Guidance, Housing and economic land availability assessment, Methodology – Stage 5: Final evidence base](#), 6 March 2014 (no longer available online)

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?**

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.<sup>36</sup>

In December 2014, the then Planning Minister, Brandon Lewis, [wrote to the Chief Executive of 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 consider constraints such as Green Belt land.<sup>37</sup> There was some disagreement however, in the planning press about this letter's compatibility with the NPPF. An article in the specialist publication *Planning* set out the scope of differing specialist opinion and what this meant for Green Belt reviews.<sup>38</sup> Some commentators suggested that it would allow some LPAs to resist meeting requirements for housing in their area, whereas others suggested that LPAs would still have to demonstrate how they fully met 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.

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<sup>36</sup> DCLG press release, [Councils must protect our precious green belt land](#), 4 October 2014

<sup>37</sup> Letter from Brandon Lewis to the Chief Executive at the Planning Inspectorate about [Strategic Housing Market Assessments](#), 19 December 2014

<sup>38</sup> "[Lewis letter 'may slow plans'](#)", *Planning*, 9 January 2015

## Planning Practice Guidance 2018

The [PPG on housing and economic land availability assessment](#) was updated in September 2018, following publication of the revised NPPF. It makes no mention of the Green Belt.

There will be some further revision to the PPG, in the light of NPPF 2018, and so there might be some further guidance on Green Belt issues in due course.

### 3.3 Use of Secretary of State “recovery” powers

In an [August 2015 letter](#) to Chief Planning Officers in England, DCLG 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 consider recovering a “proportion of relevant appeals in the Green Belt.”<sup>39</sup>

Similarly, 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” and reiterated its position on monitoring and recovering a proportion of appeals. 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.<sup>40</sup>

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

### 3.4 Traveller site issues

In a [Written Ministerial Statement](#) on 17 January 2014, the then 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 planning authorities and planning inspectors as a material consideration in their planning decisions.<sup>41</sup>

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

In a [Written Ministerial Statement](#) in July 2013, the then Secretary of State announced his intention to recover planning appeals relating to traveller sites on Green Belt land for a period of six months, so the Secretary of State would take the final decision on the appeal, instead of a planning inspector.<sup>42</sup> In a further [Written Ministerial Statement](#) in

<sup>39</sup> Letter from Government to Chief Planning Officers in England, [Green Belt protection and intentional unauthorised development](#), 31 August 2015

<sup>40</sup> [HCWS423, 17 December 2015](#)

<sup>41</sup> [HC Deb 17 Jan 2014 c35WS](#)

<sup>42</sup> [HC Deb 1 July 2013 c24WS](#)

January 2014, it was confirmed that the Secretary of State would continue to consider recovery of appeals involving traveller sites in the Green Belt.<sup>43</sup>

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*, 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 contended 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 Gilbart 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 reasonable time. The delays they have experienced have also affected those who oppose their appeals."<sup>44</sup>

(...)

What was unlawful was the application of the policies in [written ministerial statement] WMS 1 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.<sup>45</sup>

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. Mr Justice Gilbart

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](#) in January 2015.

<sup>43</sup> [HC Deb 17 Jan 2014 c35WS](#)

<sup>44</sup> [Moore and Coates v SSCLG](#) [2015] EWHC 44 (Admin) on 21 January 2015: para 173

<sup>45</sup> As above: para 180

made clear that it would *not* be unlawful to continue to recover appeals of “individual cases on their merits”.<sup>46</sup>

Mr Justice Gilbert 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. He 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, the then 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.<sup>47</sup>

An editorial piece in the specialist publication, *Planning*, speculated on the implications of this judgement for recovered appeals in this area.<sup>48</sup> Another article in *Planning* set out opinions from several planning professionals on the implications of this judgement.<sup>49</sup>

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.<sup>50</sup>

## Green Belt and traveller sites policy update

In a [Written Ministerial Statement](#) in 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.<sup>51</sup>

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<sup>46</sup> As above: para 181

<sup>47</sup> “[Judge raps Pickles for breaching European Convention on Human Rights over traveller appeals](#)” *Planning*, 21 January 2015

<sup>48</sup> “[Ministers must act to rectify traveller discrimination, by Richard Garlick](#)”, *Planning*, 23 January 2015

<sup>49</sup> “[‘Why Pickles’ ‘unlawful’ intervention could prompt reviews of traveller appeals](#)” *Planning*, 30 January 2015

<sup>50</sup> [HL5936, 23 March 2015](#)

<sup>51</sup> [HC Deb 17 Jan 2014 c35WS](#)

A [consultation on planning and travellers](#) was launched in September 2014. [The Government response to this consultation](#) was published in August 2015.<sup>52</sup>

In the resultant [Planning Policy for Traveller Sites](#), the Government of the time 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. 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 also changed planning policy to make clear that (subject to the best interests of the child), unmet need and personal circumstances were unlikely clearly to outweigh harm to the Green Belt, and any other harm so as to establish very special circumstances. This change applied equally to the settled and traveller communities.

### 3.5 Waste facilities on Green Belt land

In October 2014, the then Secretary of State [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 changed 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 should have a degree of permanence, LPAs may conduct a review of Green Belt land and consider redefining boundaries to add or take away Green Belt land to meet local planning requirements.

As noted earlier, the [NPPF 2018](#) sets out the conditions that must be fulfilled for “exceptional circumstances” to exist, to justify such boundary changes:

136. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt

For information about other changes made as a result of this consultation see the Commons Library briefing [Gypsies and travellers: planning provisions](#) (CBP 7005, 13 October 2017)

<sup>52</sup> DCLG, [Planning and travellers: proposed changes to planning policy and guidance: consultation response](#), August 2015

boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

137. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and underutilised land;
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.<sup>53</sup>

Previously, the Government had 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 reviewed Green Belt land in their local plans would (the then Government said in September 2012) have their local plan examination process prioritised.<sup>54</sup> The CPRE criticised this policy for relaxing protection of Green Belt land.<sup>55</sup> An article in *Planning* gave Cheshire East Council as an example where there were proposals to swap parts of the existing Green Belt for new settlements and to designate new Green Belt elsewhere in the area in its place.<sup>56</sup>

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 was to be able to adopt its local plan.<sup>57</sup> Following these reports the [then Planning Minister Nick Boles wrote](#) to the 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

<sup>53</sup> MHCLG, [National Planning Policy Framework](#), Cm 9680, July 2018: pages 40-1

<sup>54</sup> [HC Deb 6 Sep 2012 cc29WS](#)

<sup>55</sup> "[Swathes of green belt land sacrificed](#)", *Telegraph* online, 24 November 2012

<sup>56</sup> "[Council proposes green belt land swap](#)" *Planning*, 11 January 2013

<sup>57</sup> "[Inspector advises Surrey council to release green belt sites](#)", *Planning*, 4 February 2014



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.<sup>58</sup>

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.<sup>59</sup> The Court held that that the 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.

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<sup>58</sup> Letter from Nick Boles, Parliamentary Under Secretary of State (Planning) to Sir Michael Pitt, Chief Executive Planning Inspectorate, [Inspectors' Reports on Local Plans](#), 3 March 2014

<sup>59</sup> [\[2015\] EWCA Civ 537, May 2015](#)

## 4. Background: Other proposals for change

The consultations and proposals discussed here have informed and been taken forward in the revision to the NPPF.

### 4.1 DCLG consultation, December 2015

In December 2015, [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.<sup>60</sup>

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.<sup>61</sup>

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

Changes to Green Belt policy have been mooted for some time.

<sup>60</sup> DCLG, [Consultation on proposed changes to national planning policy](#), December 2015

<sup>61</sup> HM Government, [Consultation on proposed changes to national planning policy](#), December 2015, p20

paragraph 52 of the Framework already provided sufficient support for new settlements.

**Government response:**

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.<sup>62</sup>

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.<sup>63</sup>

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

<sup>62</sup> DCLG, [Proposed Changes to NPPF \(Dec 2015\) - Summary of Consultation Responses](#), February 2017: page 7

<sup>63</sup> As above: page 8

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 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.<sup>64</sup>

## 4.2 Housing White Paper, February 2017

### In brief

- The [Housing White Paper](#), published in February 2017, contained some proposals relating to planning.<sup>65</sup>
- As the Commons Library briefing on the [planning reforms within the white paper](#) explains, the white paper said that the Government's commitment to the Green Belt remained unchanged. The white paper also emphasised that authorities should amend Green Belt boundaries only when they could demonstrate that they had examined fully all other reasonable options for meeting their identified development requirements.<sup>66</sup>

On *planning for the right homes in the right places*, the Housing White Paper said that the existing strong protections for the Green Belt would 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

<sup>64</sup> DCLG, [Proposed Changes to NPPF \(Dec 2015\) - Summary of Consultation Responses](#), February 2017: page 16

<sup>65</sup> DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017

<sup>66</sup> CBP 07896, 8 February 2017

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.<sup>67</sup>

The Housing White Paper referred to the Government's manifesto commitment to protect and enhance the natural environment and mentioned 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.<sup>68</sup>

Thus, national policy would (the white paper said) 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.

<sup>67</sup> DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017: pages 18-22

<sup>68</sup> As above: page 28

- **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.

**1.40 We welcome other suggestions for what reasonable options local authorities should be expected to examine before amending Green Belt boundaries.**<sup>69</sup>

The circumstances in which, under the terms of the Housing White Paper, changes to Green Belt boundaries, to enable development in the Green Belt, might be considered were set out in a [PQ reply in October 2017](#).<sup>70</sup> Similarly, in a statement in September 2017 on local housing need, the then Communities Secretary, 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.<sup>71</sup>

### 4.3 Autumn Budget 2017

[Media reports suggested](#) that house building would be central to the Autumn Budget 2017, with reforms to planning.<sup>72</sup> The housing minister at the time, [Alok Sharma, was quoted](#) as suggesting that house-building would be "turbo-charged".<sup>73</sup> Despite the several statements (mentioned earlier) reiterating the Conservative manifesto pledge to protect the Green Belt, there was speculation that the Budget might 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.

(...)

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."<sup>74</sup>

In the event, [the Chancellor, Philip Hammond's, speech](#) gave a commitment to protecting the Green Belt:

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

<sup>69</sup> DCLG, [Fixing our broken housing market](#), Cm 9352, February 2017: page 28

<sup>70</sup> [PQ 107174, 16 October 2017](#)

<sup>71</sup> [HC Deb 14 September 2017 c1023](#)

<sup>72</sup> See, for example, "[Chancellor Philip Hammond puts homes at heart of budget](#)", *Times* online, 5 November 2017

<sup>73</sup> "[Philip Hammond under pressure to deliver bold budget, say Tory sources](#)", *Guardian* online, 15 October 2017

<sup>74</sup> "[Philip Hammond risks Tory backlash with gamble on opening up the green belt](#)", *Telegraph* online, 4 November 2017

Solving the housing challenge takes more than money—it takes planning reform. We will focus on the urban areas where people want to live and where most jobs are created, making best use of our urban land and continuing the strong protection of our green belt, in particular building high quality, high density homes in city centres and around major transport hubs. And to put the needs of our young people first, we will ensure that councils in high demand areas permit more homes for local first-time buyers and affordable renters.<sup>75</sup>

#### 4.4 OECD Economic Survey, 2017

Backing for a review of the Green Belt came from a report by the OECD, published in October 2017.<sup>76</sup>

In the section of the 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:

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.<sup>77</sup>

The OECD acknowledged, though, that the Government was not so far persuaded.<sup>78</sup>

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<sup>75</sup> [HC Deb 22 November 2017 c1058](#)

<sup>76</sup> OECD, [Economic survey of the UK 2017](#)

<sup>77</sup> OECD, [Economic surveys: UK October 2017: Overview](#), pages 46-48

<sup>78</sup> OECD, [Economic surveys: UK October 2017: Overview](#), page 47

## 5. Selection of further reading

- ["England's Green Belt suffers biggest reduction in eight years as councils remove protections to build houses"](#), *Telegraph* online, 4 October 2018
- ["CPRE warning as 460,000 homes to be built on green belt land"](#), *24 Housing*, 6 August 2018
- ["Green Belt 'being eroded at an alarming rate'"](#), CPRE, 6 August 2018
- ["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* online, 3 July 2017
- ["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<sup>79</sup>
- ["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* online, 25 April 2016

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<sup>79</sup> For access to articles in publications requiring a subscription, Parliamentary readers should ring the Commons Library on x3666.





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