

HDA GREEN BELT METHODOLOGY

Methodology for Green Belt Assessment to analyse the effects of removal of areas proposed for development on the Green Belt, in support of the Local Plan process.

1.1 Guidance

- 1.1.1 National Planning Policy within the NPPF (National Planning Policy Framework – Ref 1) and PPG (Planning Practice Guidance) documents provides clear advice on protecting Green Belt land. There is a widely recognised need for further development within the country as set out in paragraph 14 of the NPPF:

'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development,'

The second bullet of the same paragraph goes on to state that *'Local plans should meet objectively assessed needs... unless... specific policies within this Framework indicate development should be restricted'*. Footnote 9 provides examples of policies where development should be restricted. Green Belt is one of the examples given.

- 1.1.2 Chapter 9 of the NPPF sets out policies for 'Protecting Green Belt Land'. Paragraphs 79 and 80 set out the fundamental aim of Green Belt policy, the essential characteristics of the Green Belt and the five purposes of the Green Belt. Paragraph 83 states that:

'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.'

This is followed by paragraph 84, which states that:

'When drawing up or reviewing Green Belt boundaries local authorities should take account of the need to promote sustainable patterns of development.'

- 1.1.3 Paragraphs 83 and 84 set the precedent that, if exceptional circumstances can be met, in order to provide sustainable development, there is scope to alter Green Belt boundaries through the local plan process. Paragraph 85 sets out guidance for the definition of new Green Belt boundaries. The policies set out within these three paragraphs has prompted a requirement within many districts for a Green Belt review / study to inform the local plan and assist with the Local Plan evidence base for the provision of new areas of sustainable development. This is particularly pertinent for Local Authorities who have a large housing shortfall as a result of objectively assessed housing need.

1.1.4 At the present time there is no definitive guidance on how to undertake a Green Belt review / study. There are also two types of study that could be appropriate in the decision making and evidence base required by the local authority.

1. A Green Belt review of a whole District / Borough in order to ascertain any differences in areas of the Green Belt with regard to their performance against the aims, essential characteristics and purposes of the Green Belt. This is to assist Local Authorities in decision making, when considering a baseline for the location of sustainable development.
2. Once the criteria for proving that the 'exceptional circumstances' for new development within the Green Belt have been met, a second type of study may be appropriate to test the potential impacts of removing a specific site / sites from the Green Belt.

1.1.5 This methodology is specifically tailored towards the second type of study. The methodology utilises the advice set out within the NPPF and PPG, in addition to documentation produced by the Planning Officers Society (We need to talk about the Green Belt, March 2015 – Ref 2) and the Planning Advisory Service (Planning on the Doorstep: The Big Issues – Green Belt, Feb 2015 – Ref 3).

1.1.6 The aim of this study is to determine what contribution the site(s) make(s) to the aims, essential characteristics and purposes of the Green Belt and whether the exclusion of this land would harm the Green Belt as a whole. As part of the study a proposal would be set out for a revised Green Belt Boundary, along with justification to support the choice of boundary.

1.2 **Process**

1.2.1 The process proposed for carrying out the study would be as follows:

1. Desk Study
2. Field Survey
3. Analysis of previous studies / Green Belt reviews undertaken (if applicable)
4. Assessment of the Site(s) contribution to the Green Belt
5. Proposal(s) for a new Green Belt boundary
6. Contribution of the site to the special circumstances for removal from the Green Belt
7. Conclusions

1.3 Desk study

1.3.1 A desk-study is undertaken to establish:

- The existing extent of the Green Belt and its reason for designation.
- Current planning policy context including national policy and current local policy.
- Identification of other documents of relevance including existing Green Belt reviews / studies
- The physical components of the local landscape and settlement pattern, with relation to the purposes of the Green Belt and the future identification of a suitable Green Belt boundary (if appropriate).

1.4 Field survey

1.4.1 A field survey of the site and surroundings was carried out in September 2016 and January 2017. The field survey serves to understand the immediate setting of the proposed development, including the local settlement pattern, proximity of adjacent settlement, any existing development within the site, existing land uses and vegetation structure.

1.4.2 The site visits were undertaken from publically accessible viewpoints around the site such as roads and public rights of way. A working photographic record of the visit was also made.

1.5 Analysis of previous studies / Green Belt reviews undertaken

1.5.1 In order to form a baseline for the site's contribution to Green Belt, any existing Green Belt reviews and relevant studies are analysed. A commentary is provided on what extent the site contributes to the performance of parcels / areas identified by previous assessment work. Areas of common ground / conflict are discussed and related back to relevant policy guidance. In many cases the change in scale between the site(s) and the parcels used within previous Green Belt reviews / studies, particularly in the case of reviews covering a whole district / Borough or Green Belt, can lead to differences in performance in Green Belt terms.

1.6 Assessment of the Site(s) contribution to the Green Belt

1.6.1 The aim of this is to provide analysis and evidence on how the site(s) contribute to the aims and essential characteristics of the Green Belt by testing it against the 5 purposes of the Green Belt. The aim, essential characteristics and purposes of the Green Belt are set out within paragraphs 79 and 80 of the NPPF. These paragraphs are listed below:

'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.

80. *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.'*

1.6.2 Keeping land permanently open is a fundamental objective of Green Belt. Openness in the Green Belt has not been defined within the NPPF, however subsequent case law has provided definitions that have been used for the purposes of this methodology. In a judgement by Mr Justice Dove in the case of *R (Lee Valley Regional Park Authority) v Epping Forest DC* (2016 – Ref 4), openness (in Green Belt terms) is defined as:

“...the state of being free from built development, the absence of buildings – as distinct from the absence of visual impact”[7]

1.6.3 In addition to the above, a judgement by Mr Justice Green in the case of *Timmins/Lymn v Gedling BC* (2014 – Ref 5) included the following:

“...measures taken to limit the intrusiveness of the development whilst not affecting the assessment of openness may nonetheless be relevant to the “very special circumstance” weighing exercising. Hence openness and visual impact are different concepts; yet they can nonetheless relate to each other. The distinction is subtle but important.”[73]

1.6.4 The visibility of a site may not be used explicitly as part of the judgement of contribution that a site makes to the purposes of the Green Belt. However it can be take into consideration when assessing the factors contributing to the 'special circumstances' for removal of a site from the Green Belt. Special circumstances are considered within section 6 of the report and discussed within paragraph 1.8 of this methodology.

1.6.5 The following describes our assessment principles for each of the 5 purposes:

1.6.6 Purpose 1: 'to check the unrestricted sprawl of large built-up areas'

HDA assessment criteria:

- Define large built up areas. This may vary with each district / borough and will use Local Authority definitions of large settlements within their catchment as a basis for definition. The settlement(s) for which the Green Belt has been designated would automatically be included as a large built up area.
- Define sprawl: to spread out in an untidy, irregular way.

- The assessment would make a judgement as to how much the site(s) would potentially contribute to purpose 1.

The judgement will be described within the main body of the text and will be defined on a five point scale ranging from Very High to Very Low / None. Judgements would be based on:

- Proximity to existing settlement – the closer to settlement the site is, the higher contribution the site would have.
- Relationship of the site to existing settlement pattern – if the site protrudes further than the existing settlement edge, it would have a higher contribution than if the site is partially enclosed by development.
- Relationship of the site to the wider landscape – if a physical barrier e.g a road, river or protected features lies between the site and the wider Green Belt, that would in itself prevent future settlement expansion, the site would have a lower contribution than if the site had the potential to expand further into the Green Belt in the future.

Very High = The site is adjacent to the large built up area, but it's location is inconsistent with the existing settlement pattern and would form a substantial intrusion into the wider Green Belt, beyond any identifiable limiting feature / potential Green Belt boundary.

High = The site is adjacent to the large built up area, in a location that is partially consistent with the existing settlement pattern and would form an intrusion into the wider Green Belt.

Medium = The site is adjacent to the large built up area, in a location which is consistent with the existing settlement pattern and future development could be contained by an identifiable limiting feature / potential Green Belt boundary.

Low = The site is surrounded by the large urban settlement on three sides and development of the site would not exceed the existing settlement edge

Very Low / None = The site is surrounded by the large urban settlement on three sides and is contained on the fourth side by a physical barrier to development **or** the site is not associated with a large urban settlement.

Purpose 2: 'to prevent neighbouring towns merging into one another'

HDA assessment criteria:

- Define the scale of settlement that would constitute a 'neighbouring town'. This may vary with each district / borough and will use Local Authority publications as a basis for definition.
- Define merging: to combine or join together.
- The assessment would make a judgement as to how much the site(s) would potentially contribute to purpose 2.

The judgement will be described within the main body of the text and will be defined on a five point scale ranging from Very High to Very Low / None. Judgements would be based on:

- Location – the more the site contributes to the total area of land lying between two settlements, the higher contribution the site would have.
- Distance between adjacent towns – If two towns are close together, a site located between the two towns has a higher contribution to this purpose than a site that lies between two distant towns.
- Relationship between towns and the site – The relationship between two towns is visual and perceptual as well as physical distance. If the development of a site would perceptibly extend a development, for example in a location where it would be seen from another town, which currently has no views of adjacent settlement, the contribution of the site would be higher than if the site was consistent with the settlement pattern and well contained from an adjoining town.
- Size of site – The larger the site, the more it would contribute to the separation between two towns.

Very High = The site is the only parcel of land which separates two neighbouring towns / forms a significant contribution to the perceived separation between two towns. Development of the site has the potential to cause towns to merge.

High = The site forms a significant contribution to the perceived separation between two towns and / or provides the critical separation between a town and a smaller settlement. Development of the site has the potential to cause a town to merge with a smaller settlement.

Medium = The site is located between two towns or settlements. Development of the site would not significantly change the separation between settlements **or** would not reduce the distance between two towns more than an existing edge of settlement.

Low = Development of the site would not noticeably change the separation between settlement **or** development of the site would not reduce the distance between any settlement more than the existing edges of settlement(s).

Very Low / None = Development of the site would not perceptibly change the spatial relationship between two towns or between a town and another settlement.

1.6.8 Purpose 3: 'to assist in safeguarding the countryside from encroachment'

HDA assessment criteria:

- Define safeguarding: to provide protection
- Define encroachment: for development to spread into undeveloped land within the countryside.
- While it is acknowledged that the Green Belt definition of openness has no relationship to the character or quality of a landscape, the reference to countryside within this purpose of the Green Belt requires some judgement to be made about the rurality of a site in landscape terms. In addition the question of intervisibility would have an effect on the character and appearance of the countryside surrounding the site.
- The assessment would make a judgement as to how much the site(s) would potentially contribute to purpose 3.

The judgement will be described within the main body of the text and will be defined on a five point scale ranging from Very High to Very Low / None. Judgements would be based on:

- Location – a green field site in the middle of the countryside with no relationship to existing development would have a higher contribution to this purpose than a site enclosed by settlement or by building on previously developed land.
- Rurality of the site – A rural site that is consistent with local landscape character and is open to the wider landscape would have a higher contribution to the safeguarding of the countryside than a degraded site with urban influence.
- Relationship of the site to the wider landscape – if the site is physically and visually separated from the wider rural Green Belt, by a defined barrier, that would in itself prevent future encroachment of built development expansion, the site would have a lower contribution to safeguarding the countryside.
- Size of site – The larger the green field site, the more it would contribute to the safeguarding of the countryside.

Very High = The site is a large isolated and undeveloped green field site, located within the countryside, with no relationship to existing settlement and strong links to the wider rural landscape.

High = The site is an isolated and undeveloped green field site, located within the countryside, with a limited relationship to existing settlement and strong links to the wider rural landscape **or** the site is extremely large and would affect a large portion of the existing rural landscape.

Medium = The site is an undeveloped green field site, located adjacent to settlement with fewer than two edges that are open to the wider countryside **or** the site is degraded with a number of urban influences, but is visible from the surrounding countryside.

Low = The site is well related to the existing development edge and is physically separated from the rural landscape beyond **or** the site is degraded with a number of urban influences and has little influence on the character of the surrounding countryside.

Very Low / None = The site is brownfield or previously developed land and / or is cut off from the rural landscape by existing settlement e.g a site within a village that is washed over by Green Belt.

1.6.9 Purpose 4: 'to preserve the setting and special character of historic towns'

HDA assessment criteria:

- Define the historic towns that are to be considered
- Make a judgement on what contributes to the setting and special character of each historic town, using published reports on heritage assets within a town e.g. conservation area appraisals.
- The assessment would make a judgement as to how much the site(s) would potentially contribute to purpose 4.

The judgement will be described within the main body of the text and will be defined on a five point scale ranging from Very High to Very Low / None. Judgements would be based on:

- Location – a site containing important views of heritage assets would have a higher contribution to this purpose than a site which has no visual or spatial relationship with the heritage assets within a historic town.
- Relationship of the site to the historic town – If the site has historic links to the town or it would have a higher contribution.

- Type of development proposed within the site – proposed development that is consistent with the existing setting to a historic town would have a lower contribution to this purpose than a development that is incongruous or out of keeping with the existing setting.

Very High = The site has a well documented physical / visual or historic relationship with the historic town and contributes to the significance of heritage assets within the town.

High = The site has a discernible physical / visual or historic relationship with the historic town or the type of development proposed is inconsistent with the existing setting to a historic town.

Medium = The site has some contribution to the setting and / special character of a historic town. Development within the site would be consistent with the existing setting.

Low = The site forms part of the wider setting to the town but has no direct physical / visual or historic relationship with heritage assets within the town.

Very Low / None = The site has no relationship with a historic town.

1.6.10 Purpose 5: 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'

This purpose is judged slightly differently from the other 4 purposes of the Green Belt. By virtue of looking at development within the Green Belt, the majority of potential sites will be on undeveloped land and the Green Belt designation will protect this land from development. Therefore all rural landscapes have a high contribution to this purpose.

If the site is previously developed or derelict land, development within it would constitute urban regeneration / the recycling of derelict land. Therefore for the purposes of this assessment, any sites that are previously developed or derelict land are counted as having a **Very Low / No** contribution to this purpose and all undeveloped land is defined as having a **High** contribution to this purpose.

The judgements on Purpose 5 will be provided as a commentary in isolation and would not be aggregated with the judgements for the remaining 4 Purposes as a different system of measurement is used. The judgement will be used to influence conclusions on the overall contribution that the site makes to the aims, essential characteristics and purposes of the Green Belt.

1.7 Proposals for a new Green Belt boundary

1.7.1 In order for a site to be removed from Green Belt, a new Green Belt boundary would need to be defined. Paragraph 85 of the NPPF sets out the parameters for setting new Green Belt boundaries:

'When defining boundaries, local planning authorities should:

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is unnecessary to keep permanently open;*
- *where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'*

1.8 Contribution of the site to the special circumstances for removal from the Green Belt

1.8.1 As set out in paragraph 1.6.4 the landscape visibility of a site and the landscape character or quality of a site are not used explicitly as part of the judgement of contribution that a site makes to the purposes of the Green Belt, however they may contribute to the assessment of the 'special circumstances' required for removal of a site from the Green Belt.

1.8.2 The 'special circumstances' for removal of a site from the Green Belt are an assessment of a combination of the need for a particular type of development, at a particular location within the Green Belt, together with the suitability of a site for development. It is accepted practice that the potential landscape and visual effects of a proposed development are contributing factors to the assessment of a sites suitability for development and therefore may contribute towards the 'special circumstances' for removal of a site from the Green Belt.

1.8.3 With regard to visibility, the visual containment of a site and the potential to mitigate the visual effects of a proposed development are considerations when assessing the integrity of the wider Green Belt. A site that is well contained is more likely to maintain the integrity of the wider Green Belt than an open and exposed site.

1.8.4 With regard to the landscape character and quality of the site, landscape capacity assessment is an indicator of the capacity of the landscape to accommodate development without adverse impacts on the wider landscape. Such an assessment forms part of the overall assessment of the suitability for a site's inclusion or removal from the Green Belt.

1.9 Conclusions

1.9.1 The final part of the report would draw together all the judgements of the sites contribution to the purposes of the Green Belt, in conjunction with any supporting evidence for the special circumstances for the removal of the site from the Green Belt, whether a strong new Green Belt Boundary is present and what overall effects the development of the site would have on the openness and permanence of the Green Belt. A conclusion would be drawn as to whether the site is suitable for removal from the Green Belt, providing 'special circumstances' for removal can be justified.

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REFERENCES

- Ref 1 - Department for Communities and Local Government (March 2012), *'National Planning Policy Framework'*
- Ref 2 - Planning Officers Society (March 2015), *'We need to talk about the Green Belt'*
- Ref 3 - Planning Advisory Service (Feb 2015), *'Planning on the Doorstep: The Big Issues – Green Belt'*
- Ref 4 - Judgement by Mr Justice Dove in the case of *'R (Lee Valley Regional Park Authority) v Epping Forest DC'* (2016)
- Ref 5 - Judgement by Mr Justice Green in the case of *'Timmins/Lynn v Gedling BC'* (2014)

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