



# Planning and the Green Belt

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# Origin of the Green Belt

1902

The basic concept of Green Belt was established by Ebenezer Howard in Garden Cities of Tomorrow.

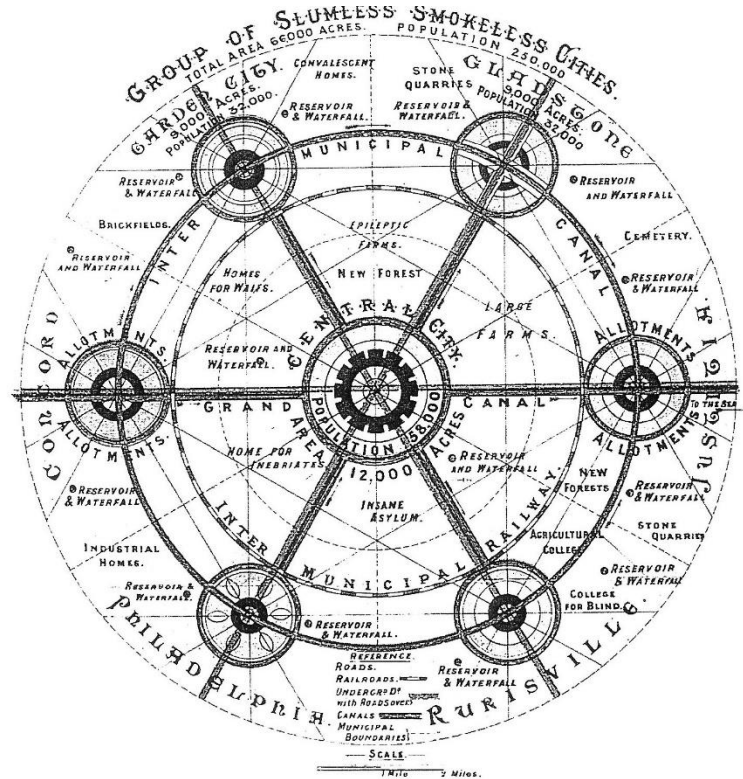
1955

The Ministry of Housing and Local Government set out the original Green Belt Policy in Circular 42/55:

*"...consider establishing a Green Belt wherever this is desirable in order;*

- (a) to check the future growth of a large built-up area*
- (b) to prevent neighbouring towns from merging... ;*
- (c) to preserve the special character of a town."*

*"Inside a Green Belt, approval should not be given, except in very special circumstances for the construction of new buildings or for the change of use of existing buildings for purposes other than agriculture, sport, cemeteries, institutions standing in extensive grounds, and other uses appropriate to a rural area."*



# The Green Belt Today

**12.6%**

Portion of land designated as Green Belt

**+870 ha**

Net change from designation policies

**2%**

Proportion of new residential addresses created in 2021-22 on Green Belt

**+0.1%**

Total net change from the previous year

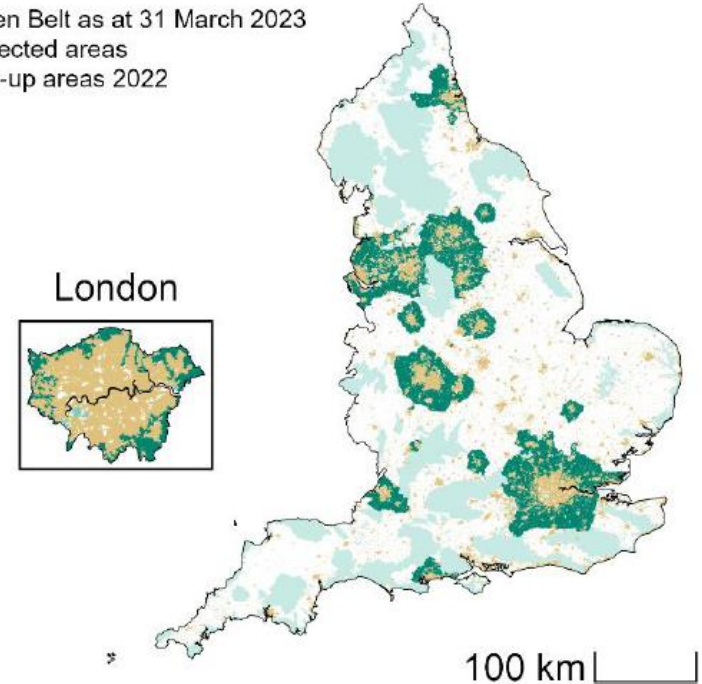
**-10 ha**

Net change from Local Authority boundary Updates

**7%**

Proportion of land within the Green Belt that is of developed use as of April 2022

Green Belt as at 31 March 2023  
Protected areas  
Built-up areas 2022



# History of the Oxford Green Belt

**1961**

First examination of the proposals for a Green Belt around Oxford

**1975**

The broad extent of the Green Belt in Oxfordshire was formally approved

**1979**

Green Belt boundaries were then formally defined by the Oxfordshire Structure Plan

**1982**

Oxford Fringe Local Plan which proposed boundaries for the inner edge of the Interim Green Belt.

**1992**

Oxford Fringe and Green Belt Local Plan

**1992**

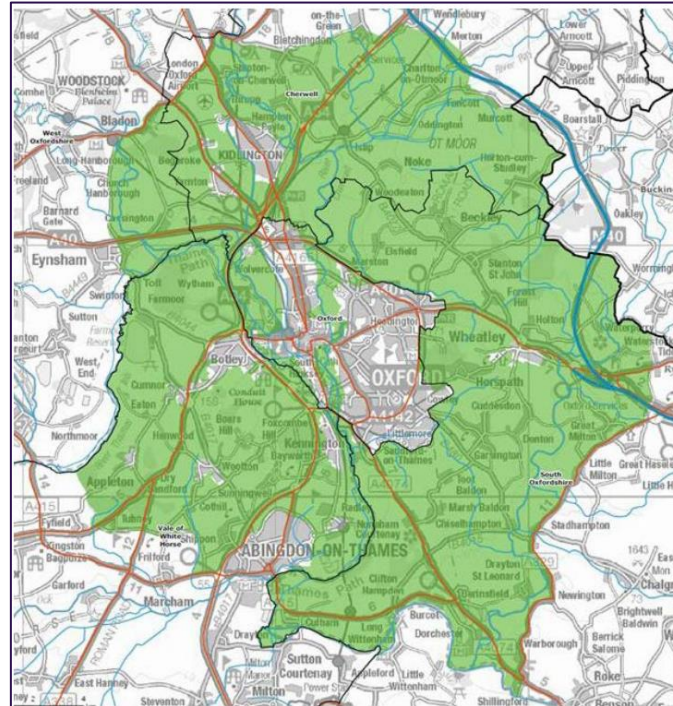
Oxfordshire Structure Plan combined the special character rationale for GB with other purposes



# Oxfordshire Green Belt Statistics

Extent of Oxford Green Belt (in hectares)

LPA	2011 - 2012	2021 - 2022
Oxford	1,290	1,269
Cherwell	8,410	8,131
SODC	15,370	15,368
Vale	8,310	8,088
WODC	1,610	1,609
<b>Total</b>	<b>34,990</b>	<b>34,464</b>



260,594 ha

Oxfordshire  
Land Area

13.4%

Area of  
Green Belt  
2011 – 2012

13.2%

Area of  
Green Belt  
2021 – 2022

1.5%

Loss of Green  
belt between  
2012 and 2022

# Policy Context

- 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... (para 137)
- Green Belt serves five purposes:
  1. to check the unrestricted sprawl of large built-up areas;
  2. to prevent neighbouring towns merging into one another;
  3. to assist in safeguarding the countryside from encroachment;
  4. to preserve the setting and special character of historic towns; and
  5. to assist in urban regeneration, by encouraging the recycling of derelict and
  6. other urban land. (para 138)
- Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified... (para 140)
- Inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances... (para 147)



Department for Levelling Up,  
Housing & Communities

## National Planning Policy Framework

# Very special circumstances vs Exceptional circumstances

- The NPPF seeks to ensure that there should be “**exceptional circumstances**” before Green Belt boundaries can be changed and states that inappropriate development is harmful to the Green Belt and should be approved only in “**very special circumstances**”.

## Differences :

- The “very special circumstances” test in the Framework – in respect of assessment of planning applications for inappropriate development in the Green Belt – is a: “stricter test than that ...of changing the boundaries of the Green Belt in the local plan.”

R. (Luton BC) v Central Bedfordshire Council [2015] 2 P.& C. R. 19 (Para.54).

- There is no subscribed list to establish very special circumstances.
- No general test that development is appropriate in the Green Belt. However, a judgement must be made regarding the preservation of “openness” and that it does not conflict with the purposes of including land within the Green Belt.



# Very Special Circumstances

## Land at Little Chalfont, Buckinghamshire

- On 8 March 2023, Stephen Wilkinson, an Inspector appointed by the Secretary of State, granted outline planning permission for 215 market homes, 152 affordable homes, 15 self-build / custom plots, 100 retirement living units, a 60-bed care home, local centre and land safeguarded for educational use on the site of a former golf course on the outskirts of Little Chalfont in the Buckinghamshire Green Belt.
- The site formed part of an emerging housing allocation in the draft Chiltern and South Bucks Local Plan, but that plan was withdrawn in October 2020.
- the main issues included the effect of the proposal on the openness and purposes of including land within the Green Belt, and the effect of the proposal on the character and appearance of the area, including the nearby Chilterns Area of Outstanding Natural Beauty.
- At the inquiry, the Council accepted that it could only demonstrate a housing land supply of 2.5 years, rather than the required 5 years. The Inspector recognised this as “a chronic position”



The Planning Inspectorate

## Appeal Decision

Inquiry held on 8-9 and 12-16 and 20 December 2022  
Site visit made on 15 December 2022

**by Stephen Wilkinson BA BPI DIP LA MBA MRTPI**  
an Inspector appointed by the Secretary of State

**Decision date: 8th March 2023**

### **Appeal Ref: APP/X0415/W/22/3303868** **Land between Lodge Lane and Burtons Lane, Little Chalfont, Amersham, HP4 4AJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr D Cox against the decision of Buckinghamshire Council.
- The application Ref PL/21/4632/OA, dated 30 November 2021, was refused by a notice dated 25 April 2022.
- The development proposed is demolition of all existing buildings and the erection of residential dwellings including affordable housing, custom build (Use Class C3), retirement homes and care home (Use Class C2), new vehicular access point off Burton Lane, improvements to existing Lodge Lane access including works to Lodge Lane and Church Grove, new pedestrian and cycle bridge and associated highway works, a local centre including a community building (Use Classes E(a)(b)(e), F2(b), land safeguarded for educational use (Use Classes E(f) and F1(a), public open space and associated infrastructure (matters to be considered at this stage: Burtons Lane and Lodge Lane access).



# Very Special Circumstances

- Land at Colney Heath, St Albans
- A cross boundary scheme for up to 100 homes on an unallocated greenfield site a cross-boundary scheme of up to 100 new homes on an unallocated greenfield site in the green belt in St Albans district and Welwyn Hatfield Borough
- “78. The proposals would cause harm by reason of inappropriateness and harm to openness. Both of these attract substantial weight. I have also attached moderate weight to harm to the character and appearance of the area. However, these appeals involve two local authority areas, both of which have acute housing delivery shortages and acute affordable housing need. The proposals would make a contribution towards addressing these needs in the form of market, self-build and affordable housing in both WHBC and SADC. I have attached very substantial weight to the provision of both market housing and affordable housing. I have attached substantial weight to the provision of self-build housing. These factors when considered collectively demonstrate that very special circumstances exist.
- 79. I conclude that in the case of these appeals, I find that the other considerations in this case clearly outweigh the harm that I have identified. Looking at the case as a whole, very special circumstances do exist to justify inappropriate development in the Green Belt. My findings on the other matters before me do not lead me to a different conclusion. As a result, I therefore conclude that the proposals would comply with both the Framework and the development plans taken as a whole. For the reasons given above, and having considered all other matters raised, the appeals are allowed.”

## Appeal Decisions

Inquiry held between 26 April – 6 May 2021  
Site visits made on 1 April 2021 and 4 May 2021

**by C Masters MA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

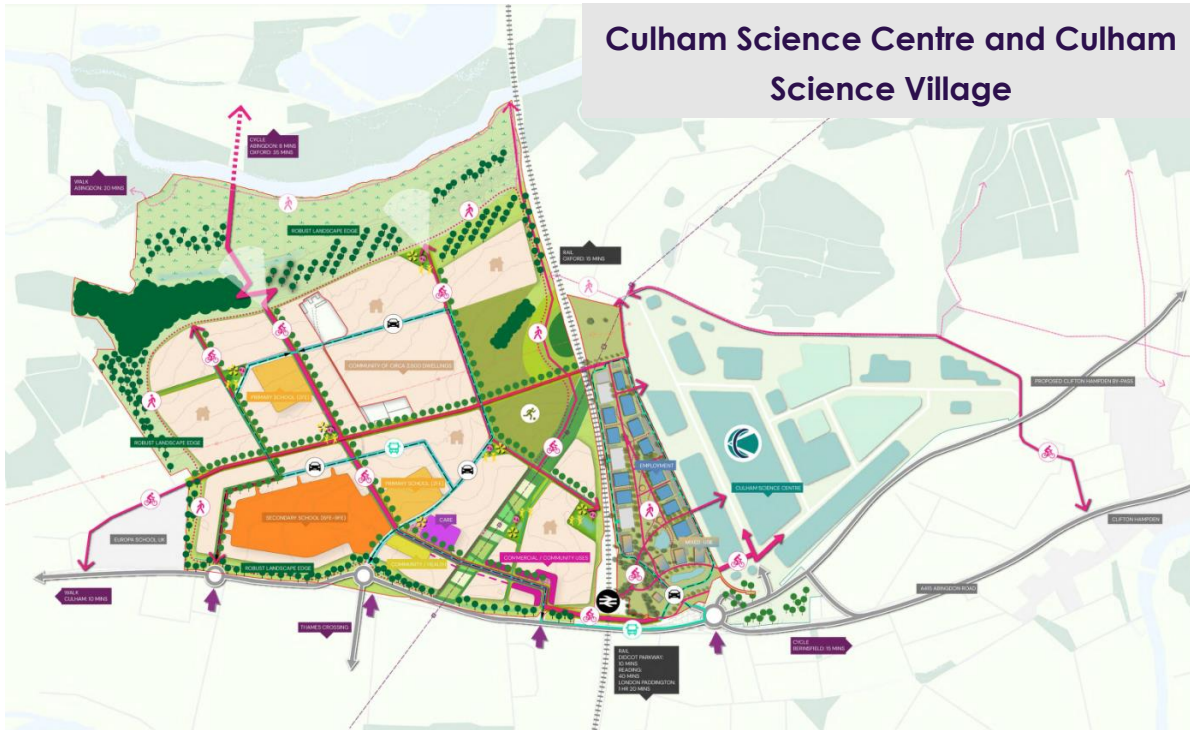
**Decision date: 14 June 2021**



# Case studies

## Exceptional circumstances

### Culham Science Centre and Culham Science Village



- Objectively Assessed Need (OAN) for housing in South Oxfordshire, and land use constraints across the district
- The opportunity to deliver housing next to Culham Science Centre, and the significant sustainability benefits that flow from this approach
- The contribution that a strategic housing development at Culham will make towards planned strategic improvements to public transport networks (rail and bus) and new road infrastructure in the heart of Science Vale;
- Culham Science Centre's central role in maintaining and growing the Science Vale as a world-renowned science, research, and innovation hub; and,
- The 'Culham Smart Community' initiative, Culham Science Centre's location on the Oxfordshire Knowledge Spine and the symbiotic relationship between housing and jobs along that spine.





# CPRE

## State of the Green Belt 2023

CPRE's Recommendations to Government:

- Include commitments within its proposed Land Use Framework to use planning, farming and forestry policies and programmes in an integrated way to protect and enhance the countryside...
- Aim for at least half of all designated Green Belt land to be covered by new Environmental Land Management schemes...
- Require developers to use suitable urban brownfield sites before greenfield land in the Green Belt....
- Support small 'rural exception sites' in rural communities..
- Publish supporting PPG, underpinned by published data on building rates for large development sites...
- Implement the recommendations of Sir Oliver Letwin's Independent Review of Build Out Rates...



# Future of the Green Belt

- “The Government has no plans for a national review of the Green Belt. This government is committed to protecting and enhancing the Green Belt.... “

Dept. for Levelling Up, Housing & Communities Policy Paper, 29 November 2023

But...

- Weighing the importance of the Green Belt with wider sustainability factors.
- The urban fringe has the potential to deliver sustainable development as it is better connected to sustainable transport modes, services and facilities.
- The wider socio-economic goals are unlikely to be achieved by relying on a rural strategy and being dependent on rural exception sites coming forward.
- Edge of settlement development can support the delivery of affordable homes and balance the needs of the growing local economy.





# Carter Jonas

Simply better property advice