

Environment and Sustainability Committee



17 June 2025

Title	Grey Belt Assessment Advice Note
Purpose of the report	To make a decision
Report Author	Jane Robinson, Joint Interim Strategic Planning Manager Laura Richardson, Joint Interim Strategic Planning Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	n/a
Corporate Priority	Addressing Housing Need Environment
Recommendations	Committee is asked to: 1. Accept and adopt the Grey Belt advice note for Development Management officers and the Planning Committee, to assist and guide decision making on relevant sites and applications.
Reason for Recommendation	The National Planning Policy Framework was updated in December 2024 and Planning Practice Guidance was updated in February 2025 providing a definition of what constitutes grey belt and tests that planning has to consider. An advice note has been prepared by the Strategic Planning Team to help Development Management and the Planning Committee in decision making and provide further clarification on the recent national policy updates. The risk of not approving the grey belt advice note is creating an inconsistent approach to assessing sites which results in delays and potential challenge from developers with associated costs for the Authority.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none">National Planning Policy was updated in December 2024 to introduce 'Grey Belt'. This is land within the Green Belt that is either previously developed or does not contribute strongly to its core purposes. If land is considered to fulfill the definition of grey belt and the proposed development passes further 'appropriateness tests' then it is 'not inappropriate'. This means that Green Belt sites may now be open to (re)appraisal for development.	<ul style="list-style-type: none">The publication of an advice note for Development Management will aid decision making. This will provide clear steps to help determine if a site meets the NPPF definition of grey belt and guidance on assessing a development's performance against the 'appropriateness tests'.Without a supporting guidance note decisions may take longer to make, have the potential for inconsistency and result in challenge from developers.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none">The advice note provides further guidance and a set of logical steps to help provide consistency in decision making on relevant planning applications.	<ul style="list-style-type: none">Adopt the advice note and the approach is applied to relevant development sites from this date onwards to help guide decision making.

- 1.1 This report seeks to outline the content of the Grey Belt Assessment Advice Note for Development Management. Grey belt now forms part of national planning policy to boost housing delivery.

2. Key issues

- 2.1 In 2024, the new Labour government outlined its plans to address the housing crisis by building 1.5 million new homes nationally. To meet this target, significant changes to the planning system were made, and new policy and guidance was issued on grey belt - a sub new category within the Green Belt, designed to release land for development while safeguarding its core purpose.
- 2.2 Paragraph 143 of the NPPF sets out the Green Belt purposes as:
- 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*

- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 2.3 A new definition of Grey Belt was included in Annex 2 of the NPPF as:
- 2.4 *For the purposes of plan-making and decision-making, grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.* The definition of Grey Belt creates a two-step test. The first is a Green Belt contributions assessment against only three of the Green Belt purposes. For land to be considered grey belt, it must be previously developed land and/or any other land that does not perform strongly against the following Green Belt purposes:
- A) Preventing urban sprawl: The land does not act as a critical buffer against uncontrolled expansion. It may already be surrounded by development, enclosed by infrastructure, or lack the openness typically associated with the countryside.
 - B) Stopping neighbouring towns from merging: The site does not play a significant role in preventing towns from merging. It may be on the periphery of an urban area or its development would not erode meaningful gaps between distinct settlements.
 - D) Preserving the character of historic settlements: The land does not contribute to the setting, identity, or architectural significance of a historic town or village. It is not a defining landscape feature or an area that enhances local heritage.
- 2.5 As per footnote 7, grey belt does not include land that benefits from strong environmental protections or planning restrictions, where national policies provide a clear reason for restricting development. These include:
- *habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest;*
 - *land designated as Local Green Space,*
 - *a National Landscape,*
 - *a National Park (or within the Broads Authority) or defined as Heritage Coast;*
 - *irreplaceable habitats;*
 - *designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75[6]);*
 - *and areas at risk of flooding or coastal change.*
- 2.6 At the end of Stage 1, it will be concluded whether or not the proposed development site can be treated as grey belt land. If it is concluded a development site can be treated as grey belt the "gateway" is then open for the next step to consider if the site passes the necessary appropriateness tests.

- 2.7 Grey belt proposals that meet all the following appropriateness tests, as set out in paragraph 155 of the NPPF should not be regarded as inappropriate development:
- *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
 - *There is a demonstrable unmet need for the type of development proposed (defined in footnote 56 for housing); [and]*
 - *The development would be in a sustainable location*
 - *And if the proposal is for major development involving housing in the grey belt:*
 - *The development would meet the Golden Rules*
- 2.8 As such, all criteria of paragraph 155 (where relevant) must be passed for development to be considered not inappropriate.
- 2.9 Planning Practice Guidance (PPG) provides further clarification on the identification of grey belt land, and if a site is identified as grey belt, the further steps to take to assess whether development would be inappropriate or not.
- 2.10 An advice note has been prepared to provide Development Management officers and the Planning Committee with further clarification and guidance on Grey Belt. The advice note provides a set of steps to follow which will help officers consider whether an application site/land is Grey Belt and whether development would ‘fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan’, for the purposes of NPPF paragraph 155 criteria a).
- 2.11 The advice note will provide a framework and logical steps to help decision makers make decisions using a standard and consistent approach. Whilst acknowledging that decisions will need to be made on a site-by-site basis, the risk of not having a standardised methodology is inconsistent decision making, which may be challenged by developers with potential delays and costs for the Authority.

3. Options analysis and proposal

- 3.1 **Option 1 – Recommended.** *Acknowledge, and endorse as the Council’s position, the Grey Belt advice note for Development Management officers and the Planning Committee, to assist and guide decision making on relevant sites and applications.*

The advice note provides further clarity and guidance for Development Management officers and the Planning Committee and builds on the steps outlined in the NPPF and PPG. The general advice and best practice contained in this document will help to simplify the assessment of potential grey belt development sites and provide a consistent foundation for decisions.

- 3.2 **Option 2 - Not recommended.** National Policy on Grey Belt has already been published and is a material consideration in planning decisions. Not having the advice note may delay decisions and lead to more inconsistent

decision making.

4. Financial management comments

- 4.1 There are not considered to be any financial implications relating to the advice note.

5. Risk management comments

- 5.1 There is a risk that without the advice note and not applying a consistent site assessment methodology across the Borough planning decisions on grey belt may follow a less consistent approach, which could create delays, challenges from developers and associated costs for the Authority.

6. Procurement comments

- 6.1 There are no procurement issues.

7. Legal comments

- 7.1 Grey Belt has already been introduced into national policy and is a material planning consideration.

8. Other considerations

- 8.1 There are none.

9. Equality and Diversity

- 9.1 This report does not have any direct equality and diversity impacts although the LPA will continue to require all housing schemes to have regard to equality and diversity issues.

10. Sustainability/Climate Change Implications

- 10.1 This report does not have any direct sustainability/climate change implications although the LPA will continue to require development schemes to comply with current policy guidance on sustainability/climate change issues.

11. Timetable for Implementation

- 11.1 The advice note will be circulated to Development Management and the Planning Committee to aid decision making once agreed.

12. Contact

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Background papers: There are none.

Appendices:

Appendix 1 Grey Belt Assessment Advice Note

Appendix 2 Grey Belt Case Law