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Grey Belt: One Year On

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01

Introduction and recap of the key NPPF changes

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2024 NPPF

Paragraph 155 :

Development not inappropriate where :

i. Grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan

ii. Demonstrable unmet need for the type of development proposed

iii. Sustainable location

iv. Meets the Golden Rules

Glossary definition of Grey Belt :

i. Not strongly contribute to purposes (a), (b), or (d)

ii. No strong reason for refusal or restricting per Footnote 7

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NPPF 2024 (cont)

‘Golden Rules’ paragraphs 156-157 :

i. Affordable housing contribution which reflect development plan policies produced in accordance with 2024 NPPF or is 15% higher than policy requirement (subject to 50% cap)

ii. Necessary improvements to local or national infrastructure

iii. New or accessible green space

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Impacts ?

i. February 2025 House of Lords Built Environment Committee

ii. Appeal decisions

iii. October 2025 Marrons report

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Identifying Grey Belt: strength of contribution to Green Belt purposes

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Assessment against purposes (a), (b), (d)

Purposes - NPPF para 143 :

(a) to check unrestricted sprawl of large built-up areas

(b) to prevent neighbouring towns merging into one another

(d) to preserve the setting and special character of historic towns

PPG : February 2025

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Villages vs large built-up areas and towns :

i. Planning judgement : *Tate v Northumberland* ; *Land West of Chapel Road, Smallfield*

ii. Relevant factors : the development plan, evidence-base documents, scale of settlement and services/facilities (*Daws Heath Road, Hadleigh*)

Lea Castle Farm, Kidderminster

Sprawl :

Whether adjacency is required?

(cont)

Identifying strength of contribution :

- Illustrative features
- Subject to planning judgements - *Land south of Hencliffe Way, Henham*
- Level of contribution ‘strong’, ‘moderate, ‘weak/none’

03

Other aspects of para. 155 NPPF

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Para 155 NPPF – development not inappropriate where:

a) It would utilise **grey belt** and **not fundamentally undermine the purposes** of the remaining Green Belt across the area of the plan;

b) There is a **demonstrable unmet need** for the type of development proposed;

c) Development would be in a **sustainable location**;

d) The **Golden Rules** are met, where applicable.

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Not fundamentally undermine purposes of GB across plan area

- Continued relevance of purpose (c)
- Only one case so far where test not met

Bricket Wood Sports and Country Club, St Albans

(contd)

- **Relevant factors:**
  - Size of site, extent of development within it,
  - Site as a % of total GB within plan area,
  - Whether any strategic role/function
  - Surrounding context, proximity other development

- Only major housing schemes.
- But all such schemes - whether or not para 155 NPPF applies.
- “Significant weight in favour of the grant of permission”.
- Potential issue with double counting benefits.

AH contribution and viability

- May require a contribution up to 15% higher than local plan figure – will not have been viability tested in plan making.
- Para 157 vs. para 29 of PPG on Viability
- Matthew Pennycook MP at 15 July 2025 HCLG committee: new viability guidance “this year” and “far sooner” than 31 December … !

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What impact are the changes having?

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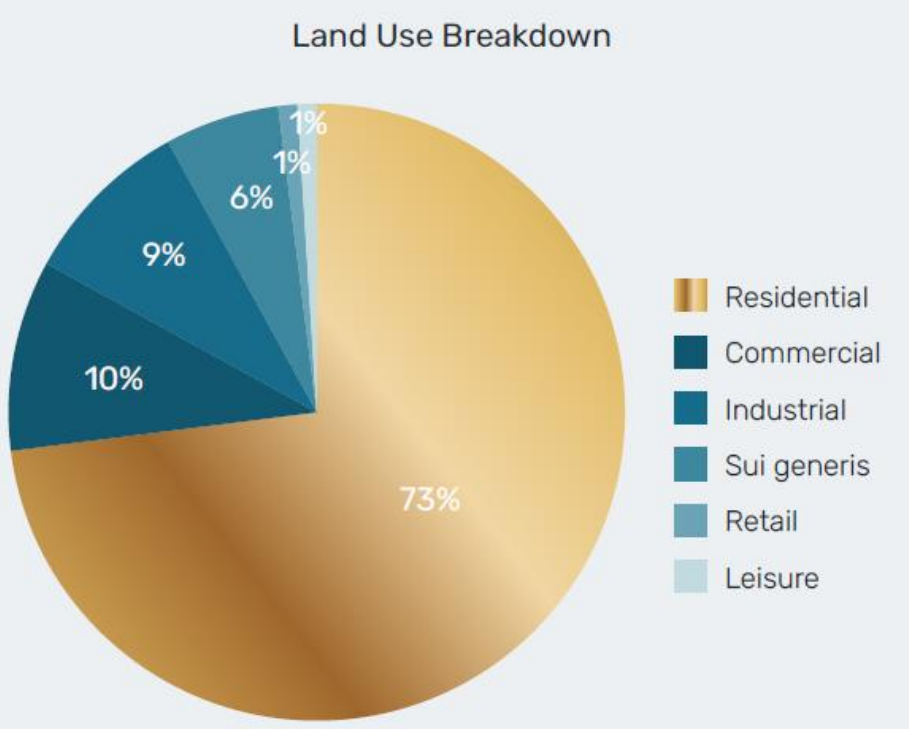
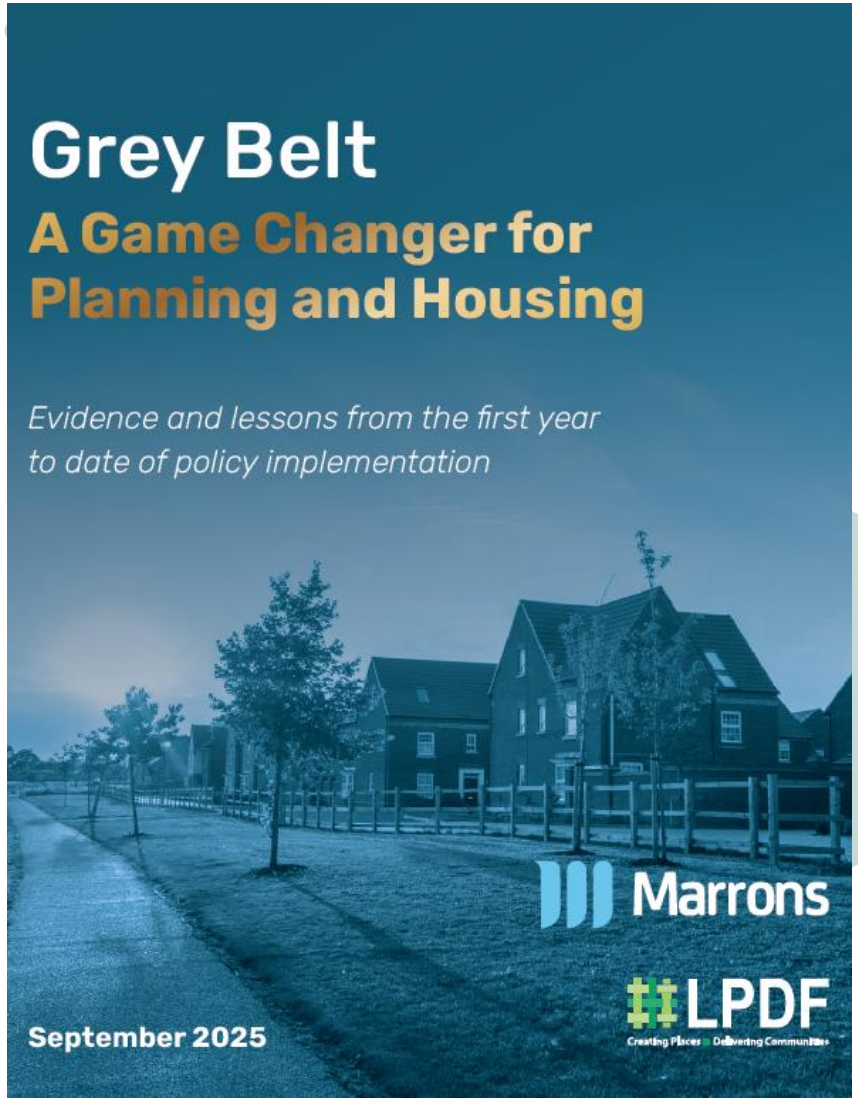
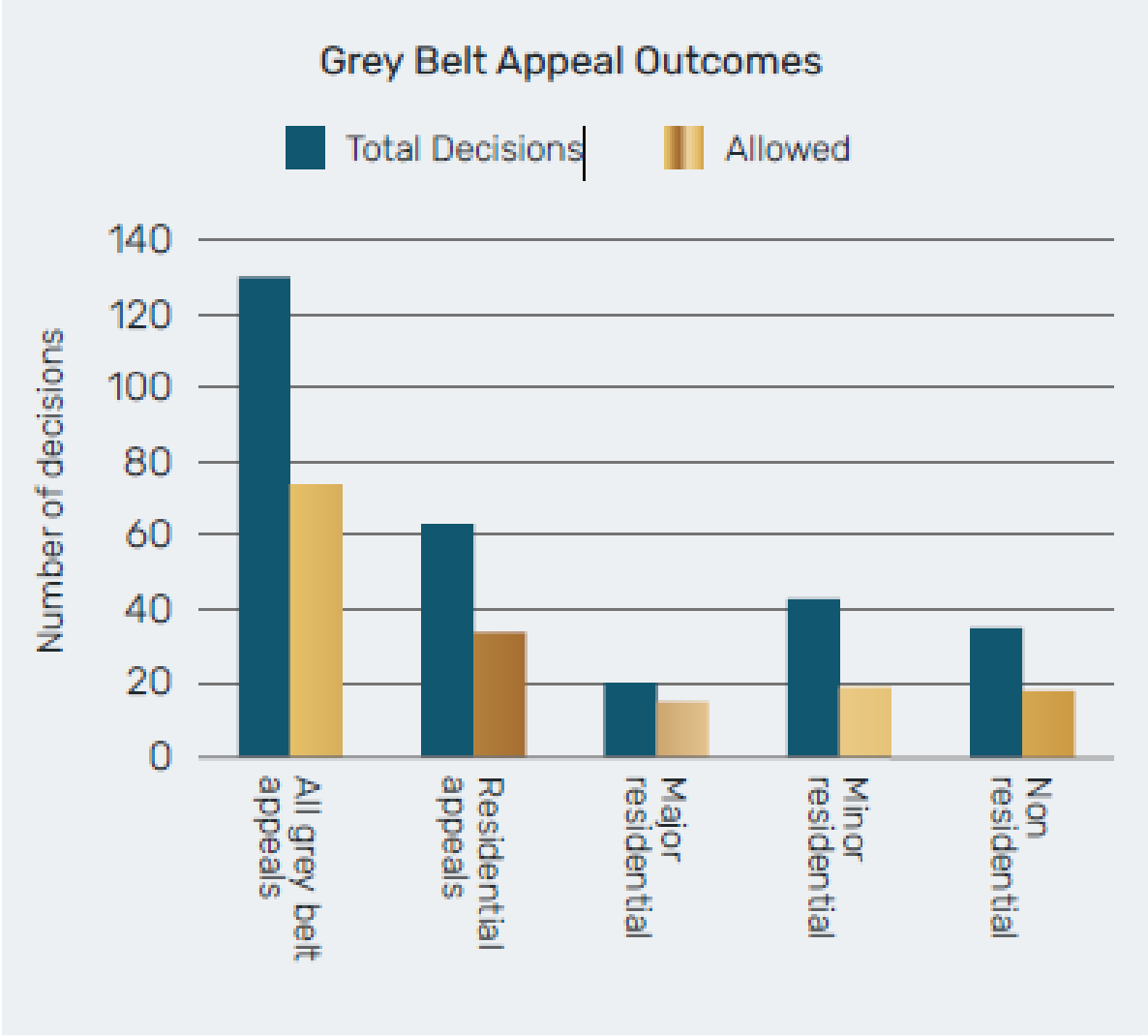
Marrons' research

12 Dec 24 – 31 Aug 25 - 129 appeals referencing 'grey belt' determined by hearing or inquiry:







Of those 129 appeals …

- 57% were allowed
- Success rate did not vary significantly based on type of development.
- But size matters for residential schemes:
  - **80% of major schemes allowed** (20 appeals)
  - 45% of minor schemes allowed (43 appeals)

Our analysis produced similar results

- 1 January – 23 September 2025
- Only appeals determined by inquiry
- Produced 30 decisions, of which:
  - 36% - residential schemes
  - 27% - solar or BESS schemes
  - 37% - G&T/travelling showpeople or commercial
- All but one of the residential schemes were successful – a **91% success rate**

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Concluding thoughts

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Concluding thoughts

Built Environment Committee Feb 2025:

> grey belt policy *"not likely to have any significant or lasting impact on planning decision-making or on achieving your target of 1.5 million new homes by the end of this Parliament"*

- Evidence from Marrons research and our analysis speak for themselves
- Likelihood of trickle-down to LPAs as implications are recognised
- Look out for an "enhanced like-for-like comparison in January 2026" from Marrons.

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Thanks for listening!

Ask us more questions:

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