

Newcastle-under-Lyme Borough Council

Green Belt Review Part 3

Advice on safeguarded land, compensatory improvements, and exceptional circumstances, plus additional Green Belt site assessments

Reference: Final Report

| 13 June 2023







This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 294517-00

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Document Verification

Project title Green Belt Review Part 3
Document title Advice on safeguarded land, compensatory improvements, and exceptional circumstances, plus additional Green Belt site assessments
Job number 294517-00
Document ref
File reference

Revision	Date	Filename			
Draft for Issue	14/04/2023	Description	Draft Report		
			Prepared by	Checked by	Approved by
		Name	AO	JHB pp MW	JHB pp MW
		Signature			
Final for Issue	13/06/2023	Filename			
		Description	Final Report		
			Prepared by	Checked by	Approved by
		Name	AO	JHB	JHB
	Signature				
		Filename			
		Description			
			Prepared by	Checked by	Approved by
		Name			
		Signature			

Issue Document Verification with Document

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1. Introduction

1.1 Context

In March 2023, Ove Arup & Partners ('Arup') was commissioned by Newcastle-under-Lyme Borough Council ('the Council') to prepare a Green Belt Review Part 3.

Arup were previously commissioned to undertake two Green Belt Reviews (Green Belt Assessment Part 1 (November 2017)¹) and Green Belt Assessment Part 2 (2019-20) consisting of a Green Belt Site Review², Exceptional Circumstances Review³ and Green Belt Village Report⁴). These reviews considered the previous joint planning area of Newcastle under Lyme and Stoke on Trent City Council (the draft Joint Local Plan). Since this work concluded, the two authorities have ceased work on the Joint Local Plan and have agreed to develop Local Plans individually.

The Council consulted on a draft Issues & Options Local Plan (between November 2021 and January 2022) and are currently preparing a further Regulation 18 stage which will consult on the Preferred Strategy (or first draft of the Local Plan).

The Green Belt Review Part 3 will be used as the evidence base to support the next regulatory plan making stage and inform policy writing for the Regulation 18 Plan, which is scheduled to be consulted upon during spring 2023. The Council then plan to consult on the Regulation 19, during the first quarter of 2024, with the Regulation 22 stage, Submission, and Regulation 24, Examination in Public to take place later during 2024 with the hope the examination can be concluded by the end of 2024.

The Council intends to submit its Local Plan for Examination prior to the 30 June 2025 cut off point set out in the Levelling Up and Regeneration Bill consultation on the reforms to national planning policy. The existing national planning policy context and guidance will therefore apply.

1.2 Green Belt Review Part 3

1.2.1 Study Area

The Green Belt boundary in Newcastle-under-Lyme forms part of the wider North Staffordshire Green Belt. It covers the entire northern half of the authority area and is contiguous with the Green Belt in Stoke-on-Trent Council to the east, Cheshire East Council to the north and Stafford Council to the south.

The Newcastle-under-Lyme Green Belt is drawn tightly around the urban area of Newcastle and Kidsgrove marking a swathe of rural land around the urban area and many villages. The Green Belt encompasses a significant proportion of the Borough's land area overall. The draft Issues and Options Local Plan (2021) at paragraph 8.1 notes that the Green Belt "...is constricting growth around the urban area of the Borough."

Figure 1 below shows the Green Belt as currently designated, and this forms the study area for the Green Belt Review Part 3.

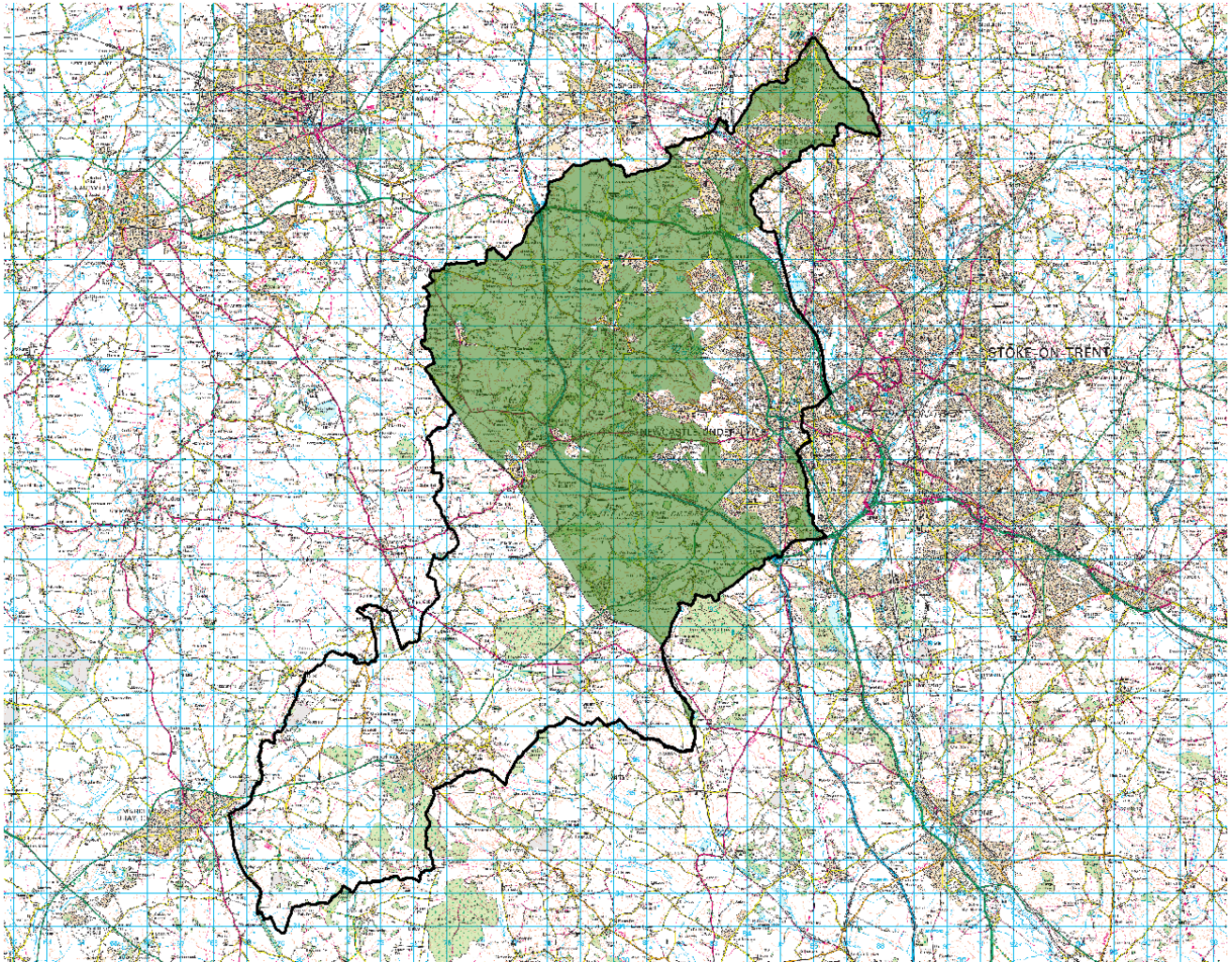
¹ <https://www.newcastle-staffs.gov.uk/downloads/file/900/green-belt-assessment-part-1-2017->

² <https://www.newcastle-staffs.gov.uk/downloads/file/752/green-belt-part-2-assessment-study>

³ <https://www.newcastle-staffs.gov.uk/downloads/file/753/exceptional-circumstances-review>

⁴ <https://www.newcastle-staffs.gov.uk/downloads/file/754/green-belt-village-full-report>

Figure 1. Newcastle-under-Lyme Green Belt



1.2.2 Part 1 and Part 2 Context

Although the Green Belt Part 1 and Green Belt Part 2 studies were prepared as part of the former Joint Local Plan process, the findings and output from the studies remain relevant. The methodology adopted in the Green Belt Assessment Part 1 (November 2017) and the Green Belt Site Review (December 2020) remains unchanged. There have been no changes to national policy or guidance which would require any amendments to the approach and methodology adopted.

1.2.3 Part 3 Requirements

The Green Belt Review Part 3 will consider the following elements:

- Advice on safeguarded land as set out in paragraph 143 of the National Planning Policy Framework (2021) ('the NPPF'), including a recommended approach to determine whether it is necessary and how to determine the quantum and location of safeguarded land.
- Advice on compensatory improvements to the Green Belt as required by paragraph 142 of the NPPF including a recommended approach.
- Advice on exceptional circumstances as required by paragraph 140 of the NPPF – this will provide an update to the previous 'Exceptional Circumstances Review' (November 2019) undertaken as part of the Green Belt Part 2 study.
- An assessment of any additional sites in the Green Belt – this will consist of new sites which have been put forward as part of the Council's Call for Sites process and have not been previously assessed.

1.3 Structure of this Report

This report is structured as follows:

- Section 2 provides advice on safeguarded land. It considers national policy and guidance and considers the approaches taken by other local authorities with recently adopted Local Plans. A recommended approach is set out to assist the Council in determining whether safeguarded land is necessary and to determine the quantum and location of safeguarded land.
- Section 3 provides advice on compensatory improvements in the Green Belt. It considers national policy and guidance and considers the approaches taken by other local authorities with recently adopted Local Plans.
- Section 4 provides advice on exceptional circumstances. This represents an update to the previous 'Exceptional Circumstances Review' (November 2019) undertaken as part of the Green Belt Part 2 study. It considers national policy and guidance and considers the approaches taken by other local authorities with recently adopted Local Plans.
- Section 5 provides a Green Belt assessment of new sites which have been put forward as part of the Council's Call for Sites process. These sites have not previously been assessed as part of the Green Belt Part 1 and 2 studies. The methodology from the Part 1 and 2 studies remains unchanged and will be applied to these additional sites.

2. Safeguarded Land Advice

2.1 Introduction

The purpose of this section is to assist the Council in determining whether they need to identify safeguarded land and to provide a sound method to determine the amount of safeguarded land taking into account relevant national planning policy and guidance, and approaches adopted by other local authorities.

The Council does not currently have a policy on safeguarded land and there is no safeguarded land in the adopted Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (2009).

2.2 National Policy and Guidance

2.2.1 National Policy Context

The starting point for understanding the requirements for safeguarded land is paragraph 143 of the NPPF, which states:

“When defining Green Belt boundaries, plans should:

(a) ensure consistency with the development plan’s strategy for meeting identified requirements for sustainable development;

(b) not include land which it is unnecessary to keep permanently open;

*(c) **where necessary, identify 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**;*

*(d) 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 an update to a plan which proposes the development;*

(e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

(f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.” (emphasis added)

Therefore paragraph 143 establishes the principle that in some cases there may be a need for a Plan to include areas of land to meet the authorities long term development needs. This action will also ensure the permanence of Green Belt boundaries by safeguarding specific areas for future development needs without triggering the need to fundamentally alter the Green Belt boundary in a shorter timescale (i.e. within the same plan period). Equally, paragraph 143 provides protection for sites that are identified as safeguarded land by stating that *“planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development”*.

In addition, paragraph 140 states: *“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 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.”*

This would indicate that if exceptional circumstances mean that the Council seek to remove land from the Green Belt and allocate it for development, then adequate land to allow the Green Belt boundary to endure beyond the plan period will be required to be identified as safeguarded land.

2.2.2 Guidance

There is limited guidance on safeguarded land. PPG does not provide any further guidance on safeguarded land.

The Planning Advisory Service (PAS) published guidance in relation to Green Belt boundaries and safeguarded land in 2014 and 2015 and there was a Commons Debate held on the concept of safeguarded land in 2014. Whilst this guidance is somewhat dated, given that the national policy context on safeguarded land remains unchanged, it still remains relevant.

Planning Advisory Service ‘The Big Issues – Green Belt’ (Updated February 2015)

PAS issued guidance on the approach to reviewing Green Belt boundaries and identifying safeguarded land within a Local Plan. The guidance highlights the dichotomy between achieving Green Belt boundary permanence and finding suitable land for development. However, it does recognise that there is no guidance on how to interpret the national policy on safeguarded land, nor any consistent pattern discernible from Local Plan examinations. The paper concludes the following:

“In some cases local authorities seek to identify safeguarded land over and above the calculated development requirement for the plan period...there are certainly cases where the issue is effectively ignored by the planning authority and examining inspectors alike.”

Planning Advisory Service ‘Plan-Making Question and Answer Green Belt’ (April 2014)

PAS maintains ‘Questions and Answers’ on areas for consideration when reviewing the Green Belt boundary. The guidance states that safeguarded land should be *“considered beyond the 15 years of the plan...the notion is to make any changes to the Green Belt more permanent, i.e. probably two plan lifespans.”* Safeguarded land can be protected so that it would only be released when it was needed.

Commons Debate (May 2014)

In response to Commons Debates regarding the concept of ‘Safeguarded Land’ held in May 2014,⁵ Nick Boles stipulated that whilst the terminology within the NPPF was not sufficiently clear, that the allocation of such land must have regard to the following:

“Safeguarding is not a requirement for every local authority with green-belt land. It is something that it can choose to do, but only if necessary. If the plan that it puts forward has provisions to meet housing needs in full and if other sites are available for potential future development beyond the life of the plan, it may well be that safeguarding land is unnecessary”.

Nick Boles further explained that the concept of safeguarded land has a good justification in some areas for the following reason: *“if future development needs are likely to require further difficult choices about some sites in the green belt, it is better to be clear that certain sites might someday have to have their status reviewed, than to have the entire green belt under some abstract possible future threat.”*

2.2.3 Summary

The NPPF stipulates that local planning authorities when reviewing their Green Belt boundaries should consider the requirement to identify safeguarded land in order to meet their long-term development needs.

Guidance from PAS suggests that a lack of advice regarding the interpretation of the requirement has resulted in inconsistencies in the approaches taken by local authorities and Inspectors alike.

In spite of this lack of guidance, fundamentally there are four implications arising from paragraph 140 and 143 of the NPPF:

- Whether the definition of safeguarded land is ‘necessary’ within Newcastle-under-Lyme.
- Whether there are ‘longer-term development needs’ which justify the definition of areas of safeguarded land (paragraph 143 NPPF).

⁵ [House of Commons Hansard Debates for 13 May 2014 \(pt 0002\) \(parliament.uk\)](#) – See Column 243WH.

- The quantum of safeguarded land required and how this relates to the current development needs and ‘needs stretching well beyond the plan period’ (paragraph 143 NPPF).
- The location of safeguarded land and how this relates to sustainable development.

2.3 Approaches taken by other Local Authorities

2.3.1 Introduction

Given the previously highlighted inconsistencies in approaches to safeguarded land, it is useful to have an appreciation of the differing approaches taken by other local authorities and their justification.

The approach to safeguard land for the following nine local authorities has been reviewed:

- Barnsley Council
- Broxbourne Borough Council
- Cheshire East Council
- Durham County Council
- North Warwickshire Council
- Northumberland County Council
- Runnymede Borough Council
- St Helen’s Council
- Warrington Borough Council

All of the authorities have been through Examination in Public and have had their Local Plan adopted within the past five years (with the exception of Warrington Borough Council which is due to be adopted this year).

Some of the local authorities (Broxbourne, Durham, North Warwickshire, Runnymede, and Warrington) did not identify safeguarded land and the justification for this is explained below.

The table below includes a summary of the justification, approach, location, quantum and duration of the safeguarded land. A full review table including relevant extracts from documents and links to document sources is included at Appendix A.

Table 1. Summary of approaches taken by other local authorities.

Local Authority	Arup Summary
Barnsley Council Local Plan (January 2019)	<p>Safeguarded Land: Yes – see Policy GB6.</p> <p>Justification: Safeguarded land is required due to the extent of the Green Belt and the tightly drawn boundaries around Urban Barnsley and the Principal Towns which are the most sustainable locations for development. This will give permanence to the Green Belt boundary until at least 2038.</p> <p>Location: Safeguarded land was identified in locations across the settlement hierarchy, not just Barnsley and the Principal Towns, but also the villages.</p> <p>Approach: The Council identified the sites through a combination of evidence including the housing site selection methodology, Green Belt assessment and Sustainability Appraisal (SA). Some of the sites had been carried forward from the UDP with some additional sites also proposed. The housing site selection methodology concluded that the proposed safeguarded sites performed less favourably</p>

	<p>compared with the allocated sites and/or had deliverability issues which would be unlikely to be resolved within the plan period.</p> <p>Quantum: The Council projected forward the annual housing requirement for 5 years after the plan period and deducted the supply likely to come forward on windfall sites. In the Local Plan Inspector’s Report, at paragraph 112-114, the Inspector concluded that in the absence of any national guidance, this was a pragmatic and reasonable approach. The Inspector’s Report at paragraph 239 states: “<i>Where necessary, exceptional circumstances have been demonstrated to justify alterations to the Green Belt boundary and the removal of land from the Green Belt to meet the objectively assessed need for employment, housing and identify areas of safeguarded land.</i>”</p> <p>Duration: 5 years beyond the plan period.</p>
<p>Broxbourne Borough Council</p> <p>Local Plan (June 2020)</p>	<p>Safeguarded Land: No</p> <p>The Council did not identify any safeguarded land in its adopted Local Plan. The Inspector agreed with this approach concluding:</p> <p><i>“There are, of course, considerable uncertainties about what development will be needed in the Borough in the longer term and it would not be appropriate to attempt to quantify that at the present time. In terms of how needs may be met in the longer term, the Plan identifies a number of significant opportunities including in and around Waltham Cross town centre and elsewhere associated with Crossrail 2. In addition, the Council may wish to consider further whether the existing residential and industrial areas in the Borough have greater potential for intensification through redevelopment and infilling.”</i> (Paragraph 118, Local Plan Inspector’s Report).</p> <p>Given that the Council had identified potential longer term development opportunities in the urban area, the Inspector was satisfied with this approach, whilst also suggesting that infilling and intensification of residential and industrial may also provide additional development opportunities.</p>
<p>Cheshire East Borough Council</p> <p>Local Plan Strategy (July 2017)</p> <p>Site Allocations and Development Policies Document (December 2022)</p>	<p>Safeguarded Land: Yes – see Policy PG4 in the Local Plan Strategy and Policy PG11 in the adopted Site Allocations and Development Plan Document. The Local Plan Strategy established the quantum of safeguarded land and identified strategic areas of safeguarded land within the Principal Town and Key Service Centres. The Site Allocations and Development Plan document identified non-strategic areas within the Local Service Centres.</p> <p>Justification: Safeguarded land is required due to the extent of the Green Belt and the tightly drawn boundaries around the northern part of the borough which includes inset settlements within the top three tiers of the settlement hierarchy (Principal Towns, Key Service Centres and Local Service Centres). For the South Cheshire Green Belt, all settlements in the top three tiers of the hierarchy are located beyond the Green Belt and already retain significant areas of non-Green Belt land adjacent to their settlement boundaries. Consequently, the distribution of safeguarded land was in the northern sub-area only.</p> <p>Location / Approach: In identifying the strategic areas of safeguarded land in the Local Plan Strategy, the Council considered four options for the distribution of safeguarded land within the north of the borough:</p> <ol style="list-style-type: none"> 1. Provision of all 200 ha in the Principal Town of Macclesfield 2. Provision of safeguarded land distributed proportionately by settlement, based on the spatial distribution of development in LPS Policy PG 7

	<p>3. Provision of safeguarded land distributed proportionately by settlement based on the resident population</p> <p>4. A hybrid approach based on Options 2 and 3 above</p> <p>Option 4 was considered the most appropriate. This was due to a large, proposed allocation in one of the settlements which would have skewed the distribution of safeguarded land if Option 2 alone had been chosen.</p> <p>Once the spatial distribution had been determined, in order to select the areas to safeguard, the Council applied evidence including their site selection methodology, Green Belt assessment and SA.</p> <p>Macclesfield had the majority of the safeguarded land required (95ha out of 200ha) which Inspector concluded was appropriate at paragraph 101 of the Local Plan Strategy Inspector’s Report: <i>“Since Macclesfield has the highest amount of growth outside Crewe and is the only Principal Town in the Green Belt, it is sensible and reasonable that its allocation of Safeguarded Land is proportionately higher than other settlements.”</i></p> <p>In safeguarding non-strategic areas within the Local Service Centres in the Site Allocations and Development Plan Document, the Council took a slightly different approach to distribution as the approach taken for the Local Plan Strategy (largely based on the spatial distribution of indicative development requirements) was not considered appropriate in the context of the Local Service Centres.</p> <p>The Council considered 8 options for the distribution of the 13.6 ha of Safeguarded Land. A hybrid approach (Option 8) was chosen as the preferred option, combining several other options, taking account of the extent of services and facilities, constraints, opportunities and impacts on the Green Belt.</p> <p>Quantum: 200ha. This was calculated as part of the Local Plan Strategy process by projecting forward current development needs in the northern sub-area. It was not appropriate to project forward the needs for the Borough as a whole given there was no requirement for safeguarded land in the South Cheshire Green Belt. The Council initially projected forward needs by 10 years and reviewed the likely sources of supply beyond the plan period (including over-provision of housing land within the plan period, the Urban Potential Study Findings, windfall sites/completions on non-allocated sites, the SHLAA, Brownfield Local Development Orders and other potential sources). Following this review, the Council made a modest reduction to the duration and tested scenarios for 8, 9 and 10 years against density scenarios of 30, 35 and 40dph. This provided the Council with range of parameters for the amount of safeguarded land, ranging from 155ha to 244ha. Taking into account all factor, the Council adopted the midpoint of 200 ha which equated to 9 years of safeguarding at an average density of 34 dwellings per hectare.</p> <p>Duration: The Council intended to provide 8-10 years’ worth of safeguarded land which when combined with other land would enable the Green Belt boundary to endure for a full 15-year plan period. At paragraph 99 of the Local Plan Strategy Inspector’s Report, the Inspector states: <i>“...taking account of other sources of land, it [safeguarded land] should be sufficient for another full 15-year period beyond 2030, so that the Green Belt boundary defined in the CELPS-PC will not need to be amended until at least 2045.”</i></p>
Durham County Council	<p>Safeguarded Land: No</p> <p>The Council did not identify any safeguarded land in its adopted Local Plan. The Inspector agreed with this approach concluding:</p>

<p>Local Plan (October 2020)</p>	<p><i>“It is not possible to know at the current time whether changes will need to be made to other already defined Green Belt boundaries in future reviews of the Plan as that will depend on the amount of development needed at the time, the spatial strategy for accommodating it, and the availability of non Green Belt sites. It would be premature to attempt to make decisions about any of those factors now...”</i> (Paragraph 77, Local Plan Inspector’s Report).</p>
<p>North Warwickshire Council Local Plan (September 2021)</p>	<p>Safeguarded Land: No</p> <p>The Council sought to identify an area of safeguarded land in the submission version of the Local Plan however the Inspector concluded that this was not justified. The Inspector’s conclusion appears to be based on the following factors:</p> <p>Whether it is necessary to safeguard – the Inspector at paragraph 226 of the Inspector’s Report notes that the Plan is contradictory in this regard.</p> <p>The location and approach to the selection of the safeguarded land – the Inspector’s Report at paragraph 225 states: <i>“Kingsbury is a ‘Category 3’ settlement, and there is no robust evidence as to whether safeguarding land for future development there would be preferential to any alternatives (for example related to higher order settlements in line with the settlement hierarchy set via Plan policy LP2). Whilst the examination has not assessed whether any alternative sites would be preferable to those proposed, nevertheless there is little distinction between Green Belt sensitivity in respect of land around Kingsbury relative to the surroundings of other ‘higher order’ settlements such as Coleshill.”</i></p>
<p>Northumberland County Council Local Plan (March 2022)</p>	<p>Safeguarded Land: Yes – see Policy STP 9.</p> <p>Justification: The Council identified an area of safeguarded land around Morpeth. The Council had quite specific circumstances for identifying safeguarded land due to the fact that they were defining the detailed boundaries for the Green Belt extension around the Morpeth area for the first time. The general extent of this area of Green Belt had already been established within the text of the Northumberland Structure Plan (2005).</p> <p>The Inspector’s Report refers to this area as ‘unallocated white land’ rather than safeguarded land (see paragraph 156) given the Council were establishing the boundaries of this area for the first time. The Inspector did not take issue with this however concluded that the Council would not be justified in identifying any additional areas of safeguarded land. The Inspector’s Report are paragraph 155 states: <i>“There is therefore no justification for a further release of Green Belt land for housing. It is not possible to know at the current time whether changes will be needed to Green Belt boundaries in future reviews of the Plan as that will depend on the amount of development needed at that time, the spatial strategy for accommodating it, and the availability of non-Green Belt sites. It would be premature to attempt to make decisions about any of those factors now, and there are certainly not exceptional circumstances to justify modifying the Plan to take additional land out of the Green Belt in order to safeguard it to meet unknown development needs after the end of the Plan period.”</i></p> <p>The Council had also sought to safeguard an area of employment land (4ha) which was adjacent to an employment allocation. The Council’s justification was that the safeguarded land could allow the relocation of an existing industrial estate which would then free up a site within the urban area for housing. However, the Inspector’s Report at paragraph 127-130 states that this was not justified, and exceptional circumstances did not exist as there was no evidence for future employment land in</p>

	<p>the proposed location within the next plan period and it would be very difficult to forecast this at this stage given the changing needs of businesses.</p>
<p>Runnymede Borough Council Local Plan (July 2020)</p>	<p>Safeguarded Land: No</p> <p>The Council did not identify any safeguarded land in its adopted Local Plan. Whilst the Plan had a short time horizon (10 years), the Inspector concluded that the longer term needs were best addressed by a Surrey-wide approach which the authorities had already committed to (paragraph 53, Local Plan Inspector’s Report).</p>
<p>St Helen’s Council Local Plan (July 2022)</p>	<p>Safeguarded Land: Yes – see Policy LPA05.</p> <p>Justification: The Council identified both safeguarded housing sites and safeguarded employment sites. The Safeguarded Land would ensure that the new Green Belt boundaries set by the Plan can endure well beyond 2037.</p> <p>Location:</p> <p>Employment – the employment sites are located adjacent to the strategic road network and within existing well-established employment sites.</p> <p>Housing – the sites achieve a reasonable geographic spread across the Borough, including land adjacent to the St Helens Core Area and Newton-le-Willows/Earlestown.</p> <p>The Council did not seek to distribute the safeguarded sites to each settlement proportionate to the settlement population as the Green Belt Review did not identify enough land suitable for release to enable a distribution.</p> <p>Approach: The Council’s Housing Need and Supply Background Paper (October 2020) at paragraph 3.51-3.57 describes the approach.</p> <p>The Council sought to use a practical and balanced approach being mindful of the uncertainties. The Council did not seek to identify a specific housing need figure for post 2035 and instead identified a reasonable amount of land to be safeguarded in order to meet future development needs. The Council then used the Plan period housing requirement as a basis to measure the provision of safeguarded land. At paragraph 3.53, the Council states: <i>“When projecting forward the housing requirement of 486 dwellings per year, the estimated combined capacity of the sites safeguarded for housing of 2,641 dwellings equates to 5.4 years of housing supply. If you remove the cap of 500 dwellings applied at site 3HS by Policy LPA06 (based on highway capacity issues), then the safeguarded sites provide for 6.4 years of housing supply.”</i></p> <p>The Council also notes that some of the allocated housing sites are expected to continue delivering beyond the plan period. Therefore, based on the Plan period housing requirement of 486 dwellings per annum, this equates to a further 6.9 years of housing land supply. On top of this is the windfall allowance which equates to an additional 1.4 years of supply.</p> <p>At para 3.57 the Council comments on their previous approach: <i>“It is also important to note that the Local Plan Preferred Options (2016) did seek to include 15 years of safeguarded housing land beyond the Plan period, on which the basis was projecting forward the then proposed 570 dwellings per annum housing requirement. However, there was significant opposition to this approach from local residents and stakeholders.”</i></p> <p>The Council’s Green Belt Review (2018) explains the approach to determining whether sites should be allocated or safeguarded. The safeguarded sites did not score as highly compared to the other employment and housing allocations. Sites with</p>

	<p>higher levels of deliverability were more likely to be recommended as allocations (as opposed to being safeguarded). Some of the safeguarded sites had highways or access issues, or other physical constraints which would take a longer time to be addressed.</p> <p>Quantum:</p> <p>Employment land – two sites totally 85.88ha. This equates to 8 years supply based on current OAN.</p> <p>Housing land – eight sites totalling 2739 dwellings. This equates to 6 years supply based on the current OAN.</p> <p>The Inspector’s Report at paragraph 107 states: <i>“The Plan needs to achieve a balance between protecting Green Belt and ensuring that Green Belt boundaries do not need to be altered again at the end of the Plan period. Moreover, there are uncertainties about what future needs will be or what non-Green Belt opportunities may arise. The Plan achieves an appropriate quantum of safeguarded land and demonstrates exceptional circumstances in this respect.”</i></p> <p>Duration:</p> <p>Employment – 8 years supply.</p> <p>Housing - 6 years supply although some of the allocated strategic housing sites are projected to deliver a significant proportion of development beyond the Plan period such that over 3200 homes would be likely to be built on these allocations post 2037, plus windfall sites would provide an additional 1.4 years supply.</p>
<p>Warrington Borough Council</p> <p>Local Plan (not yet adopted)</p> <p>The Local Plan Examination hearings took place in September/October 2022. The Council published its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p>Safeguarded Land: No</p> <p>The Council has not identified any safeguarded land in its emerging Local Plan. In terms of housing land, the Council’s justification is that there is sufficient supply beyond the Plan Period due to the ability of the proposed allocations to deliver homes beyond the end of the Plan Period, the anticipated supply of brownfield sites, increased supply of homes over the Plan Period addressing issues of affordability, and the projected slower growth in households over time. In relation to employment land, whilst the Council considered a number of employment sites which scored highly through the Economic Development Needs Assessment, these sites had one or more significant constraints. The Council committed to undertaking a review into Warrington’s employment land needs every 5 years and in any event, well before the end of the Plan period.</p> <p>At Regulation 18 stage (Preferred Options), the Council had proposed to safeguard land within the Green Belt for 10 years beyond the plan period however changed this approach due to changes in the above factors.</p> <p>The Inspector did not challenge this during the Examination hearing sessions in September/October 2022 and the Inspector has not commented on this in the Inspectors’ Post Hearing Letter to the Council (December 2022) where the Inspectors conclude that the Plan can be made sound by main modifications. None of the Main Modifications relate to the principle of safeguarded land.</p>

2.3.2 Key Findings

The review demonstrates that the approaches adopted by different local authorities vary significantly. The following section compares and contrasts the approaches on the basis of the justification, location, and the quantum and duration adopted by the local authorities.

Justification

Five of the local authorities reviewed (Broxbourne, Durham, North Warwickshire, Runnymede, and Warrington) chose not to safeguard any land beyond the plan period given the uncertainties in predicting longer term development needs and/or given there is sufficient brownfield land to withstand future development pressures and/or some of the allocations will deliver beyond the plan period.

Three of the local authorities reviewed (Barnsley, Cheshire East and St Helen's) did choose to safeguard land beyond the plan period within their adopted Local Plans. They have all taken a slightly different approach to this. For all three local authorities, the justification for safeguarding land is inextricably linked to the exceptional circumstances case relating to the extent of the Green Belt and/or the tightly drawn boundaries around certain parts of the borough which was constraining development in the most sustainable locations. The safeguarded land would ensure the Green Belt boundaries would endure well beyond the plan period.

Northumberland Council also chose to safeguard land in its adopted Local Plan however the justification for this is very specific to the local circumstances as the Council was defining the detailed Green Belt boundaries around the Morpeth area for the first time, based on the general extent of this area having been established within the text of the Northumberland Structure Plan (2005).

In reviewing the Local Plan Inspector's Reports for all nine local authorities, it is evident that the Inspectors generally agreed with the local authority's decision to either safeguard land or to not safeguard land. There were no examples of an Inspector asking for safeguarded land to be added into the Local Plan where it had not been proposed by the local authority. In some cases where safeguarded land had been proposed, the Inspectors disagreed with the quantity and/or the location of the safeguarded land.

The only example where the Inspector disagreed with the Council's justification for safeguarded land was North Warwickshire Council. North Warwickshire Council identified an area of safeguarded land within the submission version of its Local Plan however the Local Plan Inspector concluded this was not justified as it was unclear if it was necessary and also due to the location and site selection process. As a result, the Council does not have any safeguarded land in its adopted Local Plan.

In relation to Northumberland Council, whilst the Local Plan Inspector accepted the principle of safeguarded land, the Inspector concluded that one of the areas proposed to be safeguarded for employment was not justified as the requirement was not evidenced and it would be very difficult to forecast at this stage. These examples demonstrate the importance of having a clear justification for safeguarded land, backed up by a robust site selection process.

It is evident from reviewing the Local Plan Inspector's Reports that Inspectors recognise the uncertainties in this area with some of the Inspectors highlighting the lack of national guidance and the uncertainties in identifying what future needs might be. Where authorities have identified safeguarded land, the Inspectors have commented on the pragmatic and reasonable approach taken, referring to the need to achieve a balance between protecting Green Belt and ensuring that Green Belt boundaries do not need to be altered again at the end of the plan period.

Location

The safeguarded land in all three authority areas has a geographic spread in locations across the settlement hierarchy. The safeguarded land in St Helen's has a geographic spread across the Borough, including land adjacent to the St Helens Core Area and Newton-le-Willows/Earlestown. The safeguarded land in Barnsley is in locations across the settlement hierarchy, not just Barnsley and the Principal Towns, but also the villages. The safeguarded land in Cheshire East was focused to the north of the borough (as this area was predominantly constrained by Green Belt) and was spread across the Principal Town (Macclesfield), the Key Service Centres and the Local Service Centres. In determining the distribution of the safeguarded land, Cheshire East Council distributed this proportionately by settlement led by the spatial distribution of

development and taking into account the resident population of the settlement. This approach was not possible for St Helen's Council as the Council's Green Belt Review did not identify enough land suitable for release to enable a distribution by settlement proportionate to the settlement population.

All three local authorities used evidence including the site selection process, Green Belt review and SA to identify the safeguarded land. The sites selected for safeguarding did not score as highly in the site selection process compared to the other employment and housing allocations and/or they had deliverability issues which were unlikely to be resolved within the plan period.

Quantum and Duration

In terms of the quantum of safeguarded land, there are two clear ways to identify the quantum of safeguarded land, either projecting forward current development needs for a specified time period, or to try and make a separate estimate of needs post plan period. All three local authorities chose to project forward current development needs. The duration which the local authorities projected forward was fairly arbitrary ranging from 5 to 10 years and was based on an understanding of the likely sources of supply beyond the plan period. The availability of suitable Green Belt sites for release was also a factor for St Helen's and Barnsley.

Barnsley Council projected forward the annual housing requirement for 5 years after the plan period and deducted the supply likely to come forward on windfall sites. St Helen's Council identified two safeguarded employment sites totally 85.88ha (this equated to 8 years supply) and eight safeguarded housing sites totalling 2739 dwellings (this equated to 6 years supply). Taking into account the windfall allowance and the fact that some allocations would deliver well beyond the plan period, this meant that St Helen's Green Belt boundary was likely to endure for 9 years beyond the plan period. St Helen's Council had previously sought to include 15 years of safeguarded housing land beyond the Plan period (in the Local Plan Preferred Options) however changed this approach due to significant opposition from local residents and stakeholders.

In the case of Cheshire East Council, the Council projected forward development requirements arising from the northern sub-area only rather than the Borough as a whole, given that the Green Belt predominantly constrained land in the north of the borough with no requirement to safeguarded land in the South Cheshire Green Belt. After considering the likely sources of supply beyond the plan period, the Council tested a number of scenarios for timescales (8, 9 and 10 years) and densities (30, 35 and 40dph) which provided parameters for the amount of safeguarded land, ranging from 155ha to 244ha. The midpoint of 200ha was adopted. This was intended to provide 8-10 years' worth of safeguarded land which when combined with other land would enable the Green Belt boundary to endure for a full 15-year plan period.

2.3.3 Summary

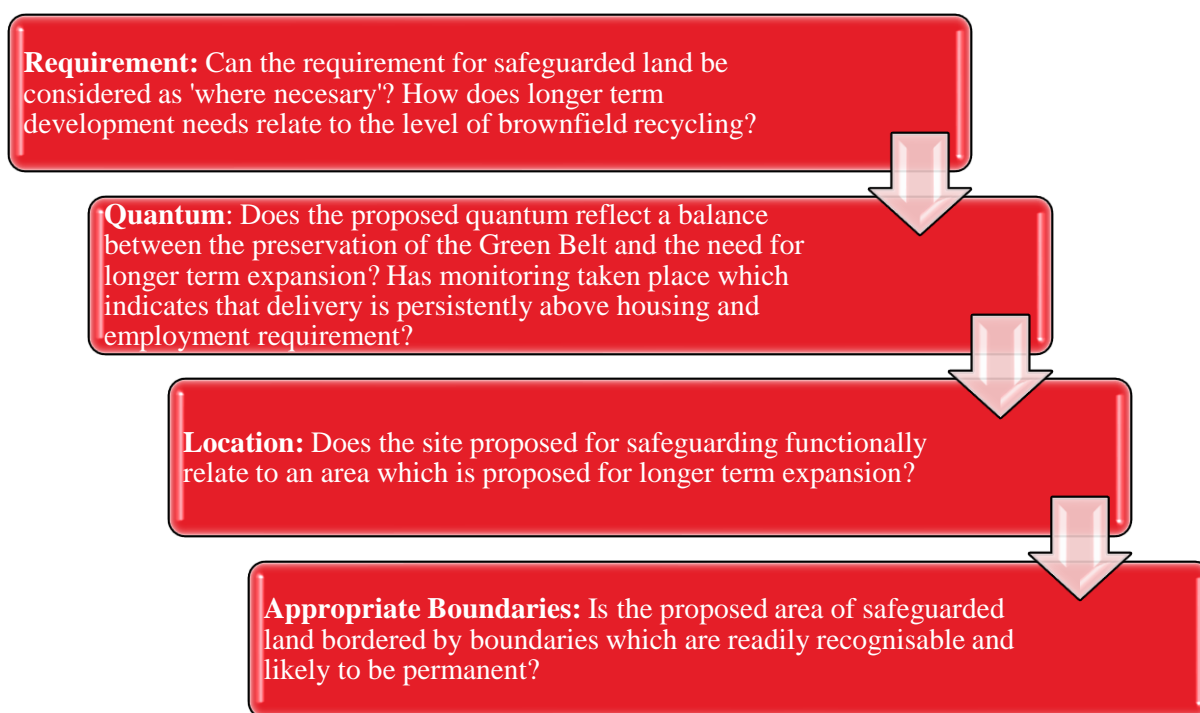
The experience of other local authorities indicates that the need and associated justification for identifying safeguarded land will generally be specific to the circumstances of the particular authority. However, the justification is likely to have regard to factors such as:

- Existing provision of safeguarded land retained from previous plan periods;
- The level of constraints on land supply across the authority including Green Belt and/or other factors such as flooding or national/international environmental designations;
- The supply of urban sites, both brownfield and open spaces, and the likelihood that these will meet future needs beyond the plan period;
- Historic or anticipated rates of recycling of brownfield land and windfall delivery;
- The availability and deliverability of sites, in particular large strategic sites which may deliver housing beyond the plan period;
- The preferences of plan-makers to incorporate a degree of flexibility for future plan iterations;
- The position of the spatial strategy on growth beyond the plan period.

2.4 Recommended Approach

In determining whether safeguarded land is required (plus the quantum and location), Arup recommends that the Council consider the questions in Figure 2 below. The proceeding sections provide more detail on the considerations required at each stage and provide a three-stage approach for the Council to apply.

Figure 2. Arup's recommended process for identifying safeguarded land.



2.4.1 Requirement

As set out in Section 2.2 above, paragraph 143 of the NPPF confirms that safeguarded land should be identified 'where necessary.' Some local authorities choose not to identify any safeguarded land taking into account their brownfield land supply and the delivery timescales of their allocations.

The data from windfall completions and assessment of potential supply of deliverable and developable brownfield sites will enable the Council to determine whether it is 'necessary' to identify safeguarded land in order to meet longer term development needs.

Stage 1: Determine whether it is 'necessary' to identify safeguarded land by assessing the likely scale of brownfield land and considering whether windfall sites are a reliable source of supply.

If there is sufficient brownfield land or there is an over-provision of land within the plan period which would prevent future development pressures compromising the strength of the Green Belt then it may not be 'necessary' to identify safeguarded land beyond the Plan Period.

2.4.2 Quantum

If the Council decide it is necessary to identify safeguarded land, the next stage is to determine the quantum of safeguarded land required. Paragraph 143 of the NPPF confirms that the safeguarded land should "...meet longer-term development needs stretching well beyond the plan period."

It is clear from the review of approaches taken by other local authorities that there are two ways to identify the quantum of safeguarded land, either projecting forward current development needs for a specified time period, or to undertake a separate estimate of needs post plan period. The three local authorities who identified safeguarded land all chose to project forward current development needs. Cheshire East Council projected forward needs for the northern sub-area only (instead of the whole of the Borough) given that there was no requirement to safeguarded land in the South Cheshire Green Belt. If Newcastle-under-Lyme decide it is necessary to safeguarded land, the Council may also need to adopt a similar approach given that the area to the southwest of the Borough is not located within the Green Belt and includes a number of rural centres

which are anticipated to meet some of the development needs of the Borough. The Council would need to be satisfied that there is a sufficient supply of non-Green Belt sites to meet the needs of the rural centres beyond the plan period.

The duration which other local authorities have projected forward is fairly arbitrary ranging from 5 to 10 years. None of the local authorities reviewed chose to project forward for a full plan period (15 years). The local authorities identified the duration based on an understanding of the likely sources of supply beyond the plan period (for example, brownfield recycling and windfall allowance) and in some cases the availability of suitable Green Belt sites for release.

Stage 2: Project forward current development needs for a specified duration (consider whether the development needs should relate to the whole or part of the Borough only).

In determining the duration, take into account the likely sources of supply beyond the plan period (for example, the level of brownfield recycling and windfall sites based on existing evidence and consider whether this provides a continued reliable source in the future). It may also be necessary to take into account whether there are sufficient suitable Green Belt sites which could be considered for release (taking into account the site selection process, Green Belt evidence and the outcomes of the SA).

Arup recommends that 10 years provide a reasonable starting point based on experience elsewhere.

It is recommended a ‘straight line projection’ is used when determining the amount of land required over the 10-year period. Adjustments to take account of economic or demographic changes are not considered appropriate when determining the quantum of safeguarded land due to limitations associated with identifying and applying a consistent approach to adjustment factors.

In order to convert the annual housing requirement into a land requirement, the Council can either apply a standard average density or it could test different scenarios. Cheshire East Council tested different scenarios for both the duration (8, 9 and 10 years) and the density (30, 35 and 40dph) to be applied which provided parameters for the amount of safeguarded land required.

2.4.3 Location

The review of approaches taken by other local authorities demonstrates that the location of safeguarded land is specific to the local context of the authority. Some local authorities identify safeguarded land on the edge of proposed allocations whilst others identify these in completely separate locations. The experience of other local authorities identifies the need to ensure that safeguarded land supports the delivery of sustainable development and aligns with the overall spatial strategy of the Local Plan.

Based on the approaches adopted by other local authorities it is clear that in identifying where the safeguarded land should go, a clear site selection process needs to have been applied which takes into account a variety of evidence including a Green Belt review and SA. The sites selected as safeguarded land often do not score as highly in the site selection process compared to the other employment and housing allocations and/or they had deliverability issues which were unlikely to be resolved within the plan period.

Stage 3: In order to identify which sites should be safeguarded, apply the site selection process, considering all relevant evidence including the Green Belt Review, SA, and the overall spatial strategy.

2.4.4 Appropriate Boundaries

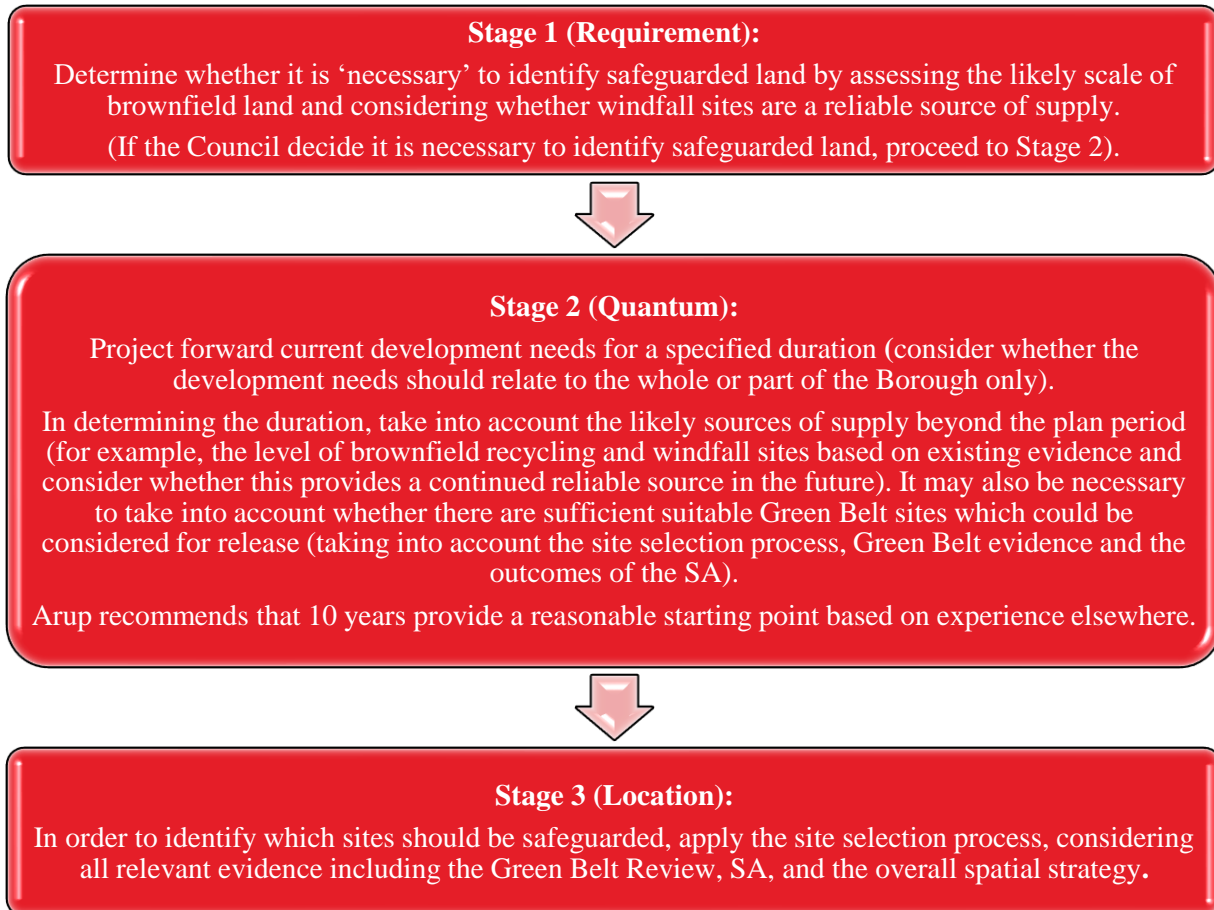
The consideration of appropriate boundaries is already embedded into the Green Belt Site Review process. The Joint Green Belt Part 1 Study (September 2017) in section 4.4.1 identifies the boundary features which are readily recognisable and likely to be permanent (durable boundaries) and less durable boundaries.

The Joint Green Belt Part 2 Study (December 2020) considers the boundary strength of the sites as part of the assessment process. In assessing the ‘Green Belt Implications’, the assessment asks: ‘*Would a new Green Belt boundary be defined using physical features that are readily recognisable and likely to be permanent?*’ If the resultant boundary features are not recognisable and permanent, it is recommended that if the site is taken forward, the accompanying policy will need to specifically state that a recognisable and permanent new Green Belt boundary must be provided or the existing boundary requires strengthening.

2.4.5 Summary

Based on national policy and guidance, and the approaches taken by other local authorities, it is recommended that the Council undertake the three-stage approach set out in Figure 3 below in order to determine firstly whether safeguarded land is ‘necessary’, and if it is, then to determine the quantum and location. In applying the three-stage approach below, the findings from other related studies and evidence should be taken into account including the Housing and Economic Needs Assessment Update (March 2023), the Strategic Employment Site Assessment Report, the Site Selection Report (June 2023), the Newcastle-under-Lyme and Kidsgrove Urban Capacity and Town Centre Regeneration Study (May 2023), the Strategic Housing and Employment Land Availability Assessment (November 2022), the Green Belt Part 1 and Part 2 Studies, and the Sustainability Appraisal.

Figure 3. Recommended three stage approach to identifying safeguarded land.



3. Compensatory Improvements

3.1 Introduction

The purpose of this section is to provide advice on compensatory improvements in the Green Belt. It considers national policy and guidance and considers the approaches taken by other local authorities with recently adopted Local Plans.

3.2 National Policy and Guidance

3.2.1 National Policy Context

Paragraph 142 of the NPPF sets out the requirement for compensatory improvements. It states:

*“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which **the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.**”* (emphasis added)

This requirement was not included in the original version of the NPPF published in March 2012. It was first introduced in the revised NPPF published in July 2018 (at paragraph 138).

3.2.2 Guidance

The ‘Green Belt’ section of the PPG provides further guidance on compensatory improvements. Paragraph 002 considers how plans can set out ways in which the impact of removing land from the Green Belt can be offset by compensatory improvements. It states:

“Where it has been demonstrated that it is necessary to release Green Belt land for development, strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include:

- *new or enhanced green infrastructure;*
- *woodland planting;*
- *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);*
- *improvements to biodiversity, habitat connectivity and natural capital;*
- *new or enhanced walking and cycle routes; and*
- *improved access to new, enhanced or existing recreational and playing field provision.”* (Paragraph 002. Reference ID: 64-002-20190722. Revision date: 22 07 2019).

Paragraph 003 considers how the strategic policy-making authority can ensure that the compensatory improvements will be secured. It states:

“Identifying the scope for compensatory improvements is likely to require early engagement with landowners and other interest groups, once the areas of land necessary for release have been identified. Consideration will need to be given to:

- *land ownership, in relation to both land that is proposed to be released for development and that which may be most suitable for compensatory improvements for which contributions may be sought;*
- *the scope of works that would be needed to implement the identified improvements, such as new public rights of way, land remediation, natural capital enhancement or habitat creation and enhancement, and their implications for deliverability;*
- *the appropriate use of conditions, section 106 obligations and the Community Infrastructure Levy, to secure the improvements where possible. Section 106 agreements could be used to secure long-term maintenance of sites.” (Paragraph 003. Reference ID: 64-003-20190722. Revision date: 22 07 2019).*

3.2.3 Summary

The NPPF stipulates that where a local planning authority had concluded it is necessary to release Green Belt land for development, they should identify compensatory improvements to the environmental quality and accessibility of remaining Green Belt land in order to offset the impact of removing land from the Green Belt. PPG provides further detail on this setting out the types of improvements which may be relevant and the factors to consider to ensure the improvements can be secured.

There are four implications arising from paragraph 142 of the NPPF and the Green Belt section of the PPG:

- If Newcastle-under-Lyme demonstrates it is necessary to release Green Belt land for development, the Council will need to set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt.
- The compensatory improvements could include new or enhanced green infrastructure, woodland planting, landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal), improvements to biodiversity, habitat connectivity and natural capital, and new or enhanced walking and cycle routes (this list is not exhaustive).
- In identifying the compensatory improvements, early engagement with landowners and other interest groups will be required. Land ownership and the scope of works should be considered to ensure deliverability.
- In securing the compensatory improvements, the Council could consider the use of planning conditions or Section 106 obligations. The Council does not currently have a Community Infrastructure Levy so this is not applicable.

3.3 Approaches taken by other Local Authorities

3.3.1 Introduction

Given the requirement for compensatory improvements is a relatively new policy requirement (first introduced in the revised NPPF published in July 2018), it is useful to have an appreciation of how other local authorities have interpreted this requirement. There are fewer examples of the requirement given that many local authorities have had their Local Plans examined under the original 2012 NPPF.

The approach to compensatory improvements for the following seven local authorities has been reviewed:

- Durham County Council
- Northumberland County Council
- South Oxfordshire Council
- St Alban’s Council
- St Helen’s Council
- Warrington Borough Council
- Watford Borough Council

All of the authorities have been through Examination in Public. Durham, Northumberland, South Oxfordshire, St Helen’s and Watford and have had their Local Plan adopted within the past five years. Warrington is due to adopt their Local Plan this year. St Alban’s withdrew their Local Plan following examination however the Inspector’s comments provide some useful lessons.

The table below includes a summary of the approach in terms of the type and location of compensatory improvements and the proposed mechanism to secure the improvements. A full review table including relevant extracts from documents and links to document sources is included at Appendix B.

Table 2. Summary of approaches taken by other local authorities.

Local Authority	Arup Summary
<p>Durham County Council</p> <p>Local Plan (October 2020)</p>	<p>Type and location of improvements:</p> <p>For each of the allocations removed from the Green Belt, the policy text and supporting text describe the location and scope of the compensatory improvements. The improvements include:</p> <ul style="list-style-type: none"> • Enhancements to an existing informal parkland adjacent to the development site. The enhancements include preserving and enhancing existing habitats and creating new habitats, retaining and improving public access and creating more attractive gateways. • Providing new native woodland on a site adjacent to the development site including developing new and improved footpaths linking to the wider network. • On land adjacent to the development site, planting new hedgerows, woodland, parkland trees and hedgerow trees, habitat creation to buffer existing features and new public rights of way linking to the wider footpath network. • On land adjacent to the development site, planting of new hedgerows along with the gapping up of existing hedgerows to enhance and strengthen field patterns. Structural landscaping and ecological enhancements to provide better linkages. <p>For all of the allocations, the compensatory improvements are proposed on Green Belt land adjacent to the proposed development site. The location is described in detail in the policy and supporting text.</p> <p>The Pre-Submission Draft (2019) of the Plan had identified compensatory improvements within the site boundary of one of the urban extensions in the form of a linear park however this was challenged by the Inspector during the Examination hearing sessions as this would not have been in the remaining Green Belt. The wording was changed as part of the main modifications to identify further compensatory improvements outside of the site boundary in the remaining Green Belt. The Council noted that these changes were agreed following discussions with the landowners.</p> <p>Mechanism to secure improvements:</p> <p>Given that the location and scope of the improvements are described in detail in the policy text, it is assumed that the improvements will be secured through the development management process however the policy text or supporting text does not expressly state this.</p> <p>Implementation:</p> <p>Policy 5 of the County Durham Plan allocates the Sherburn Road site for 420 houses and describes the required compensatory improvements in relation to the site. Outline planning permission was granted in March 2022 for residential development of up to 500 dwellings on the Sherburn Road site (DM/20/03558/OUT). The Committee Report comments on the proposed compensatory improvements at paragraph 79. It states: “A suite of improvements are shown off site, these would be considered sufficient to accommodate the requirements of Policy 5 (r) and are deemed acceptable subject to delivery through planning obligation.”</p> <p>The decision notice at Condition 7 states:</p>

	<p><i>“Prior to the commencement of the development, detailed measures for compensatory improvements to the green belt, as shown on plan: ‘Compensatory Improvements to Land Remaining in Green Belt HJB/767/82 PA17’, together with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The improvement works thereafter shall be completed in accordance with the details and timetable agreed.”</i></p> <p>The signed Section 106 agreement secures the delivery and long-term maintenance of the agreed off-site compensatory improvements and increased public access. Schedule 2 of the agreement sets out the requirements for long term management and maintenance of the Green Belt land in accordance with the approved Greenbelt Management and Maintenance Plan.</p>
<p>Northumberland County Council</p> <p>Local Plan (March 2022)</p>	<p>Type and location of improvements:</p> <p>The supporting text in the Local Plan at paragraph 5.46-5.48 describes two ways to deliver the compensatory improvements:</p> <ul style="list-style-type: none"> • Through developer contributions linked to Council-led green infrastructure, cycling and walking infrastructure and sport and recreation projects located within the Green Belt identified in the Northumberland Infrastructure Delivery Plan (IDP) in order to ensure they are deliverable and meaningful; or • On land adjacent to the allocated site if it is within the applicant’s wider ownership and can be secured through planning conditions. The improvements will need to be of an equivalent value to the alternative financial contributions. Early discussion with the Council through the pre-application process would be required. <p>The Local Plan Inspector's Report required changes to the Council's previous approach to compensatory improvements as they had previously stated that improvements would only be adjoining land. The Inspector noted that this land was not always in the control of the developer seeking planning permission and therefore this would not be deliverable. The new approach widened this out to include other land (not just adjoining land). The Inspector also commented that the previous policy was ambiguous about what improvements were sought and how they would be secured.</p> <p>Mechanism to secure improvements:</p> <p>The supporting text in the Local Plan at paragraph 5.46 states sets out the ways in which compensatory improvements will be secured: <i>"In order to deliver improvements on remaining Green Belt land, through the development management process, the Council will seek to secure developer contributions or planning conditions on the sites which have been removed from the Green Belt."</i></p>
<p>South Oxfordshire Council</p> <p>Local Plan (December 2020)</p>	<p>Type and location of improvements:</p> <p>The supporting text to the Green Belt policy (Policy STRAT6) at paragraph 3.57 states:</p> <p><i>"Each relevant strategic allocation policy where Green Belt has been altered sets out requirements for the site and some of these measures could be considered as compensatory measures. Evidence on landscape, biodiversity or recreational needs with site specific recommendations and opportunities will also provide recommendations for enhancements that would deliver compensatory improvements on remaining Green Belt."</i></p> <p>The strategic allocation policies themselves do not specifically refer to compensatory improvements to the remaining Green Belt.</p> <p>Mechanism to secure improvements:</p> <p>The supporting text in the Local Plan at paragraph 3.57 confirms how the improvements would be secured: <i>"The compensatory gain would be expected to be demonstrated through the</i></p>

	<i>individual site masterplans and secured through developer contributions if these enhancements are outside of the red line boundary of a planning application.”</i>
<p>St Albans Council</p> <p>Draft Local Plan withdrawn in November 2020.</p>	<p>Type and location of improvements / mechanism to secure improvements:</p> <p>The Inspector’s Post Hearings letter to the Council dated 14 April 2020 expressed concerns regarding the Council's approach to compensatory improvements. The Inspector’s concerns were as follows:</p> <ul style="list-style-type: none"> • Whether improvements had been identified for all of the proposed allocations. • Whether they would be on land remaining in the Green Belt or on land within the allocations themselves. • There was also a lack of clear evidence to demonstrate that the developer or the Council owns or controls the land that would be required for the improvements. • The cost of the improvements (or an estimation of their likely costs) had not been specifically factored into the viability work for each of the allocations. <p>The Inspector concluded the requirement in the NPPF had not been met.</p>
<p>St Helen’s Council (July 2022)</p>	<p>Type and location of improvements:</p> <p>The supporting text at paragraph 4.3.20-4.3.23 identifies potential locations for compensatory improvements including at two strategic sites: Bold Forest Park and Sankey Valley Corridor Nature Improvement Area (NIA).</p> <p>In relation to Bold Forest Park, examples of improvements described in the supporting text include the expansion of tree cover and the delivery of improved recreational facilities. In relation to Sankey Valley Corridor NIA, examples of improvements include accessibility enhancements, including walking, and cycling infrastructure and new signage, enabling increased access to the Green Belt for residents and visitors. The supporting text also notes that other potential locations for improvements include Knowsley and St Helens Mossland NIA, as well as various Local Wildlife Sites and three Local Nature Reserves located in the Green Belt.</p> <p>Paragraph 4.3.23 states:</p> <p><i>"Compensatory measures can also occur at non-designated sites within the Green Belt, for example, initiatives related to alleviating the effects of flooding events, such as those implemented previously in the settlement of King’s Moss. Therefore, there are clear opportunities for localised Green Belt compensatory measures to be delivered on such designated and non-designated sites across the entire Borough through the delivery of environmental improvements, in addition to the two identified strategic sites referred to above."</i></p> <p>Mechanism to secure improvements:</p> <p>The Local Plan at Policy LPA01 (Spatial Strategy) states:</p> <p><i>"Delivery of compensatory improvement measures within areas remaining in the Green Belt will be required following any release of Green Belt land for development purposes. Details of such improvements will be considered during the Development Management process and assessed on an individual application basis."</i></p>
<p>Warrington Borough Council</p> <p>Local Plan (not yet adopted)</p>	<p>Type and location of improvements / mechanism to secure improvements:</p> <p>The Local Plan Examination hearing sessions took place between September and October 2022. The Inspector’s Matters, Issues and Questions (MIQs) asked if the approach towards compensatory improvements was sufficiently clear. In response, the Council acknowledged the</p>

<p>The Local Plan Examination hearings took place in September/October 2022. The Council published its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p>approach to compensatory improvements could be clearer and proposed a main modification to the policy wording in their Matters Statements:</p> <p><i>"...in the first instance improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will then consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits. Financial contributions will only be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in a more appropriate location."</i></p> <p>In relation to the strategic urban extensions, the Council's Matter Statement also confirmed that engagement with the principal landowner/site promoter had been undertaken and the compensatory improvements could be delivered immediately adjacent to the site. The Council also noted that land in the wider area was also controlled by the landowner and improvements could be delivered on this land if required.</p> <p>The detailed improvements were not described, and the Council confirmed: <i>"The precise solution will be set within the Development Framework..."</i></p>
<p>Watford Borough Council (October 2022)</p>	<p>Type and location of improvements / mechanism to secure improvements:</p> <p>The policy text for Strategic Policy SA13.1 notes that in relation to Site HS06, the compensatory improvements will consist of a financial contribution which will be secured via a Section 106 agreement. The policy states:</p> <p><i>"A proportionate contribution for compensatory improvements to the environmental quality and accessibility of the remaining parts of Watford's Green Belt which include areas of existing open space and green infrastructure via a Section 106 agreement."</i></p>

3.3.2 Key Findings

The review demonstrates that the approaches adopted by different local authorities varies although there are some similarities which can be drawn.

Type and location of improvements

The type and location of the proposed compensatory improvements varied between the local authorities reviewed.

Durham County Council provided the most detail both in terms of the type and the location of the improvements. The improvements included preserving and enhancing existing habitats, creating new habitats, retaining and improving public access, creating more attractive gateways, providing new native woodland, developing new and improved footpaths linking to the wider network, planting new hedgerows, structural landscaping, and ecological enhancements. The location of the proposed improvements was described in detail in the policy text and supporting text and for all allocations, the improvements were provided on adjacent land remaining in the Green Belt.

St Helen's Council took a slightly different approach setting out a range of options for the potential location of the compensatory improvements including at strategic sites within the Borough (Bold Forest Park and Sankey Valley Corridor NIA), other locations including Knowsley and St Helens Mossland NIA, and Local Wildlife Sites and Local Nature Reserves within the Green Belt, as well as other non-designated sites. Examples of the types of improvements are described in the supporting text to the policy as including expansion of tree cover, delivery of improved recreational facilities, and accessibility enhancements, including walking, and cycling infrastructure and new signage, enabling increased access to the Green Belt for residents and visitors.

Northumberland County Council identified a preference for the compensatory improvements to be in the form of developer contributions which would be linked to the Northumberland IDP helping to deliver Council-led green infrastructure, cycling and walking infrastructure and sport and recreation projects located

within the Green Belt. Northumberland does state that improvements on land adjacent to the allocated sites would also be acceptable provided it is within the applicant's wider ownership and can be secured through planning conditions. The types of improvements are not described but it is noted they must be of an equivalent value to the alternative financial contribution.

Watford Borough Council also noted that the compensatory improvements would be in the form of a financial contribution. In contrast, Warrington Borough Council states that in the first instance, improvements should be made in the immediate vicinity of the site. If this cannot be delivered or if there are greater benefits providing the improvements elsewhere, the Council will consider improvements in the wider area. Financial contributions would only be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in an alternative location. The types of improvements are not specifically described in the policy text or supporting text. During the Examination hearing sessions, the Inspector did not raise any issue with this and was more concerned about the approach being sufficiently clear. For the strategic urban extension, Warrington Council noted that the precise solution for compensatory improvements would be set out within the Development Framework for the site.

The other local authorities reviewed either did not specifically describe the type and location of the proposed compensatory improvements or they simply referenced NPPF and PPG.

Mechanism to secure improvements

In all cases, the compensatory improvements will be secured from the developer as part of the development management process, either in the form of financial contributions or through planning conditions.

As mentioned above, some local authorities expressed a preference for financial contributions in the form of Section 106 agreements, whilst others noted that the improvements would be secured through planning conditions. Where the types of improvements are not explicitly described in the policy or supporting text, early discussion by the developer with the Council through the pre-application process would be required to ensure the improvements proposed are satisfactory.

Implementation

Given that most of the Local Plans were adopted relatively recently, there are very few examples of implementation however one example includes the Sherburn Road allocation (Policy 5) in the County Durham Plan. Policy 5 of the County Durham Plan allocates the Sherburn Road site for 420 houses and describes the required compensatory improvements, setting out the type of improvements required and their location.

Outline planning permission was granted in March 2022 for residential development of up to 500 dwellings on the Sherburn Road site (DM/20/03558/OUT). The Committee Report comments on the proposed compensatory improvements at paragraph 79, stating: "*A suite of improvements are shown off site, these would be considered sufficient to accommodate the requirements of Policy 5 (r) and are deemed acceptable subject to delivery through planning obligation.*"

The decision notice at Condition 7 includes a pre-commencement condition requiring the detailed measures for the compensatory improvements (as shown on the approved plan) plus a timetable for implementation to be submitted and agreed by the local authority.

The signed Section 106 agreement secures the delivery and long-term maintenance of the agreed off-site compensatory improvements and increased public access. Schedule 2 of the agreement sets out the requirements for long term management and maintenance of the Green Belt land in accordance with the approved Greenbelt Management and Maintenance Plan.

It is clear from the Durham example that implementation of the compensatory improvement requirement has been relatively straightforward given that the policy wording of the type and location of the compensatory improvements is very clear and detailed. It should also be noted that the Council had engaged with the relevant landowners as part of the process and had agreed the policy wording with them.

3.3.3 Summary

The experience of other local authorities indicates the approach to compensatory improvements is likely to be specific to the circumstances of the particular authority however there are a number of key lessons which should be considered from the above examples:

- The approach to compensatory improvements must be sufficiently clear.
- It must be clear how the compensatory improvements will be secured (this could be through planning conditions and/or planning obligations).
- The types of improvements will be specific to local circumstances but could include improvements to biodiversity, woodland planting, habitat creation, enhanced walking and cycling routes, improved public access, improved recreational facilities and/or landscape enhancements.
- The compensatory improvements must be on land remaining in the Green Belt.
- The land in question could be adjacent to the site or in another location however there must be evidence that the developer or Council owns or controls the land in order to ensure the improvements are deliverable.
- The cost of the improvements (or an estimation of their likely costs) should be factored into the viability work for each of the allocations.

3.4 Recommended Approach

The approach to compensatory improvements will depend on the sites which the Council proposes to release from the Green Belt. The Council will need to set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt.

Once the Council has decided which Green Belt sites it is proposing for release, it is recommended that the Council undertake early engagement with the site promoters and developers to understand whether compensatory improvements can be provided on land adjacent to the sites or nearby. This would only be possible if this land is Green Belt and is controlled by the promoter or developer in question, or by the Council. If this approach is adopted, the improvements could be secured through planning condition. It is recommended that the policy wording is sufficiently clear on the type and location of the improvements. If it is not possible to identify the types of improvements at this stage, this could be confirmed as part of a site masterplan or development framework at a later stage.

The types of improvements will be specific to the land in question but could include improvements to biodiversity, woodland planting, habitat creation, enhanced walking and cycling routes, improved public access, improved recreational facilities and/or landscape enhancements.

If it is not possible to accommodate the improvements on land adjacent to or near to the proposed site, then the Council could consider financial contributions through planning obligations. The contributions could then be used for Council-led projects in the Green Belt, or on designated sites such as Parks, Nature Improvement Areas, Local Wildlife Sites, Local Nature Reserves located within the Green Belt, or other non-designated sites in the Green Belt (as per the approach adopted by St Helen's Council and Northumberland County Council).

Regardless of the approach taken, the finding from other related studies and evidence including the Nature Recovery Network Mapping (2023), the Newcastle-under-Lyme Open Space and Green Infrastructure Strategy (2022) and the Landscape and Settlement Character Assessment Study (2022) should be taken into account in identifying suitable locations and appropriate enhancement measures.

4. Exceptional Circumstances

4.1 Introduction

The purpose of this section is to provide advice on the Council's exceptional circumstances case. It considers national policy and guidance and considers the approaches taken by other local authorities with recently adopted Local Plans. This represents an update to the previous 'Exceptional Circumstances Review' (November 2019) undertaken as part of the Green Belt Part 2 study.

It is acknowledged that the Council is still in the process of preparing the evidence which will feed into the exceptional circumstances case however this section reviews the evidence which is currently available and considers this against national policy, case law and good practice. The review focuses on whether sufficient information is likely to have been provided to build the exceptional circumstances case and provides recommendations on additional information required. It does not question the validity or the accuracy of the studies referred to.

4.2 National Policy and Guidance

4.2.1 National Policy Context

Paragraph 140 of the NPPF sets out the requirement for exceptional circumstances to be fully evidenced and justified. It states:

*“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 boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.”* (emphasis added)

Paragraph 141 provides guidance on how to demonstrate that exceptional circumstances exist. This paragraph was not included in the original 2012 NPPF and was first introduced in the NPPF published in July 2018 and retained in the subsequent iterations in 2019 and 2021. It states:

*“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.” (emphasis added)

Paragraph 142 sets out further requirements which local planning authorities need to consider when reviewing Green Belt boundaries and which will need to be evidenced as part of the exceptional circumstances case:

“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is

well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”

Paragraph 143(f) notes that when defining Green Belt boundaries, plans should: “...*define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.*”

4.2.2 Guidance

PPG does not provide any further guidance in relation to exceptional circumstances.

4.2.3 Case Law

There are a number of legal challenge cases which assist in determining what may constitute an exceptional circumstance.

One of the most established cases is *Gallagher Homes Limited v Solihull Metropolitan Borough Council* [2014] EWHC 1283. This case was determined under the 2012 NPPF and made the following points:

- Planning guidance is a material consideration for plan-making and decision taking. However, it does not have statutory force: the only statutory obligation is to have regard to relevant policies;
- The test for redefining a Green Belt boundary has not been changed by the NPPF. However, it is not arguable that the mere process of preparing a new local plan could itself be regarded as an exceptional circumstance justifying an alteration to a Green Belt boundary. National guidance has always dealt with revisions of the Green Belt in the context of reviews of local plans and has always required exceptional circumstances to do this;
- Exceptional circumstances are required for any revision to a Green Belt boundary, whether it is considering extending or diminishing the Green Belt; and
- Whilst each case is fact-sensitive and the question of whether circumstances are exceptional requires an exercise of planning judgment, what is capable of amounting to exceptional circumstances is a matter of law. The Court can declare the adoption of a plan unlawful and quash it (or parts of it) if the plan-maker has failed to take a lawful approach to exceptional circumstances. This means that it is not enough for a local authority or inspector to assert that exceptional circumstances exist: it is not possible to convert unexceptional circumstances into exceptional circumstances simply by labelling them as such.

In addition, the *Gallagher Homes Limited* case also established that when considering whether to amend the boundary of the Green Belt, the starting point for every local authority is that this decision should only arise after all reasonable and acceptable efforts have been taken to maximise the amount of development within the urban area. Optimising densities and ensuring that all land is appropriately used must be the first response to growth. This would include a review of employment land and other areas or uses that are protected by planning policies, commensurate with ensuring the proper balance between residential, employment and other uses.

Gallagher Homes Limited established the principle that general planning merits cannot be exceptional circumstances: for example, it is not sufficient that the local authority consider that the relevant land would, or would not be, a sustainable location for development, or that they would have drawn the boundary line in a different place had they been starting from scratch. “*In other words, something must have occurred subsequent to the definition of the Green Belt boundary that justifies a change. The fact that, after the definition of the Green Belt boundary, the local authority or an inspector may form a different view on where the boundary should lie, however cogent that view on planning grounds, that cannot of itself constitute an exceptional circumstance which necessitates and therefore justifies a change and so the inclusion of the land in the Green Belt.*” (paragraph 130, *Gallagher Homes Limited v Solihull Metropolitan Borough Council* [2014] EWHC 1283)

The approach in *Gallagher Homes Limited* was followed by the case of *Calverton Parish Council v Nottingham City Council* [2015] EWHC 1078 which was also determined under the 2012 NPPF. This set out factors that ideally would be considered in identifying exceptional circumstances. These factors are as follows:

- i. the acuteness/intensity of the objectively assessed need.
- ii. the inherent constraints on supply/availability of land prima facie suitable for sustainable development.
- iii. the consequent difficulties in achieving sustainable development without impinging on the Green Belt.
- iv. the nature and extent of the harm to this Green Belt.
- v. the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.

It is noted that factors (i)-(iii) are more strategic in nature whilst (iv) and (v) are more site-specific considerations, albeit their cumulative impact is also relevant. At paragraph 54, the Judge notes that the Greater Nottingham Inspector considered the need for additional housing was acute, both generally and in this particular area, referring to paragraph 40 and 41 of the Inspector's Report. At paragraph 40 of the Greater Nottingham Inspector's Report (2014), the Inspector provides some general commentary about the Government's commitment to housebuilding and the requirements set out in the NPPF. At paragraph 41, the Inspector comments on the mismatch between housing supply and demand in Greater Nottingham.

In the more recent case of *Compton PC, Ockham PC & Cranwell v Guildford BC, SSHCLG & Ors* [2019] EWHC 3242 (Admin), it was emphasised that the demonstration of exceptional circumstances does not necessarily have to be complicated, requiring more than one individual exceptional circumstance. "*The 'exceptional circumstances' can be found in the accumulation or combination of circumstances, of varying natures, which entitle the decision-maker, in the rational exercise of a planning judgment, to say that the circumstances are sufficiently exceptional to warrant altering the Green Belt boundary.*" Further planning needs, such as housing (ordinary or otherwise, irrespective of intensity of need) can form part of the judgement, even if it 'not necessarily sufficient of itself' and should be considered as part of wider analysis of, for example, sequentially preferable locations, Green Belt function and purpose, and advantages of the proposed location if released from the Green Belt.

The judgement outlines that 'exceptional circumstance' is an undefined policy concept requiring planning judgment to be made by the decision maker. The judgement further cautions that the *Calverton* list is not exhaustive nor a checklist against which exceptional circumstances should be demonstrated.

It is noted that the judgement was given in 2019. At this point, the new NPPF 2019 had already introduced guidance listing the reasonable alternative options which need to be considered to demonstrate that exceptional circumstances justify the removal of land from the Green Belt.

The *Compton PC v Guildford* case and the NPPF policy do not amount to an exhaustive list but provide a good starting point to demonstrating exceptional circumstances. The *Compton PC v Guildford* case also emphasised that the exceptional circumstances test is less stringent than the very special circumstances test applied to planning applications for development that would normally be considered inappropriate in the Green Belt.

4.2.4 Summary

The NPPF sets out the requirement for local planning authorities to demonstrate exceptional circumstances in order to alter Green Belt boundaries (paragraph 140). Paragraph 141 requires local planning authorities to demonstrate that they have examined fully all other reasonable options for meeting identified need before concluding that exceptional circumstances exist.

There is no formal definition or criteria on what constitutes exceptional circumstances however the legal challenge cases of *Gallagher Homes Limited*, *Calverton* and more recently *Compton PC v Guildford* assist in the interpretation. The case of *Compton PC v Guildford* outlines that 'exceptional circumstance' is an undefined policy concept requiring planning judgment to be made by the decision maker.

There are a number of implications arising from the NPPF and the relevant case law on exceptional circumstances:

- The Council will need to demonstrate exceptional circumstances in order to alter Green Belt boundaries (paragraph 140).
- The Council will need to demonstrate that they have examined fully all other reasonable options for meeting identified needs before concluding exceptional circumstances exist, this includes:
 - demonstrating they have made as much use as possible of suitable brownfield sites and underutilised land;
 - optimising the density of development; and
 - undertaking discussions with neighbouring authorities about whether they could accommodate some of the identified need, evidenced through the statement of common ground (paragraph 141).
- In reviewing Green Belt boundaries, the Council should consider the need to promote sustainable patterns of development (paragraph 142).
- If the Council considers it necessary to release Green Belt land, first consideration should be given to land which has been previously-developed and/or is well-served by public transport (paragraph 142).
- In developing the exceptional circumstances case, the Council could consider the criteria set out in the *Calverton* case as a useful starting point however being mindful that this is not an exhaustive list nor a checklist, and therefore other considerations may be relevant, as confirmed by the *Compton PC v Guildford* case.

Other elements such as safeguarded land, compensatory improvements and Green Belt boundaries are considered separately in other sections of this report however will also be relevant to the exceptional circumstances case.

4.3 Approaches taken by other Local Authorities

4.3.1 Introduction

As there is no formal definition or criteria on what constitutes exceptional circumstances, it is useful to have an appreciation of how other local authorities have interpreted this requirement.

The approach to exceptional circumstances for the following ten local authorities has been reviewed:

- Broxbourne Borough Council
- Cheshire East Council
- Durham County Council
- Guildford Borough Council
- Runnymede Council
- South Oxfordshire Council
- St Helen's Council
- Stevenage Borough Council
- Warrington Borough Council
- Watford Borough Council

All of the authorities have been through Examination in Public and have had their Local Plan adopted within the past five years, with the exception of Warrington Borough Council which is due to adopt their Local Plan in 2023.

The table below includes a summary of the approach. Given the slight change in national policy in July 2018 due to the revised NPPF, as well as the new case law in 2019, it is relevant to note which version of the

NPPF the Local Plans have been examined against and this is included below. A full review table including relevant extracts from documents and links to document sources is included at Appendix C.

Table 3. Summary of approaches taken by other local authorities.

Local Authority	Arup Summary
<p>Broxbourne Borough Council</p> <p>Local Plan (June 2020)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The Council’s exceptional circumstances case is set out in their Green Belt Topic Paper (June 2017). The principles set out in the <i>Calverton</i> judgement are used by the Council as the basis for their exceptional circumstances case. Each principle is considered and evidenced in turn.</p> <p>In the Local Plan Inspector's Report at paragraph 31, the Inspector notes that the consideration of whether there are exceptional circumstances reflects the approach set out in the “Calverton” High Court judgment. At paragraph 86-89, the Inspector gives particular emphasis to the fact that the current local plan was adopted about 15 years ago and only looked ahead to 2011 therefore it is of great importance that a new local plan is adopted for the Borough as soon as possible. The Inspector notes this is particularly important because of the constraints and uncertainties that would otherwise exist due to the highly restrictive Green Belt policies that would continue to apply to much of the land in the Borough. The Inspector notes that the Plan is based on reasonable estimates of needs and based on the available evidence, those needs are real and should be met in accordance with national policy. The Inspector notes that the Council has looked for development opportunities on non-Green Belt locations with all available opportunities for significant development in these locations having been proposed in the Plan. The Inspector concludes that the Council’s evidence about the urban capacity of the Borough is proportionate. At paragraph 94-116, the Inspector then considers the Green Belt harm resulting from each of the proposed sites and whether each site would contribute to sustainable patterns of development.</p>
<p>Cheshire East Council</p> <p>Site Allocations Development Plan Document (December 2022)</p>	<p>The Site Allocations Development Plan Document (SADPD) was examined against the most recent NPPF (July 2021).</p> <p>The SADPD does not propose to alter Green Belt boundaries to accommodate development in the plan period although it included safeguarded land (see Appendix A). Policy PG 8 notes that housing development in the Local Service Centres (LSCs) will be addressed by windfall development. Although exceptional circumstances had previously been established in the adopted Local Plan Strategy (LPS) (2017), the Council decided that the release of Green Belt land was no longer required in the LSCs due to the growth in the housing land supply since the LPS was adopted.</p> <p>The Inspector agreed with the Council noting that the housing monitoring figures showed that the supply which had come forward from windfall sites had gone some way to meeting the needs of the LCSs. This suggested there was scope for further housing provision to come forward during the plan period to meet the needs of the LCSs without the need to alter Green Belt boundaries. The Inspector concluded that exceptional circumstances do not now exist to justify the further alteration of Green Belt boundaries in the SADPD to meet the housing needs of the LSCs during the plan period.</p>
<p>Durham County Council</p> <p>Local Plan (October 2020)</p>	<p>The Local Plan was examined against the NPPF published in February 2019.</p> <p>The supporting text in the Local Plan at paragraph 4.93 sets out the exceptional circumstances. These can be summarised as:</p> <ul style="list-style-type: none"> Ensuring sustainable patterns of development are achieved by building on Durham City’s position as the regional centre.

	<ul style="list-style-type: none"> • Maximising the number of journeys undertaken by sustainable means to help address congestion and associated issues. • Providing the right type of housing to meet the needs of existing and future residents. • Helping address economic under-performance across the county by supporting the economic potential of Durham City. • Maximising the delivery of affordable housing and other infrastructure by locating development in the highest viability areas around Durham City. <p>The Council prepared a detailed Exceptional Circumstances report (2019) which considers the following factors: the local Green Belt context, road infrastructure within the Green Belt, the housing site methodology, how the Council has made effective use of brownfield sites and underused land, the density of development, and the potential to export need to neighbouring authorities. The report also considers other non-Green Belt land including towns and villages inset within the Green Belt and locations beyond the outer Green Belt boundary. The findings of the Green Belt assessments are also described as well as compensatory improvements.</p> <p>At the Local Plan Examination hearing session on Green Belt matters held in October 2019, the Inspector followed paragraph 137 of the 2019 NPPF requiring the Council to justify that they had made as much use as possible of suitable brownfield sites and underutilised land, optimised the density of development, and had discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. The Inspector particularly questioned the Council on their approach to considering options for locating growth in the towns and villages beyond the Durham City Green Belt and why they had concluded that this dispersed approach to development was not deemed to be sustainable. The Council had produced various evidence base documents including a Settlement Study and had assessed these options through a SHLAA criteria assessment, a high-level viability study and a sustainability appraisal. In relation to optimising density, the Inspector questioned whether the Council’s proposed 30dph minimum was sufficiently ambitious to get the most out of the Local Plan allocations. The Council explained that they had explored 40dph and directed the Inspector as to where they had evidenced this.</p> <p>In the Local Plan Inspector’s Report, the Inspector considered the strategic level exceptional circumstances followed by the site-specific exceptional circumstances.</p>
<p>Guildford Borough Council</p> <p>Local Plan: Strategy and Sites (April 2019)</p>	<p>The <i>Compton PC v Guildford</i> case related to the adoption of the Local Plan: Strategy and Sites with the grounds of challenge relating to the release of sites from the Green Belt and the allocation of these sites for development.</p> <p>The Local Plan was examined against the 2012 NPPF.</p> <p>The Local Plan in the supporting text to the Green Belt policy (P2: Green Belt) at paragraph 4.3.17 states: “<i>We consider that exceptional circumstances exist to justify the amendment of Green Belt boundaries in order to facilitate the development that is needed and promote sustainable patterns of development.</i>”</p> <p>In the Local Plan Inspector's Report, the Inspector firstly considers whether strategic-level exceptional circumstances exist, considering a number of factors: the need for housing, business needs, land availability in the urban areas, and whether the quantity of development should be restricted having regard to footnote 9 of the NPPF (2012).</p> <p>The Inspector notes that Guildford has a pressing housing need with no scope for neighbouring authorities to accommodate any development due to them being significantly constrained and with Woking having additional unmet housing need. In terms of business needs, the Inspector states that the land available for additional business development in the urban area is very limited and there is no realistic alternative to releasing Green Belt land. In terms of housing, development opportunities within the urban areas have been thoroughly investigated as part of</p>

	<p>the Land Availability Assessment process. Guildford town centre is constrained due to conservation and flood risk issues.</p> <p>The Inspector states that there is no justification to restrict development based on footnote 9 commenting that the alterations to the Green Belt boundary would have a relatively limited impact on openness and would not cause severe or widespread harm to the purposes of the Green Belt.</p> <p>After concluding that strategic-level exceptional circumstances exist, the Inspector considers whether local-level exceptional circumstances exist on a site-by-site basis taking into account the findings from the Council’s Green Belt and Countryside Study relating to the sensitivity of the site against the NPPF Green Belt purposes as well as the size of the site and its ability to contribute to the Borough’s housing requirement.</p> <p>The Council’s evidence base included a Green Belt and Countryside Topic Paper (2017) and a Green Belt and Countryside Study (volumes I-VI).</p>
<p>Runnymede Council</p> <p>Local Plan (July 2020)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The Local Plan at paragraph 5.10 summarises the exceptional circumstances case:</p> <p><i>“The Council’s Exceptional Circumstances paper (January 2018 with April 2018 addendum) sets out the compelling reasons to return a number of Green Belt sites to the urban area through the Local Plan. These reasons primarily focus on the lack of suitable, available and achievable sites in the existing urban area, the significant level of constraints to development which exist in the Borough, the significant housing needs faced by Runnymede over the Local Plan period and the conclusion from DtC discussions carried out with partners to date which demonstrate that any unmet housing need from Runnymede is unlikely to be met in neighbouring or nearby Local Authority areas, at least in the early years of the plan period.”</i></p> <p>The Council produced two exceptional circumstances papers - one setting out the factors the Council considered as the exceptional circumstances to justify amendments to the Green Belt Boundary; the other provides local level exceptional circumstances for each proposed site allocation.</p> <p>The Local Plan Inspector’s Report at paragraph 42-54 comments on exceptional circumstances. The Inspector refers to the revised NPPF 2019 and the reasonable options test although notes that this was published after the submission of the Plan. However the Inspector states at paragraph 43:</p> <p><i>"43. Taking the material considerations and relevant case law into account, the Council has assessed all other reasonable options for meeting identified needs, working with neighbouring authorities in this process. It has provided robust, credible evidence demonstrating that brownfield opportunities including under used land and buildings, estates regeneration, optimisation of densities, and use of surplus public sector land are being pursued actively, continuously and effectively. This includes direct intervention through the acquisition and development of brownfield land in the town centres, recently implemented town centre regeneration schemes, and the proposed allocations and Opportunity Areas in the Plan.</i></p> <p>The Inspector notes that the Council has identified 5 key factors which amount to exceptional circumstances. These can be summarised as:</p> <ol style="list-style-type: none"> 1. The Borough being heavily constrained (by Green Belt, flood risk, and environmental designations). 2. The pressing need to identify suitable land to house the Borough’s residents, together with employment and community facilities (including needs for gypsies, travellers and travelling showpeople). 3. The detailed Green Belt boundary having been established in 1986 with some parts of it being illogical, indefensible, or having discrepancies. In addition, national policy on washed over village has altered since 1986.

	<p>4. A specific need having been identified for expansion of St Peter’s Hospital, Chertsey making it necessary to review the boundary here.</p> <p>5. Neighbouring authorities being unable to help address the unmet needs of Runnymede.</p>
<p>South Oxfordshire Council</p> <p>Local Plan (December 2020)</p>	<p>The Local Plan was examined against the NPPF published in July 2018.</p> <p>The Local Plan designates eight strategic allocations, seven of which are on land to be released from the Green Belt. The site-specific exceptional circumstances are described in the supporting text to the strategic allocations.</p> <p>The Council’s Green Belt evidence consisted of a number of Green Belt assessments. The Council did not prepare a Green Belt Topic Paper until after the submission of the Local Plan. The Green Belt Topic Paper (April 2020) uses the <i>Calverton</i> tests to demonstrate the strategic level exceptional circumstances. The report then considers the local level exceptional circumstances for each of the proposed allocations.</p> <p>The Local Plan Inspector's Report notes the requirement of paragraph 137 NPPF (July 2018) for the authority to demonstrate that it has examined fully all other reasonable options. At paragraph 86 the Inspector notes that the Council has considered these matters fully, stating:</p> <p><i>"Individually, or in combination, the various non-Green Belt alternatives involving, for example, more growth at the market towns, the villages, Didcot and/or Reading, or indeed a freestanding new settlement beyond the Green Belt, would have significant practical disadvantages over the chosen spatial strategy. They would not address needs where they arise, would be less able to address housing affordability issues, and would result in longer journey patterns, imposing additional journey to work costs on people who may already find housing costs challenging. The opportunities for regeneration that would arise from the Plan’s spatial strategy would be lost. A spatial strategy driven principally by the need to avoid Green Belt release would not promote sustainable development and would not meet the Plan’s objectives."</i></p> <p>At paragraph 88, the Inspector concludes:</p> <p><i>"Having regard to the significant level of housing need discussed in Issue 1, the need to maintain a delivery buffer (“headroom”) to ensure the Plan is resilient, discussed in Issues 1 and 4, the range of factors discussed in this Issue, and the more detailed site analysis contained in Issue 3, exceptional circumstances exist for the release from the Green Belt of all the relevant site allocations. These exceptional circumstances extend to meeting employment and social needs as well as housing needs on the strategic allocations in order to achieve balanced, sustainable and well-integrated development."</i></p>
<p>St Helen’s Council</p> <p>Local Plan (July 2022)</p>	<p>The Local Plan was examined against the most recent NPPF (July 2021).</p> <p>The Local Plan at Policy LPA01 sets out the requirement to release land from the Green Belt to accommodate housing and employment needs. The supporting text at paragraph 4.3.8-4.3.14 sets out the strategic level exceptional circumstances case. In summary, the justification relates to:</p> <ul style="list-style-type: none"> • Ensuring that the housing and employment needs of St Helens are met in full within the Borough; • Insufficient capacity on suitable and available sites within urban areas; and • The lack of any scope to help meet the Borough’s needs in any neighbouring district. <p>The supporting text also notes that the sites that have been removed from the Green Belt have been selected following a comprehensive Green Belt Review which had identified sites on the basis of their scope to be developed whilst minimising harm to the overall function of the Green Belt, and their suitability for development in other respects.</p>

	<p>The supporting text to the housing and employment allocation policies (Policy LPA03, LPA04 and LPA05) at paragraphs 4.9.22, 4.15.23 and 4.21.7 onwards articulate the site-specific exceptional circumstances justifying the removal of the allocations from the Green Belt on a site-by-site basis. The Inspector required a main modification to this supporting text as the site-specific exceptional circumstances were not sufficiently clear in the submission version of the Plan.</p> <p>The Council did not produce a separate exceptional circumstances case document or Green Belt Topic Paper however the evidence base consisted of a Green Belt Review (2018) and Developing the Spatial Strategy Background Paper (October 2020).</p>
<p>Stevenage Council Local Plan (May 2019)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The Local Plan in the supporting text to the Green Belt policy (Policy SP10: Green Belt) at paragraph 5.127 states:</p> <p><i>“There is no definition of ‘exceptional circumstances’ within the NPPF. However, it has been considered by the Courts. The recent Calverton judgement identifies criteria that should be taken into account when considering whether these circumstances exist. Our overarching approach to Green Belt review and consideration of these criteria is set out in a technical paper. We consider that the future development and regeneration needs of the Borough do provide the ‘exceptional circumstances’ that are required to alter Green Belt boundaries.”</i></p> <p>The Council produced a Green Belt Review and a Green Belt Technical Paper (2015) which sets out the strategic exceptional circumstances case focusing on the <i>Calverton</i> tests. The section of the Technical Paper relating to the nature and extent of harm to the Green Belt considers the specific sites proposed for release. The analysis focuses on impact on the Green Belt purposes and whether resultant Green Belt boundaries will be strong and defensible based on recognisable features.</p> <p>In the Local Plan Inspector's Report, the Inspector considered the history and nature of the Green Belt in Stevenage commenting that it was constrained due to the Green Belt boundary being tightly drawn around the edge of the urban area and also given that the town is relatively new (post war) meaning there are limited opportunities for redevelopment. The Inspector noted that as neighbouring authorities were also reviewing their Green Belt boundaries to meet their own needs, they would be unlikely to accommodate Stevenage’s needs.</p> <p>The Inspector concludes that the only way Stevenage can meet its identified housing need is to release suitable land from the Green Belt. On a site by site basis, the Inspector considers the outcomes from the Council’s Green Belt Review and the relative performance of the sites proposed to be allocated noting the impact of the removal of the site on the overall function of the Green Belt. The Inspector concludes that in the context of the Council’s housing need which cannot be met outside of the Green Belt and taking into account the thorough Green Belt site assessments and the resultant impact on the overall function of the Green Belt, exceptional circumstances exist to release the proposed sites.</p>
<p>Warrington Borough Council Local Plan (not yet adopted) The Local Plan Examination hearings took place in September/October 2022. The Council published</p>	<p>The draft Local Plan was examined against the most recent NPPF (July 2021).</p> <p>The Updated Proposed Submission Version Local Plan (September 2021) in the supporting text at paragraph 3.4.2 confirms that: <i>“In accordance with paragraph 141 of the NPPF the Council has examined fully all other reasonable options for meeting Warrington’s identified need for development before concluding that exceptional circumstances exist to justify Green Belt release.”</i></p> <p>The supporting text notes that this has included making as much use as possible of suitable brownfield sites and underutilised land, undertaking a comprehensive review of the SHLAA and Brownfield Register, reviewing density assumptions for the Town Centre and Inner</p>

<p>its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p>Warrington, and reconfirming that no neighbouring authorities are able to meet any of Warrington's housing development needs.</p> <p>Paragraph 3.4.7-8 states:</p> <p><i>"3.4.7 The starting point for Warrington's Exceptional Circumstances is the requirement to ensure that sufficient land is provided to meet Warrington's development needs. The Plan's proposed housing requirement will ensure that issues of affordability are addressed and that that sufficient homes are provided to support the planned level of economic growth, but this can only be achieved with the release of Green Belt. Similarly, if Warrington is to provide sufficient employment land to meet its future needs then this can only be achieved with the release of Green Belt land.</i></p> <p><i>3.4.8 The Exceptional Circumstances are further justified through the spatial strategy of the Plan. The Plan will enable the creation of new sustainable communities but in a manner which will support the delivery of strategic infrastructure required to address existing issues of congestion and unlock major development sites with significant brownfield capacity. "</i></p> <p>At paragraph 3.4.10, the Council sets out the exceptional circumstances for each of the proposed allocations. Paragraph 5.1.13 notes that in order to assist in amending detailed Green Belt boundaries, a comprehensive Green Belt Assessment had been undertaken.</p> <p>The Council did not prepare a separate exceptional circumstances report or Green Belt Topic Paper however the Development Options and Site Assessment Technical Report (September 2021) briefly touches on the exceptional circumstances. The Green Belt evidence contributed to the exceptional circumstances case – this consisted of Green Belt Assessments, a Green Belt Site Selection process, and a report considering the implication of Green Belt release which assessed the Green Belt harm.</p>
<p>Watford Borough Council</p> <p>Local Plan (October 2022)</p>	<p>The Local Plan was examined against the most recent NPPF (July 2021).</p> <p>The Local Plan included changes to the Green Belt in five locations however three of these locations were already developed and the Inspector concluded that due to this, these locations no longer served any Green Belt purpose. Only one of the five locations was a proposed housing allocation. The other location was an extension to an established gypsy and traveller site.</p> <p>Reflecting this limited Green Belt release, there is very limited policy text or supporting text which mentions exceptional circumstances within the Local Plan. Furthermore, the Council did not have a separate topic paper or exceptional circumstances case. The Stage 2 Green Belt Assessment (October 2019) provides an assessment of the Green Belt and considers the potential harm to the Green Belt.</p>

4.3.2 Key Findings

The review of approaches adopted by other local authorities shows that it is important to demonstrate the strategic level exceptional circumstances to justify the release of Green Belt land more generally as well as establishing exceptional circumstances for the release of specific sites.

Strategic Exceptional Circumstances

Four of the local authorities reviewed were examined against the 2012 NPPF (Broxbourne, Guildford, Runnymede, and Stevenage). Both Broxbourne and Stevenage based their strategic exceptional circumstances cases on the criteria set out in *Calverton*.

Runnymede Council identified five key factors which amounted to the strategic exceptional circumstances which consisted of an amalgamation of the *Calverton* criteria, the revised NPPF 2019 and other Borough-specific considerations. Although the Runnymede Local Plan was examined against the NPPF 2012, the Inspector made reference to the NPPF 2019 noting that the Council had assessed all other reasonable options

for meeting identified needs. In concluding on the strategic exceptional circumstances, the Guildford Local Plan Inspector took into account the need for housing, business needs, land availability in the urban areas, and whether the quantity of development should be restricted having regard to footnote 9 of the 2012 NPPF.

The South Oxfordshire Local Plan was examined against the NPPF published in July 2018. The Council's evidence base referred to the *Calverton* criteria. The Local Plan Inspector's Report noted the requirements of paragraph 137 (NPPF 2018) and confirmed that the Council has examined fully all other reasonable options for meeting identified needs. This combined with the significant level of housing needs, employment and social needs, and the need for balanced, sustainable development constituted the exceptional circumstances.

Similarly, the County Durham Plan was examined against the NPPF published in February 2019 and the Council demonstrated that they had examined fully all other reasonable options with the Local Plan Inspector referring to the requirements of paragraph 137 (NPPF 2019). The Council's exceptional circumstances case was based on the need to ensure sustainable patterns of development, maximise the number of journeys undertaken by sustainable means, provide the right type of housing to meet needs, help address economic under-performance by supporting the economic potential of Durham City, and to maximise the delivery of affordable housing and other infrastructure.

The Local Plans for Cheshire East, St Helens, Warrington and Watford were all examined against the most recent NPPF (July 2021). Warrington Borough Council explicitly refers to paragraph 141 in the supporting text of their draft Local Plan confirming they have examined fully all other reasonable options for meeting identified needs. The Council notes that the starting point for their exceptional circumstances case is the requirement to ensure that sufficient land is provided to meet Warrington's development needs which will help to address issues of affordability and support the planned level of economic growth. This is further justified by the Council's spatial strategy which will enable the creation of new sustainable communities which will support the strategic infrastructure required to address congestion issues and unlock major brownfield sites.

St Helen's Council takes a similar approach evidencing the requirements of paragraph 141 with their exceptional circumstances case being as follows: ensuring that the housing and employment needs of St Helens are met in full within the Borough, insufficient capacity on suitable and available sites within urban areas, and the lack of any scope to help meet the Borough's needs in any neighbouring district.

Cheshire East Council chose not to alter Green Belt boundaries in the SADPD as the exceptional circumstances which had previously been established in the adopted LPS no longer existed due to the growth in the housing land supply since the LPS was adopted.

Watford Borough Council had very limited Green Belt release and this example demonstrates that the exceptional circumstances case should be proportionate to the amount of Green Belt land proposed to be released.

The review demonstrates that the strategic exceptional circumstances cases have been built around the following factors:

- scale of housing or employment need;
- constrained nature of the local authority area, including extent of Green Belt and nature of boundaries around settlements;
- lack of other reasonable options;
- land availability;
- use of brownfield and under-utilised land;
- optimising density in the urban area;
- ability of neighbouring authorities to accommodate need;
- ensuring sustainable patterns of development;
- corrections to Green Belt boundaries to reflect development or illogical/undefensible boundaries; and/or

- need to accommodate growth of a strategic facility or sector (for example, Runnymede Council identified a specific need for pitches and plots to accommodate gypsies, travellers and showpeople and also identified a specific requirement for the expansion of St Peter's Hospital).⁶

Some of the local authorities reviewed prepared a separate Green Belt Topic Paper (e.g., Guildford, South Oxfordshire and Stevenage) or Exceptional Circumstances Case report (e.g., Durham and Runnymede) alongside their Green Belt evidence however this is not a requirement and seems to rest on the clarity of explanation in the Local Plan and supporting evidence.

Site Level Exceptional Circumstances

The review of other approaches demonstrates that the site level exceptional circumstances cases have primarily focused on:

- relative performance of the site against Green Belt purposes;
- impact of removing the site on the overall function and integrity of the wider Green Belt;
- presence/creation of a recognisable and permanent boundary;
- contribution to housing/employment need;
- whether the site is a sustainable location for growth;
- use of brownfield land;
- assessment of alternative sites;
- suitability of site for proposed use; and/or
- proposed compensatory improvements to the remaining Green Belt.

The St Helen's example demonstrates the importance of clearly articulating the site-specific exceptional circumstances on a site-by-site basis. The Local Plan Inspector required a main modification to the supporting text of the allocation policies as the site-specific exceptional circumstances were not sufficiently clear in the submission version of the Plan.

In terms of the relative performance of the site against Green Belt purposes, the site does not necessarily have to perform weakly in Green Belt terms to demonstrate exceptional circumstances as the balance of other factors may drive the argument for its release. For example, the County Durham Plan notes that two of the proposed allocations performed strongly against some of the Green Belt purposes however on balance the benefits clearly outweigh the harm to the Green Belt.

4.3.3 Summary

The following key lessons have been identified from the review of other approaches:

- It is important to demonstrate the strategic level exceptional circumstances to justify the release of Green Belt land more generally as well as establishing exceptional circumstances for the release of specific sites.
- The exceptional circumstances case can be set out in a separate document (for example, an exceptional circumstances case report or Green Belt Topic Paper) – whilst this is not a requirement, it can help to clearly explain the approach and justification and signpost to the relevant evidence.
- Strategic exceptional circumstances cases have been built around the following factors:

⁶ Analysis of examination reports by planningresource.co.uk (*Five Circumstances 'Exceptional' Enough to Justify Green Belt Release in Local Plans*, Stuart Watson, 2020), identified that other unmet need contribution to exceptional circumstances included educational need, need for Gypsy and Traveller pitches, student needs and maximising economic benefits of High Speed 2.

- scale of housing or employment need;
- constrained nature of the local authority area, including extent of Green Belt and nature of boundaries around settlements;
- lack of other reasonable options;
- land availability;
- use of brownfield and under-utilised land;
- optimising density in the urban area;
- ability of neighbouring authorities to accommodate need;
- ensuring sustainable patterns of development;
- corrections to Green Belt boundaries to reflect development or illogical/undefensible boundaries; and/or
- need to accommodate growth of a strategic facility or sector.
- Site level exceptional circumstances cases have primarily focused on:
 - relative performance of the site against Green Belt purposes;
 - impact of removing the site on the overall function and integrity of the wider Green Belt;
 - presence/creation of a recognisable and permanent boundary;
 - contribution to housing/employment need;
 - whether the site is a sustainable location for growth;
 - use of brownfield land;
 - assessment of alternative sites;
 - suitability of site for proposed use; and/or
 - proposed compensatory improvements to the remaining Green Belt.
- A site does not necessarily have to perform weakly in Green Belt terms to demonstrate exceptional circumstances, the balance of other factors may drive the argument for its release.
- Conclusions for the site level exceptional circumstances case have been seated in the context of the overall strategic case and present the balance of the development benefits weighed against the impact on the Green Belt purposes and integrity.

4.4 Recommended Approach

If the Council considers it necessary to release Green Belt land in order to meet the identified housing and employment needs, based on the review of national policy, case law and the approaches adopted by other local authorities, it is recommended that the Council's exceptional circumstances case should consider:

Strategic exceptional circumstances case:

- The housing and/or employment need.
- Constraints within the Borough.
- Ensuring sustainable patterns of development.
- Lack of other reasonable options (as required by paragraph 141 NPPF). This should consider:

- Brownfield and underutilised land;
 - The potential to optimise the density of development;
 - Surplus open space;
 - Sites within inset settlements;
 - Locations beyond the outer Green Belt boundary;
 - Whether any washed over villages are suitable for inseting;
 - Major previously developed sites in the Green Belt (if relevant); and
 - The ability of neighbouring authorities to accommodate some of the identified needs.
- Growth of a strategic facility or sector.
 - Any other circumstances specific to the Borough.

Site-level exceptional circumstances

- Performance of the site against Green Belt purposes.
- Impact of removing the site on the overall function and integrity of the wider Green Belt.
- Presence/creation of a recognisable and permanent boundary.
- Proposed compensatory improvements to the remaining Green Belt.
- Sustainability of the site.
- Contribution to housing/employment need.
- Assessment of alternative sites (including whether previously developed land and sites well served by public transport have been considered in the first instance).
- Any other circumstances specific to the site in question.

4.4.1 Critical Friend Review

The table below considers each of these factors and whether they have been evidenced by the Council taking into account national policy, case law and the approaches adopted by other local authorities.

It is acknowledged that the Council is still in the process of developing their evidence base at this stage and this table only considers information which is available or where the Council has informed Arup that this information is being prepared.

Table 4. Review of Evidence forming the exceptional circumstances case

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Strategic exceptional circumstances case		
Has the housing and/or employment need been demonstrated?		
<ul style="list-style-type: none"> • Housing needs • House price and affordability issues • Affordable housing needs • Ensuring the right type of housing • Employment needs • Ensuring the right type of land in the right location to meet employment demand 	<p>It is understood that the Council intends to use the standard method for assessing local housing need. Although the standard method is not mandatory, the NPPF at paragraph 61 and PPG at paragraph 003 states that there is an expectation that it will be used and a departure from the standard method will need to be justified. PPG states: <i>“There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.”</i> (Paragraph: 003 Reference ID: 2a-003-20190220).</p> <p>This is evidenced in the Housing and Economic Needs Assessment Update (March 2023) which concludes that the standard method is considered to be a valid starting point with no exceptional circumstances to suggest that housing need will be lower. As of April 2022, the Council has a minimum need for 358 dwellings per annum. This would support the creation of around 269 jobs per annum in Newcastle-under-Lyme over the remainder of the plan period (2022-2040). The assessment notes that this level of job growth exceeds that envisaged in the three forecasts considered as part of the Economic Needs Assessments however these forecasts offer divergent views on the potential for job growth with some forecasts being dated and taking no account of recent events including the COVID-19 pandemic, Russia’s invasion of Ukraine and the cost-of-living crisis. As a result, the assessment concludes that a midpoint between the forecast from Experian and Cambridge Econometrics would be the best approach to take – this would see circa 207 jobs per annum created.</p> <p>The assessment then considers the size, type and tenure of housing needed including for the needs of specific groups including the older population, people with disabilities or health problems, families with children, privately renting households, students, and self-build plots. The assessment considers the need for affordable housing concluding that 278 affordable homes are required per annum. This is significantly higher than the rate of affordable housing delivery with on average 69 homes completed over the past five years and no more than 156 completed in any single year since 1991.</p> <p>In terms of the need for employment land, the assessment states that the the Council’s monitoring suggests that the existing supply of employment land is 49.9ha as of March 2022, a reduction since the 64.8ha identified as of April 2020. The assessment concludes that when compared against revised estimates of future demand, the updated scenarios suggest that at least 36.5ha, and as much as 68.8ha could be needed over the period up to 2040 – this results in a shortfall of up to 18.9ha, or even double this if lower density office development prevails. The assessment notes that the supply is likely to erode further due to several</p>	<p>This is evidenced in the Housing and Economic Needs Assessment Update (March 2023) and the Strategic Employment Site Assessment Report.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	<p>sites having progressed or having been fully built out since March 2022 and due to some sites being unlikely to actually delivery any employment land. As a result, the assessment concludes that new land is required to meet the full scale of potential employment need over the remainder of the plan period.</p> <p>The housing and employment need has therefore been evidenced.</p>	
Constraints within the Borough and implications for ensuring sustainable patterns of development		
<p>Is the Green Belt constraining development in the Borough?</p>	<p>The draft Issues and Options Local Plan (2021) at paragraph 8.1 notes that the Green Belt “...is constricting growth around the urban area of the Borough.”</p> <p>Paragraph 8.10 states: “It is known that there is very limited land supply within the development boundary of the urban area and that the edge of Newcastle and Kidsgrove are bounded by the Green Belt on all sides. There is virtually no undeveloped open land within the urban area that is not already built on, has planning permission for development, or is safeguarded for other uses. There is also relatively limited brownfield land remaining, although this will be reinvestigated thoroughly through this Local Plan and through a further call for new sites.”</p> <p>Paragraph 8.23 adds: “The Green Belt boundary is drawn tightly around the urban area of Newcastle and Kidsgrove marking a swathe of rural land around the urban area and many villages. The Green Belt encompasses a significant proportion of the Borough’s land area overall.”</p> <p>The draft Local Plan suggests that the Green Belt boundary is particularly constraining the growth of Newcastle and Kidsgrove when considered against the brownfield land supply. This has implications for sustainable development when considered against the Council’s settlement hierarchy given that Newcastle is the strategic centre and Kidsgrove is a town centre. In addition, the three District Centres are all within the Newcastle urban area.</p> <p>The Green Belt Part 1 study consisting of the joint Green Belt Assessment (2017) sets out the history and evolution of the Green Belt in Newcastle-under-Lyme. It notes that the Green Belt forms part of the wider North Staffordshire Green Belt which was originally defined in 1967. Subsequent reviews have been as follows:</p> <ul style="list-style-type: none"> • The boundary was reassessed through the County Structure Plan however no alterations were made. • The North Staffordshire Green Belt Local Plan was adopted in 1983 and included a reassessment of the Green Belt boundary resulting in some boundary changes. 	<p>The combination of the Housing and Economic Needs Assessment Update (March 2023), the Strategic Housing and Employment Land Availability Assessment (SHELAA) (November 2022) and the Site Selection Report (June 2023) will assist in demonstrating this. This will be further justified by the Sustainability Appraisal.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	<ul style="list-style-type: none"> The Newcastle-under-Lyme and Kidsgrove Local Plan (1987) made some amendments to the Green Belt including proposing new areas of Green Belt which ultimately increased the overall area of Green Belt by 178 hectares. The Newcastle-under-Lyme Local Plan (1995) made some minor changes to the inner Green Belt boundary including a new inset boundary at Keele University and a large area of land being added to the Green Belt at Madeley due to the previous boundary being vulnerable and ill-defined. One small housing site was released as part of the modifications recommended by the Inspector following Examination. The Newcastle-under-Lyme Local Plan 2011 was adopted in 2003 making a number of alterations to the Green Belt boundary including releasing 15 hectares of land at Chatterley Valley to accommodate major employment development (this had originally been proposed in the Structure Plan). A further change was made around Keele University and very small amendments were made at Harrisehead and Talke. The Joint Core Strategy was adopted in 2009 with no alterations to the Green Belt boundary. <p>It is evident that there have been a number of alterations to the Green Belt boundary over the years however in many cases this has included adding new areas of Green Belt. The last time the Green Belt boundary was significantly altered was in 2003 for major employment development at Chatterley Valley.</p>	
Are there any other significant constraints on development in the Borough?	There does not appear to be any other significant constraints which are significantly affecting land supply in the Borough.	N/A
Lack of other reasonable options (paragraph 141 of the NPPF)		
Brownfield and underutilised land	<p>The NPPF at paragraph 141(a) makes clear that strategies should “...<i>makes as much use as possible of suitable brownfield sites and underutilised land.</i>”</p> <p>The SHELAA (November 2022) will form the evidence base looking at all available sites. The Council has an open Call for Sites meaning new sites or options could still come forward.</p> <p>Paragraph 8.15 of the draft Issues and Options Local Plan (2021) sets out how the Council intends to maximise all land within the urban area:</p>	This is evidenced in the SHELAA (November 2022), the Newcastle-under-Lyme and Kidsgrove Urban Capacity and Town Centre Regeneration Study (May 2023), and

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	<ul style="list-style-type: none"> • “Assess all responses provided in Summer 2021 to the request to landowners, developers and agents to confirm submitted sites; • Advertise the 'Call for Sites' alongside this consultation to receive submissions of new plots of land; • Use mapping tools to identify any potential plots in the urban area or within villages which seem underutilised and use land registry searches to identify ownership to determine whether these sites could be added to the supply; • Assess the Council's Brownfield Land Register to include all sources of supply and to overcome and barriers to delivery; • Review land in public ownership to consider whether any land could be repurposed for housing.” <p>The Newcastle-under-Lyme and Kidsgrove Urban Capacity and Town Centre Regeneration Study (May 2023) and the Site Selection Report (June 2023) evidences the findings from the above assessments demonstrating that all available land within the urban area has been maximised.</p> <p>In the case of the Broxtowe Local Plan, the Local Plan Inspector noted that there was ‘limited evidence’ that the Council had undertaken a “...systematic analysis of the potential for, and consequences of, comprehensive or widespread intensification of existing residential and industrial areas” however the Inspector concluded the economic viability of such an approach would be problematic and unlikely to be effective in delivering a significant proportion of the identified needs.</p>	the Site Selection Report (June 2023).
Potential to optimise the density of development	<p>The NPPF at paragraph 141(b) makes clear that strategies should “...optimise the density of development”.</p> <p>The Council’s SHELAA Method (July 2022) sets out the different density assumptions for each ward. These are based on the density assumptions from the 2017 Joint SHLAA which the Council sought to review by considering housing completion data between 2014 and 2021. The limited timeframe provided only a few records of recent permissions for each ward which was not sufficient data to challenge the original assumptions. At paragraph 3.6 of the SHELAA method, it states: “However, even with limited data there was no indication that the more recent permissions would have resulted in any changes to the original data assumptions for each ward. It was agreed by officers to retain the previous density assumptions for the purposes of this SHELAA methodology update and to continue to monitor densities on an annual basis to inform any future update.”</p>	Evidence of how the Council has sought to optimise density on proposed allocations (where appropriate) through the site selection work and other evidence base documents.

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	<p>The density assumptions in the SHELAA range from 20dph in the rural villages to 180dph in the town centre (reflecting apartments). These assumptions broadly align with the densities adopted by other local authorities.</p> <p>The County Durham Plan includes a density of 30dph for all of its allocations (paragraph 4.88). The Inspector was satisfied with this as the Council had explored 40dph and this would have still necessitated significant Green Belt release.</p> <p>The St Helen's Local Plan (Policy LPA04) requires a density for new development of at least 40dph on sites within or adjacent to the town centres and 30dph on sites outside of the town centres. Densities less than 30dph will only be appropriate where they are necessary to achieve a clear planning objective. The Inspector was satisfied with this noting that increasing densities above this could result in 'town cramming'.</p> <p>The draft Warrington Local Plan (Policy DEV1) requires a density for new development of at least 130dph on sites within Warrington Town Centre; 50dph on sites within the wider town centre or adjacent to a district centre or other locations well served by public transport; and at least 30dph on other sites that are within an existing urban area. Densities of less than 30dph will only be appropriate where they are necessary to achieve a clear planning objective, such as avoiding harm to the character or appearance of an area. Although the Inspector's Report has not yet been published, there were no changes proposed to this policy as part of the Inspector's Main Modifications.</p> <p>The Council's SHELAA method also notes that density assumptions will be considered on a site-by-site basis through the Local plan allocations (paragraph 3.10). It is recommended that the Council's site selection work and other evidence base documents demonstrate how the Council has sought to optimise density on proposed allocations (where appropriate).</p>	
Surplus open space	<p>The Newcastle-under-Lyme Open Space Strategy and the Green Infrastructure Strategy (April 2022) considered whether there is any surplus open space with the potential to accommodate development needs. The broad approach taken to date in formulating the Local Plan has been to retain existing open space provision recognising their significance to carbon capture, place-making & the communities (both current & future) that they serve.</p>	Evidenced through the Open Space Strategy and Green Infrastructure Strategy (April 2022)
Alternative sites in Newcastle's rural settlements (including inset settlements and settlements beyond the	<p>The previous Exceptional Circumstances Review report (November 2019) recommended that a Rural Settlement Capacity Study should be undertaken to consider whether any of the rural settlements (both inset settlements and settlements surrounded by open countryside) can accommodate further development, which settlements represent the most sustainable locations for development, and the consequences for sustainable development of not accommodating any growth within these rural settlements.</p>	This is evidenced in the Site Selection Report (June 2023). This will be further justified by the Sustainability Appraisal.

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
<p>outer Green Belt surrounded by open countryside)</p>	<p>The Council’s Rural Area Topic Paper (October 2021) assists in understanding which settlements are the most sustainable locations by providing a categorisation of the rural centres and key villages to support the Plan’s settlement hierarchy. It notes that a separate topic paper will be developed to consider the appropriateness of development in the rural area. This has been undertaken and is included as part of the Site Selection Report (June 2023).</p> <p>The draft Issues and Options Local Plan (2021) at paragraph 8.23-8.26 considers various growth options for accommodating development beyond the outer Green Belt boundary. It states: <i>“There are only a few villages in the rural settlement hierarchy that are not wholly within the green belt which have sufficient services and facilities to either support growth, or be supplemented by new facilities to create an expanded settlement. These are Loggerheads and Ashley, part of the settlement of Baldwin’s Gate that is not within the Green Belt, and the area immediately south of Madeley which is also not in the Green Belt.”</i></p> <p>Paragraph 8.25 concludes that large scale development (circa 1000 dwellings representing an urban extension) in the rural settlements is not considered reasonable as it is not in accordance with Neighbourhood Plans, it is unlikely to be deliverable, and large-scale development in peripheral locations in the Borough would encourage unsustainable patterns of commuting along rural roads. It is however noted that smaller scale development in the rural area may be appropriate.</p> <p>At the Durham Local Plan Examination hearing session on Green Belt matters in October 2019, the Inspector particularly questioned the Council on their approach to considering options for locating growth in the towns and villages beyond the Durham City Green Belt and why they had concluded that this dispersed approach to development was not deemed to be sustainable. The Council was able to refer the Inspector to their evidence on this consisting of a Settlement Study and options assessment via SHLAA criteria assessment, a high-level viability study and a sustainability appraisal.</p>	
<p>Could any washed over villages be inset and if so, could sites be allocated within these villages?</p>	<p>As part of the Green Belt Review Part 2, a Green Belt Village Study (October 2019) was prepared which considered whether the villages of Keele and Whitmore should be recommended for inseting within (excluded from) the Green Belt. The study was undertaken due to the change in national policy on washed over villages from the previous Planning Policy Guidance Note 2 to the NPPF. The study recommended that Keele is considered for inseting and Whitmore remains as a washed over village. In order to do this, the Council would need to demonstrate exceptional circumstances to inset Keele. It was up to the Council whether or not to accept these recommendations when considered against their overall spatial strategy and other evidence.</p> <p>The Guildford Local Plan is an example of where the Inspector was satisfied that the Council had demonstrated exceptional circumstances to inset some of their washed over villages and had allocated sites</p>	<p>Consideration as to whether it is an option to inset any of the washed over villages and allocate sites within the village.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	<p>for growth within some of these villages which were proportionate extensions which would not harm their character. The Green Belt Village Study provides further information on the Guildford approach.</p> <p>This could be an option for the Council to consider.</p>	
<p>Are there any major previously developed sites in the Green Belt which do not possess an open character?</p>	<p>This may not be relevant but could be a consideration.</p> <p>The Guildford Local Plan applied this, and the Inspector considered their approach was sound.</p>	<p>This may not be relevant but could be a consideration.</p>
<p>Could neighbouring authorities accommodate some of the identified needs?</p>	<p>The NPPF at paragraph 141(c) makes clear that strategies should be "<i>... 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.</i>"</p> <p>The Council has confirmed that engagement is ongoing with the neighbouring authorities and at this stage it is looking unlikely that any of the authorities can accommodate some of the Council's needs.</p> <p>Formal Statement of Common Ground meetings have taken place and the Statements of Common Ground are being prepared which will confirm the position. As part of this, it may also be relevant for the Council to identify whether any of the neighbouring authorities have undertaken Green Belt reviews and/or have asked Newcastle to accommodate some of their needs. The implications for sustainable development of accommodating needs in other authorities should also be considered.</p> <p>In the St Helen's Local Plan, the Council clearly sets out the position of the neighbouring authorities and based on this explains why it would not be desirable for them to accommodate St Helen's needs.</p>	<p>This will be evidenced through the Statements of Common Ground with Duty to Cooperate partners.</p>
<p>Ensuring sustainable patterns of development</p>	<p>This is a consideration as part of each of the above elements. The assessment of the spatial options and the Sustainability Appraisal will be key to evidencing this.</p>	<p>This will be evidenced through all of the above and in particular through the assessment of the spatial options and Sustainability Appraisal.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
<p>Growth of a strategic facility or sector – University Growth Corridor</p>	<p>The University Growth Corridor consisting of Keele University and Keele Science and Innovation Park is identified as a potential growth option within the draft Issues and Options Local Plan (2021) both for housing and employment. The University is a major asset for the Borough and the strategic objectives in the draft Local Plan seek to enable the growth of the University.</p> <p>If this option is taken forward, it is recommended that the elements of the site-level exceptional circumstances case set out below will need to be considered and evidenced. The strategic case will need to link to the overall spatial strategy and evidence from the Housing and Economic Needs Assessment Update.</p>	<p>This will be evidenced through the site-level exceptional circumstances case taking into account the site selection process, Sustainability Appraisal, masterplanning, the Green Belt reviews, and other relevant evidence.</p>
<p>Site-level exceptional circumstances case</p>		
<p>Green Belt considerations</p>		
<ul style="list-style-type: none"> • Performance of the site against Green Belt purposes. • Impact of removing the site on the overall function and integrity of the Green Belt. • Presence/creation of a recognisable and permanent boundary. • Proposed compensatory improvements to the remaining Green Belt. 	<p>As part of the Green Belt Part 2 study, the Green Belt Site Review (2020) assessed the contribution of the Green Belt sites against the five purposes set out in national policy. Section 5 of this report also provides an assessment of six additional sites which were not previously assessed in the Part 2 study. The same methodology has been applied in the interest of consistency.</p> <p>The methodology in the Green Belt Site Review (2020) sought to consider weak and moderate performing sites in the first instance. Sites which were recommended to take forward were then assessed against Stage 2 which considered the implications of releasing the site from the Green Belt (in terms of any harm to the function and integrity of the Green Belt), and the resultant Green Belt boundary. If the resultant boundary was not recognisable and permanent, it was recommended that if the site is taken forward, the accompanying policy will need to require the creation of a new recognisable and permanent boundary or the strengthening of the existing boundary. This approach has been considered acceptable by Local Plan Inspectors (for example, in the County Durham Plan).</p> <p>Section 3 of this report provides advice on the approach to compensatory improvements on the remaining Green Belt. This will need to be evidenced as part of the site-level exceptional circumstances.</p> <p>For those sites which the Council propose to allocate, it is recommended that the above elements are clearly articulated on a site-by-site basis, linking back to the findings of the Green Belt Site Review (2020) and any subsequent evidence, for example masterplanning work. The cumulative impact of releasing all of the proposed allocations from the Green Belt will also need to be considered – this could form part of the strategic exceptional circumstances case linking in with the spatial options assessment process or it could be included at site-level.</p>	<p>Each element will need to be considered on a site-by-site basis linking back to the findings of the Green Belt Site Review (2020) and any subsequent evidence, for example masterplanning work. The cumulative impact of releasing all of the proposed allocations should also be considered.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Site considerations		
<ul style="list-style-type: none"> • Sustainability of the site. • Contribution to housing/employment need. • Assessment of alternative sites (including whether previously developed land and sites well served by public transport have been considered in the first instance). • Any other circumstances specific to the site in question. 	<p>These elements will be considered and evidenced through the site selection process (see the Site Selection Report (June 2023)), the Sustainability Appraisal, and other evidence.</p> <p>A clear site selection methodology will be key to this. The decision making at each stage of the process should be clearly articulated.</p>	<p>This will be evidenced through the Site Selection Report (June 2023), Sustainability Appraisal, and other evidence.</p>

5. Green Belt Site Assessments

5.1 Introduction

This section provides a Green Belt assessment of new sites which have been put forward as part of the Council's Call for Sites process. These sites have not previously been assessed as part of the Green Belt Part 1 and 2 studies. The methodology from the Part 1 and 2 studies remains unchanged and will be applied to these additional sites in order to ensure a consistent and robust approach.

The Council has identified six sites which require assessment. These are:

1. AB78 - Land North of Cross Lane, Audley
2. AB79 - Land South of Cross Lane, Audley
3. HM15 - Land south of Leycett Road, Scot Hay
4. HM22 - Land adj Holly House, Crackley Lane, Scot Hay
5. KL33 - Land West of Keele Road, Keele Road
6. KL34 - Land West of Three Mile Lane, Keele

Site maps are provided at Appendix D showing the location of these sites.

5.2 National Policy Context

Section 13 of the NPPF provides the framework for protecting Green Belt land, and in particular paragraphs 137 and 138 of the NPPF sets out the role and purpose of the Green Belt, as follows:

"137. 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 permanence."

138. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another*
- c) to assist in safeguarding the countryside from encroachment*
- d) 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."*

The NPPF states that the Local Plan must be 'justified' with "...an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence" (see paragraph 35). This is a key test of soundness and is fundamental to the site selection process. How the various sites that have been put forward for consideration and how they have performed against each other when measured against a range of set criteria is therefore relevant to satisfying this test.

The NPPF and PPG both identify the concepts of suitable, available and achievable as forming the relevant criteria against which to assess whether sites are deliverable and developable. As such, these form central elements of the site review methodology which has been applied.

5.3 Methodology

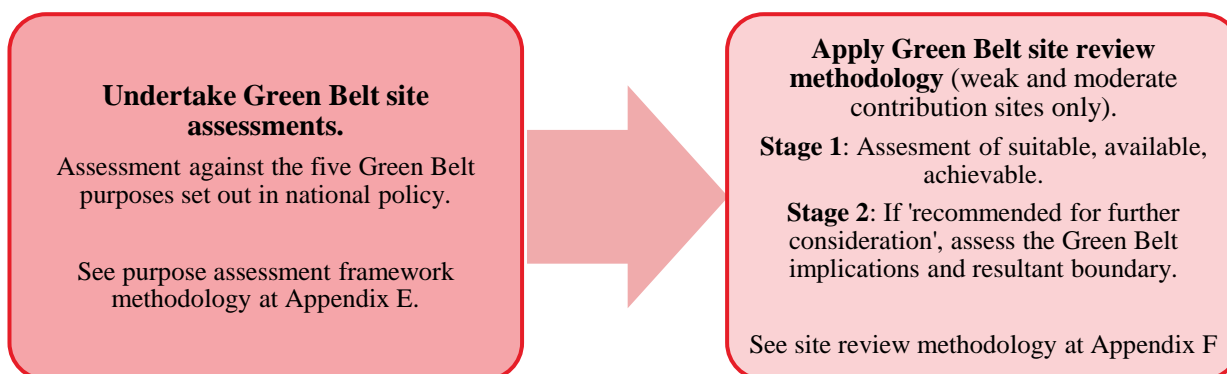
The full methodology and the justification for the approach adopted is set out in the Green Belt Part 2 Study (December 2020) however a summary of the method is provided below.

The methodology involves undertaking a Green Belt assessment of the site in order to understand its contribution to the five purposes of Green Belt set out in national policy. The methodology for this was established in the Joint Green Belt Assessment (November 2017) and is reiterated in the Green Belt Part 2 study (December 2020) remaining unchanged. For ease of reference, the method has been included in Appendix E.

The next stage of the methodology involves taking the weak and moderate performing Green Belt sites through the Green Belt site review methodology. This consists of a two-stage process. Stage 1 involves an assessment of the site against suitable, available and achievable criteria. Based on this assessment, a recommendation will be made to either take the site forward for further consideration or to exclude the site from the process. For those sites which are recommended to be taken forward for further consideration, Stage 2 is undertaken. Stage 2 considers the implications of releasing the site from the Green Belt (in terms of any harm to the function and integrity of the Green Belt), and the resultant Green Belt boundary. A conclusion on the Green Belt impact will then be made. If it is concluded that removal of the site (or sites, if cumulative) will harm Green Belt function and purposes, a recommendation will be made to exclude the site from the process. If it is concluded that removal of the site will not harm the Green Belt, a recommendation will be made to take the site forward for further consideration by the Council. The methodology for the Green Belt site review process was established in the Green Belt Part 2 Study (December 2020) and remains unchanged. For ease of reference, the method has been included in Appendix F.

A summary diagram of the approach is included in the Figure 4 below.

Figure 4. Summary of Approach



As set out in the Green Belt Part 2 study, for any site related recommendations, it should be noted that:

- Recommendations to ‘consider sites further’ or ‘exclude from process’ does not imply that a site will or won’t be released from the Green Belt. It is up to the Council to choose whether or not to accept the recommendations.
- Alterations to Green Belt boundaries require exceptional circumstances, which are fully evidenced and justified, in accordance with paragraph 140 of the NPPF. The Council will need to develop the exceptional circumstances case if they intend to release sites from the Green Belt.
- If the Council concludes that it is necessary to release sites from the Green Belt, the Council will also need to consider how the impact of this can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land, in accordance with paragraph 142 of the NPPF.

5.4 Green Belt Assessment

The six sites were assessed against the five purposes of Green Belt, applying the same method used for the joint Green Belt Assessment (November 2017).

The detailed Green Belt assessment tables can be found at Appendix G and a summary of the overall assessment findings is provided below:

1. AB78 – strong overall contribution to Green Belt purposes.
2. AB79 - strong overall contribution to Green Belt purposes.
3. HM15 - moderate overall contribution to Green Belt purposes.
4. HM22 - strong overall contribution to Green Belt purposes.
5. KL33 - moderate overall contribution to Green Belt purposes.
6. KL34 - strong overall contribution to Green Belt purposes.

5.5 Green Belt Site Review

The next stage of the methodology involves taking the weak and moderate performing Green Belt sites through the Green Belt site review methodology. The only weak or moderate performing sites were HM15 and KL33 and these have been taken through the site review methodology. Based on the Stage 1 assessment of suitable, available, and achievable, it was concluded that both sites should be excluded from the process. It was therefore not necessary to undertake Stage 2 and assess the Green Belt implications of releasing these sites. The detailed Green Belt Site Review Proformas can be found at Appendix H and a summary of the assessment findings is provided below:

Site Ref	Stage 1 Conclusion based on Suitable, Available, Achievable	Stage 2 Overall Recommendation taking into account Green Belt Impact
HM15	Recommend exclude from process	
KL33	Recommend exclude from process	

5.6 Summary

The findings of this section should be used to inform decision making alongside other evidence as part of the Council’s site selection process. As set out previously, recommendations to ‘consider sites further’ or ‘exclude from process’ does not imply that a site will or won’t be released from the Green Belt. It is up to the Council to choose whether or not to accept the recommendations.

Appendix A

Approach to safeguarded land taken by other local authorities

Local Authority	Detailed Review of Approach to Safeguarded Land
<p>Barnsley Council Local Plan (January 2019)</p>	<p>The adopted Local Plan⁷ at para 3.11 notes that the Council are proposing safeguarded land (land which can be considered for development after 2033). This will give permanence to the proposed Green Belt boundary until at least 2038.</p> <p><i>Policy GB6 on safeguarded land states: “We will only grant planning permission on sites allocated as safeguarded land for development that is needed for the operation of existing uses, or alternative uses where the development will protect the open nature of the land, and will not affect the potential for future development of the site. The permanent development of safeguarded land will only be permitted following review of the Local Plan which proposes such development.”</i></p> <p>The Council identifies 28 sites which are allocated as safeguarded land in the following locations: Barnsley, Hoyland, Cudworth, Royston, Dearne, Penistone, Wombwell and villages.</p> <p>The Inspector’s Report⁸ at paragraph 112-114 onwards describes the approach:</p> <p><i>“Having regard to the extent of the Green Belt and the boundaries around Urban Barnsley and the Principal Towns which are the more sustainable locations for development, the identification of safeguarded land is appropriate to the circumstances of the plan area and necessary in the terms of the NPPF. The identification of safeguarded land will help to ensure that Green Belt boundaries will remain permanent and will not need to be altered in the long term.</i></p> <p><i>After deducting the supply likely to come forward on windfall sites, the Council’s approach is to identify sufficient safeguarded land to supply 5 years’ worth of the annual housing requirement for delivery after the plan period. In the absence of any national guidance on the amount of safeguarded land that should be identified, this is a pragmatic and reasonable approach.”</i></p> <p><i>In the submitted plan the table accompanying Policy GB6 lists thirty three areas of safeguarded land which are shown on the Policies Map. Twenty five safeguarded areas have been carried forward from the UDP and eight additional areas are proposed to be removed from the Green Belt for safeguarded land – SAF5, SAF6, SAF7, AC33, H79, H85, AC42 and AC41. Through the housing site selection methodology they were found to perform less favourably compared with the allocated sites and/or had deliverability issues which would be unlikely to be resolved within the plan period. The safeguarded sites proposed to be removed from the Green Belt all relate to resultant parcels (or part thereof) within the Green Belt review and for ease of reference I deal with the exceptional circumstances justifying their release at a site level in Issue 5.”</i></p> <p>The Inspector adds:</p> <p><i>“118. Subject to the MMs outlined, I conclude that there is a compelling case in principle for the release of land from the Green Belt to meet the objectively assessed need for employment and housing and for additional safeguarded land. This is, however, subject to exceptional circumstances being demonstrated for the alteration of Green Belt boundaries to justify the removal of specific sites from the Green Belt for development, a matter dealt with in Issue 5. Exceptional circumstances have been demonstrated to add land to the Green Belt. In addition, the Green Belt boundary alterations to rectify anomalies, errors and reflect updated circumstances are appropriate and soundly based.</i></p> <p><i>Conclusion on Issue 5</i></p>

⁷ <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

⁸ <https://www.barnsley.gov.uk/media/17924/inspectors-report-and-modifications-appendix.pdf>

Local Authority	Detailed Review of Approach to Safeguarded Land
	<p>239. <i>The plan’s site allocations are based on a logical and appropriate set of criteria and assessment methodology, SA and HRA. Subject to the MMs, the employment, mixed use and housing allocations are soundly based. Where necessary, exceptional circumstances have been demonstrated to justify alterations to the Green Belt boundary and the removal of land from the Green Belt to meet the objectively assessed need for employment, housing and identify areas of safeguarded land.”</i></p>
<p>Broxbourne Borough Council Local Plan (June 2020)</p>	<p>The Council does not identify any safeguarded land in its adopted Local Plan.⁹</p> <p>At paragraph 117-119 of the Inspector’s Report¹⁰, the Inspector considers whether the Green Belt boundaries would need to be altered again in a future review of the Plan. The Inspector concludes:</p> <p><i>117. Based on the evidence before me, it is unlikely that the Green Belt will need to be amended again before 2033 to meet currently identified development needs. However, a new secondary school may be needed in the Borough before 2033. If this is so, it is possible that it may require development on land that is in the Green Belt as currently proposed in the Plan. For the reasons set out later in this report, this would be addressed through a plan-led approach consistent with national policy in accordance with my recommended main modification to policy INF10.</i></p> <p><i>118. There are, of course, considerable uncertainties about what development will be needed in the Borough in the longer term and it would not be appropriate to attempt to quantify that at the present time. In terms of how needs may be met in the longer term, the Plan identifies a number of significant opportunities including in and around Waltham Cross town centre and elsewhere associated with Crossrail 2. In addition, the Council may wish to consider further whether the existing residential and industrial areas in the Borough have greater potential for intensification through redevelopment and infilling.</i></p> <p><i>119. In that context, and because of the importance of getting a local plan for the Borough adopted as soon as possible for the reasons outlined earlier, I am satisfied that appropriate consideration has been given to the objective of ensuring that Green Belt boundaries are capable of enduring beyond the plan period. Certainly, there are not exceptional circumstances to justify taking additional land out of the Green Belt at the present time. Subject to my recommended main modifications, the proposed Green Belt boundaries to the sites that have been removed from the Green Belt are clearly defined and likely to be permanent.</i></p> <p>The Council’s Green Belt Topic Paper (June 2017)¹¹ considers the long-term development needs. Paragraph 6.5 notes that a significant proportion of the borough’s long-term development needs beyond 2033 can be met at two urban areas identified in the emerging Local Plan. At paragraph 6.7, the Council conclude: <i>“The Council considers that there is limited scope for Broxbourne to continue to accommodate significant new development in the Green Belt beyond 2031. It is a small Borough with significant growth constraints – the Lee Valley Park to the east, semi-ancient woodland and rural/suburban communities to the west and busy transport routes. On the basis of the work undertaken as part of this Local Plan review, the Council is satisfied that Green Belt boundaries will not need to be altered at the end of the development plan period.”</i></p>

⁹ <https://www.broxbourne.gov.uk/downloads/file/1813/local-plan-2018-2033>

¹⁰ <https://www.broxbourne.gov.uk/downloads/file/924/broxbourne-lp-report-final>

¹¹ <https://www.broxbourne.gov.uk/downloads/file/3273/f3-borough-of-broxbourne-green-belt-topic-paper-june-2017>

Local Authority	Detailed Review of Approach to Safeguarded Land
<p>Cheshire East Borough Council</p> <p>Local Plan Strategy (July 2017)</p> <p>Site Allocations and Development Policies Document (December 2022)</p>	<p>The adopted Local Plan Strategy¹² at Policy PG4 (Safeguarded Land) established the amount of safeguarded land required (200ha) and identifies strategic areas of safeguarded land. It notes that the Site Allocations and Development Policies Document may need to identify additional non-strategic areas to be safeguarded.</p> <p>The adopted Site Allocations and Development Policies Document¹³ at Policy PG11 (Green Belt and safeguarded land boundaries) identifies additional areas of non-strategic safeguarded land.</p> <p>The Safeguarded Land Technical Annex¹⁴ describes the approach taken by the Council: Paragraph 6.4-6.7 sets out the Council approach of projecting forward current development needs arising from the northern sub-area (given this is the area which is most constrained by Green Belt). It would not be appropriate to project forward the needs for the Borough as a whole. Paragraph 6.4 notes: <i>“Although the projecting forward of current development needs beyond 2030 is relatively simplistic, it is considered to be the most robust approach. The only alternative would be to try and make a separate estimate of needs for the period 2030-2045. Given the timescales involved, it is considered this would neither be accurate nor realistic.”</i> The Council used the Spatial Distribution Update to identify the housing and employment land requirements for the northern submarket area. Section 7 of the Annex notes the Council’s intention to identify safeguarded land to meet 10 years of future requirements. The Council considers other likely sources of supply beyond the plan period which would mean that when combined with the safeguarded land could accommodate the full 15 years beyond the plan period. As a result of this exercise, the Council concluded that a modest reduction in the 10 year proposed timescales would be reasonable and therefore identified scenarios for 8, 9 and 10 years of safeguarded land. At Section 8 of the Annex, the Council tested different average housing densities (30, 35 and 40dph). In undertaking the safeguarded land calculation, the Council used the identified scenarios and densities to provide a range of parameters for the amount of safeguarded land. This ranged from 155ha to 244ha. At paragraph 9.8, the Council concludes: <i>“It is suggested that overdependence on any single influence is unwise, given the variables involved. Consequently, it is suggested that a midpoint of 200 ha be adopted that takes account of all of the factors concerned.”</i> Paragraph 9.9 notes that this equates to 9 years of safeguarding at an average density of 34 dwellings per hectare.</p> <p>The accompanying evidence document Local Service Centres Safeguarded Land Distribution Report (August 2020)¹⁵ describes the approach taken to safeguarded land in the Local Plan Strategy and considers options for the spatial distribution of safeguarded land in the Site Allocations document:</p> <p><i>1.8 As described in the LPS evidence base, the total amount of safeguarded land required is based on a projection of development requirements for the northern part of the borough only (taken as the former Macclesfield Borough area) as this is the only part of the borough with Green Belt inset settlements in the top three tiers of the settlement hierarchy (Principal Towns, Key Service Centres (“KSCs”) and LSCs).</i></p> <p><i>1.9 For the South Cheshire Green Belt, all settlements in the top three tiers of the hierarchy are located beyond the Green Belt and already retain significant areas of non-Green Belt land adjacent to their settlement boundaries. Consequently, the distribution of safeguarded land should be to the northern sub-area only (that is within the North Cheshire Green Belt only).</i></p>

¹²<https://www.cheshireeast.gov.uk/pdf/planning/local-plan/local-plan-strategy-web-version-1.pdf>

¹³<https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/site-allocations-and-policies/sadpd-examination/documents/examination-library/adopted-sadpd.pdf>

¹⁴<https://cheshireeast-consult.limehouse.co.uk/file/3478919>

¹⁵<https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/site-allocations-and-policies/sadpd-examination/documents/examination-library/ed53-lsc-safeguarded-land-distribution-report.pdf>

Local Authority	Detailed Review of Approach to Safeguarded Land																
	<p><i>1.10 Appendix 2 of the LPS Site Selection Methodology considers four options for the distribution of safeguarded land to settlements inset within the North Cheshire Green Belt:</i></p> <ol style="list-style-type: none"> <i>1. Provision of all 200 ha in the Principal Town of Macclesfield</i> <i>2. Provision of safeguarded land distributed proportionately by settlement, based on the spatial distribution of development in LPS Policy PG 7</i> <i>3. Provision of safeguarded land distributed proportionately by settlement based on the resident population</i> <i>4. A hybrid approach based on Options 2 and 3 above</i> <p><i>1.11 It concludes that Option 4 is the most appropriate approach. This uses Option 2 as its basis but, so as not to skew the distribution of safeguarded land to Handforth because of the presence of the North Cheshire Growth Village (which not only serves to address Handforth’s development needs but also some of the development needs arising across the northern part of the borough), the amount of land to be provided in Handforth is based on the apportionment by current population. The difference between the amount of safeguarded land in Handforth to be provided under Option 2 and Option 3 was then re-distributed to the other Principal Towns and KSCs proportionately. This enables the continuation of sustainable patterns of development set out in the current spatial distribution, but redistributes part of the additional land directed to Handforth under Option 2 so as not to assume that Handforth will continue to assist in meeting development needs of other settlements in future plan periods.</i></p> <p><i>1.12 This results in the spatial distribution shown in Table 1.1.</i></p> <table border="1" data-bbox="427 727 1131 927"> <thead> <tr> <th>Settlement</th> <th>Safeguarded land distribution (ha)</th> </tr> </thead> <tbody> <tr> <td>Macclesfield</td> <td>95</td> </tr> <tr> <td>Handforth</td> <td>10</td> </tr> <tr> <td>Knutsford</td> <td>28</td> </tr> <tr> <td>Poynton</td> <td>19</td> </tr> <tr> <td>Wilmslow</td> <td>24</td> </tr> <tr> <td>Local Service Centres</td> <td>24</td> </tr> <tr> <td>Total</td> <td>200</td> </tr> </tbody> </table> <p>Table 1.1: Safeguarded land distribution identified in the LPS site selection methodology</p> <p><i>1.13 Safeguarded land has been allocated at Macclesfield and each of the KSCs in the northern part of the Borough in the LPS. This has either met or exceeded the requirement for safeguarded land as shown in Table 1.1 for that individual settlement. There is therefore no need to identify any further safeguarded land in these towns through the SADPD....</i></p> <p><i>1.16 Although the safeguarded land distribution identified in the LPS site selection methodology identified 24 ha to be found in LSCs, the actual LPS allocations at Macclesfield and the KSCs mean that only 13.6 ha of land remains to be identified in the SADPD.</i></p> <p><i>1.17 As set out in the NPPF, the government attaches great importance to Green Belts and once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. It is considered that these exceptional circumstances do not extend to Green Belt release of additional land over and above the 200 ha that has been fixed through the LPS process. Therefore, the remaining amount of safeguarded land to be distributed to the LSCs inset within the North Cheshire Green Belt is 13.6 ha.</i></p> <p><i>1.18 The LSCs inset within the North Cheshire Green Belt are: Alderley Edge; Bollington; Chelford; Disley; Mobberley; and Prestbury. All of the other LSCs (Audlem, Bunbury, Goostrey, Haslington, Holmes Chapel, Shavington and Wrenbury) are located beyond the Green Belt.</i></p> <p><i>1.19 Whilst the distribution of safeguarded land in the LPS was largely based on the spatial distribution of indicative development requirements in this plan period; this may not be the most appropriate approach for the SADPD to follow. As set out in ‘The provision of housing and employment land and</i></p>	Settlement	Safeguarded land distribution (ha)	Macclesfield	95	Handforth	10	Knutsford	28	Poynton	19	Wilmslow	24	Local Service Centres	24	Total	200
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	<p><i>the approach to spatial distribution’ report [ED 05], it is now not proposed to disaggregate the limited remaining development requirements for this plan period to individual LSCs. As a result, this report considers the approach to be taken to determining the spatial distribution of safeguarded land.</i></p> <p>The Inspector’s Report¹⁶ on the Local Plan Strategy at paragraph 99-104 considers the approach to safeguarded land:</p> <p><i>“99. Policy PG4 sets out CEC’s approach to identifying Safeguarded Land, confirming that development will not be permitted in such areas unless it is justified through a review of the CELPS, and designating the sites identified as Safeguarded Land. The Policy remains unchanged from that in the CELPS-SD, apart from updating the list of sites and deleting the reference to identifying further Safeguarded Land in Poynton, and its approach is consistent with national policy (NPPF; ¶ 85). The CELPS-PC proposes to release some 200ha of land from the Green Belt for Safeguarded Land in the north of the Borough, which is justified in the supporting evidence (SLTA) [PS/E031a.5]; various options for the distribution of Safeguarded Land were also considered by CEC [RE/F010; Appx 2]. The overall amount of proposed Safeguarded Land is intended to meet longer-term development needs stretching well beyond the end of the current plan period; in fact, taking account of other sources of land, it should be sufficient for another full 15-year period beyond 2030, so that the Green Belt boundary defined in the CELPS-PC will not need to be amended until at least 2045.</i></p> <p><i>100. Some participants are concerned that the overall amount of proposed Safeguarded Land is inadequate to meet future development needs, but as confirmed in my Further Interim Views (Appendix 2), I consider CEC has taken a balanced and cautious approach to the amount of Safeguarded Land to be identified, which seems to be logical, rational, effective and justified by the supporting evidence; CEC has also justified the exceptional circumstances needed to release Green Belt land to provide Safeguarded Land. Since then, no new evidence has been presented to alter this conclusion.</i></p> <p><i>101. Some participants are concerned about the spatial distribution of Safeguarded Land, pointing out that Macclesfield has over 50% of the total amount of such land. However, CEC has fully explained the process and methodology used in selecting and distributing Safeguarded Land, [PS/E031a.5; RM3.001; RE/F010], based on the principles of the revised spatial distribution of development, focused on Macclesfield and the towns in the north of the Borough. Since Macclesfield has the highest amount of growth outside Crewe and is the only Principal Town in the Green Belt, it is sensible and reasonable that its allocation of Safeguarded Land is proportionately higher than other settlements. However, CEC agrees to slightly reduce the area of one Safeguarded Land (Site CS32) for site-specific reasons [MM06]. At Handforth, the apportionment of Safeguarded Land is based on its resident population, rather than on the revised spatial distribution of development [RH/B002.013]; this is more appropriate, given that the alternative would result in far more Safeguarded Land than is necessary being allocated to Handforth, particularly in view of the larger scale of development being allocated at the NCGV and the fact that Handforth may not continue to assist with meeting the needs of other Green Belt settlements into the next plan period.</i></p> <p><i>102. CEC also confirms that the SADDPDP will consider the need to provide a modest amount of Safeguarded Land at the LSCs, if necessary, in line with the spatial distribution of Safeguarded Land envisaged in the supporting evidence [RE/F010; Appx 2]. Of course, identifying Safeguarded Land does not necessarily mean that it will be developed in the future, but offers the potential for development to be considered in future reviews of the CELPS without needing to alter the Green Belt. The amount and location of development that would be needed on Safeguarded Land would also be based on an assessment of needs at that time.</i></p> <p><i>103. Some argue that the policy should indicate how Safeguarded Land will be brought forward for development within the current plan period. However, this approach would not reflect the purposes of identifying such land, in terms of meeting longerterm development needs beyond the current plan period, and would conflict with national policy (NPPF; ¶ 83-85). Furthermore, the CELPS has identified sufficient housing and employment land</i></p>

¹⁶ <https://www.cheshireeast.gov.uk/pdf/planning/spatial-planning/celps-inspectors-final-report.pdf>

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	<p><i>to meet the assessed requirements, so it is not necessary to identify further alternative or “reserve” sites at this stage. The monitoring framework provides a trigger for action and review if and when a shortfall in housing provision arises.</i></p> <p><i>104. As regards specific sites, CEC proposes to reduce the area of Site CS32, and delete Sites CS51 & CS64 from the list of sites in Policy PG4 and on the accompanying diagram (Fig 8.3) [MM06]. I deal with specific issues related to these and other sites later in my report. Consequently, with the recommended modifications, I conclude that Policy PG4 provides an appropriate, justified, effective and soundly based approach to the provision of Safeguarded Land, which is consistent with national policy, is justified by the exceptional circumstances previously referred to and is necessary to ensure that Green Belt boundaries will be capable of enduring beyond the current Plan period.”</i></p> <p>The Inspector’s Report¹⁷ on the SADPD considers the approach to safeguarded land at paragraph 71-85:</p> <p><i>“76. As such, I find that the available evidence continues to justify the need for 200 ha of SL and that exceptional circumstances remain for the alteration of Green Belt boundaries to identify land for the residual requirement of 13.6 ha at the LSCs in the NCGB.</i></p> <p><i>77. Turning to the selection and distribution of sites for SL at the LSCs, Policy PG 12 designates a total of 14.48 ha of SL land across 8 sites. Whilst this exceeds the residual requirement of 13.6 ha for the LSCs, it is a result of the site selection process, which I have assessed below and found to be robust. The overall need for 200 ha is the midpoint in a range of figures which were assessed in determining the total requirement. Therefore, the small surplus in Policy PG 12 is reasonable.</i></p> <p><i>78. The evidence explaining the selection and distribution of the proposed SL sites at the LSCs is set out in the Site Selection Methodology Report (SSMR), the LSC Safeguarded Land Distribution Report and the individual Settlement Reports for the LSCs. This is a refinement of the approach to selecting strategic SL sites in the LPS, which was tested by the Inspector at Examination and found sound.</i></p> <p><i>79. In preparing the SADPD, the Council considered 8 options for the distribution of the 13.6 ha of SL across the settlements. A hybrid approach (Option 8) was chosen as the preferred option, combining several other options, taking account of the extent of services and facilities, constraints, opportunities and impacts on the GB. Applying the site selection process, suitable sites were identified at each of the LSCs, with areas broadly matching the apportionment of SL for each settlement under the hybrid distribution. The exceptions to this were Mobberley, where no suitable sites were identified, due in particular to the constraints of aircraft noise from Manchester Airport, and Chelford, where the suitable sites were too large for Chelford’s apportionment of SL.</i></p> <p><i>80. This led to the decision to redistribute Mobberley’s unmet need for SL to Chelford, following a further appraisal of options. It results in Chelford accommodating a much larger share of SL (4.71 ha) than its apportionment under the hybrid distribution (2.55 ha). However, this ensures the overall SL requirement is met and provides for Mobberley’s unmet need at the most suitable site available on land at Chelford railway station (site CFD 2), where there are fewer constraints than at the other LSCs in the NCGB. It would also enable Chelford to meet its own long term needs, if required, at a scale where development could be comprehensively planned to incorporate a range of community benefits. Overall, I find the distribution of SL across the LSCs, including the redistribution of Mobberley’s apportionment to Chelford, to be justified as an appropriate strategy against reasonable alternatives, based on a robust methodology and proportionate evidence.</i></p> <p><i>81. With regard to site selection, the Settlement Reports contain a detailed and thorough evaluation of the proposed sites and a significant number of alternatives. Sites have been assessed on an equal basis against relevant criteria, including: their contribution to the GB; impacts on ecology, heritage,</i></p>

¹⁷ <https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/site-allocations-and-policies/sadpd-examination/documents/examination-library/cheshire-east-sadpd-inspectors-report.pdf>

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	<p>landscape, highways, flood risk and settlement character; and a range of other factors used to determine their suitability and achievability. The analysis is thorough, equitable and robust, and the reasons for the choice of sites selected are clearly explained and justified.</p> <p>82. Although future development of some of the proposed SL sites may have adverse impacts on matters such as landscape and highway safety, these would be localised and are considerations to be taken into account by the Council in making any future decisions about their release for development beyond the current plan period. These factors do not undermine the conclusions of the SL site selection process. Ultimately, designating a site as SL does not mean it will be developed in the future, but offers the potential for development to be considered in future reviews of the Local Plan, without needing to alter Green Belt boundaries further. The amount and location of development that would be needed on SL would be based on an assessment of needs at that time</p> <p>83. Within the Settlement Reports the exceptional circumstances to justify removing each site from the GB are set out, including whether there are any other sites that make a lesser contribution to the purposes of the GB. In most cases, the sites proposed benefit from strong boundaries, which are clearly defined by physical features that are recognisable and likely to be permanent, such as existing development, roads and railway lines, or woodland and mature hedgerows that can be protected as a condition of development. In the few situations where boundaries are not clearly defined, I am satisfied that this could be mitigated by landscaping. Therefore, I conclude that, whilst the development of the SL sites would compromise GB openness, each is contained and none would undermine the wider function of the GB. Overall, the analysis of each site, in combination with the continued need at a strategic level to designate SL at the LSCs, is sufficient to fully evidence and justify the exceptional circumstances for altering GB boundaries in respect of the 8 sites listed in Policy PG 12.</p> <p>84. Accordingly, I consider that the proposals for the designation of SL in Policy PG 12 are positively prepared, justified, and consistent with the LPS and national policy.”</p>
<p>Durham County Council Local Plan (October 2020)</p>	<p>The Council does not identify any safeguarded land in its adopted Local Plan.¹⁸</p> <p>At paragraph 77 of the Inspector’s Report,¹⁹ the Inspector concludes that due to the uncertainty in estimating the amount of development required in future reviews of the Plan, it would be premature to identify safeguarded land. The Inspector states:</p> <p><i>“Finally, national policy requires that, when defining Green Belt boundaries, it should be demonstrated that they will not need to be altered at the end of the Plan period. I will consider whether that is the case in my assessment of each of the sites being removed from the Green Belt. It is not possible to know at the current time whether changes will need to be made to other already defined Green Belt boundaries in future reviews of the Plan as that will depend on the amount of development needed at the time, the spatial strategy for accommodating it, and the availability of non Green Belt sites. It would be premature to attempt to make decisions about any of those factors now, and there are certainly not exceptional circumstances to justify modifying the Plan to take additional land out of the existing Green Belt to safeguard for potential longer term development”.</i></p>

¹⁸ <https://www.durham.gov.uk/media/34069/County-Durham-Plan-adopted-2020-/pdf/CountyDurhamPlanAdopted2020vDec2020.pdf?m=637725862605900000>

¹⁹ <https://www.durham.gov.uk/media/34071/County-Durham-Plan-Inspectors-Final-Report/pdf/InspectorsFinalReport.pdf?m=637725856957030000>

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<p>North Warwickshire Council Local Plan (September 2021)</p>	<p>The Council does not identify any safeguarded land in its adopted Local Plan.²⁰</p> <p>The Local Plan Submission Version (March 2018)²¹ at Policy LP4 (Safeguarded Land for Potential Future Development) identifies an area of safeguarded land. The policy states: <i>“Land to the west of Tamworth Road, Kingsbury, as identified on the Proposals Map, will be removed from the Green Belt and safeguarded for potential future development needs. The identified area will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses or temporary uses. All proposals must not prejudice the possibility of long term development on the safeguarded land. The status of the safeguarded site will only change through a review of the local plan.”</i></p> <p>The Inspector’s Report²² on the adopted Local Plan considers this policy at paragraphs 225-226 and concludes that there is no justification for the proposed safeguarded land. The policy was therefore deleted as part of the Main Modifications:</p> <p><i>“225.However, based on all the evidence before me, there is insufficient justification to merit the safeguarding of land to meet longer-term development needs in the Green Belt at Tamworth Road, Kingsbury within the terms of NPPF2012 paragraph 85. Kingsbury is a ‘Category 3’ settlement, and there is no robust evidence as to whether safeguarding land for future development there would be preferential to any alternatives (for example related to higher order settlements in line with the settlement hierarchy set via Plan policy LP2). Whilst the examination has not assessed whether any alternative sites would be preferable to those proposed, nevertheless there is little distinction between Green Belt sensitivity in respect of land around Kingsbury relative to the surroundings of other ‘higher order’ settlements such as Coleshill.</i></p> <p><i>226.Moreover, as submitted the Plan itself is contradictory as regards the necessity of safeguarding land under NPPF2012 paragraph 85. Local Plan paragraph 14.29 states in respect of Coleshill that ‘it is considered necessary to allocate land outside of its current boundaries and remove land from the Green Belt’. However paragraph 14.32 states that there should be no development outside of the current development boundary (i.e. within the Green Belt). I have reasoned above that there is justification for proposed allocations within the Green Belt. However that is not the case in respect of Plan policy LP4, or in respect of the necessity of the Plan making provision for safeguarded land elsewhere at this juncture. Accordingly policy LP4 should be deleted, as would be achieved via incorporation of MM30. By consequence MM25, MM28, MM29, MM30 and MM113 are also necessary to render supporting justification consistent.”</i></p>
<p>Northumberland County Council Local Plan (March 2022)</p>	<p>The adopted Local Plan²³ at Policy STP 9 Safeguarded Land (Strategic Policy) states:</p> <p><i>“1. Safeguarded land that may be required to meet long term employment needs, beyond the period of the Local Plan, is identified within Policy ECN 6.</i></p> <p><i>2. When assessing development proposals on or affecting safeguarded land, the following principles will apply:</i></p> <p><i>a. Safeguarded land is not allocated for development during the plan period. Permanent development of safeguarded land will only be permitted following the adoption of a replacement Local Plan which proposes such development; and</i></p>

²⁰ https://www.northwarks.gov.uk/downloads/file/8839/local_plan_adopted_september_2021

²¹ https://www.northwarks.gov.uk/downloads/file/8766/nwbc_local_plan_inspectors_final_report

²²

²³ <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Adopted-March-2022.pdf>

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	<p><i>b. Any development which would prejudice the future comprehensive development of safeguarded land will not be supported.”</i></p> <p>The justification at paragraph 4.80 states:</p> <p><i>“Green Belt boundaries are intended to endure over the longer term. Therefore, when defining new Green Belt boundaries, where necessary, they should be drawn having regard to potential development needs arising beyond the plan period. Given that Green Belt boundaries around Morpeth are being defined for the first time, safeguarded land has been identified within Policy ECN 6 to meet the long-term employment requirements of the town. This safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of the safeguarded land will only be granted following an update to the Plan which may allocate the land for development during that Plan period. The monitoring framework identifies indicators to help determine when a Plan review may be required.”</i></p> <p>The Council had quite specific circumstances for identifying safeguarded land due to the fact that they were defining the detailed boundaries for the Green Belt extension around the Morpeth area for the first time given that the general extent of this area of Green Belt had already been established within the text of the Northumberland Structure Plan (2005). For this reason, they did not have to identify exceptional circumstances to justify this Green Belt extension.</p> <p>The Inspector’s Report²⁴ considers this at paragraph 155-157:</p> <p><i>“155.As I have said, I conclude later in this report that the Plan would provide sufficient land in accordance with the spatial strategy to meet the identified need for housing for the Plan period and beyond. There is therefore no justification for a further release of Green Belt land for housing. It is not possible to know at the current time whether changes will be needed to Green Belt boundaries in future reviews of the Plan as that will depend on the amount of development needed at that time, the spatial strategy for accommodating it, and the availability of non-Green Belt sites. It would be premature to attempt to make decisions about any of those factors now, and there are certainly not exceptional circumstances to justify modifying the Plan to take additional land out of the Green Belt in order to safeguard it to meet unknown development needs after the end of the Plan period.</i></p> <p><i>156.I have noted above the existence of unallocated White Land in Morpeth which can accommodate development needs which are not identified in this Plan; it may come forward during or beyond the Plan period. The Council has used its judgement to establish the boundaries of the White Land and there is no evidence to suggest that this is not reasonable.</i></p> <p><i>157.It is not possible to predict with any certainty what development needs will be in 15-20+ years. Having regard to the considerations which exist at this time, the Council’s housing land supply for the Plan period and the inclusion of unallocated White Land in the Morpeth inset provide the necessary justification to enable me to find that the Plan complies with paragraph 143e of the NPPF.”</i></p> <p>The Council also sought to identify a further area of safeguarded land to the south of an employment allocation (approximately 4ha of land to the south of the employment allocation at Prestwick Pit). At paragraph 126-131 of the Inspector’s Report, the Inspector considers whether there are exceptional circumstances for this:</p> <p><i>“127.The Ponteland Neighbourhood Plan sets out an aspiration to relocate the Meadowfield industrial estate from the centre of Ponteland and allocate that site for mixed use development, including housing, to utilise brownfield land within Ponteland. The Meadowfield industrial estate remains allocated for employment purposes in the Plan. However, the rationale for the safeguarded site (as set out in the Green Belt Review Technical Paper) is that this</i></p>

²⁴ <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Report-Final-26-January-2022.pdf>

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	<p><i>may allow future relocation of the Meadowfield estate in a Plan review to allow for additional housing to be developed on a centrally located, brownfield site within Ponteland.</i></p> <p><i>128.As addressed above, the current need for employment land identified within the evidence documents would be met by the proposed allocations. Whilst there may be a need for further employment land in Ponteland within the next Plan period, there is no current evidence of this need. It would be very difficult to forecast such a need at this stage as the needs of businesses, both in terms of the amount of land and its location, could have changed significantly within the next 15 years.</i></p> <p><i>129.The feasibility of the relocation of the Meadowfield industrial estate, and any need to utilise the Meadowfield site for mixed use, including housing, has not been demonstrated in the Plan’s evidence base. If this remains an aspiration in a future Plan review, and if it can be justified, then the consequences for the need for housing and employment land can be considered and examined at that time.</i></p> <p><i>130.Consequently, I am not satisfied that exceptional circumstances currently exist to justify changing the Green Belt boundaries in the established Green Belt to identify safeguarded land for employment purposes at Ponteland. A modification to the Plan is therefore required to remove the allocated safeguarded land at Prestwick Pit and to retain this site in the Green Belt. This is achieved by a modification to Policy ECN 6 and its justification (incorporated in MM17) and a consequential change to the Policies Map will be needed.”</i></p>
<p>Runnymede Borough Council Local Plan (July 2020)</p>	<p>The Council does not identify any safeguarded land in its adopted Local Plan.²⁵</p> <p>The Inspector’s Report²⁶ at paragraph 52-53 considers safeguarded land:</p> <p><i>“52. NPPF states that in reviewing Green Belt boundaries, consideration should be given to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. The Plan has a relatively short time horizon and it does not safeguard land for future development needs in the longer term.</i></p> <p><i>53. Nonetheless, in the light of all the factors affecting Runnymede, I consider the longer-term needs can best be addressed by a Surrey-wide approach, as committed to by the planning authorities. This will enable full account to be taken of the nature of the Green Belt in Runnymede and other districts and its importance in protecting the regional function of the wider Green Belt.”</i></p>
<p>St Helen’s Council Local Plan (July 2022)</p>	<p>The adopted Local Plan²⁷ at Policy LPA05 (Safeguarded Land) states:</p> <p><i>“1. The sites identified as Safeguarded Land on the Policies Map have been removed from the Green Belt in order to meet longer term development needs well beyond this Plan period. Such Safeguarded Land is not allocated for development in this Plan period. The future uses that the sites are safeguarded for are listed in Tables 4.13 and 4.14.</i></p> <p><i>2. Planning permission for the development of the safeguarded sites for the purposes identified in Tables 4.13 and 4.14 will only be granted following a future Local Plan update (full or partial) that proposes such development based on the evidence showing a need for additional land or issues with the</i></p>

²⁵ <https://www.runnymede.gov.uk/downloads/file/781/adopted-2030-lp>

²⁶ <https://www.runnymede.gov.uk/downloads/file/778/inspector-s-report-on-rbc-2030-lp>

²⁷ https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000

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	<p>supply of land identified by this Local Plan. Otherwise, proposals for housing and employment development of safeguarded sites in this Plan period will be refused.”</p> <p>The Council allocates 85.88ha of safeguarded employment land (two sites) and it allocates eight safeguarded housing sites (totalling 2739 dwellings). The justification is provided at para 4.21:</p> <p><i>“4.21.1 In accordance with Policy LPA01, the sites listed in Tables 4.13 and 4.14 have been safeguarded to meet potential long term development needs. Whilst they have been removed from the Green Belt, they are not allocated for development before 2037. Their purpose is to ensure that the new Green Belt boundaries set by this Plan can endure well beyond 2037. The reasons why specific sites are safeguarded rather than allocated for development before 2037 are set out in the St Helens Green Belt Review 2018. The safeguarded sites are protected from other forms of development that would prevent or significantly hinder their future development for the uses identified in Tables 4.13 and 4.14. This is to ensure that, potentially, they could be used for these purposes in the future.</i></p> <p><i>4.21.2 The development of the safeguarded sites for the purposes in Tables 4.13 and 4.14 will only be acceptable if a future Local Plan update, either full or partial, confirms that such development is both acceptable and required, and proceeds to allocate such sites for development in that update. The Council may undertake and bring into effect such a Local Plan update within the current Plan period of 2020-2037, should this be required and justified by the latest evidence. This is likely to be informed by the level of need for housing and / or employment development (whichever use is identified for the specific site) compared to site supply, infrastructure capacity and needs, and any other factors that may affect the delivery of the sites at that time.”</i></p> <p>At paragraph 4.21.7 onwards, the Council considers the exceptional circumstances to justify removing the land from the Green Belt, taking each site in turn. It is clear that these sites did not score as highly compared to the other employment and housing allocations. Some of the sites had highways or access issues, or other physical constraints which would take a longer time to be addressed. The Council’s Green Belt Review (2018)²⁸ explains the approach to determining whether sites should be allocated or safeguarded.</p> <p>The Inspector’s Report²⁹ at paragraph 104-109 considers the Council’s approach to Safeguarded Land:</p> <p><i>“104. The Framework advises that, when defining Green Belt boundaries, plans should, where necessary, identify 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. The Plan identifies safeguarded land to meet longer-term housing and employment land needs through Policy LPA06.</i></p> <p><i>105. The safeguarded employment land at Omega and Haydock is adjacent to the strategic road network and existing well-established employment sites. The eight safeguarded sites for housing achieve a reasonable geographic spread around the Borough, including land adjacent to the St Helens Core Area and Newton-le-Willows/Earlestown.</i></p> <p><i>106. National policy does not quantify how much safeguarded land should be identified. The safeguarded employment land amounts to some 85 ha, or some 9 years supply based on the current OAN, whereas the housing land would provide for around 2700 dwellings or some 6 years supply based on the current OAN. However, it should also be noted that some of the allocated strategic housing sites are projected to deliver a significant proportion of development beyond the Plan period such that over 3200 homes would be likely to be built on these allocations post 2037.</i></p>

²⁸ https://www.sthelens.gov.uk/media/1750/SD020-St-Helens-Green-Belt-Review-2018/pdf/SD020_St_Helens_Green_Belt_Review_2018.pdf?m=637774266925270000

²⁹ https://www.sthelens.gov.uk/media/4065/St-Helens-LP-Final-Report-and-MM-s-Combined/pdf/St_Helens_LP_-_Final_Report_and_MMs_Combined.pdf?m=637889225079730000

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	<p>107. The Plan needs to achieve a balance between protecting Green Belt and ensuring that Green Belt boundaries do not need to be altered again at the end of the Plan period. Moreover, there are uncertainties about what future needs will be or what non-Green Belt opportunities may arise. The Plan achieves an appropriate quantum of safeguarded land and demonstrates exceptional circumstances in this respect. We come on to the particular Green Belt impacts of the safeguarded land later in the report under Issue 3.</p> <p>108. Policy LPA06 is broadly consistent with the Framework in requiring that planning permission for the permanent development of safeguarded land should only be granted following an update to a plan. Alternative approaches, such as allowing a phased release of safeguarded land through this Plan, would not be consistent with national policy.</p> <p>109. However, in order to ensure that Policy LPA06 is positively prepared, it should recognise that it may be necessary to update the Plan partially or fully during the current Plan period, to respond to new evidence. Such a change would also reflect the advice within paragraph 33 of the Framework about reviewing plans. The changes to Policy LPA06 and its explanation would be achieved by MM011. We have amended MM011 following consultation to make reference to issues of both need and supply so that it is positively prepared.”</p> <p>The Council’s accompanying evidence in the form of the Housing Need and Supply Background Paper (October 2020)³⁰ and the Employment Need and Supply Background Paper (October 2020)³¹ provides further information on the approach to safeguarded land.</p> <p>The Housing Need and Supply Background Paper (October 2020)³² at paragraph 3.51-3.57 describes the approach:</p> <p>“3.52 In the absence of national guidance, the Council have sought to use a practical and balanced approach to the designation of safeguarded land. Being mindful of the uncertainties that are inherent with calculating longer term needs and the need to demonstrate exceptional circumstances to justify the release of Green Belt land, the Council have not sought to identify a specific housing need figure for post 2035. The Council have instead identified a reasonable amount of land to be safeguarded in order to meet future development needs. SHBLP Policy LPA06 identifies 8 sites to be removed from the Green Belt and safeguarded in order to meet longer term development needs beyond the Plan period. Policy LPA06 indicates that planning permission for the development of the safeguarded sites will only be granted following a future Local Plan Review that proposes such development identified a reasonable amount of land to be safeguarded in order to meet future development needs.</p> <p>3.53 While the Council have not used a specific methodology for calculating post Plan period needs, the Plan period housing requirement is considered a reasonable basis to measure the provision of safeguarded land against. When projecting forward the housing requirement of 486 dwellings per year, the estimated combined capacity of the sites safeguarded for housing of 2,641 dwellings equates to 5.4 years of housing supply. If you remove the cap of 500 dwellings applied at site 3HS by Policy LPA06 (based on highway capacity issues), then the safeguarded sites provide for 6.4 years of housing supply.</p>

³⁰ https://www.sthelens.gov.uk/media/1755/SD025-Housing-Need-and-Supply-Background-Paper-October-2020/pdf/SD025_Housing_Need_and_Supply_Background_Paper_October_2020.pdf?m=637774286946030000

³¹ https://www.sthelens.gov.uk/media/1752/SD022-Employment-Land-Need-and-Supply-Background-Paper-October-2020/pdf/SD022_Employment_Land_Need_and_Supply_Background_Paper_October_2020.pdf?m=637774271535630000

³² https://www.sthelens.gov.uk/media/1752/SD022-Employment-Land-Need-and-Supply-Background-Paper-October-2020/pdf/SD022_Employment_Land_Need_and_Supply_Background_Paper_October_2020.pdf?m=637774271535630000

Local Authority	Detailed Review of Approach to Safeguarded Land
	<p>3.54 It is important to recognise that the Plan also includes indicative post-2035 delivery of 3358 dwellings, from allocated housing (sites 2HA, 4HA, 5HA, 6HA and 10HA), the delivery of which is expected to continue well beyond 2035. Based on the Plan period housing requirement of 486 dwellings per annum, this equates to a further 6.9 years of housing land supply.”</p> <p>The Council notes that the windfall allowance would equate to an additional 1.4 years of supply (para 3.55). The Council had also allowed for a SHLAA capacity reduction for non-delivery of 15% for years 6-15 and a 20% buffer to the Green Belt allocations to allow for contingencies (see para 3.56). These extra allowances would either enable the full net housing requirement to be delivered by 2035 or would result in overprovision which would then reduce development requirements in the next Plan period.</p> <p>At para 3.57 the Council comments on their previous approach: “It is also important to note that the Local Plan Preferred Options (2016) did seek to include 15 years of safeguarded housing land beyond the Plan period, on which the basis was projecting forward the then proposed 570 dwellings per annum housing requirement. However, there was significant opposition to this approach from local residents and stakeholders.”</p> <p>The Preferred Options document (2016)³³ when considering reasonable alternatives at paragraph 4.49-50 states that the Council would not be able to distribute the safeguarded housing sites to each settlement, proportionate to the settlement population. Paragraph 4.50 sets out the justification for this: “The Green Belt assessment did not identify enough land as being suitable for release from the Green Belt to enable a distribution. There is insufficient data on housing needs per settlement to justify releasing sites from the Green Belt around each settlement to meet these needs rather than being primarily led by suitability for release from the Green Belt.”</p>
<p>Warrington Borough Council</p> <p>Local Plan (not yet adopted)</p> <p>The Local Plan Examination hearings took place in September/October 2022. The Council published its Updated</p>	<p>The Local Plan Updated Proposed Submission Version (September 2021)³⁴ at paragraph 3.4.2-3.4.4 notes that the Council has carried out a comprehensive review of its SHLAA and Brownfield Register to ensure it has optimised development potential of the existing urban area. Paragraph 3.4.4 states: “Together with the longer term delivery from the Plan’s site allocations and other potential sites within the wider existing urban area, this negates the requirement to take any additional land out of the Green Belt as Safeguarded Land.”</p> <p>Paragraph 4.1.24-4.1.33 considers the Council’s housing land supply beyond the Plan Period and the Council conclude the amended Green Belt boundaries are capable of enduring well beyond the end of the Plan period therefore there is no need for any safeguarding of land to meet future housing needs.</p> <p>The Local Plan Examination hearings took place in September/October 2022. The Council published its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p> <p>The Council’s Matter Statement³⁵ in relation to Matter 3: Spatial Strategy responds the Inspector’s question as to whether safeguarded land is required. Paragraph 27.1 states:</p> <p>“27.1 The Council considers that there will be sufficient land supply to meet the level of housing need for at least 12 years following the end of the Plan period. This is due to the ability of the Main Development Areas to deliver homes beyond the end of the Plan Period; the anticipated supply of</p>

³³ https://www.sthelens.gov.uk/media/2009/LPI003-St-Helens-Local-Plan-Preferred-Options-2016/pdf/LPI003_St_Helens_Local_Plan_Preferred_Options_2016.pdf?m=637794001843170000

³⁴ https://www.warrington.gov.uk/sites/default/files/2021-09/warrington_updated_proposed_submission_version_local_plan_upsvlp_2021-2038_-_september_2021.pdf

³⁵ https://www.warrington.gov.uk/sites/default/files/2022-07/M3.01_Warrington%20Borough%20Council_Redacted.pdf

Local Authority	Detailed Review of Approach to Safeguarded Land
<p>Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p><i>brownfield sites; increased supply of homes over the Plan period addressing issues of affordability; and the projected slower growth in households over time. This is detailed in paragraphs 5.8 to 5.17 of the Development Options and Site Assessment Technical Report 2021 (O1).</i></p> <p><i>27.2 The Council is therefore confident that there is no need for the additional flexibility that would be provided by designating any land as safeguarded land in respect of future housing or employment needs and that the amended Green Belt boundaries are capable of enduring well beyond the end of the Plan period.</i></p> <p><i>27.3 If housing land supply issues become apparent through the Council’s monitoring process, then the Council will give consideration to a review of the Plan in accordance with Policy M1.</i></p> <p><i>27.4 The proposed allocations at Fiddlers Ferry and the South East Warrington Employment Area provide a total of 237.92 ha, which is marginally below the required need by around 8 ha. The Council considers that there is a strong likelihood the balance of employment land need will be met from windfall sites in existing employment locations. There is also the potential of agreement with St Helens that the additional land at Omega West should contribute to meeting Warrington’s needs as detailed in the response to question 20 above.</i></p> <p><i>27.5 The Council has considered a number of other employment sites, in particular those which were given the highest grading through the Economic Development Needs Assessment. All of these sites however have one or more significant constraints. Given these constraints, the Council is not proposing to make any further allocations to come forward later in the Plan Period or to provide safeguarded sites.</i></p> <p><i>27.6 The Council is however committed to undertaking a review into Warrington’s employment land needs every 5 years and in any event, well before the end of the Plan period to ensure the long term supply of employment land. At this stage, it is likely that key infrastructure improvements, including the Western Link and motorway junction improvements, will have been delivered and the impacts of any further required employment allocations can be fully appraised.”</i></p>

Appendix B

Approach to compensatory improvements taken by other local authorities

Local Authority	Detailed Review of Approach to Compensatory Improvements
<p>Durham County Council Local Plan (October 2020)</p>	<p>The adopted Local Plan³⁶ identifies the need for compensatory improvements in relation to a number of strategic allocations:</p> <p>Policy 3 (Aykley Heads) includes the following policy text:</p> <p><i>“e. to provide compensatory improvements for the loss of Green Belt, the land to the east of the site will be enhanced to provide a high quality parkland as an integral part of the site's development, retaining its openness and providing an attractive, safe enhanced network of multi-user routes, enhancing the opportunity for tree planting and habitat creation.”</i></p> <p>The supporting text at paragraph 4.57 states:</p> <p><i>“Aykley Heads is dominated by a variety of landscape environments and settings, which any scheme must respect and work with to ensure that the unique setting is preserved. The site contains dense woodland, open grassland, streams and ponds, as well as shaded slopes and open spaces. The space and variety of these green spaces can be utilised for circulation (linking parts of the site and allowing people to pass through), for activity (whether recreation or education) and to allow the buildings to be set in an attractive landscape, which is a key asset of the Aykley Heads site. There is also an informal parkland area that is well used particularly by dog walkers. As an integral part of the redevelopment of the site and to provide compensatory improvements for the loss of Green Belt there is an opportunity to improve this area preserving and enhancing existing habitats and creating new habitats. The public access into and around Aykley Heads will be retained and improved, creating more attractive gateways into the site particularly from the railway station and Wharton Park.”</i></p> <p>Policy 4 (Housing Allocations) includes the following policy text in relation to housing allocation H4 (Former Police Skid Pan):</p> <p><i>“Development of the site will...provide compensatory improvements to remaining Green Belt in the vicinity including providing new native woodland to consolidate Hopper’s Wood to the north and west of the site and developing new and improved footpaths in that area linking to the wider network.”</i></p> <p>Policy 5 (Durham City’s Sustainable Urban Extensions) includes the following policy text in relation to the urban extension at Sniperley Park:</p> <p><i>“h. schemes of compensatory improvements to the environmental quality and accessibility to the remaining Green Belt will be provided:</i></p> <ol style="list-style-type: none"> <i>1. on land north and south of the A691 to the south of the site to include, the planting of new hedgerows, woodland, parkland trees and hedgerow trees, habitat creation to buffer existing features and new public rights of way linking to the wider footpath network in the Browney Valley to the south; and</i> <i>2. on land north of Potterhouse Lane and south of Little Gill, to the north of the site, to include the planting of new hedgerows and gapping up of existing hedgerows, the planting of new hedgerow trees, the planting of new woodland along Little Gill and on steeper slopes to connect existing woodland with woods to the east, habitat creation to buffer existing features, and new public rights of way providing opportunities for circular walks and linking to the wider footpath network to the north.”</i> <p>And in relation to the urban extension at Sherburn Road:</p> <p><i>“s. compensatory improvements to the remaining Green Belt will be provided, to maintain and enhance the rural character of the valley side and to provide improved public access and ecological value. The planting of new hedgerows along with the gapping up of existing hedgerows will enhance and strengthen field patterns. Structural landscaping to the south of the existing Sherburn Road Estate will improve the character of the wider area. Ecological enhancements will be provided in the area leading down to Old Durham Beck to provide better linkages to existing footpaths through to Pelaw Woods and the city centre and provide benefits to the setting of the buildings at Old Durham.”</i></p>

³⁶ <https://www.durham.gov.uk/media/34069/County-Durham-Plan-adopted-2020-/pdf/CountyDurhamPlanAdopted2020vDec2020.pdf?m=637725862605900000>

Local Authority	Detailed Review of Approach to Compensatory Improvements
	<p>The supporting text to Policy 5 at paragraph 4.98 states:</p> <p><i>“4.98 Compensatory improvements will be made to the environmental quality and accessibility of the remaining Green Belt particularly where opportunities exist to create new or enhanced green infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, habitat connectivity and natural capital, new or enhanced walking and cycling routes, improved access to new, enhanced or existing recreational provision and to deal with any existing environmental issues.”</i></p> <p>In relation to Sniperley Park, the supporting text at paragraph 4.104 states:</p> <p><i>“4.104 The site will be an exemplar of design quality and sustainable development and include a strong landscape framework and green infrastructure network that will capitalise on the site’s natural features, ensure integration with the surrounding landscape and provide compensatory benefits to offset the loss of Green Belt. The mature woodland at Folly Plantation and habitats of the former Cater House Pit will be retained within the development as a part of a linear park. The park will be retained in perpetuity and will extend through the centre of the site from the parklands of Sniperley Hall in the south to Folly Bridge in the north. Any future planning application(s) will need to provide a proportionate contribution to the linear park based upon the planning application site area relative to the site’s total allocation (107.8 Ha), ensuring it is provided across the full site extending through the centre of the site from the parklands of Sniperley Hall in the south to Folly Bridge in the north and will be retained in perpetuity. Compensatory improvements to the remaining Green Belt land between Potterhouse Lane and Little Gill to the north of the site and south of the A691 to the south of the site will be required which will enhance the landscape and biodiversity of those areas while improving linkages with the wider countryside and to the urban areas to the east of the site. This will ensure beneficial enjoyment of both the linear park and remaining Green Belt for the residents of the site and those living nearby. In addition, the wildlife potential of these areas and across and beyond the wider site will be enhanced. Development will embrace environmental standards to provide an attractive living environment, including opportunities for recreation. Enhanced opportunities for sustainable access to the city centre and surrounding areas for public transport, walking and cycling, will also be created.”</i></p> <p>In relation to Sherburn Road, the supporting text at paragraph 4.108 states:</p> <p><i>“4.108 The design will protect the character and integrity of Bent House Farm, Old Durham Beck and Old Durham. The development should maximise pedestrian links to Durham City and the River Wear, incorporate Bent House Lane and provide a link to the existing Sherburn Road Estate. The remainder of the site on the southern boundary will then be landscaped and integrated with the compensatory improvements to the remaining area of Green Belt nearby to enhance its enjoyment by residents and the wider community and its value for wildlife.”</i></p> <p>The Local Plan Inspector’s Report³⁷ at paragraphs 87, 98, 104 and 278 notes that main modifications were required to the policy text and supporting text (as set out above) to ensure the policies were consistent with national policy and justified. In the County Durham Plan Pre-Submission Draft (2019) the Council had identified compensatory improvements within the site boundary of the Sniperley Park urban extension in the form of a linear park however this was challenged by the Inspector during the Examination hearing sessions as this would not have been in the remaining Green Belt. The wording was changed as part of the main modifications to identify further compensatory improvements outside of the site boundary in the remaining Green Belt. The Council noted that these changes were agreed following discussions with the landowners.</p>

³⁷ <https://www.durham.gov.uk/media/34071/County-Durham-Plan-Inspectors-Final-Report/pdf/InspectorsFinalReport.pdf?m=637725856957030000>

Local Authority	Detailed Review of Approach to Compensatory Improvements
<p>Northumberland County Council Local Plan (March 2022)</p>	<p>The adopted Local Plan³⁸ at paragraph 5.46-5.47 states:</p> <p><i>“5.46 The Council has removed around 23 hectares of land from the Green Belt in order to provide employment land in the Main Towns of Hexham, Ponteland and Prudhoe. The NPPF states that plans should “set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”. In order to deliver improvements on remaining Green Belt land, through the development management process, the Council will seek to secure developer contributions or planning conditions on the sites which have been removed from the Green Belt.</i></p> <p><i>5.47 With a view to ensuring that improvements are deliverable and meaningful, developer contributions will be linked to Council-led green infrastructure, cycling and walking infrastructure and sports and recreation projects identified in the Northumberland Infrastructure Delivery Plan (IDP). When selecting projects from the IDP to direct contributions towards, the Council will prioritise any projects which are within the locality of the site that has been removed from the Green Belt. Given that timescales for delivery of the allocated sites are not fixed, contributions will be sought for emerging projects identified within the most up-to-date IDP available when the sites are brought forward through the planning application process.</i></p> <p><i>5.48 Alternatively, the Council may consider that improvements of equivalent value can be delivered on land adjacent to the allocated site if it is within the applicant’s wider ownership and could be secured through planning conditions. Delivery of improvements through planning conditions will be dependent upon early discussions with the Council through the pre-application process to ensure that the proposal would deliver appropriate improvements, over and above that which would otherwise be required to make the scheme acceptable in planning terms.”</i></p> <p>Policy ECN 6 (General Employment Land – allocations and safeguarding) states:</p> <p><i>“6. Where the above allocations involve loss of Green Belt, this will be offset through compensatory improvements to the environmental quality and accessibility of remaining areas of Green Belt, with priority given to areas close to the allocation sites where appropriate. Such improvements must be agreed with the Council before planning permission is granted and ideally through the pre-application process. Improvements will be secured through:</i></p> <p><i>a. Developer contributions towards green infrastructure, cycling and walking infrastructure or sport and recreation projects located within the Green Belt; or</i></p> <p><i>b. Planning conditions on adjacent land in the Green Belt, which secure environmental improvements equivalent to the value of the alternative developer financial contributions.”</i></p> <p>The Local Plan Inspector’s Report³⁹ at paragraph 163 comments on the approach to compensatory improvements. The Inspector required modifications to amend the policy text and supporting text to the text shown above to ensure it was effective and justified.</p> <p><i>“Policy ECN 6 refers to compensatory improvements where there is a loss of Green Belt. Whilst this is in accordance with paragraph 142 of the NPPF, the policy requires improvements to Green Belt adjoining the development site which may not be in the control of the developer seeking planning permission. The policy is also ambiguous about what improvements are to be sought and how these would be secured. As such, this part of the policy is not effective. Further evidence has been submitted (EX/NCC/127) and a modification is required to the wording of the policy and supporting text which clarifies that other land (not just adjoining land) can form part of the compensatory improvements. The modification also clarifies the type of</i></p>

³⁸ <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Adopted-March-2022.pdf>

³⁹ <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Report-Final-26-January-2022.pdf>

Local Authority	Detailed Review of Approach to Compensatory Improvements
	<p><i>improvements which will be sought and the mechanism to secure them. MM17 includes this modification and ensures that the policy is effective and justified.”</i></p>
<p>South Oxfordshire Council Local Plan (December 2020)</p>	<p>The adopted Local Plan⁴⁰ at Policy STRAT6 (Green Belt) states: <i>“2. The Green Belt boundary has been altered to accommodate strategic allocations at STRAT8, STRAT9, STRAT10i, STRAT11, STRAT12, STRAT13 and STRAT14, where the development should deliver compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, with measures supported by evidence of landscape, biodiversity or recreational needs and opportunities. The boundaries of the reviewed Green Belt are identified on the changes to the Green Belt boundary maps (see Appendix 4).”</i></p> <p>The explanatory text at paragraph 3.57 states: <i>“The Plan has made alterations to the Green Belt to accommodate our strategic allocations at Culham, Berinsfield, Grenoble Road, Northfield, Land North of Bayswater Brook and Wheatley. These alterations are shown at Appendix 4. The individual sections within the Plan which are relevant to each of these strategic allocations, provide specific detail on the approach for its release and mitigation. The policy requires compensatory measures to be delivered to remediate for the removal of land from the Green Belt. This is required by the National Planning Policy Framework at paragraph 138. Each relevant strategic allocation policy where Green Belt has been altered sets out requirements for the site and some of these measures could be considered as compensatory measures. Evidence on landscape, biodiversity or recreational needs with site specific recommendations and opportunities will also provide recommendations for enhancements that would deliver compensatory improvements on remaining Green Belt. The compensatory gain would be expected to be demonstrated through the individual site masterplans and secured through developer contributions if these enhancements are outside of the red line boundary of a planning application.”</i></p> <p>Compensatory improvements had not originally been referenced in Policy STRAT6 (Green Belt) of the draft Local Plan and was added after the Examination hearings as a Main Modification. The Local Plan Inspector’s Report⁴¹ at paragraph 90 concludes on the impact on the Green Belt: <i>“The overall integrity and purpose of the Oxford Green Belt would remain and would be protected by Policy STRAT6. To bring the policy into line with the NPPF, MM9 indicates that the strategic allocations should deliver compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, with measures supported by evidence of landscape, biodiversity or recreational needs and opportunities.”</i></p>
<p>St Albans Council Draft Local Plan withdrawn in November 2020.</p>	<p>Draft Local Plan submitted for examination in March 2019. Examination hearings took place in January and February 2020. The Inspector’s wrote to the Council expressing concerns with the Local Plan. The Inspector’s Post Hearings letter dated 14 April 2020⁴² considers compensatory improvements at paragraphs 54-56: <i>“54. Paragraph 138 of the Framework sets out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The Council refers to Policy S6 and the requirements set out</i></p>

⁴⁰ <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2021/02/SODC-LP2035-Publication-Feb-2021.pdf>

⁴¹ https://data.southoxon.gov.uk/cem/support/dynamic_serve.jsp?ID=1670535423&CODE=0E0BE05B297DC02E146797D2655847AD

⁴² <https://www.stalbans.gov.uk/sites/default/files/attachments/ED40%20%20Inspectors%20Post%20Hearings%20Letter%2014.4.20.pdf>

Local Authority	Detailed Review of Approach to Compensatory Improvements
	<p><i>under each of the Broad Locations. It also anticipates that further compensatory improvements will emerge through the forthcoming masterplans for the Broad Locations and refers to the provisions of Plan Policy L29.</i></p> <p><i>55. However, we have concerns as to whether such compensatory improvements have been identified in relation to all the Broad Locations, and if they would in fact be on land remaining in the Green Belt or on land within the Broad Locations themselves. There is also a lack of clear evidence to demonstrate that the developer or the Council owns or controls the land that would be needed in each instance.</i></p> <p><i>56. Additionally, the Council confirmed at the hearings that the costs of the required improvements has not been specifically factored into the viability work for each of the Broad Locations. In the absence of the identification of particular schemes of improvement or any estimation of their likely costs, it is difficult for us to be satisfied that that the headroom in the viability of the Broad Locations would be sufficient to cover the required improvements as suggested by the Council. In light of all these factors, it is not clear to us how this important requirement of the Framework would be met.”</i></p>
<p>St Helen’s Council (July 2022)</p>	<p>The adopted Local Plan⁴³ at Policy LPA01 (Spatial Strategy) states:</p> <p><i>“5. This Plan releases land from the Green Belt to enable the needs for housing and employment development to be met in full over the Plan period up to 31 March 2037, in the most sustainable locations. Other land is removed from the Green Belt and safeguarded to allow for longer term housing and / or employment needs to be met after 31 March 2037. Such Safeguarded Land is not allocated for development in the Plan period and planning permission for permanent development should only be granted following an update of this Plan. Within the remaining areas of Green Belt (shown on the Policies Map) new development shall be regarded as inappropriate unless it falls within one of the exceptions set out in the National Planning Policy Framework (or any successor document). Inappropriate development in the Green Belt shall not be approved except in very special circumstances. Delivery of compensatory improvement measures within areas remaining in the Green Belt will be required following any release of Green Belt land for development purposes. Details of such improvements will be considered during the Development Management process and assessed on an individual application basis.”</i></p> <p>The supporting text at paragraphs 4.3.20-23 states:</p> <p><i>“4.3.20 In addition, the Council aims to protect and enhance remaining areas of Green Belt by seeking the delivery of compensatory improvement measures. In accordance with paragraph 142 of the NPPF, delivery of compensatory improvement measures will be sought when sites are released from the Green Belt for development as part of this Plan. Such measures should enhance the environmental quality and accessibility of the remaining Green Belt land, amongst other improvements. Further guidance is provided within the National Planning Practice Guidance (Green Belt Land).</i></p> <p><i>4.3.21 The delivery of compensatory improvements will be supported by a number of policies within this Plan. For example, policies LPA08, LPC05- 10 and LPC12 all have an environmental focus, which will support the delivery of Green Belt compensatory measures. Additionally, Development Management focussed policies, including LPD01-03 and LPD09 will support this.</i></p> <p><i>4.3.22 Beyond the policy framework in this Plan to support the delivery of Green Belt compensatory measures, as well as other development plan documents, such as the Bold Forest Park AAP, the Council will continue to build on project improvements delivered to date. Improvements include those at the strategic level, such as at Bold Forest Park, for example the expansion of tree cover and the delivery of improved recreational facilities. A further strategic level project is the Sankey Valley Corridor Nature Improvement Area (NIA), which is focussed on enhancing the aquatic environment as well</i></p>

⁴³ https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000

Local Authority	Detailed Review of Approach to Compensatory Improvements
	<p><i>as the surrounding natural environment within the catchment, and improvements in environmental management practices. Improvements in this location have included accessibility enhancements, including walking, and cycling infrastructure and new signage, enabling increased access to the Green Belt for residents and visitors. It is expected that further improvements can be delivered at these two strategic projects as part of Green Belt compensatory measures.</i></p> <p><i>4.3.23 There are further sites around the Borough that could be improved as part of Green Belt compensatory measures including those which form part of the Knowsley and St Helens Mosslands Nature Improvement Area (NIA), comprising three sites in the north of the Borough, near Rainford, one by Parr and one by Newton-le-Willows (see appendix 9). In addition, there are many Local Wildlife Sites (LWS) in the Borough, which are identified on the Policies Map, and appendix 8 of this Plan shows that there are several LWS in each ward of the Borough, with many of these wards having LWS in the Green Belt. There are also three Local Nature Reserves located within the Green Belt. Compensatory measures can also occur at non-designated sites within the Green Belt, for example, initiatives related to alleviating the effects of flooding events, such as those implemented previously in the settlement of King’s Moss. Therefore, there are clear opportunities for localised Green Belt compensatory measures to be delivered on such designated and non-designated sites across the entire Borough through the delivery of environmental improvements, in addition to the two identified strategic sites referred to above.”</i></p> <p>The Local Plan Inspector’s Report⁴⁴ at paragraph 110-111 states:</p> <p><i>“110. The Framework requires that, when releasing Green Belt land, plans should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The submitted Plan does not specifically refer to compensatory improvements, albeit that it is acknowledged that areas such as the Bold Forest Park have the potential to be enhanced through improved access and infrastructure.</i></p> <p><i>111. MM006 ensures that Policy LPA02 and its explanation recognise that compensatory improvements will be needed when planning permission is sought for areas to be released from the Green Belt. This change is required so that the Plan is consistent with national policy.”</i></p> <p>The Schedule of Main Modifications is included as an Appendix to the Inspector’s Report. MM006 proposed the text set out above in the adopted Local Plan. The previous policy text for Policy LPA01 did not include any reference at all to compensatory improvements and therefore the modification included reference to it within the policy text and added the text in paragraphs 4.3.20-23 set out above.</p>
<p>Warrington Borough Council Local Plan (not yet adopted)</p>	<p>The Local Plan Examination hearing sessions took place between September and October 2022. The Inspector’s Matters, Issues and Questions (MIQs)⁴⁵ for each of the proposed allocations in the Green Belt includes one of the following questions:</p> <ul style="list-style-type: none"> • “What is the approach towards Green Belt compensatory improvements? Is this sufficiently clear?” • “Is the requirement for Green Belt compensatory improvements justified and appropriate?” <p>During the hearing sessions, the Council recognised that the approach to compensatory improvements could be clearer and proposed a main modification to the policy wording on compensatory improvements for all Green Belt allocations. This is explained in the Council’s Matters Statement for ‘Matter 6b</p>

⁴⁴ https://www.sthelens.gov.uk/media/4065/St-Helens-LP-Final-Report-and-MM-s-Combined/pdf/St_Helens_LP_-_Final_Report_and_MMs_Combined.pdf?m=637889225079730000

⁴⁵ <https://www.warrington.gov.uk/sites/default/files/2022-06/ID02%20Inspectors%27%20Matters%20Issues%20and%20Questions%20%28MIQs%29.pdf>

Local Authority	Detailed Review of Approach to Compensatory Improvements
<p>The Local Plan Examination hearings took place in September/October 2022. The Council published its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p>– Main Development Area: South East Warrington Urban Extension’ (July 2022)⁴⁶ at paragraph 6.1-6.2 and is duplicated across all of the Matters Statements for Green Belt allocations:</p> <p><i>“6.1 The Council acknowledges that the approach to Compensatory Green Belt improvements could be clearer in the Policy. As such the Council is proposing a modification to clarify that in the first instance improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will then consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits. Financial contributions will only be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in a more appropriate location.</i></p> <p><i>6.2 The proposed wording for the modification is detailed at paragraph 12.1 below.</i></p> <p>Paragraph 12.1 sets out the amended policy wording:</p> <p><i>“The Council acknowledges that the approach to Compensatory Green Belt improvements could be clearer within the Policy. As such the Council is proposing the following modification to Part 26 of Policy MD2:</i></p> <p><i>A scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required. In the first instance, the improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits. Financial contributions will only be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most a more appropriate location.”</i></p> <p>The Inspector’s Main Modifications were published for consultation on 15 March until 26 April 2023. The Schedule of Proposed Main Modifications (March 2023)⁴⁷ includes the amended wording set out above.</p> <p>For the large strategic urban extensions (the South East Warrington Urban Extension and the South East Warrington Employment Area) the Council also confirmed in their Matters Statements that they had engaged with the site promoters. The Council’s Matters Statement for ‘Matter 6b – Main Development Area: South East Warrington Urban Extension’ (July 2022)⁴⁸ at paragraph 6.3 states:</p> <p><i>“Through engagement with the principal landowners, the Council is confident that the allocation is able to deliver compensatory Green Belt improvements immediately adjacent to the site. The principal landowners also control land in the wider area where further improvements could be delivered if required. The precise solution will be set within the Development Framework for the SEWUE.”</i></p> <p>The Council’s Matters Statement for ‘Matter 6f – Main Development Area: South East Warrington Employment Area (July 2022)⁴⁹ at paragraph 7.3 states:</p>

⁴⁶ https://www.warrington.gov.uk/sites/default/files/2022-07/M6b.01_Warrington%20Borough%20Council_Redacted.pdf

⁴⁷ <https://www.warrington.gov.uk/sites/default/files/2023-03/ID09%20Schedule%20of%20Proposed%20Main%20Modifications%202023.pdf>

⁴⁸ https://www.warrington.gov.uk/sites/default/files/2022-07/M6b.01_Warrington%20Borough%20Council_Redacted.pdf

⁴⁹ https://www.warrington.gov.uk/sites/default/files/2022-07/M6f.01_Warrington%20Borough%20Council_Redacted.pdf

Local Authority	Detailed Review of Approach to Compensatory Improvements
	<p><i>“Through engagement with the principal site promoters, the Council is confident that the allocation is able to deliver compensatory Green Belt improvements immediately adjacent to the site (including land adjacent to the allocation in Cheshire East). The principal site promoters also control land in the wider area where further improvements could be delivered if required.”</i></p>
<p>Watford Borough Council (October 2022)</p>	<p>The adopted Local Plan⁵⁰ at Strategic Policy SA13.1 (Allocated sites for delivery) sets out the proposed allocations. The ‘Development requirements and Considerations’ section for Site HS06 (Land at Russell Lane) requires:</p> <p><i>“A proportionate contribution for compensatory improvements to the environmental quality and accessibility of the remaining parts of Watford’s Green Belt which include areas of existing open space and green infrastructure via a Section 106 agreement.”</i></p> <p>As part of the Draft Local Plan Proposed Main Modification consultation (October 2021)⁵¹, the Inspector required the wording in the submission version of the draft Local Plan to be changed to ensure the policy was justified and effective. The previous wording was: <i>“Incorporate compensatory measures for the loss of Green Belt into the scheme, in line with national policy”</i>.</p> <p>The Local Plan Inspector’s Report⁵² at paragraph 45 states: <i>“The proposal would be likely to have an overall low to moderate effect on Green Belt purposes. Subject to a modification, the development requirements for the site in chapter 13 would be effective and consistent with national policy with regard to securing compensatory improvements to the environmental quality and accessibility of remaining Green Belt.”</i></p>

⁵⁰ <https://www.watford.gov.uk/downloads/file/1264/watford-local-plan>

⁵¹ https://b57e7bde-4466-404a-9b4a-2f3be5dd40ec.usrfiles.com/ugd/b57e7b_ed3ad0b9f03844908f43632d2c7bf798.pdf

⁵² https://www.watfordlocalplan.co.uk/files/ugd/b57e7b_4801302d74254724bc8617ba1e5f4998.pdf

Appendix C

Approach to exceptional circumstances taken by other local authorities

Local Authority	Detailed Review of Approach to Exceptional Circumstances
<p>Broxbourne Borough Council Local Plan (June 2020)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The Council’s Exceptional Circumstances Case is set out in their Green Belt Topic Paper (June 2017).⁵³ The principles set out in the Calverton judgement are used by the Council as the basis for their exceptional circumstances case. Each principle is considered and evidenced in turn.</p> <p>“i) <i>the acuteness/intensity of the objectively assessed need;</i> ii) <i>the inherent constraints on supply/availability of land prima facie suitable for sustainable development;</i> iii) <i>the consequent difficulties in achieving sustainable development without impinging on the Green Belt;</i> iv) <i>the nature and extent of the harm to the Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and</i> v) <i>the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.”</i></p> <p>The Local Plan Inspector’s Report⁵⁴ at paragraph 31 and 32 states:</p> <p>“31. <i>A highly significant influence on the Plan, and my main issues, is the fact that virtually all of the undeveloped land in the Borough is designated as Green Belt in the existing local plan adopted in 2005. Whilst the preparation of a new local plan provides the opportunity to review Green Belt boundaries in order to accommodate development that is needed, it is necessary for exceptional circumstances to be demonstrated. My consideration of whether there are exceptional circumstances reflects the approach set out in the “Calverton” High Court judgment, and my main issues are defined accordingly.</i></p> <p>32. <i>National policy is clear that the planning system should be genuinely plan-led, and that plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made with a high degree of certainty. In this context, and because the current local plan was adopted about 15 years ago and only looked ahead to 2011, it is of great importance that a new local plan is adopted for the Borough as soon as possible. This is particularly so in Broxbourne because of the constraints and uncertainties that would otherwise exist due to highly restrictive Green Belt policies that would continue to apply to much of the land in the Borough. This has been an important consideration for me throughout the examination, including in terms of my assessment of the main issues and my decisions about the main modifications that I recommend in order to ensure that the Plan is sound.”</i></p> <p>The Inspector considers the exceptional circumstances case at paragraph 77-123 of the Inspector’s Report based on the Calverton principles. In relation to the acuteness of the needs for different types of development, and the capacity of non-Green Belt land in the Borough to accommodate the identified needs for economic and housing development, paragraph 86-89 concludes:</p> <p>“86. <i>I have found that the Plan is based on reasonable estimates of the need for additional floorspace for convenience goods and leisure uses, but that the need for comparison goods should be reduced. Based on the available evidence, those needs are real and should be met in accordance with national policy. Furthermore, accommodating that need largely at Brookfield in a way that integrates with the significant amount of existing retail floorspace there offers the potential to create a new town centre. I consider the approach to this elsewhere in this report, but suffice to say at this stage that significant weight can be given to meeting the need for main town centre uses that I have identified in that manner.</i></p>

⁵³ <https://www.broxbourne.gov.uk/downloads/file/3273/f3-borough-of-broxbourne-green-belt-topic-paper-june-2017>

⁵⁴ <https://www.broxbourne.gov.uk/downloads/file/924/broxbourne-lp-report-final>

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<p>87. In preparing the Plan, the Council looked for development opportunities in non Green Belt locations. It concluded that intensification of the existing residential areas would adversely impact on the suburban character of much of the Borough; the nature and location of town centres and railway stations limit the scope for significant additional development at those locations; and there is very little vacant land at existing employment sites.</p> <p>88. There is limited evidence of systematic analysis of the potential for, and consequences of, comprehensive or widespread intensification of existing residential and industrial areas during the preparation of the Plan. However, the economic viability of such an approach would be problematic, and it would be highly unlikely to be effective in meeting any significant proportion of identified needs for housing, industry and warehousing development during the plan period.</p> <p>89. In that context, the Council’s evidence about the urban capacity of the Borough is proportionate. All specific available opportunities for further significant development in non Green Belt locations are proposed in the Plan including Cheshunt Lakeside (policy CH1), Waltham Cross town centre (policy WC2), and Park Plaza north and south (policies PP2 and PP3), and there a number of policies that are aimed at securing longer term regeneration including at Waltham Cross (policy WC3), Macers Estate (policy WT2) and elsewhere. Furthermore, for the reasons set out elsewhere in this report, subject to main modifications the Plan makes a justified assumption about future windfall development (70 dwellings per year) within urban areas and contains a policy to optimise the use of urban land.”</p> <p>At paragraph 94-116, the Inspector then considers the Green Belt harm resulting from each of the proposed sites and whether each site would contribute to sustainable patterns of development.</p>
<p>Cheshire East Council</p> <p>Site Allocations Development Plan Document (SADPD) (December 2022)</p>	<p>The SADPD was examined against the most recent NPPF (July 2021).</p> <p>The adopted SADPD⁵⁵ did not propose to alter Green Belt boundaries to accommodate development in the plan period although it included safeguarded land (see Appendix A). The SADPD Policy PG 8 notes that housing development in the Local Service Centres (LSCs) will be addressed by windfall development. Although exceptional circumstances had previously been established in the adopted Local Plan Strategy (LPS) (2017), the Council decided that the release of Green Belt land was no longer required in the LSCs.</p> <p>The Local Plan Inspector’s Report⁵⁶ considers this at paragraph 62:</p> <p>“Although exceptional circumstances for the alteration of Green Belt boundaries in north Cheshire were established in the LPS, given the growth in the housing land supply since the LPS was adopted, it is necessary to determine whether those exceptional circumstances remain to justify further alterations to the Green Belt boundaries at the LSCs through the SADPD. Before concluding whether exceptional circumstances exist, national policy requires that all other reasonable options for meeting needs must be examined first [paragraph 141 NPPF].”</p> <p>Paragraph 63-65 considers the reasonable options:</p> <p>“63. Based on the housing monitoring figures to March 2020, it is evident that supply has come forward from windfall sites, which already goes some way to meeting the needs of the LSCs in the north of the Borough³². It is true that a greater share of that supply has been completed or permitted in the LSCs outside of the NCGB (67.9%), with 32.1% at the LSCs within the NCGB³³. However, this is consistent with the Non Green Belt/Green Belt split for the Principal Towns and Key Service Centres (KSCs) established in Policy PG 734, on the basis of which the LPS was found sound.</p>

⁵⁵ <https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/site-allocations-and-policies/sadpd-examination/documents/examination-library/adopted-sadpd.pdf>

⁵⁶ <https://www.cheshireeast.gov.uk/planning/spatial-planning/cheshire-east-local-plan/site-allocations-and-policies/sadpd-examination/documents/examination-library/cheshire-east-sadpd-inspectors-report.pdf>

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<p>64. The evidence of windfall permissions since the LPS was adopted and of sites considered in the Settlement Reports, suggests that there is scope for further housing provision to come forward to meet the needs of the LSCs in the NCGB up to 2030, without the need to alter Green Belt boundaries. This includes Mobberley, at which a very limited amount of housing has been delivered since the beginning of the plan period. However, site MOB 1, which is located within the settlement boundary of Mobberley, is likely to be capable of being brought forward as a windfall site for a mix of uses including housing, through the development management process, subject to a design and layout that mitigates aircraft noise in line with the requirements of Policy ENV 13.</p> <p>65. Therefore, I find that exceptional circumstances do not now exist to justify the further alteration of Green Belt boundaries in the SADPD to ensure the housing needs of the LSCs up to 2030 are met. As such Option 7 is not an appropriate strategy for determining the distribution of housing at the LSCs. On the basis that the remaining part of the indicative housing figure for the LSCs in Policy PG 7 can be addressed through windfalls, without the need to alter Green Belt boundaries or allocate further sites, an Application-led approach to providing for this, as set out in Policy PG 8, is justified as an appropriate strategy for the LSCs.”</p>
<p>Durham County Council</p> <p>Local Plan (October 2020)</p>	<p>The Local Plan was examined against the NPPF published in February 2019.</p> <p>The adopted Local Plan⁵⁷ at paragraph 4.93 summarises the exceptional circumstances case, as follows:</p> <p>“We attach great importance to the Green Belt. However, and as required by the National Planning Policy Framework (NPPF) we believe there are exceptional circumstances which justify the removal of some land from the Green Belt. The NPPF is clear that when alterations to the Green Belt are being contemplated that the need to promote sustainable patterns of development should be taken into account. The exceptional circumstances are set out in the Exceptional Circumstances document and whilst both Sniperley Park and Sherburn Road perform strongly against some of the Green Belt purposes, on balance the benefits clearly outweigh the harm to the Green Belt and in summary are as follows.</p> <ul style="list-style-type: none"> • Ensuring sustainable patterns of development are achieved by building on Durham City's position as the county's employment centre, regional transport hub and regional centre for services and facilities, such as secondary schools and health facilities. This would provide greater opportunities to achieve locational sustainability and secure social, economic and environmental improvements compared to a more dispersed housing distribution; • Maximising the number of journeys undertaken by sustainable means such as walking, cycling and public transport and minimising overall journey distances and times. This will help address congestion and associated issues such as air quality and carbon emissions and enable the creation of a more sustainable transport network across the city; • Providing the right type of housing to meet the needs and aspirations of existing and future residents and a housing stock which supports the economy of the county and the need for more and better jobs; • Helping address economic under-performance across the county by supporting the economic potential of Durham City and the delivery of Aykley Heads by capturing business and investment growth, retaining graduates and creating opportunities to increase and retain spending in the city, supporting an improved retail offer and reducing the impact of the fluctuation in population between University terms; and

⁵⁷ <https://www.durham.gov.uk/media/34069/County-Durham-Plan-adopted-2020-/pdf/CountyDurhamPlanAdopted2020vDec2020.pdf?m=637725862605900000>

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<ul style="list-style-type: none"> • <i>Maximising the delivery of affordable housing and other infrastructure by locating development in the highest viability areas around Durham City.</i>⁵⁸ <p>The Council prepared a detailed Exceptional Circumstances report (2019)⁵⁸ which considers all of the elements which form the exceptional circumstances. The report considers the local Green Belt context and road infrastructure within the Green Belt. It considers the housing site methodology and describes how the Council has made effective use of brownfield sites and underused land, has considered the density of development and has considered exporting need to neighbouring authorities. The report also considers other non-Green Belt land including towns and villages inset within the Green Belt and locations beyond the outer Green Belt boundary. The findings of the Green Belt assessments are also described as well as compensatory improvements.</p> <p>At the Local Plan Examination hearing session on Green Belt matters held in October 2019, the Inspector followed paragraph 137 of the 2019 NPPF requiring the Council to justify that they had made as much use as possible of suitable brownfield sites and underutilised land, optimised the density of development, and had discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. The Inspector particularly questioned the Council on their approach to considering options for locating growth in the towns and villages beyond the Durham City Green Belt and why they had concluded that this dispersed approach to development was not deemed to be sustainable. The Council had produced various evidence base documents including a Settlement Study and had assessed these options through a SHLAA criteria assessment, a high-level viability study and a sustainability appraisal. In relation to optimising density, the Inspector questioned whether the Council’s proposed 30dph minimum was sufficiently ambitious to get the most out of the Local Plan allocations. The Council explained that they had explored 40dph and directed the Inspector as to where they had evidenced this.</p> <p>The Local Plan Inspector’s Report⁵⁹ at paragraph 53-78 considers the strategic level exceptional circumstances and then goes out to consider the site-specific exceptional circumstances (at paragraph 79-104) which justify removing the proposed allocations from the Green Belt. Paragraph 70-76 states:</p> <p><i>“70. The inner boundary of the Green Belt around the city is tightly defined. All options for housing development on brownfield land and other potentially suitable land within the city were assessed during the preparation of the Plan. Three sites within the city are allocated for a total of 90 dwellings, and a number of sites are allocated for purpose built student accommodation to help meet identified needs and reduce the pressure to convert family homes to houses in multiple occupation. There are no other suitable and available sites in the city.</i></p> <p><i>71. There are a limited number of small villages not far from the city that are inset from the Green Belt. Other than a limited number of minor infill sites, no opportunities were identified by the Council or others during the preparation of the Plan.</i></p> <p><i>72. Fifteen broad locations on the outer edge of the city of Durham Green Belt, all related to existing villages, were assessed. However, there has been a considerable amount of housing development in these locations in recent years, and few suitable and viable sites for additional housing development were identified. Moreover, further housing development in such locations would be some distance from the city, with relatively limited local services available meaning that future residents would be likely to use private motor vehicles for most trips.</i></p> <p><i>73. The capacity of all allocated sites assumed in the Plan is based on 30 dwellings per hectare of net developable area. This represents a somewhat cautious approach, as policy 30 requires development to achieve at least this density in locations with good access to facilities and frequent public transport services. I consider later in this report whether that particular policy requirement is justified. However, even if higher densities were achieved</i></p>

⁵⁸ <http://durhamcc-consult.limehouse.co.uk/file/5244181>

⁵⁹ <https://www.durham.gov.uk/media/34071/County-Durham-Plan-Inspectors-Final-Report/pdf/InspectorsFinalReport.pdf?m=637725856957030000>

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<p><i>on all allocated sites, there would still be a need for a significant amount of development on sites that are currently in the city of Durham Green Belt if the sustainable pattern of development proposed in the Plan is to be achieved.</i></p> <p><i>74. I deal with policy 6, which relates to development on unallocated sites, later in this report. Suffice to say at this stage that, subject to the main modifications that I recommend, policy 6 should be effective in encouraging sustainable development on unallocated sites in or well related to all of the 200 or so settlements in the county that are not restricted by Green Belt or policies in a neighbourhood plan.</i></p> <p><i>75. I am, therefore, satisfied that the removal of land from the city of Durham Green Belt is, in principle, justified in order to provide market and affordable homes where they are needed and to minimise the number and length of commuting trips into the city in accordance with an appropriate strategy for accommodating development across the county in ways that achieve sustainable patterns of development.</i></p> <p><i>76. Notwithstanding that conclusion, whether there are exceptional circumstances for releasing the three sites for housing development from the Green Belt as proposed in the Plan depends also on consideration of a number of specific issues in relation to each. I will consider that as part of the next main issue in this report.”</i></p>
<p>Guildford Borough Council</p> <p>Local Plan: Strategy and Sites (April 2019)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The adopted Local Plan⁶⁰ in the supporting text to the Green Belt policy (P2: Green Belt) at paragraph 4.3.17 states: “<i>We consider that exceptional circumstances exist to justify the amendment of Green Belt boundaries in order to facilitate the development that is needed and promote sustainable patterns of development.</i>”</p> <p>The Local Plan Inspector’s Report⁶¹ comments on exceptional circumstances at paragraph 79-89 under the headings of the need for housing, business needs, land availability in the urban areas, and whether the quantity of development should be restricted having regard to Footnote 9 of the NPPF:</p> <p><i>“78. The submitted Plan alters Green Belt boundaries to accommodate development around the Guildford urban area, at certain villages and at the former Wisley airfield. It also proposes new Green Belt between Ash Green village and the Ash and Tongham urban area. Exceptional circumstances are required to alter Green Belt boundaries. The issue brings up several important considerations, as follows.</i></p> <p><i>The need for housing</i></p> <p><i>79. This has already been discussed under Issues 1 and 2. Guildford has a pressing housing need, severe and deteriorating housing affordability and a very serious shortfall in the provision of affordable homes. There is additional unmet housing need from Woking. There is no scope to export Guildford’s housing need to another district; the neighbouring authorities in the housing market area are significantly constrained in terms of Green Belt and other designations and both have their own significant development needs. The overall level of provision will address serious and deteriorating housing affordability and will provide more affordable homes. The headroom can also accommodate the likely residual level of unmet need from Woking.</i></p> <p><i>Business needs</i></p>

⁶⁰ https://www.guildford.gov.uk/media/29891/The-Guildford-borough-Local-Plan-strategy-and-sites-2015-2034/pdf/Guildford_LPSS_-_LPDMP_Update.pdf?m=638151678613370000

⁶¹ https://www.guildford.gov.uk/media/27506/List-of-the-Inspector-s-Documents/pdf/Inspectors_Examination_Documents_Updated_26.02.2019.pdf?m=636867982550700000

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<p>80. <i>The NPPF states that the planning system should do everything it can to support sustainable economic growth and should plan proactively to meet the development needs of business. The land available for additional business development in Guildford town centre and the urban area is very limited. It is unrealistic to suppose that much extra capacity can be gained on existing sites, such as the existing Surrey Research Park, which has an environment specifically designed for particular kinds of business and where any rationalisation of space, such as parking, would be carried out for internal operational reasons. The ability to meet the identified business needs therefore depends on making suitable new land available and there is no realistic alternative to releasing land from the Green Belt. Exceptional circumstances therefore arise at the strategic level to alter Green Belt boundaries to accommodate business and employment needs.</i></p> <p><i>Land availability in the urban areas</i></p> <p>81. <i>It is not possible to rely on increasing the supply of housing within the urban areas to obviate alterations to the Green Belt boundary. Development opportunities within the urban areas have been thoroughly investigated. All available sites have been assessed for their suitability as part of the Land Availability Assessment process which considered approximately 1,000 sites. In accordance with the NPPF, the Plan relies only on sites that are either deliverable or developable, which means that about 30 sites have been discounted within Guildford town centre and 90 within the urban area. In Guildford town centre there are constraints that influence its capacity to accommodate more homes, including conservation and flood risk issues. The issue of flood risk is dealt with later.</i></p> <p>82. <i>Although further sites have been identified in other documents such as the Town Centre Masterplan, and in work undertaken by the Guildford Vision Group, they cannot be relied upon to deliver homes or meet business needs within the plan period and it would therefore be unsound to assume that they can contribute towards meeting the Plan’s housing requirement. Woodbridge Meadows contains existing businesses and is not deliverable for housing during the plan period. Any space at the University is likely to be retained for its own needs. Some town centre sites may have greater capacity than that anticipated by the Plan; the additional potential at Guildford Station has already been recognised, and there may be opportunities for more housing at Walnut Tree Close and the North Street redevelopment. But any extra yield from these sites would fall a long way short of making the scale of contribution towards meeting overall development needs that would enable the allocated sites in the Green Belt to be taken out of the Plan.</i></p> <p><i>Whether the quantity of development should be restricted having regard to Footnote 9 of the NPPF</i></p> <p>86. <i>Subject to the proposed Green Belt alterations, the Plan is capable of meeting objectively assessed needs with adequate flexibility. The alterations to the Green Belt boundary would have relatively limited impacts on openness as discussed in Issues 10 and 11, and would not cause severe or widespread harm to the purposes of the Green Belt. The allocations at A25 Gosden Hill Farm and A26 Blackwell Farm would be planned urban extensions rather than sprawl. Site A25 together with the allocations at Send and Burnt Common/Send Marsh would be visually and physically separate, as discussed in Issue 7 and would not add to sprawl or coalescence. A35 Former Wisley airfield would include a substantial amount of previously developed land and is separate in character from its wider Green Belt surroundings. The other Green Belt sites would be adjacent to settlements and would have very localised effects on openness. There is therefore no justification for applying a restriction on the quantity of development. Considerations in respect of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Thames Basin Heaths Special Protection Area (SPA) do not alter this conclusion: see issue 7.</i></p> <p><i>...Conclusion</i></p>

Local Authority	Detailed Review of Approach to Exceptional Circumstances
	<p>89. <i>In conclusion, all the above points amount to strategic-level exceptional circumstances to alter the Green Belt boundary to meet development needs in the interests of the proper long-term planning of the Borough. Local level exceptional circumstances are considered in Issues 10 and 11.</i>”</p> <p>The Council’s evidence base included a Green Belt and Countryside Topic Paper (2017)⁶² and a Green Belt and Countryside Study (volumes I-VI). The Topic Paper at paragraph 4.87-4.89 considers the exceptional circumstances.</p>
<p>Runnymede Council Local Plan (July 2020)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The adopted Local Plan⁶³ at paragraph 5.10 summarises the exceptional circumstances case:</p> <p><i>“The Council’s Exceptional Circumstances paper (January 2018 with April 2018 addendum) sets out the compelling reasons to return a number of Green Belt sites to the urban area through the Local Plan. These reasons primarily focus on the lack of suitable, available and achievable sites in the existing urban area, the significant level of constraints to development which exist in the Borough, the significant housing needs faced by Runnymede over the Local Plan period and the conclusion from DtC discussions carried out with partners to date which demonstrate that any unmet housing need from Runnymede is unlikely to be met in neighbouring or nearby Local Authority areas, at least in the early years of the plan period.”</i></p> <p>The Local Plan Inspector’s Report⁶⁴ at paragraph 42-54 comments on exceptional circumstances. It refers to the revised NPPF 2019 and the reasonable options test although notes that this was published after the submission the Plan:</p> <p><i>“42. NPPF makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a local plan. It does not define what might constitute an exceptional circumstance but the Housing White Paper (February 2017) stated that all other reasonable options for meeting identified needs should first be fully explored and it gave examples of these. The revised NPPF 2019 incorporated the White Paper’s proposals in this regard, although this post-dated the submission of the Plan.</i></p> <p><i>43. Taking the material considerations and relevant case law into account, the Council has assessed all other reasonable options for meeting identified needs, working with neighbouring authorities in this process. It has provided robust, credible evidence demonstrating that brownfield opportunities including under used land and buildings, estates regeneration, optimisation of densities, and use of surplus public sector land are being pursued actively, continuously and effectively. This includes direct intervention through the acquisition and development of brownfield land in the town centres, recently implemented town centre regeneration schemes, and the proposed allocations and Opportunity Areas in the Plan.</i></p> <p><i>44. It is on this basis that the Council reached a view that there are 5 key factors that amount to exceptional circumstances to justify amendment of the Green Belt boundary in the Plan. I deal with these in turn below.</i></p> <p><i>45. Firstly, as indicated above, Runnymede is a very heavily constrained borough. Government has identified it in the top 6% of local authorities in England with the highest amount of constraints affecting its land area. Of its total area of 7,803 hectares (ha), 79% is designated as Green Belt. Also, the River Thames and other watercourses and lakes are key features of the borough, and flood risk is a significant factor, with 29% of the borough and 35% of its urban areas lying within flood zones 2, 3a or 3b.</i></p>

⁶² [https://www.guildford.gov.uk/media/26506/Topic-Paper-2017-Green-Belt-and-Countryside/pdf/Green Belt and Countryside Topic Paper.pdf?m=636477317451570000](https://www.guildford.gov.uk/media/26506/Topic-Paper-2017-Green-Belt-and-Countryside/pdf/Green%20Belt%20and%20Countryside%20Topic%20Paper.pdf?m=636477317451570000)

⁶³ <https://www.runnymede.gov.uk/downloads/file/781/adopted-2030-lp>

⁶⁴ <https://www.runnymede.gov.uk/downloads/file/778/inspector-s-report-on-rbc-2030-lp>

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	<p>46. In addition, most of the borough lies within the 400m-5km protection zone for the Thames Basin Heaths Special Protection Area (TBH SPA), a small area is within the 400m zone, and the wider 5km -7 km zone for larger developments covers all but the smallest extremities of the borough. The requirement for Suitable Alternative Natural Green Space (SANG) to be provided in mitigation of the impact of new housing development within the 400m-5km zone is a significant factor that affects the borough's developable area.</p> <p>47. Lands within Windsor Forest and Great Park Special Area of Conservation also lie within the borough and, in total, it has about 1,000ha that are covered by nature conservation designations. In addition, there are large swathes of land that are designated as open space, best and most versatile agricultural land, or minerals or waste sites. Taking all of this into account, it is estimated that only 1,156ha of the borough's urban area is suitable for development and that it could accommodate only about 2,100 new homes.</p> <p>48. Secondly, as concluded above, there is an identified need for 500 dwellings per year in the borough during the Plan period. Over the period 2008/2009- 2017/2018, an annual average of only 243 dwellings has been delivered. Based on the 2018 Strategic Land Availability Assessment, the annual delivery rate of homes within the existing urban area is likely to decrease to about 161, amounting to only 32% of the identified need. In addition, there is a significant requirement for pitches and plots to accommodate the needs of Gypsies and Travellers and Travelling Showpeople (see Issue 6). In summary, there is a pressing need to identify suitable land to house the borough's residents, together with employment and community facilities.</p> <p>49. Thirdly, the detailed boundary of the Green Belt was established in 1986. Since then, development has rendered some parts of the boundary illogical or indefensible, and discrepancies have come to light that need to be corrected. Furthermore, national planning policy on villages that are 'washed over' by the Green Belt has altered since 1986, and it is necessary to review whether the policy framework for the borough's Green Belt villages remains sound.</p> <p>50. Fourthly, a specific need has been identified for expansion of St Peter's Hospital, Chertsey, to cater for the increased population in its catchment area. The complex is defined as a Major Developed Site in the extant local plan. Also, a case for releasing part of the site from the Green Belt for residential development in order to fund improvements to the hospital has been made out, and therefore it is necessary to review the Green Belt boundary here.</p> <p>51. Fifthly, as referred to earlier, neighbouring authorities are unable to help address the unmet needs of Runnymede.</p> <p>52. NPPF states that in reviewing Green Belt boundaries, consideration should be given to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. The Plan has a relatively short time horizon and it does not safeguard land for future development needs in the longer term.</p> <p>53. Nonetheless, in the light of all the factors affecting Runnymede, I consider the longer-term needs can best be addressed by a Surrey-wide approach, as committed to by the planning authorities. This will enable full account to be taken of the nature of the Green Belt in Runnymede and other districts and its importance in protecting the regional function of the wider Green Belt.</p> <p>54. Furthermore, Runnymede's Green Belt is part of the first substantial area of open land on the south-western edge of London, and much of it is fragmented in nature. It would not be in the interests of sustainable development of the borough or its surroundings to seek to pre-judge the outcome of a joined-up approach on this fundamentally important spatial policy for the wider area.</p> <p>55. In conclusion, for the reasons set out above, there is compelling evidence that in principle, exceptional circumstances exist which justify altering the Green Belt boundary in the Plan. In particular, it is justified to seek to meet as much of the housing need as possible, including the needs of Gypsies, Travellers and Travelling Showpeople. The robustness of the Green Belt review and the justification for the specific changes to the boundary that are proposed in the Plan are considered elsewhere in the report."</p>

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	<p>The Council produced two papers - one setting out the factors the Council considered as the exceptional circumstances to justify amendments to the Green Belt Boundary; the other provides local level exceptional circumstances for each proposed site allocation. The Exceptional Circumstances Addendum (April 2018)⁶⁵ sets out the local level case for each site. The section on exceptional circumstances uses standard text for each pro forma. It sets the context as constrained nature of borough and inability of other authorities to help meet housing need and, as appropriate, also states the following reasons:</p> <ul style="list-style-type: none"> • Need for housing land to meet OAHN. • Need for land to meet GTT housing need • Need to ensure Green Belt boundary is defensible and logical • Allow for growth of key service facility
<p>South Oxfordshire Council</p> <p>Local Plan (December 2020)</p>	<p>The Local Plan was examined against the NPPF published in July 2018.</p> <p>The adopted Local Plan designates eight strategic allocations, seven of which are on land to be released from the Green Belt. The Local Plan notes the site-specific exceptional circumstances in the supporting text to the strategic allocations (for example, at paragraph 3.70 and 3.78).</p> <p>The Council’s Green Belt evidence consisted of a number of Green Belt assessments. The Council had not prepared a separate exceptional circumstances case or Green Belt Topic Paper however following submission of the Local Plan, the Council prepared a Green Belt Topic Paper (April 2020).⁶⁶ The Green Belt Topic Paper uses the Calverton tests to demonstrate the strategic level exceptional circumstances. The report then considers the local level exceptional circumstances for each of the proposed allocations.</p> <p>The Local Plan Inspector’s Report⁶⁷ at paragraph 85-90 comments on exceptional circumstances:</p> <p><i>“85. Paragraph 137 of the NPPF says that, before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the authority should be able to demonstrate that it has examined fully all other reasonable options; paragraph 138 points out that it is necessary to consider the consequences for sustainable development of channelling development towards locations beyond the outer Green Belt boundary.</i></p> <p><i>86. The Council has considered these matters fully. Individually, or in combination, the various non-Green Belt alternatives involving, for example, more growth at the market towns, the villages, Didcot and/or Reading, or indeed a freestanding new settlement beyond the Green Belt, would have significant practical disadvantages over the chosen spatial strategy. They would not address needs where they arise, would be less able to address housing affordability issues, and would result in longer journey patterns, imposing additional journey to work costs on people who may already find housing costs challenging. The opportunities for regeneration that would arise from the Plan’s spatial strategy would be lost. A spatial strategy driven principally by the need to avoid Green Belt release would not promote sustainable development and would not meet the Plan’s objectives.</i></p> <p><i>87. The strategic allocations and their Green Belt impacts are discussed in more detail in Issue 3. In respect of the five purposes of the Green Belt, the allocations would, by their nature, conflict with the purpose of safeguarding the countryside from encroachment. However, as planned urban extensions,</i></p>

⁶⁵ This is no longer available on the Council’s website.

⁶⁶ https://data.southoxon.gov.uk/cdm/support/dynamic_serve.jsp?ID=1670535298&CODE=17DC2C6C053E93F095DA0E11C2B65DDA

⁶⁷ <https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2020/11/Inspectors-Report-November-2020.pdf>

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	<p><i>the allocations would not amount to unrestricted sprawl; they would not cause neighbouring towns to merge; they would not cause any harm to the setting and special character of Oxford; and they would not impede urban regeneration and would potentially help to regenerate nearby areas. The allocations are of such a size that long term defensible boundaries and structural landscaping and good quality open space can be designed into the schemes' masterplans, such that the impact on the Green Belt can to a degree be mitigated.</i></p> <p><i>88. Having regard to the significant level of housing need discussed in Issue 1, the need to maintain a delivery buffer ("headroom") to ensure the Plan is resilient, discussed in Issues 1 and 4, the range of factors discussed in this Issue, and the more detailed site analysis contained in Issue 3, exceptional circumstances exist for the release from the Green Belt of all the relevant site allocations. These exceptional circumstances extend to meeting employment and social needs as well as housing needs on the strategic allocations in order to achieve balanced, sustainable and well-integrated development.</i></p> <p><i>89. Restricting the size of the Green Belt releases solely to the anticipated built areas would not be appropriate, partly because the boundaries of the built areas are not yet known and will be defined through future masterplans, and partly because such an approach would fail to take into account important related features of the allocation that must be implemented along with the development, including necessary infrastructure, landscaping, buffer zones and mitigation measures.</i></p> <p><i>90. The overall integrity and purpose of the Oxford Green Belt would remain and would be protected by Policy STRAT6. To bring the policy into line with the NPPF, MM9 indicates that the strategic allocations should deliver compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, with measures supported by evidence of landscape, biodiversity or recreational needs and opportunities."</i></p>
<p>St Helen's Council</p> <p>Local Plan (July 2022)</p>	<p>The Local Plan was examined against the most recent NPPF (July 2021).</p> <p>The adopted Local Plan⁶⁸ at Policy LPA01 sets out the requirement to release land from the Green Belt to accommodate housing and employment needs. The supporting text at paragraph 4.3.8-4.3.14 describes the strategic level exceptional circumstances case as follows:</p> <p><i>"4.3.8 The Council aims to ensure that the housing and employment needs of St Helens are met in full within the Borough. New development will be guided towards sustainable locations, generally within, on the edge of, or close to Key Settlements (insofar as this is acceptable and practicable). This approach will take account of environmental and infrastructure constraints; the need to maintain an effective Green Belt; settlement size; projected future population growth; past rates of housing delivery in relation to settlement size; and the availability of services and facilities.</i></p> <p><i>4.3.9 The Council will also give continued priority to the development of suitable and available sites within urban areas. However, due to the lack of sufficient capacity on these sites to meet needs, and the lack of any scope to help meet the Borough's needs in any neighbouring district, some sites on the edges of existing settlements have been removed from the Green Belt by this Plan and allocated for development in the period up to 2037. Some other sites have been removed from the Green Belt but, rather than being allocated for development, have been safeguarded to meet potential longer term development needs after 2037. This will ensure that the changes to the Green Belt endure well beyond 2037, avoiding the need for another Green Belt review for a substantial period, and giving a clear indication of the potential location of future development and associated infrastructure needs.</i></p> <p><i>4.3.10 The Council's SHLAA indicates that there is capacity for substantial housing development on urban sites. However, it also established that Green Belt release would be required to help meet identified housing needs over the Plan period. Likewise, there is a significant shortfall in the urban supply of employment land against the identified needs.</i></p>

⁶⁸ https://www.sthelens.gov.uk/media/4315/St-Helens-Borough-Local-Plan-up-to-2037/pdf/Local_Plan_Written_Statement_-_FINAL_adoption_version.pdf?m=637940059004200000

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	<p>4.3.11 <i>In view of the NPPF advice that local authorities work jointly with neighbouring authorities to meet any development requirements that cannot be met within their own boundaries, it should be noted that whilst St Helens shares a housing market area with Halton and Warrington, both have identified shortages of urban land supply for housing. St Helens Borough shares a functional economic market area with Halton, Knowsley, Liverpool, Sefton, West Lancashire, and Wirral, none of which have identified spare capacity for employment development which could help meet the needs of St Helens. Such is the shortage of employment and housing development land in the surrounding areas as a whole that several authorities (Knowsley, Sefton, and West Lancashire Councils) have successfully undertaken local Green Belt reviews to meet their own needs, with further authorities also undertaking them (collectively covering the whole of Greater Manchester, Halton, Warrington, and Wirral). None of these reviews have identified surplus capacity to help meet development needs arising in St Helens.</i></p> <p>4.3.12 <i>In addition, there are other reasons why it is not desirable for housing or employment development needs arising in St Helens to be met in other authorities. If a neighbouring authority were able to meet such needs, this would (due to the shortage of urban land supply identified in those areas) be through the release of Green Belt, i.e. the prospective loss of Green Belt in St Helens would simply be replaced by a similar loss of Green Belt elsewhere. This would also lead to a risk that residents would need to move out of the Borough, potentially resulting in the loss of economically active residents within local communities. Such an approach would also be unlikely to guarantee delivery of affordable or special housing needs for residents of St Helens. If demand for new employment was required to be met outside the Borough, it would tend to exacerbate net out-commuting. This would prejudice the achievement of sustainable patterns of travel and make it more difficult for residents of St Helens, some of whom are likely to be reliant on public transport to access employment.</i></p> <p>4.3.13 <i>For all of these reasons, there are considered to be exceptional circumstances at the strategic level to justify the release of Green Belt land to meet identified development needs.</i></p> <p>4.3.14 <i>The sites that have been removed from the Green Belt have been selected following a comprehensive Green Belt Review. This has identified sites on the basis of their scope to be developed whilst minimising harm to the overall function of the Green Belt, and their suitability for development in other respects. The criteria used have included their physical suitability for development, accessibility by sustainable transport modes to services and facilities, levels of existing or potential future infrastructure provision, their economic viability for development, and the impact that their development would have on the environment. Further details of this process are set out in the St Helens Green Belt Review 2018. Small changes have also been made to the boundary of the Green Belt to amend minor anomalies, for example where the original Green Belt boundary no longer follows the edge of the built up area.”</i></p> <p>The supporting text to the housing and employment allocation policies (Policy LPA03, LPA04 and LPA05) at paragraphs 4.9.22, 4.15.23 and 4.21.7 onwards articulate the site specific exceptional circumstances justifying the removal of the allocations from the Green Belt on a site-by-site basis.</p> <p>The Council did not produce a separate exceptional circumstances case document or Green Belt Topic Paper however the evidence base consisted of a Green Belt Review (2018)⁶⁹ and Developing the Spatial Strategy Background Paper (October 2020).⁷⁰</p>

⁶⁹ https://www.sthelens.gov.uk/media/1750/SD020-St-Helens-Green-Belt-Review-2018/pdf/SD020_St_Helens_Green_Belt_Review_2018.pdf?m=637774266925270000

⁷⁰ https://www.sthelens.gov.uk/media/1756/SD026-Developing-the-Spatial-Strategy-Background-Paper-October-2020/pdf/SD026_Developing_the_Spatial_Strategy_Background_Paper_October_2020.pdf?m=637774288111030000

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	<p>The Local Plan Inspector’s Report⁷¹ considers the strategic level exceptional circumstances case as part of Issue 1, stating:</p> <p><i>“81. St. Helens is constrained by Green Belt, in that approximately 65% of the Borough is so designated. The remainder of the Borough is urban land. In most areas the Green Belt boundary is tight to the edge of the existing built-up areas of the main towns and villages. The boundaries of the St. Helens Green Belt were drawn up in 1983 and have remained largely unchanged since.</i></p> <p><i>82. Both the UDP and the CS aimed to focus most new development on brownfield land in urban areas. Indeed, the CS set a target for 80% of all new housing development to be delivered on such land between 2003 and 2027. However, the CS also identified a potential need for Green Belt release to meet housing needs from 2022.</i></p> <p><i>83. The 2017 Strategic Housing Land Availability Assessment [SHLAA] shows that there remains substantial capacity for housing on urban sites during the Plan period. As such, a large proportion of the identified housing need can continue to be met on sites in the urban area. Provision will be through a combination of allocations, other sites within the built-up areas of the Borough, and a windfall allowance. However, the evidence base also shows insufficient capacity to meet housing needs in full, because of the quantity, quality, and range of sites. In particular viability issues affect many sites, including brownfield sites subject to contamination.</i></p> <p><i>84. Some sites close to the town centres would be more suited to high-density apartment type developments, but in such cases viability is also challenging. Furthermore, the provision of flats would be at odds with the appropriate type and mix of properties identified as being needed. The SHMA identifies that 2- and 3-bedroom properties should be the focus for new housing development, with demand for family housing and medium sized properties expected to continue during the Plan period.</i></p> <p><i>85. Policy LPA05 encourages high densities (40 dwellings per hectare [dph]) in appropriate locations, such as sites within or adjacent to St. Helens and Earlestown Town Centres. Increasing densities above this could give rise to ‘town cramming’. Using greenfield urban spaces and recreation sites would lead to a change in the character of the existing built environment that would be contrary to the Council’s aim of delivering high quality development. It is too early to ascertain whether changing shopping patterns will increase opportunities for housing in the Borough’s town centres. For these reasons suitable non-Green Belt sites cannot be found to meet all the need. There is a shortfall of over 2000 dwellings in the submitted Plan.</i></p> <p><i>86. As a result the Plan makes allocations on Green Belt land to deliver over 2000 homes during the Plan period, equating to about 27% of the residual requirement for the period 2021 and 2037.</i></p> <p><i>...88. As pointed out earlier neighbouring authorities also have large areas of Green Belt and have similar constraints. The other authorities in the HMA, Halton, and Warrington, have identified a shortfall of urban land supply to meet their own needs. Similarly, none of the authorities in the functional economic area have identified spare urban capacity in order to meet the employment needs of St. Helens. Indeed, many neighbouring authorities have undertaken their own Green Belt reviews to identify land to release from the Green Belt in order to meet their own housing and employment needs. For these reasons, meeting any unmet need within neighbouring authorities is not a feasible option.</i></p> <p><i>89. The Plan’s strategy is dependent on meeting the needs of the Borough close to home. Providing housing and employment on the doorstep would prevent out migration from the Borough, the loss of economically active residents, and outcommuting. The delivery of affordable and special needs housing would be prejudiced if housing need was not met or met elsewhere. Most importantly the Plan would not meet the key objectives of tackling low levels of economic activity and high deprivation.</i></p>

⁷¹ https://www.sthelens.gov.uk/media/4066/St-Helens-Borough-Local-Plan-Inspectors-Report/pdf/St_Helens_LP_Inspectors_Report_-_Final.pdf?m=637922069080770000

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	<p><i>90. The Plan has sought to strike the right balance between providing homes and jobs and protecting the Green Belt. There is a strong case for meeting the Borough's housing and employment needs in full. Exceptional circumstances exist at a strategic level to justify the Plan's proposals for some Green Belt release. The quantum of housing and employment land proposed for release has been justified. However, the exceptional circumstances have not been fully articulated in the submitted Plan. MM006 provides the justification for the strategy of Green Belt release contained within Policy LPA02 and ensures consistency with national policy. We deal with the particular Green Belt impacts of the allocations later in the report."</i></p> <p>The Inspector's Report then goes on to consider the site-specific exceptional circumstances as part of Issue 3 however at paragraph 131, the Inspector's Report notes that the site specific exceptional circumstances are not sufficiently clear and a main modification was required to provide more detail:</p> <p><i>"131. As explained earlier, exceptional circumstances exist to justify the alteration of Green Belt boundaries at a strategic level. In terms of releasing particular sites from the Green Belt, we set out below our reasoning. However, the Plan itself does not clearly and concisely justify each allocation that will alter Green Belt boundaries. MM007, MM009 and MM011 would secure changes to the justification for Policies LPA04 (employment allocations), LPA05 (housing allocations) and LPA06 (safeguarded land). As a result, a concise explanation is included to explain the reasoning and exceptional circumstances for the removal of sites from the Green Belt, including by reference to the GBR, Green Belt purposes and other site characteristics. These changes are needed so that the Plan is positively prepared, justified, and consistent with national policy."</i></p> <p>The Inspector's Report considers each site in turn concluding that exceptional circumstances have been demonstrated for each of the proposed allocations.</p>
<p>Stevenage Council</p> <p>Local Plan (May 2019)</p>	<p>The Local Plan was examined against the 2012 NPPF.</p> <p>The adopted Local Plan⁷² in the supporting text to the Green Belt policy (Policy SP10: Green Belt) at paragraph 5.127-5.128 states:</p> <p><i>"5.127 There is no definition of 'exceptional circumstances' within the NPPF. However, it has been considered by the Courts. The recent Calverton judgement identifies criteria that should be taken into account when considering whether these circumstances exist. Our overarching approach to Green Belt review and consideration of these criteria is set out in a technical paper . We consider that the future development and regeneration needs of the Borough do provide the 'exceptional circumstances' that are required to alter Green Belt boundaries.</i></p> <p><i>5.128 Our evidence demonstrates that the sites recommended for release will not harm the overall purposes of the Green Belt in this area."</i></p> <p>The Local Plan Inspector's Report⁷³ at paragraph 75-87 comments on the exceptional circumstances:</p> <p><i>"75. The Plan removes five areas of land from the Green Belt for different types of development, a total of around 90ha. Dealing first with housing sites, these are land to the North of Stevenage (HO3); land to the South East of Stevenage (HO4); and land to the north of Graveley Road for a traveller site (HO12). In terms of sites for other uses, a site for employment use close to Junction 8 of the A1 (EC1/7) would be removed and also an existing garden centre site in the Green Belt is allocated for a major new food store of up to 7,900m² (gross), post-2023 (TC11). A small site at Norton Green is put into the Green Belt.</i></p> <p><i>76. Stevenage is a very small Borough. In places, the town is built right up to the Borough boundary, and to the north-east already spreads across it into the neighbouring North Hertfordshire district. The Green Belt boundary is, with the exception of the west of the A1(M), drawn tightly around the edge of</i></p>

⁷² <https://www.stevenage.gov.uk/documents/planning-policy/stevenage-borough-local-plan/stevenage-borough-local-plan.pdf>

⁷³ <https://www.stevenage.gov.uk/documents/planning-policy/holding-direction/the-inspectors-report.pdf>

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	<p><i>the urban area which is also, for much of its length, the administrative boundary with neighbouring districts. Previous releases from the inner Green Belt boundary have been made to allow for the development of Great Ashby/Burleigh Park and Stevenage West.</i></p> <p><i>77. The Council’s Green Belt review provides an assessment of the extent to which the land around the urban edge of Stevenage still fulfils the five purposes of Green Belt policy, as defined in the NPPF. It then evaluates the sensitivity of the land to any development and/or change and identifies broad areas for potential compensatory Green Belt provision, in the event that Green Belt releases are required around Stevenage. Finally it considers these broad areas in more detail as to their potential for release in light of their contribution to Green Belt purposes and recommends sites which could be released from the Green Belt or safeguarded for future development beyond the Plan period.</i></p> <p><i>78. For the reasons I have already set out, accommodating future development needs within Stevenage Borough is far more difficult than in other areas where land is more readily available. It is also the case that because the town is relatively new (built post-war) there are few opportunities for redevelopment, other than on a small scale. Consequently the capacity of Stevenage is extremely limited. Moreover neighbouring authorities are also reviewing their Green Belt boundaries to meet their own needs. Therefore, it would be unlikely that Stevenage’s needs could reasonably be met in neighbouring authorities on land outside the Green Belt.</i></p> <p><i>...81. The only way that Stevenage can meet its current identified housing need is to release any suitable land from the Green Belt. Through their extensive and thorough Green Belt review the Council have identified site HO3 (north of Stevenage), in the Plan as being suitable for housing development. In the assessment of defined areas of land against Green Belt purposes this site is considered (as part of a larger parcel of land – N4) to make a limited contribution to Green Belt purposes in all regards, with the exception of preventing merger where it is identified as making a significant contribution.</i></p> <p><i>82. That said this site is only part of the area of land that was categorised in this way and importantly open land would remain beyond HO3 that would maintain separation from the nearest large settlement. I realise that some of this land is identified in North Hertfordshire’s emerging Plan as housing land, but that will be examined separately. While that site would join with site HO3, along the border between Stevenage and North Hertfordshire, there is a gap between the allocated site in North Hertfordshire’s emerging Plan and the nearest village of Graveley such that it would prevent the coalescence of this village with Stevenage or indeed any other settlement.</i></p> <p><i>83. Part 2 of the Council’s Green Belt review identifies site HO3 as parcel N4(iii) and says that “notwithstanding its open aspect, this parcel could be released within the local plan period given its current containment by strong boundaries and opportunities to substantiate these through further landscaping” and I agree.</i></p> <p><i>84. In summary, there is a pressing need for housing within the Borough that cannot be met outside of the Green Belt. The value of the Green Belt has been thoroughly assessed by the Council and although it found that here a significant contribution comes from preventing the merging of settlements, there would still be a gap between settlements, even if the site in North Hertfordshire is allocated in their Plan and subsequently developed. Taking into account all of these factors I find that this site would be the most suitable, along with others, to meet the housing need in Stevenage. As such, exceptional circumstances exist to justify the release of this site from the Green Belt.</i></p> <p><i>85. Turning to consider site HO4 (south east Stevenage), this is part of the large parcel identified as E7 in the Council’s Green Belt review. It is identified as making a contribution to Green Belt purposes in all regards, except for the purpose of preserving the setting and special character of historic towns. Part 2 of the review identifies the specific site HO4 as E7(i) and E7(ii). These parcels are described as well contained land that currently</i></p>

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	<p><i>helps to contain the south eastern edge of Stevenage, but their release would not damage the overall function of the Green Belt in this location. I concur with this assessment.</i></p> <p>86. <i>As set out above the review that has taken place is robust and I agree with the results which indicate that these sites are best placed to accommodate some of the housing identified as being required in Stevenage.</i></p> <p>87. <i>Overall, in terms of site HO4, again there is a need for housing that cannot be met outside of the Green Belt. The value of the Green Belt has been thoroughly assessed by the Council, as set out above. So having regard to these matters I find that this site would be the most suitable, along with others, to meet the housing need in Stevenage. As such, exceptional circumstances exist to justify the release of this site from the Green Belt.”</i></p> <p>The Council produced a Green Belt Review and a Green Belt Technical Paper (2015)⁷⁴ which sets out the strategic exceptional circumstances case focusing on the Calverton tests:</p> <ul style="list-style-type: none"> • The acuteness/intensity of the need for new homes, employment and retail provision. • The inherent constraints on supply/availability of land prima facie suitable for sustainable development • The consequent difficulties in achieving sustainable development without impinging on the Green Belt • The nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed) • The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent. <p>The specific site releases are examined as part of the section on the nature and extent of harm to the Green Belt. The analysis focuses on impact on the Green Belt purposes and whether resultant Green Belt boundaries will be strong and defensible based on recognisable features.</p>
<p>Warrington Borough Council</p> <p>Local Plan (not yet adopted)</p> <p>The Local Plan Examination hearings took place in</p>	<p>The draft Local Plan was examined against the most recent NPPF (July 2021).</p> <p>The Updated Proposed Submission Version Local Plan (September 2021)⁷⁵ in the supporting text at Section 3.4 sets out the exceptional circumstances. Paragraph 3.4.2-3.4.6 states:</p> <p><i>“3.4.2 In accordance with paragraph 141 of the NPPF the Council has examined fully all other reasonable options for meeting Warrington’s identified need for development before concluding that exceptional circumstances exist to justify Green Belt release.</i></p> <p><i>3.4.3 The Local Plan will ensure that as much use as possible is made of suitable brownfield sites and underutilised land.</i></p> <p><i>3.4.3 The Council has carried out a comprehensive review of its SHLAA and Brownfield Register. In doing so the Council has incorporated the Town Centre masterplanning work undertaken by Warrington & Co. This ensures the Council has a single robust assessment of the capacity of the existing urban area, including brownfield sites within the Borough’s outlying settlements and a small number brownfield sites within the Green Belt where the principle of development is established.</i></p>

⁷⁴ <https://www.stevenage.gov.uk/documents/planning-policy/evidential-studies/environment/green-belt-technical-paper.pdf>

⁷⁵ https://www.warrington.gov.uk/sites/default/files/2021-09/warrington_updated_proposed_submission_version_local_plan_upsvlp_2021-2038_-_september_2021.pdf

Local Authority	Detailed Review of Approach to Exceptional Circumstances
<p>September/October 2022. The Council published its Updated Proposed Submission Version Local Plan Main Modification document on 15 March 2023 for a six week consultation period.</p>	<p>...3.4.5 Following previous Local Plan consultations the Council has reviewed its density assumptions for the Town Centre and Inner Warrington and is reviewing its residential parking standards, recognising the potential for high density development in these locations. The Council is proposing minimum density requirements for the Town Centre and other sites that are in highly sustainable locations, together with minimum requirements for all site allocations to minimise the amount of Green Belt release required.</p> <p>3.4.6 The Council has reconfirmed that no neighbouring authorities are able to meet any of Warrington’s housing development needs. St Helens are making a contribution to meeting Warrington’s employment land needs through the proposed western extension of the existing Omega development. This is demonstrated in the Council’s Statement of Common Ground. It is also apparent that all of Warrington’s neighbouring authorities are having to release Green Belt land themselves to meet their own development needs.”</p> <p>Paragraph 3.4.7-3.4.9 summarises the exceptional circumstances case as follows:</p> <p>“3.4.7 The starting point for Warrington’s Exceptional Circumstances is the requirement to ensure that sufficient land is provided to meet Warrington’s development needs. The Plan’s proposed housing requirement will ensure that issues of affordability are addressed and that that sufficient homes are provided to support the planned level of economic growth, but this can only be achieved with the release of Green Belt. Similarly if Warrington is to provide sufficient employment land to meet its future needs then this can only be achieved with the release of Green Belt land.</p> <p>3.4.8 The Exceptional Circumstances are further justified through the spatial strategy of the Plan. The Plan will enable the creation of new sustainable communities but in a manner which will support the delivery of strategic infrastructure required to address existing issues of congestion and unlock major development sites with significant brownfield capacity.</p> <p>3.4.9 This will ensure that the release of Green Belt land will work in parallel with brownfield development and infrastructure delivery to provide a comprehensive Plan for Warrington as a whole.”</p> <p>At paragraph 3.4.10, the Council sets out the exceptional circumstances for each of the proposed allocations. Paragraph 5.1.13 notes that in order to assist in amending detailed Green Belt boundaries, a comprehensive Green Belt Assessment had been undertaken.</p> <p>The Council did not prepare a separate exceptional circumstances report or Green Belt Topic Paper however the Development Options and Site Assessment Technical Report (September 2021)⁷⁶ briefly touches on the exceptional circumstances. The Green Belt evidence consisted of a Green Belt Assessments of general areas, parcels and submitted sites and a report considering the implication of Green Belt release which assessed the Green Belt harm.⁷⁷</p>
<p>Watford Borough Council</p>	<p>The Local Plan was examined against the most recent NPPF (July 2021).</p>

⁷⁶ https://www.warrington.gov.uk/sites/default/files/2021-09/development_options_and_site_assessment_technical_report_-_september_2021_0.pdf

⁷⁷ https://www.warrington.gov.uk/sites/default/files/2021-09/green_belt_site_selection_-_implications_of_green_belt_release_-_august_2021.pdf

Local Authority	Detailed Review of Approach to Exceptional Circumstances
Local Plan (October 2022)	<p>The adopted Local Plan⁷⁸ included changes to the Green Belt in five locations however three of these locations were already developed and the Inspector⁷⁹ concluded that due to this, these locations no longer served any Green Belt purpose. Only one of the five locations was a proposed housing allocation. The other location was an extension to an established gypsy and traveller site.</p> <p>There is very limited policy text or supporting text which mentions exceptional circumstances within the Local Plan. Furthermore, the Council did not have a separate topic paper or exceptional circumstances case. The Stage 2 Green Belt Assessment (October 2019)⁸⁰ provides an assessment of the Green Belt and considers the potential harm to the Green Belt.</p>

⁷⁸ <https://www.watford.gov.uk/downloads/file/1264/watford-local-plan>

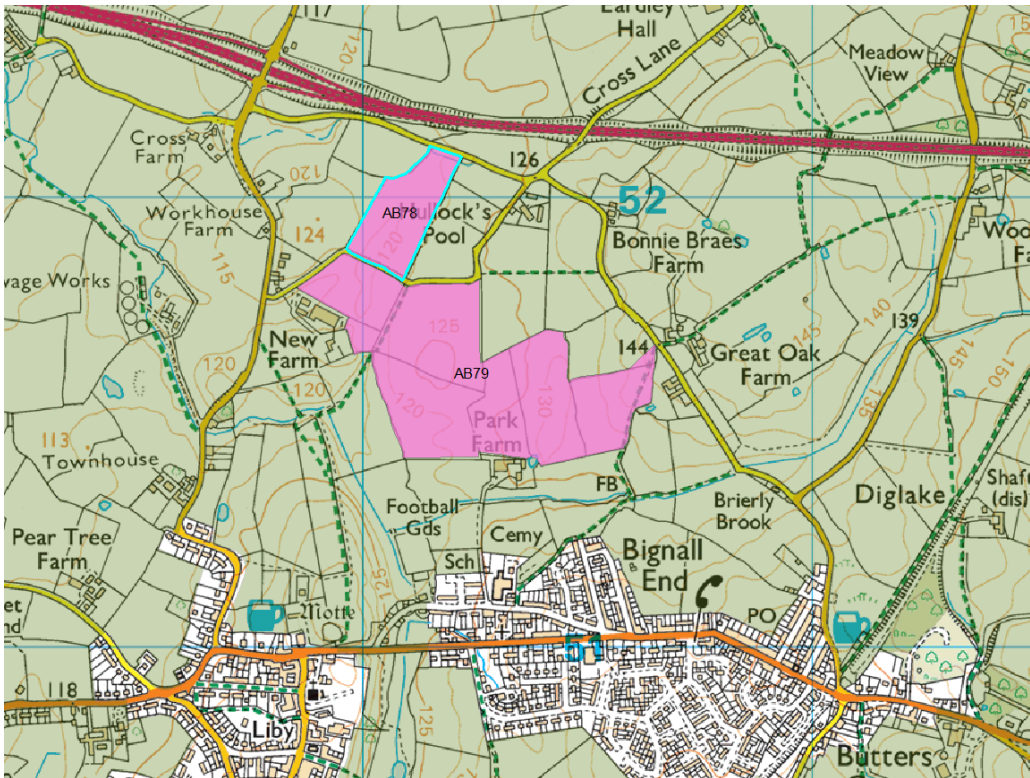
⁷⁹ https://www.watfordlocalplan.co.uk/files/ugd/b57e7b_4801302d74254724bc8617ba1e5f4998.pdf

⁸⁰ <https://www.watford.gov.uk/downloads/file/150/green-belt-stage-2-assessment-2019->

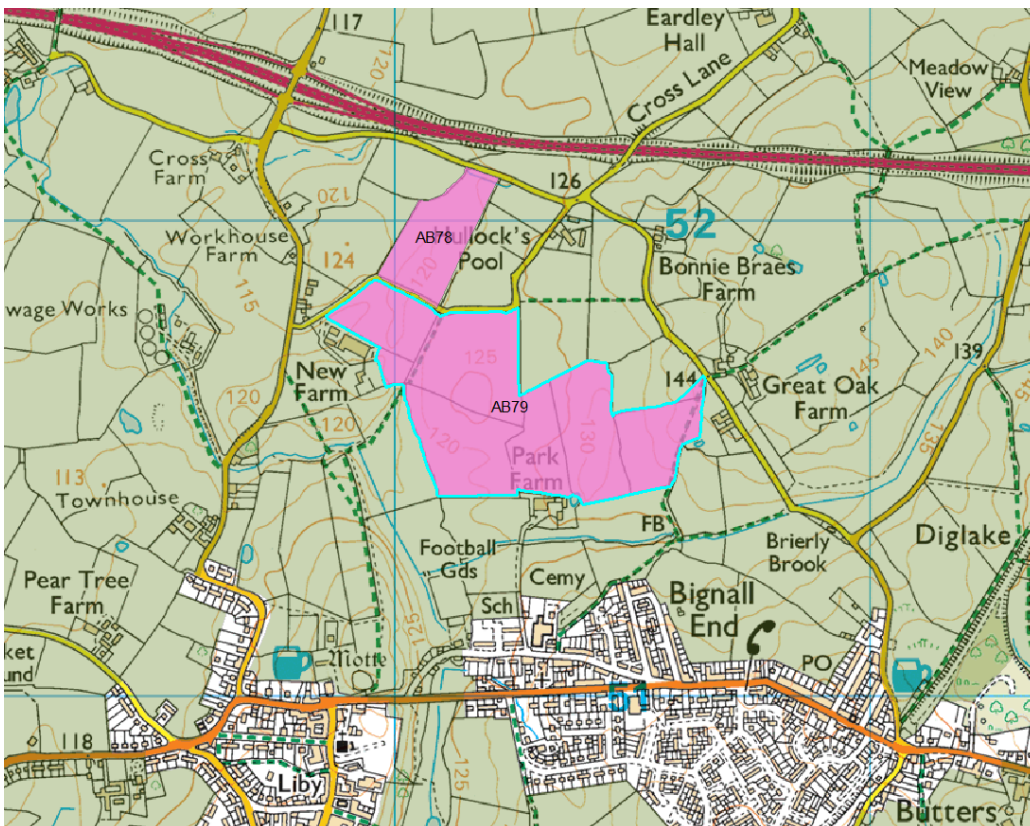
Appendix D

Site Maps

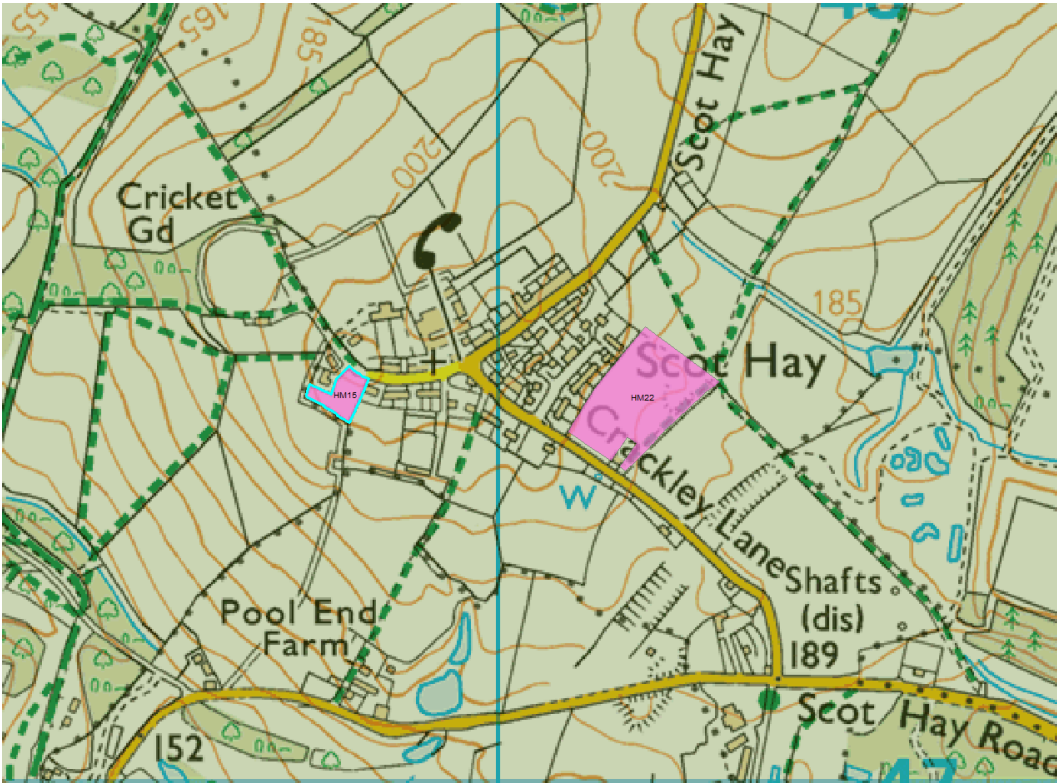
D.1 AB78 - Land North of Cross Lane, Audley



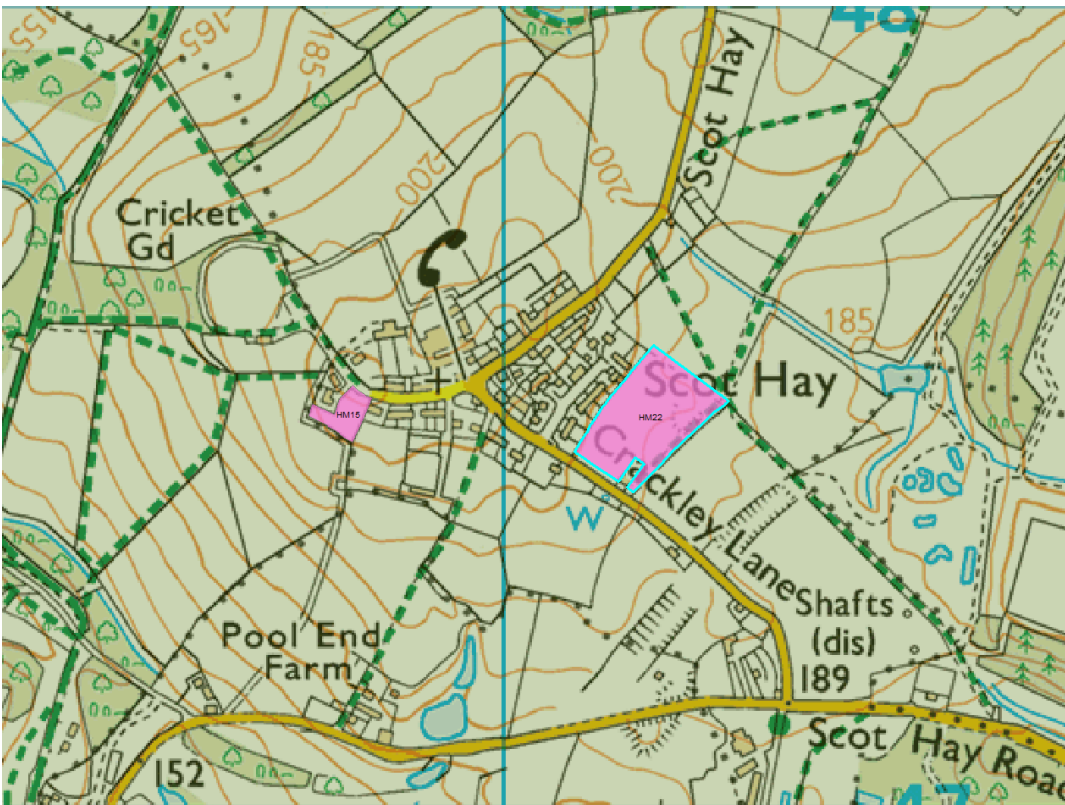
D.2 AB79 - Land South of Cross Lane, Audley



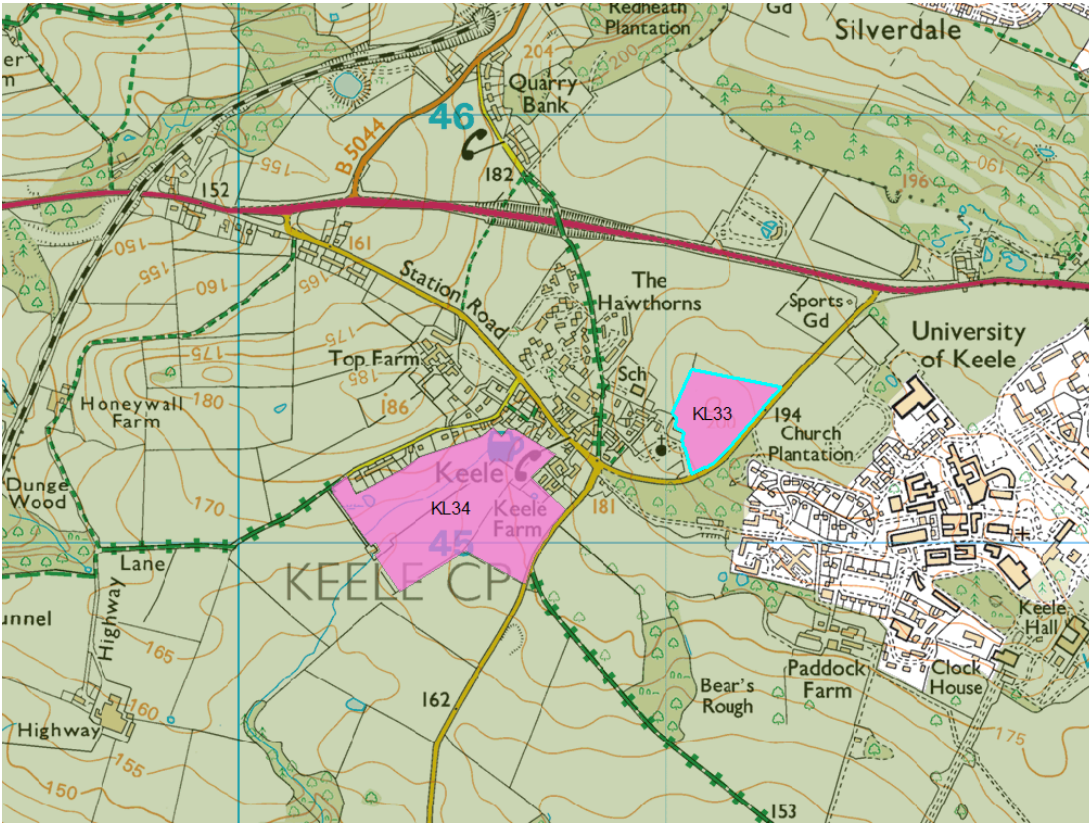
D.3 HM15 - Land south of Leycett Road, Scot Hay



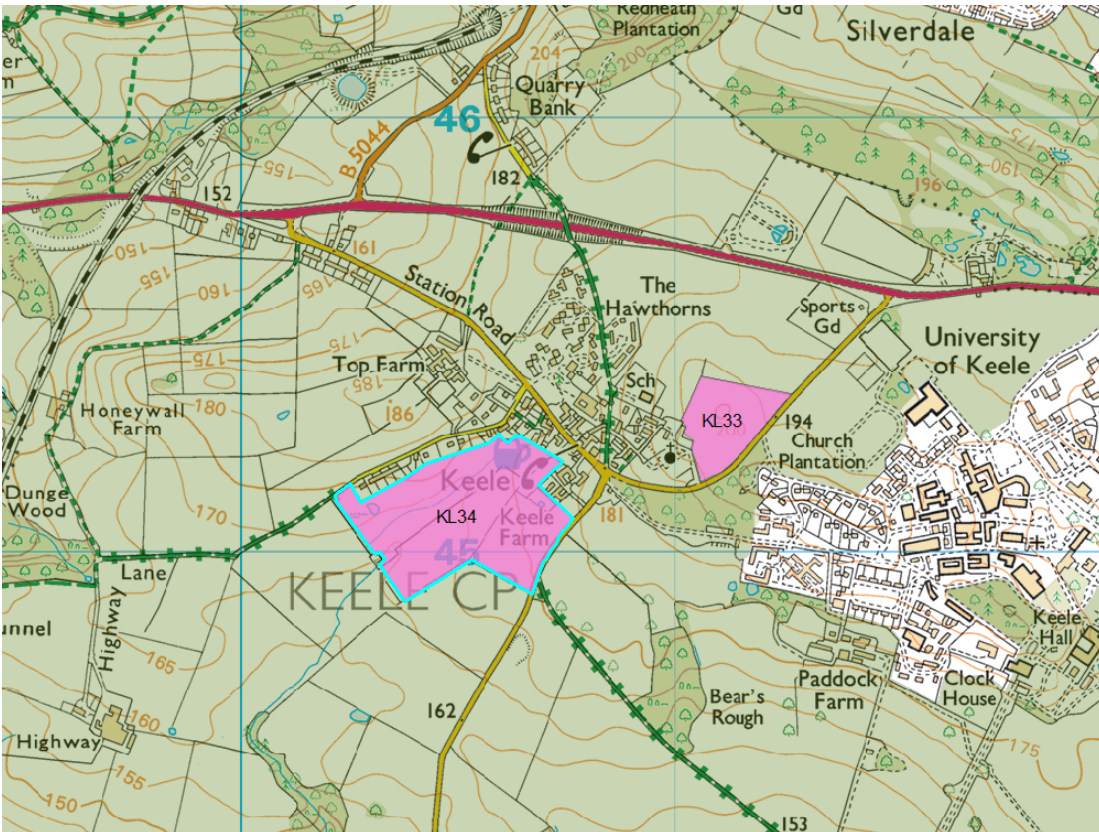
D.4 HM22 - Land adj Holly House, Crackley Lane, Scot Hay



D.5 KL33 - Land West of Keele Road, Keele Road



D.6 KL34 - Land West of Three Mile Lane, Keele



Appendix E

Green Belt Purpose Assessment Methodology

E.1 Green Belt Purpose Assessment Methodology

E.1.1 Overview

Paragraph 138 of the NPPF sets out the five purposes of Green and, in undertaking the Green Belt site assessments it is necessary to interpret these given that there is no single ‘correct’ method as to how they should be applied.

- 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.

For each purpose a number of criteria have been developed requiring quantitative and qualitative responses and an element of professional judgement. Methods of data collection (e.g. desk-based analysis or site-based analysis) will be documented against each purpose. A qualitative scoring system was developed for each purpose and for the overall assessment, consisting of a scale of the site’s contribution to the Green Belt purpose, these are shown and defined in Table 1 below:

Table 1: Qualitative scoring system to be applied against each purpose and overall

Level of Contribution to Green Belt Purposes
No Contribution – the site makes no contribution to the Green Belt purpose
Weak Contribution – on the whole the site makes a limited contribution to an element of the Green Belt purpose
Moderate Contribution – on the whole the site contributes to a few of the elements of the Green Belt purpose however does not fulfil all elements
Strong Contribution – on the whole the site contributes to the purpose in a strong and undeniable way, whereby removal of the site from the Green Belt would detrimentally undermine this purpose

As each of the five purposes set out in the NPPF is considered to be equally important, no weighting or aggregation of scores across the purposes will be undertaken. An element of professional judgement will be utilised in applying the scoring system however the ‘Key Questions to Consider’ for each purpose is intended to break down the purpose in the interests of ensuring a transparent and consistent approach. This is set out in detail below including definitions applying to the purpose and to the approach. Furthermore, the rationale for the score applied and the justification against the criteria will be recorded as part of the assessment.

Prior to undertaking any site assessments, all assessors will be fully briefed on the methodology in order to ensure comprehensive understanding of the approach and consistency in assessments.

E.1.2 Purpose 1: To check the unrestricted sprawl of large built-up areas

Table 2: Definitions for Purpose 1

Definitions for Purpose 1
<p>Sprawl – spreading out of building form over a large area in an untidy or irregular way (Oxford English Dictionary)</p> <p>Large built-up areas – this has been defined as the Newcastle-under-Lyme urban area and the Stoke-on-Trent urban area⁸¹, as set out in the Core Spatial Strategy Key Diagram. This does not include any inset settlement or settlements within other neighbouring authorities.</p>
Definitions for this Approach
<p>Well connected (or highly contained) – well connected to the built-up area, i.e. to be surrounded by high levels of built development.</p> <p>Open land – land which is lacking development.</p> <p>Round-off – where the existing urban area is an irregular shape, will the site fill in a gap and / or complete the shape</p> <p>Ribbon development – a line of buildings extending along a road, footpath or private land generally without accompanying development of the land to the rear. A “ribbon” does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or they are visually linked.</p>

Approach to the Assessment

A desk and field-based assessment will be applied to this purpose.

As this purpose only applies to the Newcastle-under-Lyme urban area and the Stoke-on-Trent urban area, if the site is not adjacent to either of these it will be assessed as ‘no contribution.’

Table 3: Purpose 1 Method

Key Questions to Consider	Recommended Approach
1. Is the site adjacent ⁸² to the large built-up area?	If yes , proceed to Stage 2... If no , conclude site makes no contribution to purpose 1
2. Existing boundary with built-up area: Is there an existing durable boundary between the built-up area and the site which could prevent sprawl?	a. Describe existing boundary between built-up area and site. b. If a durable boundary between the site and built-up area exists, conclude site makes a weaker contribution to checking unrestricted sprawl.
3. Connection to built-up area: a. Is the site well connected to the built-up area along a number of boundaries? b. Would development of the site help ‘round off’ the built-up area, taking into account the historic context of the Green Belt?	a. Describe existing boundary between built-up area and site. b. If a durable boundary between the site and built-up area exists, conclude site makes a weaker contribution to checking unrestricted sprawl.

⁸¹ Reference has been taken from the Joint Core Spatial Strategy (2009) Key Diagram which shows three ‘Major Urban Areas’: Newcastle-under-Lyme, Stoke-on-Trent and Kidsgrove. As Newcastle-under-Lyme and Stoke-on-Trent form a contiguous urban area with Kidsgrove separated by the Green Belt, Kidsgrove has not been defined as the ‘large built up area’. The contiguous urban area in Stoke-on-Trent includes Burslem, Fenton, Hanley, Longton, Meir, Stoke, Tunstall, and in Newcastle-under-Lyme includes Chesterton, Wolstanton, Newcastle and Silverdale.

⁸² For the purposes of the assessment this means that the site physically adjoins the defined large built up area along one or more boundaries.

4. Ribbon development: What role does the site play in preventing ribbon development? (may not be relevant in all circumstances)	Describe whether there is existing ribbon development or potential for ribbon development. If existing ribbon development within site and potential for further ribbon development, conclude site makes a stronger contribution to checking unrestricted sprawl.
5. Overall assessment: What level of contribution does the site make to purpose 1?	Bring together all conclusions from above to determine overall assessment (taking balanced view) Apply scoring system: No / Weak / Moderate / Strong

E.1.3 Purpose 2: Prevent neighbouring towns merging into one another

Table 4: Purpose 2 Method

Definitions for Purpose 2			
<p>Neighbouring towns – this has been defined with reference to the North Staffordshire Green Belt Local Plan and therefore the ‘neighbouring towns’ are defined as follows (it is acknowledged that this includes towns, villages and settlements and not all of these places would properly be defined as ‘towns’ under normal circumstances):</p> <ul style="list-style-type: none"> The Newcastle-under-Lyme urban area (the ‘large built-up area’); The Stoke-on-Trent urban area (the ‘large built-up area’)⁸³, and the following: 			
Newcastle-under-Lyme	Stoke-on-Trent	Staffordshire Moorlands	Stafford Council
Alsagers Bank	Baddeley Edge/Light	Bagnall	Barlaston
Audley	Oaks	Biddulph	Fulford
Betley	Norton Green	Blythe Bridge	Meir Heath
Bignall End		Brown Edge	Oulton
Halmerend		Caverswall	Stone
Kidsgrove		Cellarhead	Tittensor
Madeley		Cheadle	
Madeley Heath		Cheddleton	
Miles Green		Cookshill	
Wood Lane		Dihorne	
		Endon	
		Folly Lane Forsbrook	
		Kingsley	
		Kingsley Holt	
		Longsdon	
		Stanley	
		Stanley Moor	
		Werrington	
		Wetley Rocks	
<p>Outside the North Staffordshire Green Belt, the following towns in the neighbouring authority of Cheshire East have been defined with reference to the Cheshire East Green Belt Assessment Update:</p> <ul style="list-style-type: none"> Alsager Scholar Green / Hall Green Mount Pleasant Mow Cop 			
<p>Merging – combining to form a single entity (Oxford English Dictionary)</p>			

⁸³ Including Burslem, Fenton, Hanley, Longton, Meir, Stoke, Tunstall.

Definitions for the Approach

Openness – the visible openness of the Green Belt in terms of the absence of built development, a topography which supports long line views and low levels of substantial vegetation. Consider both actual distance (the distance between settlement and countryside) and perceived distance (e.g. a wooded area located between a new development and the settlement would not impact the perception of openness from the settlement). Openness should be assessed from the edge of the settlement / inset boundary outwards.

Essential gap – a land gap between two or more towns where development would significantly reduce the perceived or actual distance between towns resulting in the actual merging of the towns or the perceived merging

Largely essential gap – a land gap between two or more towns where limited development may be possible without the perceived or actual merging of the towns.

Less essential gap – a land gap between towns where development may be possible without any risk of the towns merging.

Approach to the Assessment

A desk and field-based assessment will be applied to this purpose.

Table 5: Purpose 2 Method

Key Questions to Consider	Recommended Approach
1. Would a reduction in the gap between ‘neighbouring towns’ compromise the openness of the Green Belt?	Describe existing gap between the defined ‘neighbouring towns’ and compare to resultant gap if development of the site were to take place. Existing gap should be described using the following terminology: <ol style="list-style-type: none"> a. Essential gap b. Largely essential gap c. Less essential gap Comparison should consider if a reduction in the gap would lead to the actual or perceived merging of towns. (This is on a case by case basis and not set by distance measurements).
Overall assessment: What level of contribution does the site make to purpose 2?	Bring together above factors to determine overall assessment (taking balanced view) Apply scoring system: No / Weak / Moderate / Strong

E.1.4 Purpose 3: To assist in safeguarding the countryside from encroachment

Table 6: Definitions for Purpose 3

Definitions for Purpose 3
Safeguarding - Protect from harm or damage with an appropriate measure (Oxford English Dictionary).
Countryside – The land and scenery of a rural area that is either used for farming or left in its natural condition (Oxford English Dictionary and Cambridge Dictionary).
Encroachment - a gradual advance beyond usual or acceptable limits (Oxford English Dictionary).
Definitions for the Approach
Durable boundaries – refer to boundary definition in Table 9 below.
Built form – any form of built development excluding buildings for agriculture and forestry (e.g. residential properties, warehouses, schools, sports facilities).
Settlement – all settlements that are inset from the Green Belt and the large built-up-areas

Openness – the visible openness of the Green Belt in terms of the absence of built development, a topography which supports long line views and low levels of substantial vegetation. Consider both actual distance (the distance between settlement and countryside) and perceived distance (e.g. a wooded area located between a new development and the settlement would not impact upon the perception of openness from the settlement). Openness should be assessed from the edge of the settlement/inset boundary outwards, with reference to the matrix set out in Table 8 below.

Strong degree of openness – contributes to openness in a strong and undeniable way, where removal of the site from the Green Belt would detrimentally undermine the openness of this part of the Green Belt.

Moderate degree of openness – contributes to openness in a moderate way, whereby removal of part of the site would not have a major impact upon the overall openness of this part of the Green Belt.

Weak degree of openness – makes a weak contribution to openness, whereby the removal of the site would not impact upon the openness of this part of the Green Belt.

No degree of openness – makes no contribution to the openness of the Green Belt.

Beneficial uses – as set out in paragraph 145 of the NPPF, these include: identifying opportunities to provide access to the countryside; to provide opportunities for outdoor sport and recreation; and to retain and enhance landscapes, visual amenity and biodiversity.

Approach to the Assessment

A desk and field-based assessment will be applied to this purpose.

Table 7: Purpose 3 Method

Key Questions to Consider	Recommended Approach
1. Future encroachment: Are there existing durable boundaries which would contain any future development and prevent encroachment in the long term?	<ul style="list-style-type: none"> a. Identify any durable boundaries <i>between the site and settlement</i> which would prevent future encroachment <i>into</i> the site. If there are durable boundaries between the site and settlement, conclude that site makes a weaker contribution to safeguarding from encroachment given that development would be contained by the durable boundary and thus the site itself plays a lesser role. b. Identify any durable boundaries <i>between the site and countryside</i> which would <i>contain encroachment</i> in the long term if the site were developed. If there are durable boundaries between the site and countryside, conclude that site makes a weaker contribution to safeguarding from encroachment.
2. Existing encroachment: What is the existing land use/uses? Is there any existing built form within or adjacent to the site?	<ul style="list-style-type: none"> a. Describe existing land use/uses (e.g. open countryside, agricultural land, residential, mix of uses). b. Describe any existing built form. If considerable amount of built form within the site, conclude that site makes a weaker contribution to safeguarding from encroachment.
3. Connection to the countryside: Is the site well connected to the countryside? Does the site protect the openness of the countryside?	<ul style="list-style-type: none"> a. Describe degree of connection to the countryside (e.g. along a number of boundaries). If site is well connected to the countryside, conclude site makes a stronger contribution to safeguarding from encroachment. b. Describe degree of openness taking into account built form, vegetation and topography using matrix below in Table 5.
4. Does the site serve a beneficial use of the Green Belt (NPPF para 145) which should be safeguarded?	Identify any beneficial Green Belt uses served by site, as per NPPF para 145, on a high-level basis. If site serves 2 or more beneficial uses, conclude site makes a stronger contribution to safeguarding from encroachment. Note: if site serves 1 or no beneficial uses this does not weaken its contribution to purpose 3.
Overall assessment: What level of contribution does the site make to purpose 3?	Bring together all conclusions from above to determine overall assessment (taking balanced view) Apply scoring system: No / Weak / Moderate / Strong

Table 8 Degree of Openness Matrix

Built Form	Long-line views	Vegetation	Degree of Openness
Less than 10%	Open long line views	Low vegetation	Strong degree of openness
		Dense vegetation	Strong-moderate degree of openness
	No long line views	Low vegetation	Strong-moderate degree of openness
		Dense vegetation	Moderate degree of openness
Less than 20%	Open long line views	Low vegetation	Strong-Moderate degree of openness
		Dense vegetation	Moderate-Weak degree of openness
	No long line views	Low vegetation	Moderate degree of openness
		Dense vegetation	Weak degree of openness
Between 20 and 30%	Open long line views	Low vegetation	Moderate-Weak degree of openness
		Dense vegetation	Weak degree of openness
	No long line views	Low vegetation	Weak degree of openness
		Dense vegetation	No degree of openness
More than 30%	Open long line views	Low vegetation	Weak degree of openness
		Dense vegetation	No degree of openness
	No long line views	Low vegetation	No degree of openness
		Dense vegetation	No degree of openness

Table 9 Boundary Definition

<p>Durable Features (Readily recognisable and likely to be permanent)</p>	<p>Infrastructure:</p> <ul style="list-style-type: none"> • Motorway • Roads (A roads, B roads and unclassified ‘made’ roads) • Railway line (in use or safeguarded) • Existing development with clear established boundaries (e.g. a hard or contiguous building line) <p>Natural:</p> <ul style="list-style-type: none"> • Water bodies and water courses (reservoirs, lakes, meres, rivers, streams and canals) • Protected woodland (TPO) or hedges or ancient woodland • Prominent landform (e.g. ridgeline) • Combination of a number of boundaries below
<p>Less durable features (Soft boundaries which are recognisable but have lesser permanence)</p>	<p>Infrastructure:</p> <ul style="list-style-type: none"> • Private/unmade roads or tracks • Existing development with irregular boundaries • Disused railway line • Footpath accompanied by other physical features (e.g. wall, fence, hedge) <p>Natural:</p> <ul style="list-style-type: none"> • Watercourses (brook, drainage ditch, culverted watercourse) accompanied by other physical features • Field boundary accompanied by other natural features (e.g. tree line, hedge line)

E.1.5 Purpose 4: To preserve the setting and special character of historic towns

Table 10: Definitions for Purpose 4

Definitions for Purpose 4	
<p>Historic Town – for the purposes of this assessment these have been identified using the ‘neighbouring towns’ defined in purpose 2 cross referenced to the Councils’ Conservation Area Appraisals. Following review by the Councils’ Conservation Officers, Keele was also deemed to be a ‘historic town’. The ‘historic towns’ are defined as:</p>	
Newcastle-under-Lyme	Stoke-on-Trent
The Newcastle-under-Lyme Urban Area Audley Betley Keele Kidsgrove Madeley	The Stoke-on-Trent Urban Area
<p>Within the neighbouring authorities of Cheshire East and Staffordshire Moorlands, the historic towns have been defined with reference to their existing Green Belt Assessments and are as follows:</p>	
Cheshire East	Staffordshire Moorlands
Alsager	Biddulph
<p>Definitions for the Approach</p> <p>Relevant Conservation Areas – these are defined as the Newcastle Town Centre Conservation Area, Audley Conservation Area, Betley Conservation Area, Keele Conservation Area, Kidsgrove Conservation Area, Madeley Conservation Area, Talke Conservation Area, Stoke Town Centre Conservation Area, Hanley Conservation Area and Burslem Conservation Area. Within Cheshire East, this is defined as: Alsager Conservation Area. Within Staffordshire Moorlands, this is defined as Biddulph Conservation Area.</p> <p>Important Views – these are defined as those ‘important views’ shown in the Councils Conservation Area Appraisals on the Townscape Appraisal Maps (for Stoke-on-Trent and Newcastle-under-Lyme).</p> <p>Designated heritage assets – a World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation (National Planning Policy Framework, p.51).</p> <p>Buffer area – for the purposes of this assessment this has been drawn from the historic towns’ relevant Conservation Area boundaries outwards by 250m.</p> <p>Built development – buildings of any type or use.</p>	

Approach to the Assessment

A desk-based assessment only will be applied to this purpose.

Table 11: Purpose 4 Method

Key Questions to Consider	Recommended Approach
<p>Stage 1 Is the site adjacent to a ‘historic town’?</p>	<p>a. Identify whether the site is located adjacent to a historic town? b. If the site is adjacent to a historic town, continue to Stage 2. c. If the site is not adjacent to a historic town, conclude the site makes no contribution to this purpose.</p>
<p>If not adjacent to historic town, conclude ‘no contribution.’ If yes, undertake Stage 2...</p>	
<p>Stage 2 Assess the proximity of the town’s relevant Conservation Areas to the Green Belt</p>	<p>a. Identify whether there are any relevant Conservation Areas within 250m of the Green Belt site... b. ...and/or whether there are any important views into or out of the Conservation Area (with reference to the Conservation Area Appraisals).</p>

	c. If there are no Conservation Areas within 250m of the Green Belt, conclude that the site makes no contribution to the purpose unless there are important views.
If Conservation Area within 250m buffer, undertake Stage 3... If outside 250m buffer, conclude ‘ no contribution ’.	
Stage 3 Is there modern built development which reduces the role of the Green Belt in preserving the setting and special character?	<p>a. Describe the built development separation between the Green Belt and the Conservation Area. For example: two rows of residential streets separate the Conservation Area from the Green Belt boundary.</p> <p>b. If the Conservation Area is located adjacent to or within the Green Belt boundary, conclude that site makes a strong contribution to purpose 4.</p>
Stage 3A Are there any other designated heritage assets within the 250m buffer which add to the setting and special character?	<p>a. Identify whether there are any other designated heritage assets within the 250m buffer and their proximity to the Green Belt.</p> <p>b. If there are listed buildings located adjacent to the Green Belt boundary, conclude that site makes a stronger contribution to purpose 4.</p> <p>c. If the site cross an important viewpoint, conclude that site makes a stronger contribution to purpose 4.</p>
Overall assessment: What level of contribution does the site make to purpose 4?	<p>Stage 3 will determine the level of contribution:</p> <p>No / Weak / Moderate / Strong</p>

E.1.6 Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Approach to the Assessment

Apply ‘moderate contribution’ to all General Areas and sites.

E.1.7 Overall Assessment

The purpose of the overall assessment is to consider the outcomes of each of the five purposes and then make a judgement on the overall contribution the site makes to the Green Belt.

The same qualitative scoring system as applied to each of the five purposes was also applied to the overall assessment, as set out below:

Table 12 Green Belt Purposes: Overall Assessment

Level of Contribution to Green Belt Purposes
No Contribution – the site makes no contribution to the Green Belt purpose
Weak Contribution – on the whole the site makes a limited contribution to an element of the Green Belt purpose
Moderate Contribution – on the whole the site contributes to a few of the elements of the Green Belt purpose however does not fulfil all elements
Strong Contribution – on the whole the site contributes to the purpose in a strong and undeniable way, whereby removal of the site from the Green Belt would detrimentally undermine this purpose

In order to ensure a consistent and transparent approach, the following guidance was used in determining the overall assessment:

- No sites should be assessed as ‘no contribution’ overall unless each of the five purposes is assessed as a ‘no contribution’.

- Where there was a 4 / 1 split – the majority contribution should always be applied, unless the majority is ‘no contribution’ in which case, the overall should be ‘weak’.

Example:

Moderate	Moderate	Moderate	Moderate	No	Moderate
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Exception:

No	No	No	No	Moderate	Weak
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Where there was a 3 / 2 split – the majority contribution should always be applied unless the ‘2’ contributions are ‘strong’. In this case, the overall would be ‘strong’. The exception to this would be if the majority was ‘no’, in this case the overall would be the minority, unless the ‘2’ was moderate, then the contribution would be weak given that this is between the two levels.

Example:

Moderate	Moderate	Moderate	Weak	Weak	Moderate
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Exception:

Moderate	Moderate	Moderate	Strong	Strong	Strong
No	No	No	Weak	Weak	Weak
No	No	No	Moderate	Moderate	Weak

Where there was a 3 / 1 / 1 split – the majority contribution should always be applied unless one of the minority contributions is ‘strong’ and one is ‘moderate’. In this case, professional judgement should be applied (see below). Where the majority is ‘no’, the middle category from the split should be the overall.

Example:

Moderate	Moderate	Moderate	Strong	Weak	Moderate
----------	----------	----------	--------	------	-----------------

Exception:

Weak	Weak	Weak	Strong	Weak	Apply professional judgement
No	No	No	Moderate	Weak	Weak

Where there was a 2 / 2 / 1 split – the contribution to be applied depends on what the split and the minority leans towards. For example where the minority contribution is ‘no’, the lower contribution of the split should be applied. The exception to this is where the minority contribution is ‘strong’, in which case professional judgement should be applied.

Example:

Weak	Weak	No	Moderate	No	Weak
Moderate	Moderate	Weak	Weak	No	Weak
Moderate	Moderate	No	No	Weak	Weak

Exception:

Moderate	Strong	Moderate	No	No	Apply professional judgement
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Where 2 purposes are the same and the remaining 3 are all different application of professional judgement would be required.

Example:

Weak	Weak	No	Moderate	Strong	Apply professional judgement
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Applying Professional Judgement

Whilst all five Green Belt purposes should be given equal weighting, the overall assessment is not intended to be a numbers balancing exercise and a certain level of professional judgement must be applied to all of the above rules and particularly where one of the purposes is assessed as ‘strong’.

In order to do this, it is necessary to refer back to the overall aim and purpose of Green Belt as set out in paragraph 137 of the NPPF:

“The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.”

Paragraph 137 refers to the prevention of ‘urban sprawl’ and keeping land permanently open. These aims are fundamentally subsumed within Purposes 1, 2 and 3 and thus where the development of a site would particularly threaten these purposes additional weight should be applied to its contribution to Green Belt purposes. This is matter for the professional judgement of the assessor however the justification for the assessment should provide a transparent explanation behind their reasoning.

Appendix F

Green Belt Site Review Assessment Methodology

F.1 Green Belt Site Review Assessment Methodology

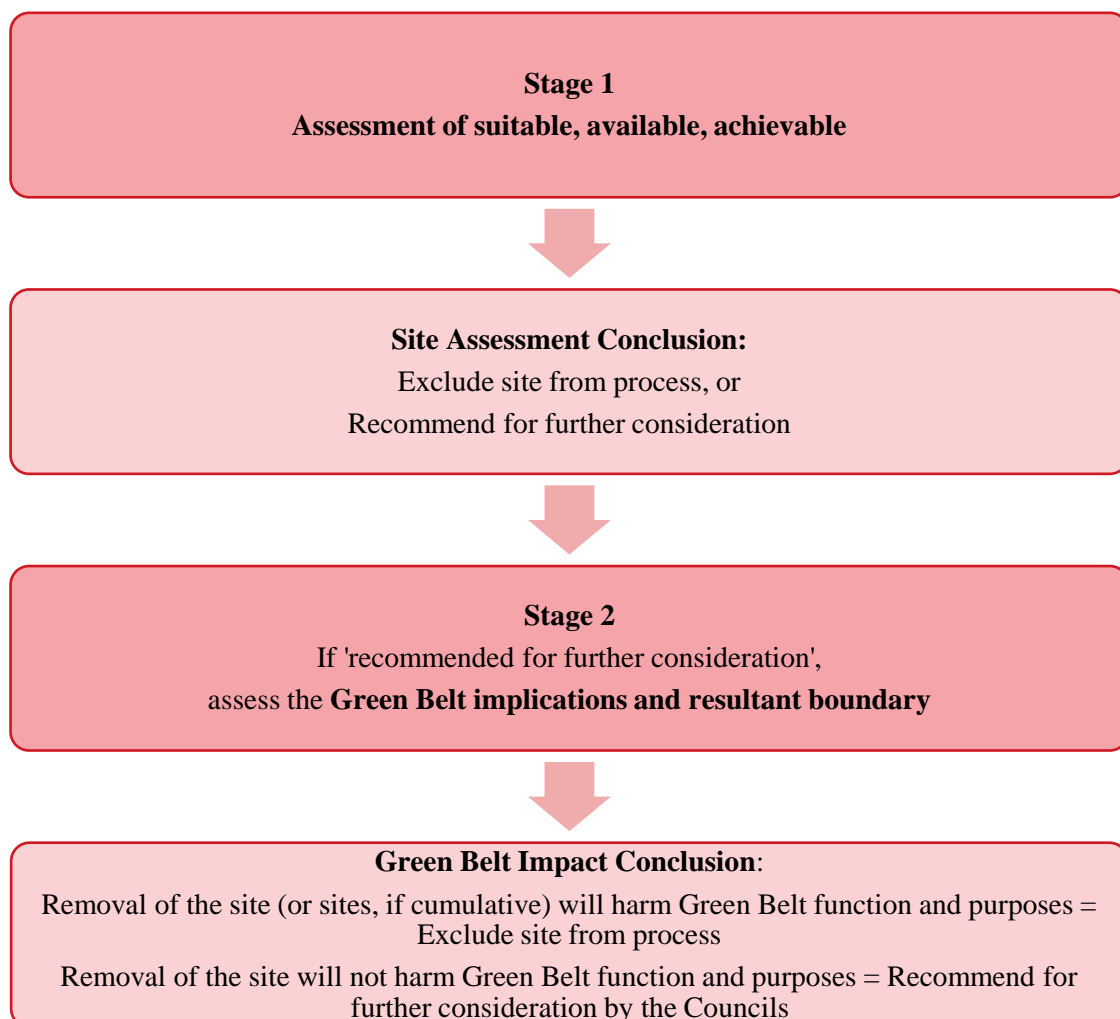
F.1.1 Overview

This part of the assessment involves taking the weak and moderate performing Green Belt sites through the Green Belt site review methodology. If there are not enough sites identified in order to meet the quantum of development required, the Council will need to revisit the process undertaken.

This section sets out the Green Belt site review methodology to be applied. This will involve an assessment of suitability, availability and achievability (Stage 1). Based on this assessment a recommendation will be made to either take the site forward for further consideration or to exclude the site from the process. For those sites which are recommended to take forward for further consideration Stage 2 will be undertaken and the implications of releasing the site from the Green Belt (in terms of any harm to the function and integrity of the Green Belt), and the resultant Green Belt boundaries will also be assessed. A conclusion on the Green Belt impact will then be made. If it is concluded that removal of the site (or sites, if cumulative) will harm Green Belt function and purposes, a recommendation will be made to exclude the site from the process. If it is concluded that removal of the site will not harm the Green Belt, a recommendation will be made to take the site forward for further consideration by the Councils.

For those sites which the Council selects for release, consideration will need to be given as to whether the impact of removing land from the Green Belt can be offset through compensatory improvements, in accordance with paragraph 142 of the NPPF. Figure 1 below summarises the Green Belt site review process and each stage of the process is considered in turn below.

Figure 1. Summary Diagram of Green Belt Site Review Process



F.1.2 Assessment of Suitability

The criteria draws on the suitability criteria used in the SHLAA and ELR, as well as the guidance contained in the NPPF and PPG. The justification column in the table explains why the criteria has been considered relevant as well as the data sources used for distances. The scoring criteria uses a red / amber / green traffic light assessment where the categories broadly indicate the following:

- Green – Site is considered to be suitable
- Amber – Mitigation may be required/unavoidable impacts
- Red – Mitigation likely to be required/unavoidable impacts

It should be noted that a site which is categorised as ‘suitable’ is only considered suitable in the context of this study as it is acknowledged that the SHLAA would have categorised all of the sites as ‘not suitable’ due to the policy constraint of Green Belt.

It is envisaged that this stage will be assessed using a combination of desktop exercise and site visits with professional judgement being applied. The desktop exercise will rely on the GIS datasets which have been provided by the Council. This will ensure a robust and consist approach to completing the assessment for each site. Site visits will be undertaken for each site and the following elements will be noted on site:

- Topography;
- Existing uses;
- Surrounding uses; and
- Key features to consider.

All evidence gathered will be brought together and presented on the site pro-forma for each site which will provide a conclusion on the suitability of the site. An element of professional judgement will be applied in making this conclusion. Any key features noted on the site visit will be highlighted.

F.1.3 Assessment of Availability

The assessment of availability builds on the approach taken within the SHLAA and ELR and guidance contained within the NPPF and PPG.

In order to determine if the site is available for development, a number of factors will be considered including site ownership, the existence of an extant planning consent, the existing use of the site, and whether there are any known ownership or tenancy issues.

A number of information sources will be used in undertaking the assessment including the SHLAA, ELR, Call for Sites information, and consultation responses on the Preferred Options document, information from site visits, the Councils’ public access planning records, and discussions with council officers.

Table 1 below sets out the criteria and information sources which will be used in the assessment. The criteria will collectively enable the assessor to come to a judgement in the summary section as to whether or not the site is ‘available for development’ based on best available information. A red/amber/green traffic light assessment will be applied to conclude the assessment. The red/amber/green descriptions set out below are not exhaustive and will require an element of professional judgement.

Table 1. Availability Criteria and Sources of Information

Criteria	Assessment	Information Source
1. Was the site promoted by the land owner, or a developer backed by the landowner?	Yes/No	Call for Sites information, SHLAA, ELR, Preferred Options consultation responses

2. Is there an extant planning consent for residential / employment on the site?	Yes/No	Call for sites information, the Councils' public access planning records
3. Is the site in active use?	Yes/No	Call for sites information, site visit
4. Could the site be developed now?	Yes/No	Call for sites information, site visit
5. Is the site free of ownership and tenancy issues?	Yes/No	Call for sites information, discussions with council officers
Summary		
Is the site available for development? (conclusion based on all of the above)	<p>Red: Site is not available / has ownership issues which cannot be overcome / Ownership is unknown and the site is in active use and could not be developed now.</p> <p>Amber: Site was not promoted by owner but is not in active use and could be developed now / Site was promoted by owner or developer with owner backing however it has ownership issues which could be overcome.</p> <p>Green: Site was promoted by owner or developer with owner backing. No known ownership issues / Site not promoted by the owner however there is an extant planning consent on the site.</p>	

F.1.4 Assessment of Achievability

The purpose of this stage is to test the deliverability of sites as required by the NPPF and PPG. The assessment of achievability builds on the approach taken within the SHLAA and ELR and guidance contained within the NPPF and PPG.

In order to determine if the site is achievable for development, a number of factors will be considered including viability, developer interest, demand for provision proposed, and constraints which could result in abnormal development costs.

A number of information sources will be used in undertaking the assessment including the Councils SHLAA Viability Assessment (October 2016), Call for Sites information, SHLAA, ELR, consultation responses on the Preferred Options document, and discussions with council officers.

The most recent joint plan area viability review was published by the Councils in October 2016 (The Joint SHLAA Viability Assessment) in order to investigate the viability and deliverability of the SHLAA sites across the housing market area. The document appraises the viability of all sites proposed for residential development taking into account the impact of the Councils' policies on the cost and value of development (e.g. Affordable Housing and Design and Construction Standards) as well as any site specific abnormal development costs (e.g. ground contamination) which may impact upon the competitive returns to a willing land owner or willing developer.

Within Newcastle-under-Lyme all sites were considered to be broadly viable. Overall, the study concluded that all sites were broadly viable across the entire plan period taking account of the Affordable/Low Cost Housing requirements and all policy impacts of the Core Spatial Strategy.

Table 2 below sets out the criteria and information sources which will be used in the assessment. The criteria will be used to come to a judgement in the summary section on the achievability of the site. A red/amber/green traffic light assessment will be applied to conclude the assessment. The red/amber/green descriptions set out below are not exhaustive and will require an element of professional judgement.

Table 2. Achievability Criteria and Sources of Information

Criteria	Assessment	Information Source
1. Is the site viable based on the Councils Viability Assessment?	No, site is not currently considered viable.	Stoke-on-Trent and Newcastle-under-Lyme SHLAA Viability Assessment (October 2016)

<p>2. Is there active developer interest in the site?</p> <p>3. Is there known demand for the form of provision approved/proposed?</p> <p>4. Have similar sites been successfully developed in the preceding years?</p> <p>5. Are there any known abnormal development costs?</p>	<p>Yes, site considered capable of viable development but landowners may need to accept land value reductions for abnormal site development costs. Yes, site is broadly viable.</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/None known</p>	<p>Call for Sites information, SHLAA, ELR, Preferred Options consultation responses</p> <p>SHLAA, discussions with council officers</p> <p>Review of planning permissions in the local area, discussions with council officers</p> <p>GIS dataset for contamination provided by the Councils, Call for sites information, discussions with council officers</p>
Summary		
<p>Is the site achievable for development? (conclusion based on all of the above)</p>	<p>Red: Site is not currently considered viable. There are insurmountable abnormal development costs and it is known that these cannot be overcome. There is no demand or developer interest.</p> <p>Amber: The site may be viable however there are abnormal development costs which would need to be overcome. There is developer interest and/or demand.</p> <p>Green: The site is considered to be viable / there is developer interest and/or demand. No known abnormal development costs.</p>	

F.1.5 Site Assessment Conclusions

The site assessment conclusions section brings together the suitable, available, achievable assessment to recommend whether the site should be taken forward for further consideration or whether it should be excluded from the process. The traffic light assessments set out in the pro-forma are not weighted therefore the overall conclusion section is intended to be a consideration of all available evidence, applying professional judgement. It should be noted that detailed technical information, for example relating to highways/traffic implications, conformity with the spatial strategy and objectives, and/or means of overcoming site constraints has not been considered at this stage as this will form part of the Council’s further consideration.

F.1.6 Green Belt Implications

This section is only to be completed for those sites which are recommended to be taken forward for further consideration.

The findings from the good practice review demonstrated that beyond the consideration of a site’s existing contribution to Green Belt purposes, most of the local authorities considered the impact of removing the site on Green Belt function and purposes, alongside any potential cumulative impacts. Furthermore, the resultant Green Belt boundary and whether this would be readily recognisable and likely to be permanent was also a key consideration.

There is no recognised approach as to how this should be assessed, and the good practice review demonstrated that most authorities simply applied a brief commentary referencing Green Belt purposes. Table 3 below therefore sets out the qualitative criteria which will be used in the assessment:

Table 3: Qualitative assessment criteria to consider Green Belt implications

Key Question to Consider	How will this be assessed?
What is the impact on Green Belt function and purposes of removing the site from the Green Belt?	<p>This assessment will draw on the definitions and approach set out in the Green Belt Assessment methodology (see Appendix E) however it will consider <i>how development of the site would impact</i> upon the purposes instead of <i>how the site in its existing state contributes</i> to the purposes:</p> <p>Purpose 1 – would development of the site represent unrestricted sprawl?</p> <p>Purpose 2 – would development of the site result in the merging of neighbouring towns⁸⁴ or increase the potential for merging?</p> <p>Purpose 3 – would development of the site represent an encroachment into the countryside?</p> <p>Purpose 4 – would development of the site impact upon the setting or character of a historic town⁸⁵?</p> <p>As Purpose 5 relates to the role of the Green Belt in encouraging urban regeneration, it will therefore not be assessed.</p>
Are there any cumulative impacts (due to release of adjacent sites)?	<p>This will only be relevant if a number of sites in the same area are recommend for further consideration.</p> <p>The cumulative impacts should apply the same considerations as above taking all sites together.</p>
Would a new Green Belt boundary be defined using physical features that are readily recognisable and likely to be permanent?	<p>Description of the resultant Green Belt boundary.</p> <p>If the resultant boundary features are not recognisable and permanent, it is recommended that if the site is taken forward, the accompanying policy will need to specifically state that a recognisable and permanent new Green Belt boundary must be provided or the existing boundary requires strengthening.</p>
Conclusion	<p>A summary will be provided which will conclude on the Green Belt impact as follows:</p> <ul style="list-style-type: none"> • Removal of the site (or sites, if cumulative) will harm Green Belt function and purposes. • Removal of the site will not harm Green Belt function and purposes.

If it is concluded that removing the site (or sites, if cumulative) from the Green Belt will harm the function and purposes of the Green Belt, it will be recommended that the site is excluded from the process. On the other hand, if it is concluded that removing the site will not harm the function and purposes of the Green Belt, it will be recommended that the site is taken forward for further considerations by the Council.

⁸⁴ The ‘neighbouring towns’ are defined in the Green Belt Assessment Methodology – see Appendix E

⁸⁵ The ‘historic towns’ are defined in the Green Belt Assessment Methodology – see Appendix E

Appendix G

Detailed Green Belt Assessment Table

Site Ref	Purpose 1: to check the unrestricted sprawl of large built-up areas	Purpose 2: to prevent neighbouring towns merging into one another	Purpose 3: to assist in safeguarding the countryside from encroachment;	Purpose 4: to preserve the setting and special character of historic towns	Purpose 5: to assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Justification for Assessment	Overall Assessment
AB78	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Bignall End / Audley and Alsager whereby development of the would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in the neighbouring towns merging. Overall, the site makes a weak contribution to preventing towns from merging.	Strong contribution: The site is not connected to a settlement. The site is situated in open countryside. To the north, the boundary consists of Hullock's Pool Road which is durable and would prevent encroachment if it were developed. The remaining boundaries are all less durable comprised of field boundaries which would not prevent encroachment if the site was developed. The existing land use is comprised of open countryside with no built form. The topography of the site is predominantly flat with a slight slope down from west to east. There are long line views all around the site. As such, the site supports a strong degree of openness. Overall, the site makes a strong contribution to safeguarding the countryside from encroachment due to the mainly less durable boundaries with the countryside and strong degree of openness.	No contribution: The site is not adjacent to a historic town and therefore does not contribute to this purpose.	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	The site makes a strong contribution to one purpose, a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to two purposes. In line with the methodology, professional judgement has therefore been applied to evaluate the overall contribution. The site has been judged to make a strong overall contribution. The site supports a strong degree of openness and has a less durable boundaries between the site and the countryside and therefore the site makes a strong contribution to safeguarding the countryside. It therefore makes a strong contribution to fulfilling the fundamental aim of the Green Belt under paragraph 137 NPPF 2021 in protecting the openness of the Green Belt. The site makes a moderate contribution to assisting in urban regeneration. The site makes a weak contribution to preventing towns from merging and makes no contribution to checking unrestricted sprawl and preserving the setting and special character of historic towns.	Strong contribution
AB79	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Bignall End / Audley and Alsager whereby development of the would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in the neighbouring towns merging. Overall, the site makes a weak contribution to preventing towns from merging.	Strong contribution: The site is not connected to a settlement. The site is situated in open countryside. To the north and north west, the boundary consists of Cross Lane which is durable and would prevent encroachment if it were developed. To the east, a very small section of boundary consists of Greateak Road which is durable and would prevent encroachment. The remaining boundaries are all less durable comprised of field boundaries which would not prevent encroachment if the site was developed. The existing land use of the site is open countryside with no built form and open long line views (particularly to the north). The topography of the site is very undulating with a steep slope from north-east to south-west. Overall, the site makes a strong contribution to safeguarding the countryside from encroachment due to the mainly less durable boundaries with the countryside and strong degree of openness.	No contribution: The site is not adjacent to a historic town and therefore does not contribute to this purpose.	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	The site makes a strong contribution to one purpose, a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to two purposes. In line with the methodology, professional judgement has therefore been applied to evaluate the overall contribution. The site has been judged to make a strong overall contribution. The site supports a strong degree of openness and has a less durable boundaries between the site and the countryside and therefore the site makes a strong contribution to safeguarding the countryside. It therefore makes a strong contribution to fulfilling the fundamental aim of the Green Belt under paragraph 137 NPPF 2021 in protecting the openness of the Green Belt. The site makes a moderate contribution to assisting in urban regeneration. The site makes a weak contribution to preventing towns from merging and makes no contribution to checking unrestricted sprawl and preserving the setting and special character of historic towns.	Strong contribution
HM15	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Alsagers Bank and Madeley Heath as well as between the Newcastle-under-Lyme urban area and Betley whereby development of the site would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in the neighbouring towns merging.	Strong contribution: The site is not connected to a settlement however it is located adjacent to the washed over village of Scot Hay. The site's northern boundary consists of Leycett Road which is durable and would prevent encroachment if the site were developed. The boundaries to the east and west comprise built form due to existing residential development which limits the potential for encroachment to the east and west. The southern boundaries consist of field boundaries which are less durable and would not be able to prevent encroachment if the site were to be developed. The existing land use of the site is open countryside with no built form and low levels of vegetation. The site has open long line views to the south however views in other directions are limited by existing development within the washed over village. The topography is undulating and generally slopes up from south to north. As such, the site supports a strong-moderate degree of openness. Overall, the site makes a	No contribution: The site is not adjacent to a historic town and therefore does not contribute to this purpose.	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	The site makes a strong contribution to one purpose, a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to two purposes. In line with the methodology, professional judgement has therefore been applied to evaluate the overall contribution. The site has been judged to make a moderate overall contribution. The site is located adjacent to the washed over village of Scot Hay. The site supports a strong degree of openness and has less durable boundaries to the south however the northern boundary is durable and the site is enclosed by existing development to the east and west which limits the potential for further encroachment. As such, development would be relatively contained and would not threaten the overall openness and permanence of the Green Belt. The site makes a moderate contribution to assisting in urban regeneration. The site makes a weak contribution to preventing towns from merging and makes no contribution	Moderate contribution

		Overall, the site makes a weak contribution to preventing towns from merging.	strong contribution to safeguarding the countryside from encroachment due to the mix of durable and less durable boundaries and strong degree of openness.			to checking unrestricted sprawl and preserving the setting and special character of historic towns.	
HM22	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Alsagers Bank and Madeley Heath as well as between the Newcastle-under-Lyme urban area and Betley whereby development of the site would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in the neighbouring towns merging. Overall, the site makes a weak contribution to preventing towns from merging.	Strong contribution: The site is not connected to a settlement however it is located adjacent to the washed over village of Scot Hay. The site's south western boundary consists of Crackley Lane which is durable and would prevent encroachment if the site were developed. The north western boundary consists of the rear gardens of existing residential development within the village which is less durable. The north eastern and south eastern boundaries consist of field boundaries which are less durable and would not be able to prevent encroachment if the site were to be developed. The existing land use of the site is open countryside with less than 10% built form and low levels of vegetation. The site has open long line views in all directions apart from to the west as these views are limited by existing development within the washed over village. The topography is undulating. As such, the site supports a strong degree of openness. Overall, the site makes a strong contribution to safeguarding the countryside from encroachment due to the mix of durable and less durable boundaries and strong degree of openness.	No contribution: The site is not adjacent to a historic town and therefore does not contribute to this purpose.	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	The site makes a strong contribution to one purpose, a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to two purposes. In line with the methodology, professional judgement has therefore been applied to evaluate the overall contribution. The site has been judged to make a strong overall contribution. The site is located adjacent to the washed over village of Scot Hay. The site supports a strong degree of openness and has less durable boundaries with the wider countryside to the north east and south east and therefore the site makes a strong contribution to safeguarding the countryside from encroachment. It therefore makes a strong contribution to fulfilling the fundamental aim of the Green Belt under paragraph 137 NPPF 2021 in protecting the openness of the Green Belt. The site makes a moderate contribution to assisting in urban regeneration. The site makes a weak contribution to preventing towns from merging and makes no contribution to checking unrestricted sprawl and preserving the setting and special character of historic towns.	Strong contribution
KL33	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Newcastle-under-Lyme and Madeley Heath, whereby development of the site would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in neighbouring towns merging. Overall, the site makes a weak contribution to preventing neighbouring towns from merging.	Moderate contribution: The site is not connected to a settlement however it is located between the washed over village of Keele and the Keele University inset settlement although it does not directly adjoin either one. The site has durable boundaries to the east and south consisting of Keele Road which would be able to prevent encroachment if the site were to be developed. The western boundary consists partly of an access track to St John the Baptist Church and partly of the limits of existing residential development which limits the potential for further encroachment to the west. The site's northern boundary consists of a hedge lined field boundary which is less durable and would not be able to prevent encroachment if the site were to be developed. The existing land use of the site is open countryside with no built form, low vegetation and open long line views (particularly to the north). The topography is undulating and generally slopes up from north-east to south-west. As such, the site supports a strong degree of openness. Overall the site makes a moderate contribution to safeguarding the countryside from encroachment due to the predominantly durable boundaries and strong degree of openness.	Strong contribution: Newcastle-under-Lyme is a historic town. The Keele Conservation Area is located within the Green Belt. The site is within the 250m Conservation Area buffer to the east of the Conservation Area. The site is immediately adjacent to the Conservation Area with views into and out of the Conservation Area. Overall the site makes a strong contribution to preserving the setting and special character of historic towns.	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.	The site makes a strong contribution to one purpose, a moderate contribution to two purposes, a weak contribution to one purpose and no contribution to one purpose. In line with the methodology, professional judgement has been applied to evaluate the overall contribution. The site has been judged to make a moderate overall contribution. Although the site makes a strong contribution to preserving the setting and special character of historic towns, the site makes a moderate contribution to safeguarding the countryside from encroachment as it has predominantly durable boundaries and a strong degree of openness. These predominantly durable boundaries mean that development would be contained and would not compromise the overall openness and permanence of the Green Belt. The site does not contribute to checking unrestricted sprawl, it makes a weak contribution to preventing neighbouring towns from merging and a moderate contribution to assisting in urban regeneration.	Moderate contribution
KL34	No contribution: The site is not connected to the Newcastle-under-Lyme urban area and therefore does not contribute to this purpose.	Weak contribution: The site forms a less essential gap between Newcastle-under-Lyme and Madeley Heath, whereby development of the site would reduce the actual gap between the neighbouring towns but not the perceived gap and it would not result in neighbouring towns merging. Overall, the	Strong contribution: The site is not connected to a settlement however it adjoins the washed over village of Keele. The site adjoins Keele along the site's north eastern boundary which consists of the rear gardens of residential properties which are less durable. The site's south eastern boundary consists of Three Mile Lane which is durable and would prevent encroachment. The site's northern boundary consists of the rear gardens of residential properties beyond which is Highway Lane which is durable and would prevent encroachment. The southern boundary is less durable and consists of field boundaries which would not be able to prevent encroachment if the site were to be developed. The existing land use of the site is open countryside with less than 10% built form, low vegetation and open long line	Strong contribution: Newcastle-under-Lyme is a historic town. The Keele Conservation Area is located within the Green Belt. The site is within the 250m Conservation Area buffer to the south west of the Conservation Area. The site is immediately adjacent to the Conservation Area with views into and out of the Conservation Area. Overall, the site makes a strong	Moderate contribution: All Green Belt land can be considered to support urban regeneration of settlements within Newcastle-under-Lyme, and it is not appropriate to state that some parts of the Green Belt perform this to a stronger or weaker degree. Overall, this site makes a moderate contribution to assist in urban regeneration, by	The site makes a strong contribution to two purposes, a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to one purpose. In line with the methodology, the site has been judged to make a strong overall contribution to the Green Belt. The site makes a strong contribution to safeguarding the countryside from encroachment and it makes a strong contribution to preserving the setting and special character of historic towns. The site does not contribute to checking unrestricted sprawl, it makes a weak contribution to preventing neighbouring towns from merging and a moderate contribution to assisting in urban regeneration.	Strong contribution

		site makes a weak contribution to preventing neighbouring towns from merging.	views in most directions apart from the north east where the washed over village is located. The topography is flat. Overall, the site makes a strong contribution to safeguarding the countryside from encroachment due to the mix of durable and less durable boundaries and strong degree of openness.	contribution to preserving the setting and special character of historic towns.	encouraging the recycling of derelict and other urban land.		
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Appendix H

Detailed Green Belt Site Review Proformas

H.1 Green Belt Site Review Proforma – Site Ref: HM15

Site Reference	HM15				
Site Address	Land south of Leycett Road, Scot Hay				
Ward	Silverdale				
Existing Use	Vacant				
Site Area (Ha)	0.26				
Site Capacity	8				
Green Belt Assessment Overall Contribution	Moderate contribution				
Suitability		Availability		Achievability	
Criteria	Traffic Light Assessment Green - Promotes sustainable growth Amber - Mitigation may be required/unavoidable impacts Red - Mitigation likely to be required/unavoidable impacts	Key Questions	Assessment	Key Questions	Assessment
Is the site within an AQMA?	No part of the site is within an AQMA.	1. Was the site promoted by the owner?	Yes	1. Is the site viable (based on Council's Viability Assessment)?	Yes, site is broadly viable.
Does the site contain a designated AONB, SAC, RAMSAR, SPA, SSSI, Ancient Woodland, RIGS, SBI, LNR or BAS?	No environmental designations within or immediately adjacent to the site.	2. Is there an extant planning consent on the site?	No	2. Is there active developer interest in the site?	Unknown

Are there any TPOs on or immediately adjacent to the site?	No TPOs.	3. Is the site in active use?	No	3. Is there known demand for the form of provision approved/proposed?	Unknown
Is the site previously developed land?	Site is greenfield.	4. Could the site be developed now?	Yes	4. Have similar sites been successfully developed in the preceding years?	Unknown
What is the site's Agricultural Land Classification?	Site consists of grade 4 or 5 agricultural land – Site consists of grade 4 agricultural land.	5. Is the site free of ownership and tenancy issues?	Yes	5. Are there known abnormal development costs?	None known
Is the site within a Health and Safety Executive Major Hazard Consultation Zone?	Not within a HSE Major Hazard Consultation Zone.	Summary: Is the site available for development? (conclusion based on all of the above) Site was promoted by owner and is not in active use and could be developed now.		Summary: Is the site achievable for development? (conclusion based on all of the above) The site is considered to be broadly viable and there are no known abnormal development costs.	
Is there any known contamination on site?	Site is not thought to be contaminated				
Are there any physical constraints relating to ground stability or historic mining in or around the site?	Yes, historic mining activities. Consultation with Coal Authority likely.				
Is the site within Flood Zone 2 or 3 and is there evidence of flood risk on site?	Site is within Flood Zone 1.				
Does the site contain a designated heritage asset (e.g. listed buildings, conservation areas, SAMs) and would development impact the asset or its setting?	No designated heritage assets present and there is no potential for harm to a designated heritage asset(s) or its setting.				
Is the site isolated from the existing urban area / settlement?	Site is completely detached from the existing urban area / inset settlement – The site is adjacent to the washed over village of Scot Hay. The nearest inset settlement is Alsagers Bank which is located approximately 880m to the north of the site whilst the Newcastle-under-Lyme urban area is located approximately 980m to the south east of the site.				
Is there access to open space within 800m or 10mins walk?	Site is within 800m of an area of open space / greenspace – 85m to Scot Hay Cricket Club.				
Will the site create any adverse amenity impacts to occupiers or surrounding areas?	Site is within or adjacent to an established residential area - The site is adjacent to residential development to the east and west forming part of the washed over village of Scot Hay.				

Is there access to a primary school within 800m or 10mins walk?	Site is between 800m and 3.2km from a primary school – 1.5km to The Richard Heathcote Community Primary School.		
Is there access to a secondary school within 800m or 10mins walk?	Site is between 800m and 4.8km from a secondary school – 2.6km to Sir Thomas Boughey High School.		
Is there access to GP or health centre within 800m or 10min walk?	Site is between 800m and 3.2km from a GP surgery / health centre – 2.5km to Silverdale Village Surgery, Vale Pleasant.		
Access to a bus stop?	Site is within 400m of a bus stop – 151m to Crackley Lane bus stop.		
Access to a railway station?	Site is over 1.2km from a railway station – 4.9km to Longport Rail Station.		
Are there any known or potential highways/access issues which would prevent the development of the site?	Existing access into the site / or access could easily be created – Access to the site could be created from Leycett Road.		
<p>Summary: Is the site suitable for development? (conclusion based on all of the above including any comments from site visit)</p> <p>Majority green however showstopper present due to the site being completely detached from the urban area or an inset settlement - Site is not considered to be suitable as it does not promote sustainable growth.</p> <p>Additional comments:</p> <ul style="list-style-type: none"> The site is not connected to the urban area or an inset settlement and is adjacent to the washed over village of Scot Hay. The nearest inset settlement is Alsagers Bank which is located approximately 880m to the north of the site whilst the Newcastle-under-Lyme urban area is located approximately 980m to the south east of the site. Access can be created from Leycett Road which forms the northern boundary of the site. The topography of the site is undulating and generally slopes up from south to north. There are no environmental designations or heritage assets within or adjacent to the site. The site consists of grade 4 agricultural land. The site is within 400m of a bus stop and within 800m of an area of open space. The site is over 800m away from a primary school, secondary school, and a GP surgery. Nearly all Green Belt sites assessed in Newcastle-under-Lyme are over 1.2km from a railway station. 		<p>Overall Site Conclusions based on Suitability, Availability, Achievability</p> <p>The site makes a moderate contribution to Green Belt purposes. The site is not considered to be suitable as it does not promote sustainable growth. The site is not connected to the urban area or an inset settlement and is adjacent to the washed over village of Scot Hay. The nearest inset settlement is Alsagers Bank which is located approximately 880m to the north of the site whilst the Newcastle-under-Lyme urban area is located approximately 980m to the south east of the site. The site is available as it was promoted by the owner and it is not in active use and could be developed now. The site is considered to be achievable as it is broadly viable and there are no known abnormal development costs.</p> <p>Overall, based on the above factors, it is recommended that the site is not taken forward for further consideration.</p> <p>CONCLUSION: RECOMMEND EXCLUDE FROM PROCESS</p>	

H.2 Green Belt Site Review Proforma – Site Ref: KL33

Site Reference	KL33				
Site Address	Land West of Keele Road, Keele				
Ward	Keele				
Existing Use	Agriculture				
Site Area (Ha)	1.66				
Site Capacity	54				
Green Belt Assessment Overall Contribution	Moderate contribution				
Suitability		Availability		Achievability	
Criteria	Traffic Light Assessment Green - Promotes sustainable growth Amber - Mitigation may be required/unavoidable impacts Red - Mitigation likely to be required/unavoidable impacts	Key Questions	Assessment	Key Questions	Assessment
Is the site within an AQMA?	No part of the site is within an AQMA.	1. Was the site promoted by the owner?	Yes	1. Is the site viable (based on Council's Viability Assessment)?	Yes, site is broadly viable.
Does the site contain a designated AONB, SAC, RAMSAR, SPA, SSSI, Ancient Woodland, RIGS, SBI, LNR or BAS?	No environmental designations within or immediately adjacent to the site.	2. Is there an extant planning consent on the site?	No	2. Is there active developer interest in the site?	Unknown

Are there any TPOs on or immediately adjacent to the site?	No TPOs.	3. Is the site in active use?	No	3. Is there known demand for the form of provision approved/proposed?	Unknown
Is the site previously developed land?	Site is greenfield.	4. Could the site be developed now?	Yes	4. Have similar sites been successfully developed in the preceding years?	No
What is the site's Agricultural Land Classification?	Site consists of grade 1, 2 or 3 agricultural land - Site consists of grade 3 agricultural land.	5. Is the site free of ownership and tenancy issues?	Yes	5. Are there known abnormal development costs?	None known
Is the site within a Health and Safety Executive Major Hazard Consultation Zone?	Not within a HSE Major Hazard Consultation Zone.	<p>Summary: Is the site available for development? (conclusion based on all of the above)</p> <p>Site was promoted by owners and is not in active use and could be developed now.</p>		<p>Summary: Is the site achievable for development? (conclusion based on all of the above)</p> <p>The site is considered to be broadly viable and there are no known abnormal development costs.</p>	
Is there any known contamination on site?	Site is not thought to be contaminated.				
Are there any physical constraints relating to ground stability or historic mining in or around the site?	No ground stability/historic mining activities.				
Is the site within Flood Zone 2 or 3 and is there evidence of flood risk on site?	Site is within Flood Zone 1.				
Does the site contain a designated heritage asset (e.g. listed buildings, conservation areas, SAMs) and would development impact the asset or its setting?	Keele Conservation Area is located adjacent to the western boundary of the site. Further information is required in order to establish the potential for harm to the setting of the conservation area as a result of development. For example, via a Heritage Impact Assessment / Archaeological Assessment. Keele Hall Registered Park and Garden is located adjacent to the southern and eastern boundary of the site (on the other side of Keele Road).				
Is the site isolated from the existing urban area / settlement?	Site is completely detached from the existing urban area / inset settlement – The site is located between the washed over village of Keele and the Keele University inset settlement however it does not directly adjoin either one. The site is approximately 60m to the west of the Keele University inset settlement whilst the Newcastle-under-Lyme urban area is approximately 970m to the north of the site.				
Is there access to open space within 800m or 10mins walk?	Site is within 800m of an area of open space / greenspace – 161m to Keele Road Sports Ground				
Will the site create any adverse amenity impacts to occupiers or surrounding areas?	Site is adjacent to an established residential area – The site is adjacent to residential development forming part of the washed over village of Keele to the west.				

Is there access to a primary school within 800m or 10mins walk?	Site is within 800m of a primary school – 400m to St John’s CE (VC) Primary School		
Is there access to a secondary school within 800m or 10mins walk?	Site is between 800m and 4.8km from a secondary school – 2.5km to NCHS The Science College		
Is there access to GP or health centre within 800m or 10min walk?	Site is between 800m and 3.2km from a GP surgery / health centre – 1.4km to Silverdale Village Surgery, Vale Pleasant		
Access to a bus stop?	Site is within 400m of a bus stop – 250m to Sneyd Arms public house bus stop.		
Access to a railway station?	Site is over 1.2km from a railway station – 4.8km to Stoke-on-Trent railway station.		
Are there any known or potential highways/access issues which would prevent the development of the site?	Existing access into the site / or access could easily be created – Access can be created from Keele Road.		
<p>Summary: Is the site suitable for development? (conclusion based on all of the above including any comments from site visit)</p> <p>Majority green however showstopper present due to the site being completely detached from the urban area or an inset settlement - Site is not considered to be suitable as it does not promote sustainable growth.</p> <p>Additional comments:</p> <ul style="list-style-type: none"> The site is located between the washed over village of Keele and the Keele University inset settlement however it does not directly adjoin either one. The site is approximately 60m to the west of the Keele University inset settlement whilst the Newcastle-under-Lyme urban area is approximately 970m to the north of the site. Access can be created from Keele Road which forms to the eastern and southern boundary of the site. The topography of the site is undulating and generally slopes up from north-east to south-west. There are no environmental designations within or adjacent to the site. The site is within 400m of a bus stop and within 800m of a primary school and an area of open space. The site is over 800m away from a secondary school and a GP surgery. Keele Conservation Area is located adjacent to the western boundary of the site. The site consists of grade 3 agricultural land. Nearly all Green Belt sites assessed in Newcastle-under-Lyme are over 1.2km from a railway station. 		<p>Overall Site Conclusions based on Suitability, Availability, Achievability</p> <p>The site makes a moderate contribution to Green Belt purposes. The site is not considered to be suitable as it does not promote sustainable growth. The site is located between the washed over village of Keele and the Keele University inset settlement however it does not directly adjoin either one. The site is approximately 60m to the west of the Keele University inset settlement whilst the Newcastle-under-Lyme urban area is approximately 970m to the north of the site. The site is available as it was promoted by the owner and it is not in active use and could be developed now. The site is considered to be achievable as it is broadly viable and there are no known abnormal development costs.</p> <p>Overall, based on the above factors, it is recommended that the site is not taken forward for further consideration.</p> <p>CONCLUSION: RECOMMEND EXCLUDE FROM PROCESS</p>	