

NATIONAL PLANNING POLICY FRAMEWORK 2024

London Green Belt Council response to the NPPF Consultation

“There are indeed many good things in life which may be unequally apportioned and no such serious loss arise, but the need for quiet, the need for air and I believe, the sight of sky and of things growing, seem human needs, common to everyone.” – Octavia Hill (1838 – 1912)

“There is a collective amnesia about why Green Belt was created and little consideration as to what it could become. Rather, it is now seen as an obstacle to growth not as a great opportunity we have inherited.” (Prof Dieter Helm – 2024)

The London Green Belt Council CIC represents some 110 organisations in the London Metropolitan Green Belt. We hold regular meetings with our members, issue reports and discussion papers, and founded an All-Party Parliamentary Group which published “A Positive Vision for London’s Green Belt”.

We are concerned that planning changes, as set out in this consultation, will be on a piecemeal basis with decisions being made at a District level with little consistency. This is likely to result in a greater loss of quality Green Belt (GB) in a haphazard way with little regard to the purposes of the GB.

We recommend that a full review is undertaken of London’s GB in order to ensure a well-planned, economically valued land, which does not only consider the siting of housing and other development but addresses important topics such as health and wellbeing, flooding, carbon sequestration, and secure local food production.

We understand the need for new homes, especially “affordable” housing which we very much support but this needs to be carefully considered against the important value of the GB.

The target that the Government has set is very high and will have to be achieved taking into account the deliverability which is taking place at present with over one million homes with planning permission which have yet to be built. Action needs to be taken especially on deliverability if such a target is going to be achieved.

There is also the problem of skilled workers and resources with which the development industry is failing to grapple. Many skilled workers are due to retire in the next five years, especially in London and the South-East, and the industry has failed to train new apprentices instead relying on skilled workers from Eastern Europe, so as to make a greater profit. Many of these workers have now returned to their own countries.

We are concerned at the power wielded by the development industry. They have been amalgamating at an alarming rate. There are now only six large developers with the possibility of two more amalgamations. They have the ability, due to their near monopoly, to put pressure on Government as they are already doing in variation agreements. This is likely to extend to not adhering to the “Golden Rules”. At least one developer has already stated that they are unlikely to comply.

There is also the problem of deliverability. Developers are unlikely to build homes they cannot sell. Yet they have land with planning permission and further large banks of speculative land on

which they hope to make a large profit. However, lack of deliverability is blamed on Local Planning Authorities (LPAs) who have little power to enforce deliverability. LPAs are then penalised into finding more land which is most likely to be green field. This will allow the “big six” developers to bank even more land.

There is also concern for the SME builder who is being very restricted in the land available for housing. Much of the land bordering the London Metropolitan Green Belt (LMGB) is already either owned or under option to the big six. The department made a commitment in the Levelling-Up and Regeneration Bill to ensure that such land would have to be registered with the Land Registry, but this was not included.

There is also concern over brownfield land in urban areas which could be and needs to be regenerated. Although LPAs have undertaken GB reviews, they have not paid the same attention to brownfield. The brownfield registers are, in many cases woefully out of date. CPRE in their report on brownfield regeneration stated that there was enough land for more than one million new homes, and we believe from our own somewhat less than scientific research, that this is a considerable understatement.

If “brownfield first” is to be a credible maxim then proper research and analysis needs to be carried out. If this research is not undertaken, then there is a considerable threat to GB. If, also, “grey belt” is to be released then developers will take that at the expense of brownfield and “brownfield first” will not be happen.

The country needs houses but the need for affordable housing is much greater. It is an affordable housing crisis rather than just a housing crisis. We believe that Government should acknowledge this concern and should take the necessary action to ensure that there is an affordable target and an immediate improvement in supply of affordable homes.

This, however, conflicts with the objectives of the six large developers whose aim is to make as much profit as possible. In this aim they have been accused of building poor quality homes, have attempted to employ leases to make further profits and are being allowed to land bank greenfield land in order to make extra profit especially on GB.

They have deliberately slowed down the local plan process in order to obtain a greater release of attractive sites and to make profitable speculative applications before the local plan is finally passed. In making speculative applications, when not being granted planning permission, they have taken the application to appeal to deliberately undermine LPAs. In doing this they have ensured that local council taxpayers are required to fund their defence of refusal. This has now got the stage where local authorities can no longer afford to fight a planning appeal, and the large developers are aware of the situation and take advantage.

All this allows the large developers to cherry-pick the best land which normally may be the best from a landscape and biodiversity point of view especially in the GB.

Having obtained planning permission, the large developers are deliberately submitting “variation agreements” in order to reduce the numbers of affordable homes or withdraw important infrastructure.

Currently, as to whether a development is delivered, is in the total control of the developer. They decide when the development will be completed. It is, however, the case that LPAs do not

have the power to enforce delivery. The current NPPF actually encourages developers to delay in order that the LPA is forced to release more land.

The question is, why is Government and the Inspectorate allowing and even encouraging this behaviour? Is it because these “Big Six” developers are vital to any building taking place? They have made and are making enormous profits at the expense of the country and building homes that they want to, so increasing those profits. What is needed is affordable homes and developers need to supply them.

We have already seen that one of the six has already threatened the Government over the idea of “Golden Rules” and it is likely that they will use their position to force a change in the new NPPF.

Why has the Government not followed to recommendations of the Letwin Review? That of setting a baseline expectation of delivery and for a range of types of homes – market, affordable, rental and social.

Chapter 3 – Planning for homes we need

In this consultation paper Government is suggesting a new “Standard Method”. There is no basis for the figures they have produced and no scientific evidence for the results that have been produced. Local government which has a far greater knowledge of the housing requirement in their District, is to be ignored, even if they have concrete evidence.

There is also no allowance for protected or designated land, so those LAs with large areas of GB are to be forced to build on top rated GB without any chance of protecting it. In some cases, this will mean designated land also being sacrificed.

The LGBC is suggesting a comprehensive review of London’s GB which will be able to identify land which should be protected. Confining the target to individual LPAs is not proper planning and is likely to result in the loss of important high-quality GB.

From our understanding the urban uplift was placed in being to attempt to discover the proper extent of brownfield land, so encouraging regeneration in urban areas which is sorely needed for those living and working in London. By removing the urban uplift much greater pressure will be placed on GB.

If brownfield first is to work well then it needs to provide affordable and attractive properties at higher densities. We have seen such designs with no building higher than 4 stories, and some properties with small safe gardens. The two cities with the highest densities are Edinburgh and Bath both with extensive, attractive terraced buildings which are very popular. We believe that higher densities are not only needed but are possible without making the same mistakes as the tower blocks of the 1960s.

The 5-year rule is not working as it should, due to the lack of delivery of the leading developers. The 5% buffer is also playing into the hands of the big six developers. There are over a million planning permissions extant, and we believe that Government should take action to ensure these are delivered speedily. In previous consultations, LGBC has suggested that after obtaining planning permission, there should be a reasonable time (say 18-24 months) then the

developer should pay the rateable value of the homes for which permission was granted until they are occupied.

As stated already, for an area as important as London's GB, LGBC believes that there should be a proper spatial strategic plan for the whole of the LMGB. Cross-border cooperation has not worked and has resulted in inconsistent strategies in adjoining LPAs.

It is difficult to understand what the "test of soundness" is. The interpretation by inspectors is not consistent and leaves a suspicion that it appears to be similar to a post-code lottery. A clear idea of what is expected to be sound would be helpful. Many LPAs have been somewhat mystified by inspectors' decisions, and this has resulted in delay and cost. Some LPAs in the London GB area have already spent over £3 million on attempting to produce a "sound" local plan. We have been informed that the Department was to call in inspectors to clarify some of their decisions but, as far as we know, no action has yet been taken.

Chapter 4 – A new Standard Method for assessing housing needs

LGBC is very concerned at the new targets which are envisaged to be placed on LPAs without any consultation or understandable information as to how the figures are researched and calculated. There has been very little faith in the accuracy of the figures, as, up until now, they have relied on debateable out-of-date (2014) statistics which have since been withdrawn by the Office of National Statistics.

LGBC believes that the figures are made deliberately complicated so that they should not be understood by those affected by them.

We have had the opportunity to examine more closely the figures which form the target for Surrey. These show startling growth in Surrey of nearly 50% in some LPAs with a growth for the county of 500,000 over 20 years or 25,000 per year. It also shows a growth in SE England (not including London) of 35.7% from 9.28m to 12.59m. This in an area where there is already a serious lack of infrastructure with increased congestion and concomitant pollution. This target can therefore only be achieved by considerable loss of GB some of which is bound to be designated.

In order to achieve these targets, there would need to be considerable investment in infrastructure and from what has been announced by Government, there is unlikely to be the necessary investment to achieve this.

These new targets, bearing in mind how they were calculated, do not have credibility and would require massive investment in infrastructure, for which there appears to be no money at present. Government needs to revisit these targets and help people understand how they were achieved and how they will work.

Chapter 5 – Brownfield, grey belt and Green Belt

Brownfield

The LGBC welcomes the priority for "brownfield first" and trusts that the Government has a strategy to release more brownfield, to ensure that is developed to provide affordable homes for young people and families where they are sustainable as the infrastructure is already in place.

Recently there has been evidence that inner London is being vacated, especially by young families, due to the cost of buying and renting.

In order for a “brownfield first” policy to work effectively it does need to be as is stated – brownfield first. In other words, until brownfield land has been developed there will be no further development on greenfield sites.

There is an assumption that there is not enough brownfield to solve the housing crisis but where is the evidence? On the basis of the last survey by CPRE there is enough brownfield for over one million homes. With higher densities this figure could be a much higher figure.

However, the research was carried out by CPRE (“State of Brownfield Report”, Dec 2022) using brownfield registers that are out of date. LPAs are expected to ensure that brownfield registers are up to date but most are not,

In practically every LPA in England a proper survey and analysis of brownfield has not taken place. Why is this when Government needs this important information? Our recommendation is that LPAs are urgently required by Government to carry out a full survey and analysis of brownfield land in their district. Many of them carried out GB Reviews when these were not required. Why not a comprehensive brownfield review which is required now if the target for affordable homes is to be achieved.

Developers will argue that the cost of brownfield development is too great for it to be worthwhile. Is this the case? Has there been a study in the Department on the cost and its implications? Is there a plan to subsidise brownfield on the basis of a share of the profit? This investment needs to be balanced against the cost saving of infrastructure already being in place and the important regeneration of inner urban areas making them more affordable, attractive and safer for homes.

Brownfield land in the GB where it is sustainable has always been available and should, where possible, be used for housing. Where land is not sustainable it is likely to trap young families in the countryside, mostly without transport and infrastructure such as shops, surgeries and schools. Where this brownfield is too remote to be available for sustainable development, it needs to either be used for other important uses or preferably restored to attractive GB.

Grey belt

The definition of grey belt is not only unclear but confusing. Will it be a new policy definition? Does it just apply to GB? Will it be designated grey belt in the local plan process. There needs to be greater clarity. Any other method of classification is likely to lead to a large increase in speculative development and a great loss of important GB.

The LGBC does not agree that there is a need for such land as “grey belt”. Ministers have only referred to garages and car parks in the GB to be classed as grey belt in their public statements but have not clarified the definition of grey belt. The definition needs clarity. Some consultants are already putting forward suggested grey belt land that will result in the loss of thousands of hectares of GB

This suggested land, if developed does not appear to have considered the geographic areas affected nor the likely cumulative effect on the remaining GB. Pockets of grey belt scattered in

the GB would affect its openness and attractiveness as well as having a likely deleterious effect on nature and biodiversity.

Understanding of what is meant by “grey belt”, not being clearly defined, is likely to result in debate as to the definition at local planning inquiries and probably leading to High Court cases. This could cause delays in both speculative applications and local plans.

There is also the concern as to how sustainability is to be properly defined. There are already examples of development in GB areas which are not sustainable. They are remote and do not have supporting infrastructure especially important transport links.

The consultation also mentions that any new development must not “*undermine the function of the GB as a whole.*” Again, it is unclear what this means and therefore how it will be defined by planning officers, developers and the legal profession. What does Government mean by the definition? It could be argued that any development could undermine the function of the GB but also it could be argued for exactly the opposite. A clear and unarguable definition is required which ensures that cumulative piecemeal development does not result in further large and unsustainable losses of GB.

The areas which appear from the consultation to be under most threat are those on the fringes of the urban area. These under threat areas are more likely to be considered sustainable. Yet these areas are the most important for recreation, health and welfare, relief from heat and pollution. They are more easily accessible, not only for those who live within walking distance but for those in the inner city to reach by public transport. Particularly in London, links by public transport are workable and mostly efficient. During Covid, from research carried out by CPRE, people were grateful for the access and over 70% of them agreed that the GB should be retained.

Much of the land on the urban border of London is either owned by or has options taken on it by the large developers who are speculating on the rise in land values. These interests are not registered, so it is difficult to find proof. Registration was promised under the LARA Act but has yet to be enforced. There is evidence that the owners of this important land for recreation and health and welfare are deliberately allowing the land to be downgraded in order to obtain planning permission. Developers will claim that all such land is grey belt. Landowners, instead of profiting from deliberately allowing their land to become downgraded should be forced to restore the land to its original state and to allow access to it.

There is also the argument from some politicians that building round rail stations would be sustainable. This would be ideal for the member of the household who worked in an office on the rail route but much less sustainable for the other members of the family. They would need transport as they will need to get to shops, school and surgeries. The car would be the most convenient and possible only method of transport which is not sustainable. If the infrastructure were to be built, this could mean doubling the area of land required. Those promulgating the idea of rail stations believe that it can be achieved without damaging designated areas. But is this the case? Inspecting the geography of the GB, designated areas form large parts of the available land, and these would be damaged if the infrastructure, as well as well as housing, were to be provided.

The LGBC does not agree with the definition of “grey belt”. If it is previous developed land, it is brownfield and yet another definition is confusing and may be misleading. At present it is inadequately defined and is likely to lead to ambiguous definitions which will be challenged both at Planning Inquiries and High Court cases. This will cause considerable lack of consistency and delay both in local plans and planning applications.

Green Belt

When the NPPF was launched it relied on three overarching objectives – economic, social and environmental (mentioned in paragraph 8 of the current NPPF). To obtain stability, the three objectives had equal weight. It was like a stool with three identical legs. The planning system appears to have moved away from this stability with much more weight being put on economic and less on social (the lack of affordable housing) and environmental (the continuous strategically unplanned loss of the countryside especially GB).

The London Metropolitan GB is unique in its extent, so is the most vulnerable. There is no overall plan for the LMGB. Over the last few years, it has been subject to piecemeal planning and development with little or no regard to its whole area. There needs to be a strategic spatial strategy of the GB to set out what role it should play, the quality of its landscape, where it assists in the prevention of flooding and how it can assist in carbon sequestration. The review also needs to cover what would be a suitable vision for the GB and what it could provide both economically, socially and environmentally to the nation but especially to the capital.

Having completed the review and provided recommendations, there needs to be an overall authority to ensure that the suggestions are carried out and to continue to look after the future of the GB and its developing role. The authority could be based on that of a national park.

Without a proper strategy, divided as it is between its LPAs, it will continue to be treated in haphazard and strategically unplanned way with little consistency and LPAs with their own, sometimes conflicting, policy. Land is going to be unnecessarily sacrificed without proper consideration and consultation and without its important economic contribution being properly assessed.

LGBC is concerned that there appears to be nothing suggested in this consultation which protects high quality landscape in the GB. It appears to support “growth at any price” which does not consider the economic value of GB. There needs to be extensive economic research to evaluate the value to health and wellbeing, flood prevention, heat relief, pollution relief, fresh food security and carbon sequestration, not only now but in the future. It is only by carrying out this detailed research that a balanced economic value of GB can be made.

In the consultation paper (Q29), that it is proposed that *“the release of land should not fundamentally undermine the function of the GB across the area as a whole.”* What exactly does this mean?

What is the definition of *“fundamentally undermining the function of the GB”*?

What is the function of the GB – will this be the “five purposes” – if so, how are these going to be properly defined?

“Across the area of the plan as a whole” – what does this mean? Will it just be the LPA land area, or will it be a geographically recognisable area? Will it include areas outside the district boundary which are connected geographically. If not, there is a danger of uncoordinated boundaries resulting in the greater deterioration and loss of GB

The consultation appears to rely on the five purposes (paragraph 140) but, again, are these definitions going to assist in a clear strategy on GB or will they become a contentious area. Will local plans be further delayed, and applications appealed.

When recognising the five purposes (140), are they sufficiently defined?

a) to check the unrestricted sprawl of large built-up areas – surely this could refer to all GB which already performs this role – so how is this to be defined?

b) to prevent neighbouring towns merging into one another – this is already happening and if urban fringes are likely to be developed, surely merging will accelerate until there are no geographic boundaries between towns just larger scale development stretching across the land.

c) to assist in safeguarding the countryside from encroachment – nothing in this consultation paper appears to give any weight to this purpose. If this consultation were to go forward, as published, then large areas of countryside will disappear and be covered with development.

e) to assist in urban regeneration – this has always been a major role of GB. If, however, “brownfield first” is not followed strictly and “grey belt” is offered, then developers will always go for GB and urban regeneration will not happen.

As to GB reviews, if these are to take place, they should not be on a District-by-District basis. The review should be on a much larger basis and preferably on the whole GB area, to ensure that there is some sense in the findings, rather than random pockets with no clear sustainable landscape strategy.

As part of the review, there should be an investigation on the extension of designated areas where this is appropriate. There also needs to be an analysis of land that with the proper management of the landscape could be improved to provide a greater contribution and provide a valuable contribution to quality GB.

Following this conclusion, we would be totally against any speculative development of GB land. There would be a large increase in speculative applications. There is the opportunity of the local plan for any changes and speculative applications only benefit the profitability of the large developers. They do not support proper strategic spatial planning. They are a considerable expense to local government which it can ill afford. It also leads to instability, inconsistency and a lack of understanding in the local community.

The LGBC does not agree with the new paragraph 152 and believes it should be withdrawn. This, we believe, would be a great threat to the GB. It would be used for large commercial sites which are inappropriate and a considerable threat to those in the neighbourhood. Examples of such development are battery storage, with the threat of fire and pollution and datacentres which use sufficient energy that could cause local blackouts and have a considerable water consumption for cooling.

The LGBC is fully behind the Government's aim to supply more affordable housing. As far as London's Green Belt is concerned, we have compiled reports showing the very low densities and lack of affordable housing in GB developments. We would support 50% of affordable but not just on "grey belt" but on other land too, especially on brownfield land in urban areas.

In order to build more affordable housing, there needs to be action taken against the large developers, who at the moment are using their power to block affordable homes. The problem is the variation agreement which allows developers to renegotiate their planning permission if they are unable to guarantee 20% minimum profit. This is profiteering at the expense of especially young families and young people. An example of this profiteering was the Gilston case in East Herts District where the developer is attempting to reduce the affordable housing on a new development by 1700 homes.

We believe that LAs have the information they need to make decisions on the housing they need, not only the types but the number.

The other serious issue is the way in which biodiversity net gain (BNG) is being ignored by the large developers. The intention of BNG is not being fulfilled and it appears that government at all levels either misunderstands the complicated formula or chooses to ignore it. GBs provide ideal areas for nature regeneration which is urgently needed and there should be proper planning rules to ensure nature is protected.

Chapter 6 – Delivering affordable well-designed homes and places

Having made our points in favour of affordable housing, we do not understand the reasoning behind the removal of the 10% minimum in any development. We would be very much in support of affordable housing targets both nationally and locally.

The whole problem of land value is distorting the housing market. There is little doubt that the large developers already own or have options on large areas of land which encourages them to take speculative risks. If housing is to be a reasonable value some control needs to be taken on land values.

There is also the problem of deliverability. Any lack of deliverability is blamed on the LA who has little or no control. There is already planning permission for over one million homes and yet no action is being taken to build them. Yet if they are not built the LA is penalised and instructed to find more land, usually greenfield or GB.

Unless this important area is solved then it is likely that the housing crisis will continue.

Chapter 7 – Building Infrastructure to grow the economy

LGBC understands that important infrastructure is needed, and this includes transport links. There is a need to get freight on rail to reduce pollution and the cost to roads and road traffic and the continued increase in the use of fossil fuels.

Any such construction needs, as far as possible, away from good agricultural land that will be important to flood protection and carbon sequestration. This will require an overall investigation of strategic sites where the countryside is least affected. This should be part of an England-wide spatial land strategy to ensure as little damage to the countryside and especially GB is achieved.

Where sites are identified for logistic hubs, they should only be permitted under their own “golden rules” that 100% of their roofs are covered with photovoltaic panels.

There is already a growing problem with datacentres. These are being erected in GB land where other land would be more suitable and there is no strategic plan for their location nor for their energy use or creation. These centres are large unattractive buildings which harm the openness and character of GB. The temperatures they produce are sometimes in excess of 100 degrees Fahrenheit. This needs continuous cooling and requires high levels of energy. Applications for such sites do not consider the power required and the effect that such usage would have on a remote rural community, for example outages. Water use is needed and again this may be in short supply especially during low rainfall. What has also been neglected is the opportunity that these centres may have on urban brownfield where the heat produced could be used by local homes and offices.

Any large infrastructure project should allow those effected to have the opportunity to contribute to any discussion on the application. Involvement of the community is vital to understanding and acceptance of a large infrastructure project.

Chapter 8 – Delivering community needs

LGC has considerable concerns as to the future of neighbourhood planning. Many small communities have spent up to five years believing that the work they have carried out will be effective in the future of their community.

With the new “standard figure” being set by Government on a LPA, there appears to be little protection for a Neighbourhood Plan. This will cause considerable disenchantment of the whole planning system and a view that it is not they who are creating their own carefully considered plan for their community but someone who they do not know and who is going to pay scant notice of their concerns and expectations.

The Dutch have a system of involving the community in development plans where there is much less controversy and where, virtually, the whole community has buy-in and ownership.

There is a growing body of evidence that supports the health and welfare aspects provided by GB. Stress is a major factor for those living in urban centres and this can be relieved by getting out into green spaces. Green spaces are important to mental health, yet widespread areas across London are classed as deficient in access to public open space. In 2016, 64.7 million items of anti-depressants were dispensed in England. The wider cost of mental health problems in the UK are £70 - £100 billion per year. This is resulting in these people not going to work and also affecting productivity.

Open spaces around cities have a key role to play. Using social “green prescriptions” to encourage people into the countryside could reduce absenteeism, increase productivity and be of considerable economic benefit.

Chapter 9 – Supporting green energy and the environment

The LGBC strongly supports green energy as long as it does not despoil the countryside. Although there are very good reasons for insisting that solar panels go on roofs this is still not insisted upon by the Government. We recommend that any new large building for logistics or

data storage should have to have solar panels on its roof. There is approximately 240.000 hectares of empty roofs. Before allowing any further solar farms on agricultural land there should be a “rooftop first” campaign.

Summary

Overall, the LGBC is very concerned at the suggested changes in the consultation paper. We do not believe the targets are credible and are concerned that if they are not achieved more GB land will be sacrificed for land banking by the six large developers.

We do not believe that the government has had any control over the excess money which has flowed to the large developers and there is nothing in this consultation that suggests that a stronger line will be taken. We believe that Government will be held to ransom and even more land will be sacrificed.

The LGBC is concerned that communities will have no input into what is planned for their area and will have no way of becoming involved. We are particularly concerned for the future of Neighbourhood Plans.

We see nothing in this consultation that will protect GB even if it is regarded as “good quality”. The piecemeal method of planning will soon destroy the openness of GB.

We believe that the GB has an important economic role to play in the future, providing health and welfare, protection to flooding of London, carbon sequestration, required to achieve zero growth by 2050 and other important benefits. These now need to be taken into account when a planning application is considered for GB land. We do believe that a thorough strategic review of the GB should be undertaken urgently in order to properly plan for its future. We also believe that an authority needs to be set up to develop and maintain a vision for London’s Green Belt.

Richard Knox-Johnston
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