

The Grey Belt: Response to Built Environment Committee Inquiry

The Heritage Alliance

October 2024

About Us

[The Heritage Alliance](#) is the umbrella body for the heritage sector in England, a charity bringing together over 200 organisations representing the breadth of heritage. The Heritage Alliance sits on the Government's Heritage Council, and on the heritage sector's Historic Environment Forum.

General Comments

We are supportive of a planning system which encourages regeneration and reuse of existing assets. Developing brownfield or 'grey belt' land can therefore be a welcome contribution to this goal. There is, however, a vital distinction between the adaptive reuse of vacant buildings, and a total demolition and rebuild which could waste viable options for repair and reuse. The former can regenerate urban and suburban districts, recycle fabric and celebrate local character, the latter has a significantly higher carbon cost, wastes materials and destroys the character of a place. To support appropriate development on new grey belt land, planning policies should prioritise and incentivise adaptive reuse rather than demolition and new build.

Inquiry Questions

What is your assessment of the Government's definition of "Grey Belt"?

We are broadly in agreement with the proposed definition of grey belt land, though in some areas the definition is unclear and could lead to weakened protections. It should be more explicit that Previously Developed Land is not automatically suitable and should still meet the tests of (a) making a limited contribution to the five Green Belt purposes and (b) meeting the requirements of the 'golden rules'. The definition would also benefit from a more precise explanation of the distinction between 'Brownfield' land and 'Previously Developed Land'. We welcome the intention of the government to bring local plans forward as part of the recent NPPF consultation. If local authorities are allowed the chance to complete local plans before grey belt is brought in, they can enable appropriate and holistic development in the greenbelt from a more strategic perspective.

There remains a danger that, by opening the door to reclassification and reregulation, the invention of the 'Grey Belt' inherently weakens Green Belt protections. It is possible that high performing Green Belt land may be mismanaged to degrade its quality, enabling it to be released under grey belt criteria for commercial gain or to meet ambitious housing targets. Additional measures will be necessary to prevent this, such as an embargo on the sale of Green Belt land that was determined to be 'high performing' at the time at which the new NPPF comes into force, for example.

Monitoring of Green Belt performance should also be introduced, so that where indicators suggest the quality of Green Belt land is deteriorating, this can be identified and managed through additional support or, if necessary, sanctions. A paragraph that echoes paragraph 202 of the current NPPF could be helpful - 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset [substitute 'green belt'], the deteriorated state of the heritage asset should not be taken into account in any decision'.

What is your understanding of what makes a "limited contribution" to achieving the purposes of the Green Belt?

The government's proposed considerations for judging a 'limited contribution' to the Green Belt purposes is broadly sensible, but we would suggest a couple of additions/refinements.

'Openness' is not one of the five prescribed Green Belt purposes but is nonetheless an essential characteristic, as has been demonstrated in planning case law. Existing case law suggests that 'openness' is determined at the discretion of planners but has been subject to litigation in the past. 'Openness' is distinct from criteria relating to 'sprawl' and 'merging' in that it encompasses visual amenity in addition to density. This would support local planning authorities in making judgement with confidence and is particularly important in the context of releasing Green Belt land. A piecemeal release without a strategic view to openness (both current and future following development) risks undermining this essential Green Belt principle.

The consideration relating to 'substantial built development' is sensible in the context of Green Belt purposes but there is a missed opportunity here to promote sustainable reuse. Where parcels of land contain substantial built development, there should be an additional onus on developers to reuse existing structures or materials or to incorporate existing built features into the design of new developments. Evidence suggests that such developments are very popular, and they will help achieve the Government's objective of driving up design standards, preserving the visual amenity of the Green Belt and limiting the environmental harms of demolition and new build.

Do you think the proposed sequential test for allocating land in the Green Belt for development will provide sufficient protection for “high quality” Green Belt land whilst still ensuring sufficient land is released for new housing?

We broadly agree with the adoption of a sequential approach as proposed in the consultation document, if the appropriate safeguards for high-performing areas of the Green Belt are robustly maintained. However, we are concerned that releasing greenbelt land in this way risks rushed and piecemeal development, rather than strategic and holistic use of this land. Prioritising greenbelt land to meet housing needs will mean that other ways to increase housing delivery are overlooked, and also risks the delivery of housing without the necessary infrastructure.

There are other opportunities to deliver the homes we need: more than a million homes that were given consent in the last 10 years have not been built, and there is substantial unrealised opportunity for sustainable adaptation and reuse: Historic England estimates up to 670,000 new homes could be created just by repurposing existing buildings. Current fiscal and regulatory systems (for example Permitted Development Rights, and the VAT system as it applies to construction) incentivise demolition and waste over reuse, but we are pleased to see that MHCLG is conducting research into this issue.

The current NPPF designates specific categories of land as “areas of particular importance” which cannot be developed and would be excluded from being considered Grey Belt land. Should the Government review which areas receive this designation?

The exemption of particular types of land from Grey Belt designation is an important mechanism to ensure the Green Belt remains a meaningful tool for protecting valuable built and environmental assets from inappropriate development. Currently, National Parks, National Landscapes and designated heritage assets are among these, and the government has not consulted on or recommended changing these exemptions.

It is vital to note that the NPPF does not prohibit any development from taking place in such sites, but ensures it is subject to the proper checks and balances that the high public value of such places requires. We would not seek to change this mechanism. We would note, however, that only a very small number of historic buildings are protected in this way – approximately 7% of pre-1919 buildings are listed. Certain types of historic buildings, including industrial and mobile heritage infrastructure (airfields, factories, train stations, mills), are particularly under-represented in protection designations such as listing. For example, airfields were formerly afforded transport infrastructure protection under PP3 but are considered brownfield under the NPPF.

As drafted, clause 122 of the revised NPPF could encourage demolitions and adversely affect undesignated heritage assets, especially industrial buildings. Many historic buildings which present opportunities for regeneration and reuse are therefore likely to be demolished and rebuilt if designated as grey belt. As in our answer to question 4 above, this presents a lost opportunity to reduce waste and unlock housing by repairing and reusing our built environment. Many former industrial brownfield sites have been successfully converted into parks and open spaces or have been ear-marked by local authorities for such purposes - for example, the civic urban and blue space created by the Kings Cross Granary Square regeneration.

In order to facilitate Grey Belt development, what flexibility in the process could be introduced without compromising the Government's overall housebuilding objectives?

To support *appropriate and sustainable* development on grey belt land, planning policies should prioritise and incentivise adaptive reuse rather than demolition and new build, which could be achieved through permission in principle. The NPPF could also make clear that the design, interest and quality of new development on grey belt or brownfield land could be enhanced if historically significant (but not necessarily formally designated) buildings and structures, or parts of them, are retained wherever appropriate and integrated into the overall design concept. Evidence suggests that such developments are very popular, and they will help achieve the Government's objective of driving up design standards and building new homes.

For further information or queries, please contact The Heritage Alliance:

Lydia Gibson, *Head of Policy and Communications*

The Heritage Alliance

020 7233 0700

policy@theheritagealliance.org.uk