

### **Matter 65: Green Belt and Metropolitan Open Land**

During the discussion for Matter 11 on Tuesday 22 January a number of options for what the Plan could say, or what should be done, about possible Green Belt (GB) and Metropolitan Open Land (MOL) review in London were put forward by participants. These were broadly along the lines of:

- modify the Plan to allow or encourage Boroughs to review GB/MOL as one possible means of identifying land to ensure their housing target is met;
- as above, but require all Boroughs to carry out review by a specific date and provide assessment criteria;
- modify the Plan to identify broad locations for growth and/or criteria for identifying them for release of GB/MOL;
- modify the Plan to say that the Mayor will carry out or coordinate a review of GB/MOL within a short timeframe and that this will feed into a review of the Plan to increase housing targets for Boroughs where additional quantified capacity should be brought forward; or
- pause the examination whilst the Mayor carries out a review of GB/MOL to identify land to make up any shortfall between need and capacity.

It would assist the Panel to receive the Mayor's observations on these possibilities in advance of the hearing session on Matter 65. To this end a response is requested to the following:

SQ65. The Mayor's hearing statement for Matter 65 states that: "... Green Belt release is not considered necessary, with the vast majority of London's development needs being able to be met within London, without developing on the Green Belt." However, without prejudice to that position, and to assist the Panel please could the Mayor comment on the above listed options as possible ways forward in the event that housing need cannot be met in the manner envisaged.

**Response:**

- 65.1 The Mayor's position in relation to the Green Belt is set out in Policy G2 with further explanation provided in the Mayor's response to Preliminary Questions 5 and 6 and Matter 65.
- 65.2 The Mayor has been asked to comment on some of the options discussed at the EIP sessions around potential Green Belt review **without prejudice** to the aforementioned position. This is within the context of 'possible ways forward in the event that housing needs cannot be met in the manner envisaged'. This question is answered on the basis of the housing needs being based on the 66,000 homes figure in the draft Plan.
- 65.3 The Mayor considers that the Plan is deliverable and effective, and that sufficient time should be given for its implementation before considering any alternatives to individual Policies or the Plan as a whole. This response should be read alongside the Mayor's response to the supplementary question to Matter 22, which comments on the idea of undertaking an early partial review of the Plan relating solely to meeting housing need in the light of the revised National Planning Policy Framework.
- 65.4 As set out in the Mayor's response to Matter 65, the vast majority of London's development needs, including the ten-year target of 660,000 homes, can be met within London and without intruding on its Green Belt or other protected open spaces. This approach is consistent with the NPPF<sup>1</sup>, and involves making the best use of land and optimising density across London. If this approach was found to be unable to meet need, the Mayor would build on the willing partners approach and explore if there is potential to accommodate more growth in sustainable locations outside of the capital before consideration of the Green Belt, as part of a review of the Plan. This is consistent with the requirements of the 2012 NPPF<sup>2</sup> and the need to promote sustainable patterns of development in relation to Green Belt boundaries and the 2018 NPPF that explicitly sets out a sequence that should be followed in order to meet need sustainably<sup>3</sup>.
- 65.5 It is also important to remember that the maintenance of Green Belt protection serves to aid delivery on non- Green Belt sites<sup>4</sup>. This is because the temptation to wait for Green Belt sites, which may be less expensive to develop, is reduced.
- 65.6 It should also be noted that the NPPF<sup>5</sup> highlights Green Belt protection as a reason to restrict development even in the context of meeting objectively-assessed needs for housing and thus not meeting need would not necessarily require a change in policy approach.

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<sup>1</sup> Consistent with the 2012 NPPF paragraph 84 and 2018 NPPF, paragraph 137

<sup>2</sup> 2012 NPPG, paragraph 84.

<sup>3</sup> 2018 NPPF paragraph 137.

<sup>4</sup> 2012 NPPF paragraph 80.

<sup>5</sup> 2012 NPPF, paragraph 14; and 2018 NPPG, paragraph 11.

**Option 1: modification of the Plan to allow or encourage Boroughs to review GB/MOL as one possible means of identifying land to ensure their housing target is met and Option 2: as above but require all Boroughs to carry out review by a specific date and provide assessment criteria.**

- 65.6 As part of the Local Plan process, boroughs will be expected to set out how they can meet their development needs, including the housing targets they are allocated in the Plan, in a way that generally conforms with the Policies in the Plan. The draft London Plan is clear that de-designation of Green Belt is not supported. This is a different emphasis to the NPPF which allows de-designation where there are exceptional circumstances. The NPPF is acknowledged in the supporting text (paragraph 8.2.1) in relation to the processes and considerations for defining Green Belt boundaries. The Plan not supporting de-designation would not preclude limited Green Belt release where exceptional circumstances have been robustly demonstrated through the Local Plan process, consistent with national policy and based on clear and compelling evidence that housing need cannot be met in the manner set out in the draft Plan.
- 65.7 Modifying the Plan to encourage boroughs to review GB/MOL or requiring boroughs to do a Green Belt review within a set timetable would not be consistent with the overall spatial strategy in the draft Plan or the objectives of the Plan. Encouraging a review of GB/MOL would undermine the Plan's approach of seeking to make the best use of land, as the opening up of the possibility of Green Belt development would disincentivise development of brownfield sites and intensification of existing sites. It is also considered that such an approach would not be consistent with the NPPF's requirement to fully examine other reasonable alternatives for meeting needs before considering changes to Green Belt boundaries as such an approach would not allow the approach set out in the draft Plan to embed and its delivery to be tested.
- 65.8 It should also be noted that the development of criteria for a review would take time and should involve stakeholder involvement and would therefore have similar implications to Options 3, 4 and 5 below. Encouragement of GB/MOL reviews for all boroughs could only be considered an option as part of a Plan review.

**Options 3 and 4 :**

- **modify the Plan to identify broad locations for growth and/or criteria for identifying them for release of GB/MOL;**
- **modify the Plan to say that the Mayor will carry out or coordinate a review of GB/MOL within a short timeframe and that this will feed into a review of the Plan to increase housing targets for Boroughs where additional quantified capacity should be brought forward; or**

65.9 Both options 3 and 4 would require significant amounts of research and evidence before such an approach could be followed. In particular, in considering the extent to which any development in GB/MOL would help to meet housing needs, it will be important to consider sustainability and associated infrastructure requirements<sup>6</sup>. It is also important to consider the extent to which development in such locations would meet other relevant policy considerations, such as making the most efficient use of land and meeting housing needs by delivering affordable housing in the right place, particularly as research has shown that development in the Green Belt is delivered at much lower densities<sup>7</sup>. Securing mechanisms to ensure value capture would also be important to secure maximum benefit and enable the development if such a step was to be taken. It would also be necessary to consider the extent to which development would be deliverable. Finally, it is important to understand if such development would actually be additional, or whether it would just displace development in the pipeline, potential development or intensification on more suitable sites. In determining options as part of any Plan review the extent to which development would contribute or be detrimental to the delivery of other objectives in the Plan would also need to be considered.

65.10 The inclusion of locations for growth in the Green Belt or carrying out a Green Belt review would have significant implications for the current draft Plan, including in relation to impacts on different Policies and the infrastructure required to support a different spatial distribution of growth. The identification of broad locations for growth in GB/MOL would need to meet certain criteria. A review of the GB/MOL would also need to be based on established criteria; such criteria would need to be subject to consultation. The Plan is based on evidence that supports the proposed approach and demonstrates it is appropriate and achievable (including in relation to transport, infrastructure, and the economy) – any other approach would need to have regard to this evidence base or, as it is likely to result in conflicts between policy areas, would require a new evidence base to support other elements of the Plan. The transport modelling, for example, is based on the spatial strategy set out in the Plan; it may not be possible to deliver the 80% modal share target with a new spatial approach or without significant additional investment in the public transport network. This would also have implications for other Policies, such as those related to air quality. It would not be possible to do this in a short time frame. Both options would

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<sup>6</sup> Consistent with the NPPF.

<sup>7</sup> CPRE, state of the Green Belt report 2018.

involve significant changes to the draft Plan currently being examined, or most likely, require a new Plan, based on a different spatial strategy where the options and Policies, including those related to Green Belt, have been consulted on and subjected to a new sustainability appraisal.

**Option 5: pause the examination whilst the Mayor carries out a review of GB/MOL to identify land to make up any shortfall between need and capacity.**

65.11 In addition to the points raised under options 3 and 4, pausing the examination at this stage before the Plan has had the chance to be implemented and monitored in order to review GB/MOL is not considered appropriate for several reasons. Firstly, this approach would not have allowed all reasonable alternatives for accommodating development needs to have been taken forward, as it would not provide an opportunity for the approach in the draft Plan to be implemented, and therefore could be inconsistent with national policy. Secondly, it assumes that a conflict with the NPPF would be acceptable in not restricting development on the Green Belt in order to meet objectively-assessed needs. Thirdly, it should be noted that the London Plan cannot allocate sites, so while a review may identify land, boroughs would have to be relied upon to de-designate these sites and allocate them for housing through their local plans. This could be done with reference to criteria set out in the Plan, but it would take some time for these sites to actually be in the system as potential housing sites. This option would also lead to a substantial delay to the Plan to gather new evidence, prepare alternative policy options and consult with stakeholders (estimated at between 18 and 24 months in total) and then the sites would have to be allocated at the local level (which could potentially take another two to three years). On this basis, pausing the examination is not considered a realistic or feasible option, or one that would be effective in bringing forward suitable land for development; in fact it is likely to be counterproductive by creating significant uncertainty.

**Conclusion**

65.12 In summary, as set out in national policy, consideration of Green Belt release should be a last resort. To move directly to exploring Green Belt/MOL potential prior to pursuing the approach set out in the draft Plan, would not only be contrary to the NPPF, it could become a self-fulfilling prophecy by undermining the delivery of sustainable sites in existing urban areas as well as limiting, rather than stimulating, housing development due to the uncertainty this would cause. The majority of the options proposed would also lead to inconsistency between Policies in the draft Plan, and therefore require different approaches to be considered as well as consideration of the extent to which such Policies would promote sustainable development. The majority of the options would be likely to require a new Plan, based on new evidence, and which would be subject to another round of stakeholder involvement. There would also need to be evidence and delivery mechanisms in place to ensure that development in the GB/MOL could achieve sustainable development

in a timely way to meet housing need. It therefore continues to be the Mayor's view that Green Belt release is not appropriate or justified.