

The logo consists of the word "LICHFIELDS" in white, bold, sans-serif capital letters on a black rectangular background. This black background is part of a larger, stepped graphic on the left side of the slide. The graphic is composed of several rectangular blocks of different shades of teal and black, creating a staircase-like effect that descends from the top left towards the center.

LICHFIELDS

Grey Belt in Practice

The Good, the Bad and the Ugly – a West
Midlands Perspective

Presentation by Myles Wild-Smith

19 September, 2025

The Backdrop



“This is why we must create a more strategic system for Green Belt release... To make it work for the twenty-first century.

Local authorities will have to review their green belt if needed to meet housing targets.

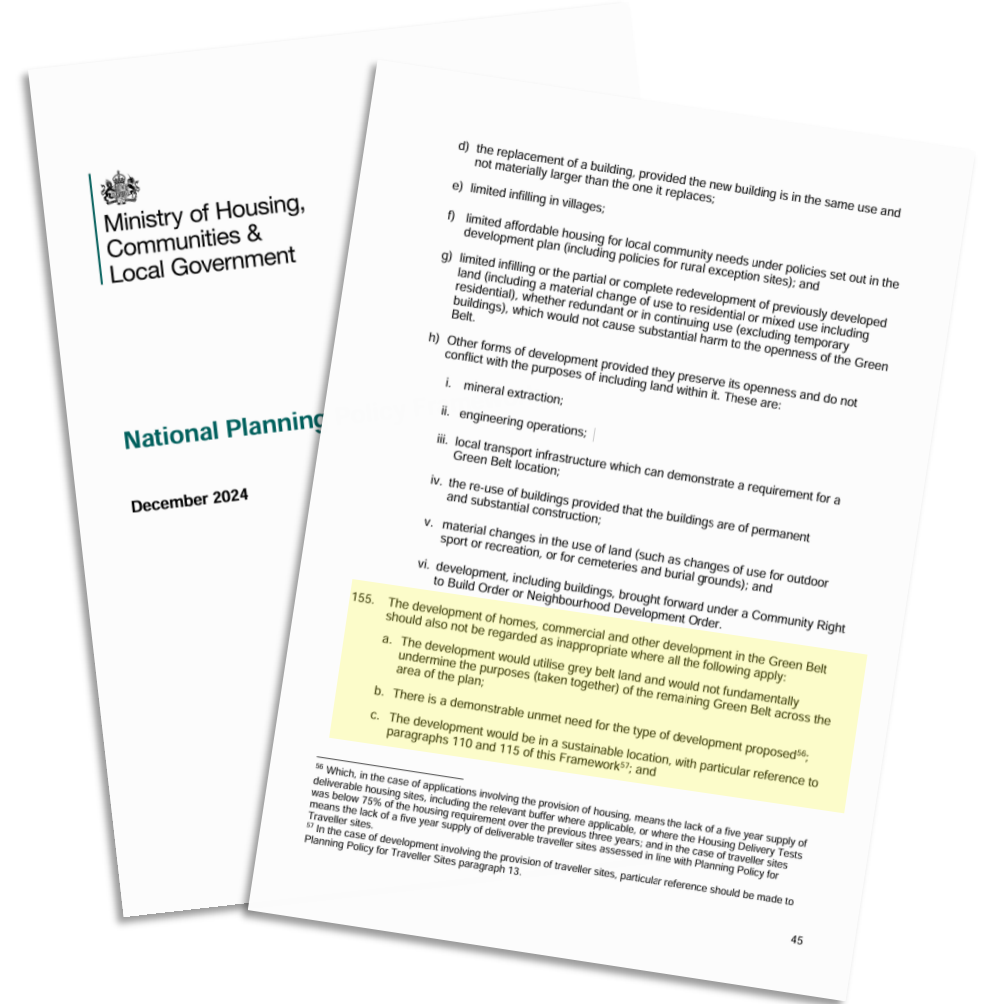
But they’ll also need to prioritise low quality ‘grey belt’ land...”

(July 24)



The ‘Release Valve’ – Grey Belt

- December 2024 NPPF formally introduces ‘Grey Belt’ – an ‘appropriate’ form of development in the Green Belt
- Annex 2: “... ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not **strongly contribute** to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide **a strong reason for refusing or restricting development.**”
- The change to ‘strongly contributing’ and ‘strong reason’ meant that quite a lot of land was now likely to be ‘Grey Belt’ in principle – subject to ‘appropriateness’ tests



The 'Release Valve' – Grey Belt

- Development of 'Grey Belt' may be appropriate under certain conditions
- Proposals (of all types of development, inc. housing/commercial etc.) must meet all requirements of NPPF para 155
- Major developments “involving” housing **should** meet the para 156 Golden Rules: affordable housing, infrastructure improvements, and new green space
- Para 158 - **significant** weight should be given to the grant of permission for development that complies with the golden rules
- Golden Rules apply to Green Belt **and** Grey Belt and to decision taking and plan making

155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b. There is a demonstrable unmet need for the type of development proposed⁵⁶;
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

GOLDEN RULES



PPG Guidance – With clarity comes conviction

Purpose A – to check the unrestricted sprawl of large built up areas

This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.

Contribution	Illustrative features
Strong	Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features: - be adjacent or near to a large built up area - if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)
Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land’s contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
Weak or None	Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built up area - are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development

Purpose B – to prevent neighbouring towns merging into one another

This purpose relates to the merging of towns, not villages.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features: - forming a substantial part of a gap between towns - the development of which would be likely to result in the loss of visual separation of towns
Moderate	Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - forming a small part of the gap between towns - being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation
Weak or None	Assessment areas that contribute weakly are likely to include those that: - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation

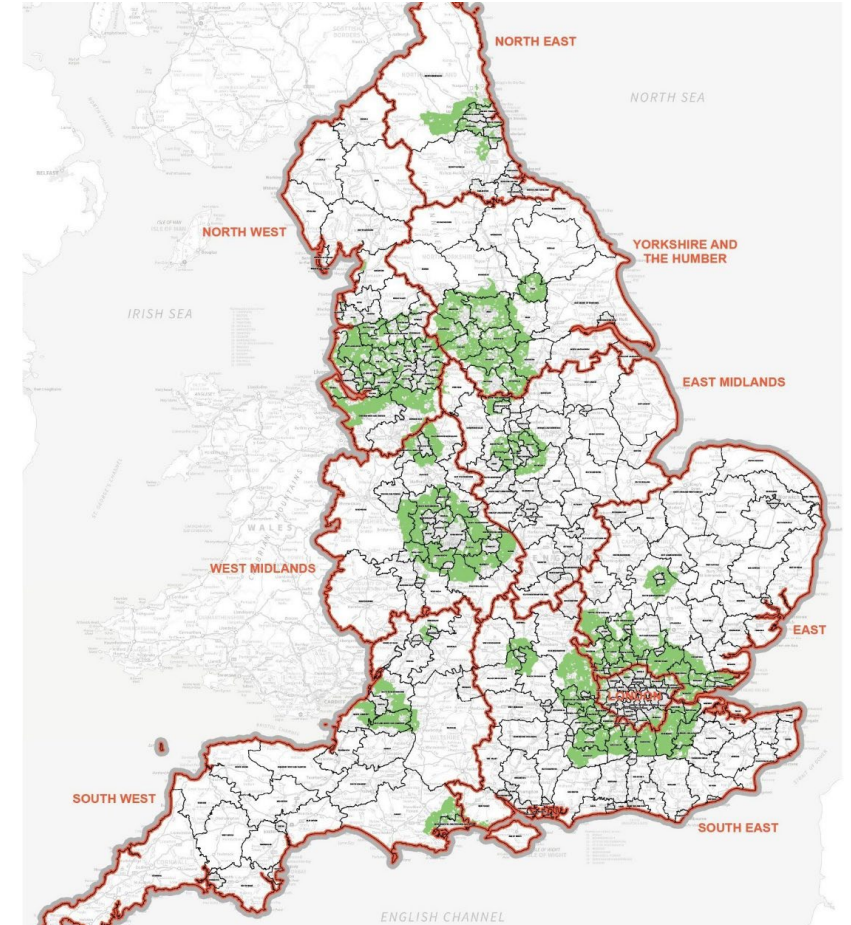
Purpose D – to preserve the setting and special character of historic towns

This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely be free of existing development and to include all of the following features: - form part of the setting of the historic town - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
Moderate	Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - being separated to some extent from historic aspects of the town by existing development or topography - containing existing development - not having an important visual, physical, or experiential relationship to historic aspects of the town
Weak or None	Assessment areas that make no or only a weak contribution are likely to include those that: - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town

How has it affected the West Midlands?

- With Local Plan Reviews stalling, up-to-date plan coverage at a record low, 5YHLS radically falling over night, and c.20% of the region designated as Green Belt – Grey Belt could be quite a powerful lever for unlocking growth in the region
- So, with changes to the NPPF and clear guidance provided in the PPG, how has the West Midlands authorities reacted to Grey Belt?
- A mixed bag – some good, some bad, some ugly!



The Good – The Early Bird

- **Land off Chapel Lane, Great Barr, Walsall (BESS), Walsall – January 2025**
- Whilst not housing, it was an early Appeal (Appeal Ref: APP/V4630/W/24/3347424) out of the gate, approved pre-PPG guidance, and costs awarded
- Inspector concluded the site did not strongly contribute to Purposes A, B, or D
- Concluded that NPPF Para 155 (a,b,c) was met and Para 155d (Golden Rules) were not applicable
- But, now subject to Judicial Review launched by the Council in April 2025



The Good(ish) – You look left, they go right

- With the Local Plan Review withdrawn, and drawing on July 2023 guidance, Solihull is permissive of GB Draft Allocations – but only on grounds of Very Special Circumstances (VSC), avoiding Golden Rule 50% AH
- Draft Allocation KN2 Land South of Knowle (Application Ref: PL/2023/02294/PPOL) was approved in May 2025. Though classed as Grey Belt and failing Golden Rules (40% AH), the Council relied on VSC to approve
- A similar approach was taken at Land at 722 Kenilworth Road (Appeal Ref: APP/Q4625/W/24/3351230). While the Appellant argued Grey Belt, the Council considered only VSC; the Inspector also tested against the Golden Rules



GREY
BELT

VSC

The Bad – Going big, so you go home

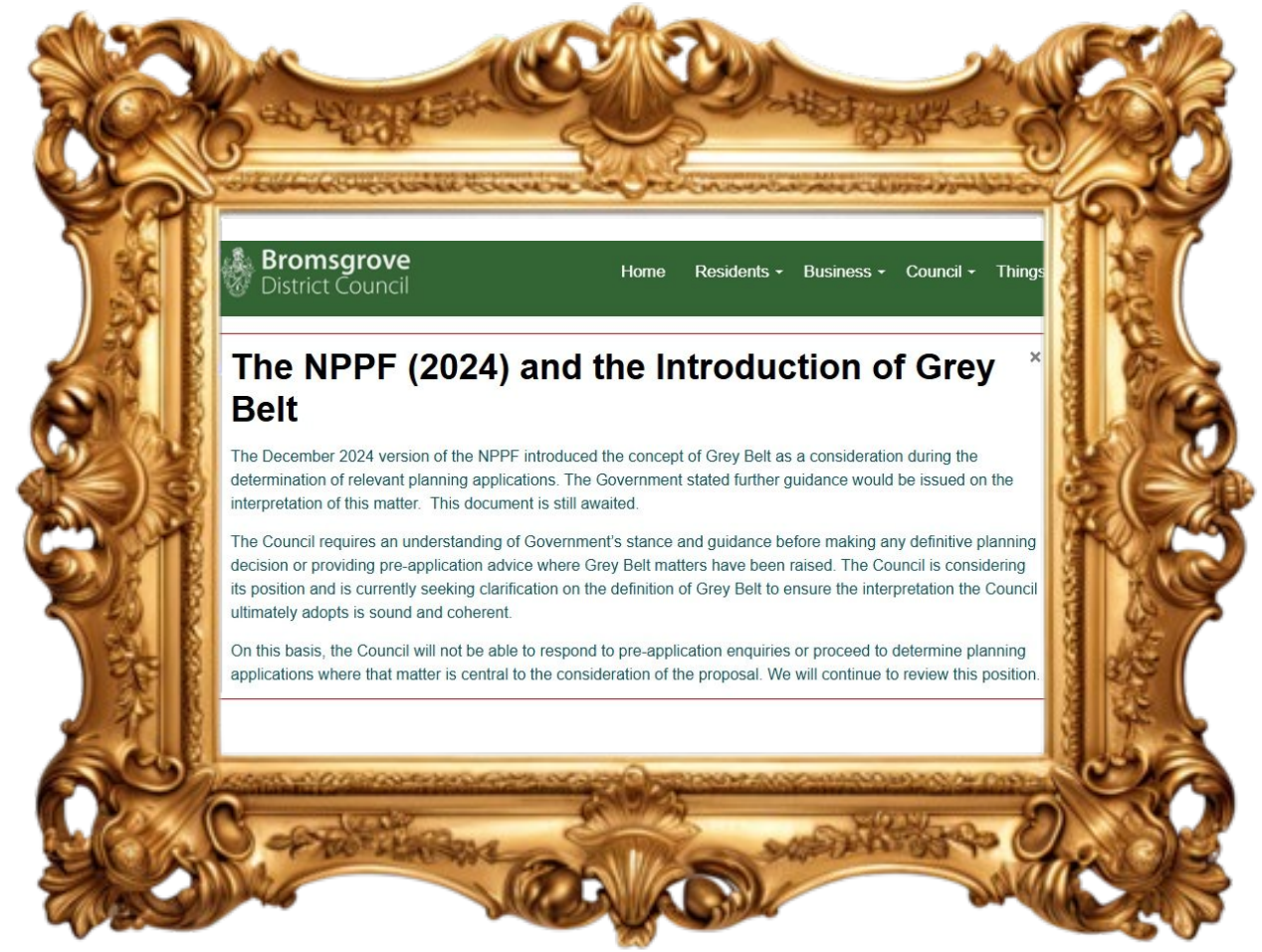
- **Land West of Longwood Lane, Walsall – June 2025**
- 115 Dwellings – 40% Affordable
- 3-year land supply and 48% HDT score
- Located in the gap between Longwood Lane and the Rushall Canal – two urbanising features and strong boundaries – Applicant argued the site was Grey Belt
- But, the Council disagreed having regard to the site's assessment as a part of a wider parcel in the 2022 Green Belt Review – i.e. 'Strong' contributions towards Purposes A and B
- Currently awaiting Appeal Decision (Appeal Ref: APP/V4630/W/25/3369937)



the Council does not agree, given that the Green Belt Study found the wider parcel to be of high importance in preventing urban sprawl and maintaining the separation between Walsall, Aldridge, and Streetly...

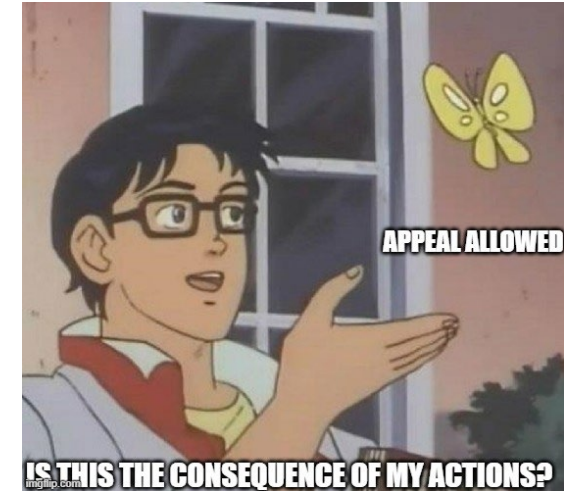
The Ugly – Art imitating life

- Development Plan adopted January 2017
- Local Plan Review delayed/slowed since 2019
- 2.24 years supply of housing land as of April 2025
- 41% Housing Delivery Test (2023)
- 714 dpa LHN (381 dpa previously)
- c.90% coverage of Green Belt
- No Pre-App service for sites submitted through Call for Sites



The Ugly – Mind the gap

- **Land at south side of Houndsfield Lane, Hollywood – August 2025**
- 50 Dwellings – 50% Affordable
- Located in the gap between Wythall and Major's Green – not adjoining the settlement directly
- All parties agreed there was no 'Strong' contribution to Purposes A and D
- But, the Inspector disagreed with the Council's case that the site made a 'Strong' contribution towards Purpose B
- 'Golden Rules' compliant with POS and in a sustainable location (via footpath improvements)
- Appeal allowed. The first of many consequences?



Whilst I am mindful that the parcel, as a whole, may make a strong contribution to Purpose (b), the same cannot be said for the appeal site on its own given its location and modest scale...

IR7 Land at south side of Houndsfield Lane, Hollywood (Appeal Ref: APP/P1805/W/24/3356219)

The Ugly – Three villages in a trench coat

- Solihull published the Solihull Settlement Hierarchy Review for consultation in July
- It seeks to redefine three villages (Knowle, Dorridge and Bentley Heath) as a Town within the Settlement Hierarchy
- This is outside of the Local Plan process, and is explicitly aimed at precluding Grey Belt development due to conflicting with Purpose B



There is a danger vast amounts of Solihull would be grey belt so, by putting this in, we are putting in some protection around our larger settlements

Councillor Mackiewicz



The key takeaways

1**Engage in GB Assessment Methodologies**

LPAs are now beginning to undertake new GB Studies. Where possible, engage in the methodologies to shape the outcomes.

2**Site Specific Grey Belt Analysis**

Draw on existing Green Belt Reviews, but these will often only assess larger parcels and pre-date the PPG, so undertake your own site-specific analysis.

3**Mixed reaction to Grey Belt sites from LPAs**

Some LPAs are actively supporting Grey Belt applications, even at Committee. But others are still resisting development – expect an Appeal and monitor other decisions.

4**Sustainability, Golden Rules and VSC**

‘Strongly contributing’ and ‘strong reason’ for refusal are very high bars, but some of ‘appropriateness’ tests can be more subjective – such as the sustainability of the location. Ensure you are compliant with the ‘Golden Rules’. Twin-track a VSC case alongside it.

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