



PLANNING BULLETIN

CIRCULAR 11/2005

THE TOWN AND COUNTRY PLANNING
(GREEN BELT) DIRECTION 2005

The Office of the Deputy Prime Minister has introduced, by Circular 11/2005, a new direction in relation to development in the green belt development. The Direction comes into force on 3 January 2005.

What does it say?

Where any application for planning permission involving “inappropriate development” on land allocated as green belt in an adopted local plan, unitary development plan or development plan document and which would involve:

- a) The construction of a building or buildings with a floor space of more than 1,000 sq m; or
- b) any other development which by reason of its scale or nature or location would have a significant impact on the openness of the Green belt and
- c) where the local planning authority do not propose to refuse an application for the above, then the planning authority shall first consult the First Secretary of State then:

The Local Planning Authority cannot grant consent for a period of 21 days from the date advised in writing by the First Secretary of State as to the date when he received the specified material and

If before the expiry of the 21 days the First Secretary of State has notified to the Local Planning Authority that he does not intend to issue a direction under section 77 of the Town and Country Planning Act 1990 then the Local Planning Authority can determine the planning application

Definitions

Floorspace means the total floor space of buildings or buildings, including the width of external walls.

Inappropriate development is identified as being those circumstances described in paragraphs 3.4, 3.8, 3.11, 3.12 and 3.17 of PPG2, dated January 1995.

Comment

The Circular attempts to bring in more certainty and clarification of when applications that are by definition inappropriate development in the green belt and yet where the Local Planning Authority



are minded to grant consent, have to be referred to the Secretary of State for a decision on whether to “Call In” the application for his own determination.

It therefore seeks to give more consistency in approach and to ensure that Secretary of State only needs to intervene on the more “*significant and potentially most harmful proposals for inappropriate development in the green belt.*”

Despite the circular’s intentions for clarity, the floorspace threshold of 1,000 sq m or over is undermined by the need to still consult the Secretary of State on the Local Planning Authority’s own interpretation as whether the proposal falls within the category of “*other development which by reason of its scale or nature or location would have a significant impact on the openness of the green belt.*”

Clearly, Local planning Authorities will interpret this on a site specific basis and consequently, landowners of existing buildings and sites which are capable of redevelopment, or limited infilling, may still have to seek to have such sites allocated as “*Major developed sites in the green belt*” in the forthcoming reviews of local development documents so as to avoid the potential of “Call In.”

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