

NAG Planning Seminars September 2025: Presentation Handout

The Overall Framework: Local and National

1. Planning permissions are usually granted by a Local Planning Authority (LPA), in our case Guildford Borough Council (GBC), according to a set planning framework.
2. The planning framework comprises:
 - a. National-level laws and regulations.
 - b. Local Development Plans and supporting policies.
3. Planning law requires that applications for planning permission must be determined in accordance with the local development plan unless material considerations indicate otherwise. 'Material considerations' include national level policies and regulations, but also case law (see below).
4. National level framework includes (for example):
 - a. [Town and Country Planning Act 1990](#)
 - b. [Compulsory Purchase Act 1965](#)
 - c. [National Planning Policy Framework \(NPPF\) 2024](#)
 - d. [Planning Practice Guidance \(various categories\)](#)
5. Local level is the Local Plan, which consists of a series of Policies (e.g. on protecting the Green Belt and countryside), along with '[Supplementary Planning Documents](#).'

The Impact of Recent Changes

6. Recent changes at the national level have significantly impacted on the local level, for example in Guildford. The new version of the NPPF (December 2024) has:
 - a. Doubled Guildford's housing targets (from 562 to 1102 per year).
 - b. Introduced the new concept of 'Grey Belt', which is designed to bring more Green Belt land into scope for planning applications.
7. Also, the [Planning and Infrastructure Bill](#) currently going through Parliament aims to speed up the planning process; critics fear it weakens environmental protections.
8. The [Guildford Local Plan 2015-34](#) was adopted in April 2019. There is a statutory obligation to review it every 5 years, and update it if necessary. In February 2024 GBC decided it needed to update its Plan. The NPPF changes make this even more of a necessity as GBC now demonstrably does not have a 5-year housing land supply.
9. In March 2025 GBC published a [timeline](#) for the revised Local Plan, with public consultation scheduled to begin Sep/Oct 2026. There may be pressure to accelerate this, and in addition GBC will [cease to exist](#) in April/May 2027, when it will fold into a new Unitary Authority for (probably) West Surrey, which will inherit its responsibilities.

Green Belt and 'Grey Belt'

10. Green Belt purposes (NPPF para 143):

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

11. Grey Belt: a new concept, trailed by Labour in opposition, and included in revised NPPF (very different from what was consulted on).

12. Grey Belt definition (NPPF Glossary): *For the purposes of plan-making and decision-making, '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.*

13. In other words, 'Grey Belt' can be any part of the Green Belt that doesn't prevent neighbouring towns (NB not villages) from merging, and that isn't protected by policies on e.g. sensitive habitats or flood risk (NPPF footnote 7). That bar is low, but it does exist.

14. The application [24/P/01167](#) for a care home opposite St Mark's Church was refused (turned down on appeal) on the grounds that the applicants hadn't shown how the risk to sensitive habitat (the SPA) and the risk of flooding would be addressed. Flood risk is covered by Local Plan Policy P4; SPA by Policy P5.

15. Local Plan Policy P5: *In the zone of influence, beyond the exclusion zone and up to 5km (linear) from the SPA, a net increase in the number of residential units is likely to lead to increased recreational use of the SPA... In order to avoid this impact, net new residential development must secure or provide **Suitable Alternative Natural Greenspace (SANG)** and provide funding for Strategic Access Management and Monitoring (SAMM).*

16. *A minimum of 8 hectares of SANG land (after discounting to account for current access and capacity) should be provided per 1,000 new occupants.* Either GBC collects developer contributions towards avoidance and mitigation measures, including SANG, or bespoke SANG is provided (likely for large developments).

Further Tests Beyond 'Grey Belt'

17. However, even if a site is classed as 'Grey Belt', this does not guarantee that planning permission will be granted.

18. Further tests that must be passed include:

- a. Development of the site would not fundamentally undermine the purposes of the remaining Green Belt.
- b. The site is in a sustainable location.
- c. The site meets 'Golden Rules, e.g. for affordability and access to green spaces.
- d. There is a demonstrable unmet need for housing.

19. Classifying land as 'Grey Belt' means it can be developed without having to pass the test of 'very special circumstances' set by the NPPF for planning applications. (Also sidesteps the 'exceptional circumstances' test required to move Green Belt boundaries as part of Local Plan process.) But does oblige developer to provide more 'affordable' homes, and increase access to green spaces.

How Sites are Allocated for Development

20. Grey Belt sites, like any others, can be allocated for development either through 'Plan-Making' (i.e. the Local Plan), or 'Decision-Making' (planning applications outside the Local Plan process).

21. In the former case, sites are allocated for development in the Plan; those of any size are classed as 'strategic sites. There must then be a detailed planning application before approval can be given. Sometimes this is in two stages: an 'outline application' detailing the number of homes to be built plus access arrangements, with other matters 'reserved', followed later by a detailed proposal.

22. Such an application, for example, [25/P/01156](#), has just come forward for up to 1800 homes on the Gosden Hill site, included in the Local Plan – but yet to be built on.

23. In both cases, applications are considered by planning officers in the LPA. There is a period of public consultation, after which applications may be approved or rejected by planning officers under delegated authority. If, despite more than 20 public objections, the planning officer judges the development should go ahead, the matter is referred for a decision to the Planning Committee made up of local Councillors.

Can Planning Decisions Be Challenged?

24. If an application is approved despite objections from the public, the only way it can be challenged is on grounds of process, by Judicial Review (as with Compton PC's [challenge](#) to the solar farm to the west of Guildford). But the application can then be resubmitted.

25. If an application is refused, the applicant may appeal to the [Planning Inspectorate](#) (a branch of Government staffed by specialist civil servants). The rulings of Inspectors, as well as judges when cases go to court for judicial review or otherwise, contribute to the body of case law that comprises a 'material consideration' in future cases.

26. Occasionally an application can be '[called in](#)' for decision by the Secretary of State under powers given to them. An MP can request this.

Taylor Wimpey and Normandy

27. Taylor Wimpey (TW) [have said](#) they will submit an outline application for the Normandy and Flexford site before the end of this year. We do not yet know the details, but it will undoubtedly include hundreds of new builds. *[Subsequently revealed to be “up to 950 dwellings” in EIA Scoping Request [25/S/00006](#)].*
28. TW will argue that this is a Grey Belt site, although that is not a foregone conclusion (see the Inspector’s decision on the application for a care home opposite St Mark’s Church). Even if they pass that hurdle, they will need to meet the further requirements set out above in para 16.
29. It is questionable whether GBC would be able to require that the application be considered as part of the Local Plan process, despite its scale, given that there is such a shortfall of land available for housing. But if not, existing Local Plan Policies will still apply.
30. Key among these are: P1 (Surrey Hills AONB and AGLV); P2 (Green Belt); P3 (Countryside); P4 (Flooding, flood risk, and groundwater protection); P5 (Thames Basin Heaths Special Protection Area).
31. Critical issues will include potential habitat and biodiversity loss, flooding risk, and sustainability of local infrastructure (e.g. roads and sewerage). If TW offer to provide other facilities such as one or more schools to sugar the pill (as they did in 2016), they will need to show these are necessary.
32. NB we now have notice of the Gleeson Land [proposal](#) to build 200 homes at Shortlands Farm. See the EIA Screening Opinion Request [25/S/00002](#). This is also in the Green Belt, and contributes to the buffer between Aldershot and Guildford. Many of the same arguments will apply to this site.

Where Do We Go From Here?

33. These are highly technical matters; Normandy Parish Council has already engaged a planning consultant to advise it. Legal advice may also be needed once the full details of TW’s proposals are known.
34. We will do our best to let you know the basis on which you may object to any application, when it comes. Objections can only be made on the basis of planning law and regulations.
35. If you have not already subscribed to our newsletter, please do so [here](#) so we can keep you informed!