



Green/Grey Belt Assessment

Land off Mill Lane, Whitburn

Date: December 2025

The background of the lower half of the page is a photograph of a long, two-story industrial building made of light-colored stone or brick. It features a series of large, arched windows with multiple panes. The building is situated behind a paved area with some metal railings. The entire image is overlaid with a semi-transparent olive-green filter.

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1. Introduction

Purpose of Statement

- 1.1 This Green/Grey Belt Assessment has been prepared to accompany a full planning application for residential development on land off Mill Lane, Whitburn. The site is located within the Green Belt, as identified in the current Development Plan.
- 1.2 The purpose of this document is to consider whether the site is Grey Belt, and whether the proposed development would not constitute inappropriate development having regard to paragraph 155 of the NPPF. This assessment has been informed by policies contained in the development plan documents, the NPPF, and the national planning practice guidance. Relevant planning policies and guidance are referenced throughout where appropriate.

2. Policy Context

Development Plan

2.1 The Development Plan comprises:

- South Tyneside Core Strategy (adopted 2007);
- South Tyneside Development Management Policies (adopted 2011);
- South Tyneside Site-Specific Allocations (adopted 2012); and
- Whitburn Neighbourhood Plan 2021 – 2036 (adopted 2022)

2.2 Other than the Neighbourhood Plan, the documents that form the development plan are of some age. Having regard to paragraph 232 of the NPPF, due weight should be given to them, according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

2.3 Policy EA1 (Local Character and Distinctiveness) of the Core Strategy states the Council will (amongst others): Protect and enhance the openness of Green Belt.

Emerging Local Plan

2.4 The status of the emerging Local Plan is discussed in further detail in the accompanying Planning Statement. Draft policy 41 (Green Belt), which is included in the public draft version of the Local Plan, simply states that,

“Development proposals within the Green Belt, as shown on the Policies Map, will be determined in accordance with national planning policy.”

National Planning Policy Framework (NPPF)

2.5 Section 13 of the NPPF, ‘Protecting Green Belt land’, confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to

prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

2.6 Paragraph 143 of the NPPF states that the Green Belt serves five purposes:

- 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.

2.7 The December 2024 version of the NPPF introduced the ‘Grey Belt’, which has been included at paragraph 155 of the NPPF as a form of development that is not inappropriate in the Green Belt, subject to several criteria (a-d). The Government described the change as a *“new common-sense approach”*¹ to the Green Belt.

2.8 The NPPF describes the ‘Grey Belt’ as:

“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.”

National Planning Practice Guidance

2.9 The national planning practice guidance on the ‘Green Belt’², was most recently updated in February 2025. The guidance sets out (amongst others):

¹ Government Press release dated 12 December 2024.

² Paragraph: 001 Reference ID: 64-001-20250225 to Paragraph: 014 Reference ID: 64-014-20250225

- The considerations involved in assessing the contribution Green Belt land makes to Green Belt purposes, where relevant to identifying grey belt land.
- The considerations involved in determining whether release or development of Green Belt land would fundamentally undermine the remaining Green Belt in the plan area.
- Guidance for considering proposals on potential grey belt land.
- Guidance on identifying sustainable locations when considering the release or development of Green Belt land.
- Updated guidance on how major housing development on land which is released from the Green Belt through plan making, or on sites in the Green Belt, should contribute to accessible green space.
- Updated guidance on how to consider the potential impact of development on the openness of the Green Belt.

3. Assessment

South Tyneside Green Belt - Background

- 3.1 The South Tyneside Green Belt forms part of the wider Tyne and Wear Green Belt. The Council recently commissioned Land Use Consultants (LUC) Limited to undertake an independent assessment of the 'harm' of releasing land from the Green Belt to accommodate potential development needs. This assessment was published in November 2023 and forms part of the Council's evidence base as part of the ongoing Local Plan examination.
- 3.2 The study was prepared prior to the Government's planning practice guidance on making judgements as to whether land is grey belt.
- 3.3 The study provides the following background to the South Tyneside Green Belt.

"A total of approximately 2,350ha of South Tyneside is designated as Green Belt. This represents approximately 36.5% of the total area of the Borough. South Tyneside's Green Belt is tightly drawn around the built-up areas of South Shields, Jarrow, Hebburn and the villages of Cleadon, Whitburn and the Boldons, and extends to the Borough's administrative boundaries. The Green Belt land is predominantly made up of agricultural fields. Other large land uses include golf courses and existing and old mineral extraction sites. There are no washed-over settlements in the Borough's Green Belt (i.e., settlements that are designated as Green Belt).

Green Belt land was first defined in South Tyneside in 1965 as part of the Sunderland Periphery Town Map. It was subsequently extended in 1968 along the southern periphery of the Borough between South Shields and Sunderland and to the west of Sunderland. In 1978, the Tyne and Wear County Structure Plan set out to further limit urban growth and prevent the coalescence of settlements, particularly the built-up areas of South Tyneside, Washington, Gateshead, and Sunderland. Policies within the Structure Plan proposed various additions, to

restrict the further spread of the built-up area and made deletions to allow for housing and economic growth. The Tyne and Wear Green Belt Local Plan was adopted in 1985 in support of the Tyne and Wear County Structure Plan.

A second review of the Green Belt in South Tyneside was undertaken to inform the South Tyneside Unitary Development Plan adopted in 1998.

The last revisions to the Green Belt in South Tyneside were undertaken in 2017 in partnership with Sunderland City Council through the adoption of the International Advanced Manufacturing Park (IAMP) Area Action Plan. 63 ha of land were removed from the South Tyneside Green Belt.”

Grey Belt

- 3.4 The new NPPF introduced the ‘Grey Belt’, which has been included as a form of development that is not inappropriate in the Green Belt. The Government describe the changes as a “new common-sense approach” to the Green Belt.

- 3.5 The NPPF describes the ‘Grey Belt’ as:

“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.”

- 3.6 Having regard to the above definition, we would comment on the site as follows:

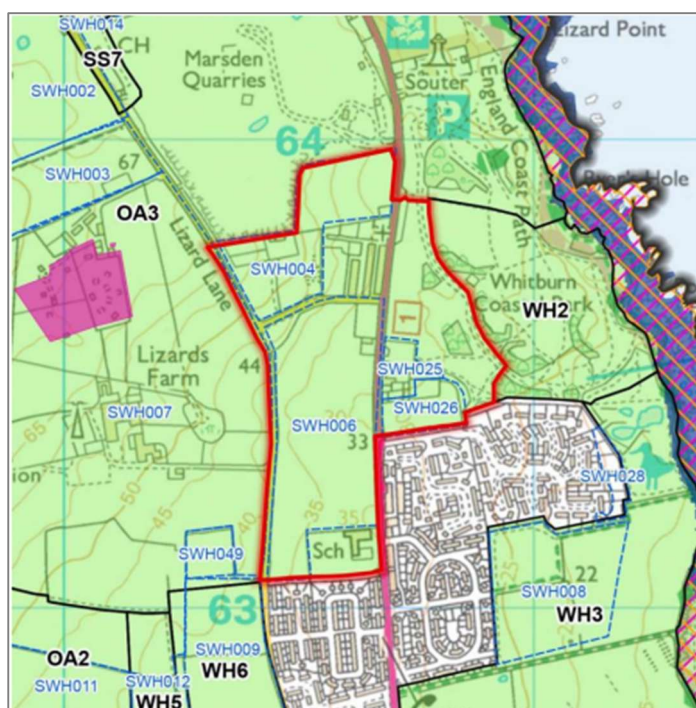
Does the site strongly contribute to any of purposes (a), (b), or (d) in paragraph 143?

- 3.7 These purposes listed include:

a) to check the unrestricted sprawl of large built-up areas;

- b) to prevent neighbouring towns merging into one another; and*
- d) to preserve the setting and special character of historic towns.*

3.8 The Council's recently commissioned Green Belt Study assesses the application site under site reference: SWH006, which is a sub category of site ref WH1. The study finds that the site's release for development would result in a moderate level of harm (from a scale of low/no harm, moderate harm, high harm, and very high harm) on the purposes of the Green Belt, including a), b), and d). Therefore, the Council has already established that the site does not 'strongly contribute' to any of the listed purposes.



Left: Extract from map included in Council's Green Belt Study, which identifies parcel WH1 with red line, and sub-site ref: SWH006, with dashed blue line.

- 3.9 In providing a response to the pre-application enquiry, the LPA reconfirmed the view that the site does not strongly contribute to the purpose of (a), (b), or (d). this is set out in further detail in the accompanying Planning Statement.
- 3.10 For robustness, we have also undertaken our own assessment of the site's contribution to the purposes (a), (b), or (d), which is set out below. We would highlight that our conclusions are based on the up to date planning practice guidance's 'contribution' levels

(i.e. Strong, Moderate, and Weak/None), along with the considerations for informing these judgements as set out in the guidance³.

Green Belt Purpose	Comments
a) to check the unrestricted sprawl of large built-up areas	The guidance on Green Belt Assessments confirms that this purpose relates to the sprawl of large built up areas and that villages should not be considered as large built up areas. Whitburn is a village, and for the purpose of this assessment, is not a ‘large built up area’. The nearest large built up areas are located at South Shields to the north of Whitburn, and Sunderland to the south. The site also has built form located to the north, south and east. Permission has also been recently allowed at appeal (Whitburn Lodge site) for additional residential development to the east. Having regard to the PPG’s ‘<i>illustrative features</i>’, it is considered that the site is “<i>not adjacent to or near to a large built up area</i>”, which directs towards the site only having a ‘<i>Weak or None</i>’ contribution to this purpose. Indeed none of the illustrative features listed in the higher contribution levels (i.e. moderate and high) apply to the site. Whilst the Council’s Green Belt study considers that the wider site parcel’s location in between the large built-up areas of South Shields and Sunderland means it does contribute to checking their sprawl and would have a ‘<i>moderate</i>’ impact, it is noted that the study was

³ As set out at Paragraph: 005 Reference ID: 64-005-20250225

Green Belt Purpose	Comments
	published in advance of the updates to the national planning practice guidance, and there is nothing in the study to indicate that the contribution should be any greater than '<i>Weak or None</i>'.
b) to prevent neighbouring towns merging into one another	The guidance on Green Belt Assessments confirms that this purpose relates to the merging of towns and not villages. Whitburn is a village, and for the purpose of this assessment, is not a 'large built up area'. The nearest large built up areas are located at South Shields to the north of Whitburn, and Sunderland to the south. Having regard to the PPG's '<i>illustrative features</i>', it most comfortably fits with those listed under the '<i>Weak or None</i>' contribution, as it forms part of a gap between towns (i.e. South Shields and Sunderland), but only a very small part of this gap, without making a contribution to its visual separation. Failing that, the site would fall with the '<i>Moderate</i>' contribution, as forming a 'small part' (the difference between 'very small' and 'small' is not defined in the guidance) of the gap between the towns, and being able to be developed with the loss of visual separation between towns. This is due to the topography of the land to the north, which rises and restricts any views to/from the built up edge of south shields; and the exiting built up area of Whitburn to the south, which restricts any views to/from the built up edge of Sunderland.

Green Belt Purpose	Comments
d) to preserve the setting and special character of historic towns	The development does not form part of the setting of a historic town, or have any visual, physical, or experiential connection to the historic aspects of the town. Accordingly, the site's contribution to this purpose is 'Weak or None'.

- 3.11 It can clearly be concluded that the site does the site '*strongly contribute*' to any of purposes (a), (b), or (d) in paragraph 143 of the NPPF.

Does footnote 7 of the NPPF apply?

- 3.12 No, the site is not a habitats site and/or designated as a Site of Special Scientific Interest; Local Green Space, National Landscape, National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitat; designated heritage asset (or other heritage assets of archaeological interest...); or area at risk of flooding or coastal change.

Is the site Grey Belt?

- 3.13 Yes, the above assessment concludes that the site is Grey Belt, which has been agreed by the Council both through the Local Plan evidence base and as part of the pre-application discussions.
- 3.14 Paragraph 155 of the NPPF does goes on to state:

"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 proposed (Footnote 56 explains how this is determined for housing applications);*

- c. *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. *Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*

3.15 Having regard to the criteria set out under paragraph 155, we would comment as follows:

- 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;***

3.16 As established above, the development would utilise grey belt land. However, this criterion also requires consideration to be given to whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

3.17 The national Planning Practice Guidance⁴ advises that when making this judgement, *“authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way”*.

3.18 In providing a response to the pre-application enquiry, the LPA has already confirmed that *“it is not considered that development of the site would fundamentally undermine the purposes of the remaining Green Belt across the plan area, as set out in the NPPF”*. In reaching this judgement the LPA had regard to the remaining purposes (c and e) of the Green Belt, with the following conclusions being formed:

*“...it is not considered that the proposal would fundamentally undermine **purpose (c)** and affect the ability of all the remaining Green Belt across the area of the plan from serving this purpose and would prevent encroachment of the countryside.”*

*“...**purpose (e)** relates to assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. The proposal would not itself assist in*

⁴ Paragraph: 008 Reference ID: 64-008-20250225

urban regeneration being a greenfield site. However, in respect of the development of the site and its effect on the ability of all the remaining Green Belt across the area of the plan from serving this purpose, remaining Green Belt land would continue to serve this purpose, by promoting sustainable development and prioritising the redevelopment of previously developed land.”

- 3.19 The background review of the Green Belt in South Tyneside (see section 3.3 of this assessment) makes reference to its original purpose being to further limit urban growth and prevent the coalescence of settlements, particularly the built-up areas of South Tyneside, Washington, Gateshead, and Sunderland. As already established, and agreed with the LPA, the site is not located adjacent, or close to, the large built up area of South Tyneside or Gateshead. It has also been established that the site does not make a contribution to visual separation of South Shields or Sunderland.
- 3.20 In reality, the size of the site equates to approximately 0.4% of the designated Green Belt in South Tyneside. Therefore, it would be quite a challenge for any form of development on the site to reach the threshold of ‘*fundamentally*’ undermining the purpose of the remaining Green Belt across the plan area.
- 3.21 Drawing together the above comments, it can be safely concluded that the development 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 proposed
(Footnote 56 explains how this is determined for housing applications);***

- 3.22 The LPA is unable to demonstrate a 5-year supply of deliverable housing sites and failed the most recent HDT (2023 measurement), which was below 75%. Both lead to the conclusion that there is a demonstrable unmet need for housing. This has been confirmed and accepted by the LPA as part of their response to the pre-application enquiry.

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;

- 3.23 The development is in a sustainable location, having particular reference to paragraphs 110 and 115 of the NPPF. This view is supported by the Council's proposed housing allocation in Whitburn and the submitted core documents and evidence base for the emerging Local Plan. This includes the Sustainability Appraisal, which describes Whitburn as an "accessible and popular settlement", with "a wide range of services and facilities with good access to public transport". This has been confirmed and accepted by the LPA as part of their response to the pre-application enquiry.

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

- 3.24 The Golden Rules relate to the provision of affordable housing; the necessary improvements to local or national infrastructure; and the provision of new, or improvement to existing, green spaces that are accessible to the public. Taken each of these in turn, we would comment as follows:

Golden Rule 1 - Affordable Housing

- 3.25 Paragraph 157 confirms that the Golden Rules require the affordable housing contribution to be 15 percentage points above the highest affordable housing requirement which would otherwise apply to the development. The scheme is proposing to deliver a total of 82 affordable dwellings, which equates to 40% of the overall housing provision. This is a significant planning benefit, which exceeds the requirements of the most up to date development plan document (Whitburn Neighbourhood Plan) by 20%, the more out of date Core Strategy policy SC4 by 15%, and the emerging local plan policy (policy 18) by 15%.
- 3.26 This Golden Rule will be met.

Golden Rule 2 - Necessary improvements to local or national infrastructure

- 3.27 The applicant is fully committed to meeting any necessary and justified contribution to improving local or national infrastructure. This would be the case irrespective of the Golden Rules. The pre-application discussions with the LPA has confirmed that there are

no firm requirements have been identified for national (or more local) infrastructure delivery, albeit the LPA have indicated that further consultation will take place at application stage. The LPA also added that they did not anticipate that contributions would be sought for GP and dental services, however a contribution towards additional school place may be sought. This will be considered in full detailed as part of the planning application process.

- 3.28 This Golden Rule will be met.

Golden Rule 3 - Provision or improvement of publicly accessible Green Spaces

- 3.29 Paragraph 159 of the NPPF expands a little further on the requirements of this Golden Rule, and requires improvements to contribute positively to the landscape setting of the development, support nature recovery and meet located standards for green space provision.
- 3.30 There is an existing play area (Corner Stone Park) that adjoins the north east boundary of the site, which includes play equipment, a trim trail and seating areas. The scheme has been designed to provide safe and convenient access to the public open space and includes a proposal to enhance the play area. The layout of the development also includes the provision of public open space within the development site, which assists with providing an attractive environment, whilst tying in with the wider landscape, drainage and biodiversity strategies.
- 3.31 In addition to the site being adjacent to an existing play area, it is also within convenient walking distance of the Whitburn Coastal Park, which provides a large area of high quality natural green space.
- 3.32 The submitted scheme has been designed with input from the landscape consultant to create high-quality, landscaped connections to the nearby existing area of open space. In addition, it includes a range of public open spaces through the site, which have been designed with input from the landscape consultant, ecologist, and engineering disciplines (e.g. highways, drainage). As a result, the submitted landscape plan helps to demonstrate where areas have focused on habitat enhancement, high-quality public realm, usable and convenient connections to the adjacent open spaces and network of

footpaths, and the wider landscape framework to help the site integrate with the surrounding environment and complement the established landscape character and setting.

- 3.33 These all feed into the NPPF's Golden Rule requirements, alongside the local landscape policies.
- 3.34 As part of the pre-application discussions with the LPA, the Council's Community and Space team confirmed that they supported the proposed approach to enhance the existing play area and equipment, and the applicant will continue to engage with the team during the consideration of the application. The LPA did not identify any shortfalls in provision, which is consistent with a nearby decision for residential development.
- 3.35 This Golden Rule will be met.

Golden Rules - Conclusion

- 3.36 The above analysis sets out how the Golden Rules will be met by the proposed development, and the applicant is open to discuss and agree any mechanism(s) required to support delivery.
- 3.37 As required by paragraph 158 of the NPPF, the proposed development's compliance with the Golden Rules should be given *"significant weight in favour of granting planning permission"*.
- 3.38 This allows the conclusion to be formed that the development accords with paragraph 155 of the NPPF and is not inappropriate in the development in the Green Belt. Further, it has been established recent appeal and court decisions that on the basis the proposal would not constitute inappropriate development, it should not be regarded as harmful to the Green Belt, including harm to its openness.

4. Summary and Conclusion

- 4.1 The proposal is for a major residential development. The site is located with the designated Green Belt as identified in the current Development Plan.
- 4.2 A recent Green Belt assessment commissioned by the Council establishes that the original purpose of the Green Belt as being to further limit urban growth and prevent the coalescence of settlements, particularly the built-up areas of South Tyneside, Washington, Gateshead, and Sunderland.
- 4.3 The new NPPF introduced the 'Grey Belt', which has been included as a form of development that is not inappropriate in the Green Belt. The Government describe the change as a "new common-sense approach" to the Green Belt.
- 4.4 Having regard to the NPPF's definition of Grey Belt, this assessment establishes that the site is Grey Belt, with it only having a 'weak/none' to 'moderate' impact on Green Belt purposes (a), (b), or (d). This position on Grey Belt is agreed with the LPA and the findings of their recent Green Belt assessment, which was undertaken prior to the Government's planning practice guidance on making judgements as to whether land is grey belt.
- 4.5 It has also been established that that the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- 4.6 Footnote 7 of the NPPF does not apply.
- 4.7 The LPA is unable to demonstrate a 5-year supply of deliverable housing sites and failed the most recent Housing Delivery Test (HDT). Accordingly there is a demonstrable unmet need for the type of development proposed. This position is agreed with the LPA.
- 4.8 The development is in a sustainable location. This position is agreed with the LPA.
- 4.9 The NPPF's Golden Rules will be met. Namely, the provision of affordable housing; the necessary improvements to local of national infrastructure; and the provision of new, or

improvement to existing, green spaces that are accessible to the public. As required by paragraph 158 of the NPPF, the proposed development's compliance with the Golden Rules should be given *"significant weight in favour of granting planning permission"*.

- 4.10 It can be concluded that the development accords with paragraph 155 of the NPPF and is not inappropriate development in the Green Belt.
- 4.11 On the basis that the proposed development meets the requirements of paragraph 155 of the NPPF, it has been established that it is not inappropriate in the development in the Green Belt. Further, it has been established through recent appeal and court decisions that on the basis the proposal would not constitute inappropriate development, it should not be regarded as harmful to the Green Belt, including harm to its openness.
- 4.12 Therefore it can be established that the development would meet the requirements of policy EA1 and the NPPF. In the of the overall planning balance, it can be clearly concluded that that is no harm to the Green Belt, and the compliance with the Golden Rules should be given *"significant weight in favour of granting planning permission"*.