



# Grey Belt Review

Land East of Bower Hill, Oxspring

Yorkshire Land Ltd

Prepared by:

**SLR Consulting Limited**

Northspring, 36 Park Row, Leeds, LS1 5JL

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## Introduction

The following report has been produced to provide an opinion on whether land east of Bower Hill, Oxspring would meet the grey belt criteria of the National Planning Policy Framework (NPPF).

The opinion is based upon a desk top review and site visit conducted by a chartered Landscape Architect experience in undertaking Landscape and Visual Impact Assessments (LVIA) and assessing the impact of development on the functioning of the Green Belt.

## Methodology

The Government's latest Green Belt guidance provides more information on how to assess the contribution that Green Belt parcels make to purposes a, b and d, with scenarios being provided for strongly and weakly performing parcels. It also provides a clear pathway for determining how grey belt can be identified.

The Government's Green Belt guidance also includes "*illustrative features*" for each of the different purposes and for each of the levels of contribution. The illustrative features also refer to potential examples. The clear intention of this language – illustrative and examples - is to provide guiding thoughts but also to provide scope for professional judgement on a case-by-case basis.

Another notable element in the Government's new assessment guidance is that there is a clear acknowledgement that the contribution that a parcel of land makes to protection against sprawl is reduced not only by the presence of existing development, but also by "*being subject to other urbanising influences*".

Appendix A to this report sets out the Green Belt and grey belt methodology used for this opinion, which accords with the latest Government Guidance.

## Site Description

The site, as illustrated in Figures 1 and 2 below is defined by:

- trees and shrubs to the northern boundary.
- a drystone wall to the eastern boundary.
- the Smithy Arms public house and curtilage of a recently constructed residential property on Sheffield Road to the south.
- Bower Hill to the west.

It comprises a single field of rough grassland and scrub.

The area immediately adjacent to the northern boundary of the site is classified within the Barnsley Local Plan as '*Open Space*' (Bower Dell), with local signage referring to this area as '*Riverside Picnic Area*'.



## Figures 1 and 2



## Definition of Grey Belt

The National Planning Policy Framework (NPPF) includes a new definition of grey belt. Paragraph 155 of the NPPF states that *'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where: [inter alia] 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...'*

Annex 2 of the NPPF further defines grey belt as:

- *Previously Developed Land (PDL), and/or*
- *any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.*
- *Does not fall within areas/assets listed at footnote 7 (other than Green Belt), which includes habitats sites, and/or designated as Sites of Special Scientific Interest; Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.*

## Barnsley Metropolitan Borough Council Green Belt Review

The Barnsley Metropolitan Borough Council (BMBC) published the Barnsley Green Belt Review: Green Belt: Penistone and Neighbouring Villages (Oxspring, Thurlstone and Millhouse Green) in August 2014 (prepared by ARUP) defines the site as being located within Green Belt parcel PEN10 and assessed that *'as a whole, the General Area is strongly fulfilling the purposes of the Green Belt.'*

Concluding the assessment of PEN10, the review states that PEN10 as a whole *'does play a strong role in safeguarding the Penistone countryside from encroachment and the current Green Belt boundary functions to safeguard the countryside from encroachment. This General Area therefore strongly fulfils the role the Green Belt.'*

It should be noted that the site forms land on the western edge of PEN10, immediately adjacent to development within Oxspring, and covers an area of approximately 0.5% of PEN10.



## Assessment of Grey Belt Functionality

### Previously Developed Land

The site is undeveloped and is not PDL.

### Purpose a) Protecting against sprawl

The site is not connected to any of the Principal Towns within the BMDC Local Plan. Oxspring is regarded as a 'village' within paragraph 5.9 (Settlement Hierarchy) of the adopted Local Plan and the Barnsley Green Belt Review. The Government's February 2025 Green Belt guidance is clear that *'this purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.'*

It is therefore considered that the site **does not meet** this purpose.

### Purpose b) Coalescence

The site is not connected to any of the Principal Towns within the BMDC Local Plan. Oxspring is regarded as a 'village' within paragraph 5.9 (Settlement Hierarchy) of the adopted Local Plan and the Barnsley Green Belt Review. The Government's February 2025 Green Belt guidance is clear that *'this purpose relates to the merging of towns, not villages.'*

It is considered that the site **does not meet** this purpose.

### Purpose d) Protecting the setting of a historic settlement

The Barnsley Green Belt Review states *'there are no historic towns within the Borough'*, additionally the Government's February 2025 Green Belt guidance is clear that *'this purpose relates to historic towns, not villages.'*

No part of the village of Oxspring is designated as a Conservation Area, the closest being Penistone, approximately 2.5km to the north-west.

It is considered that the site **does not meet** this purpose.

### NPPF Footnote 7

The site is not within any of the NPPF footnote 7 designations. The site is located approximately 60m to the south of the Grade II designated asset, Oxspring Bridge over River Don (List Entry Number 1151023). There is no visual, physical, or experiential connection between the site and the listed bridge.

### Functionality of the remaining Green Belt

The site is influenced by urban development to the south and west and has street lighting along its western boundary with Bower Hill. There are strong defensible boundaries to the north, south and west. Its eastern boundary is aligned to the eastern boundary of the new residential property on Sheffield Road immediately to the south,

Paragraph 18.1 of the adopted Barnsley Local Plan identifies that most of Barnsley's countryside is Green Belt. It further states that the changes proposed within the Local Plan (in respect of the allocation of hundreds of hectares of land for housing and employment development to meet identified development needs) would only result in the loss of 2% of land from the Green Belt. This is also outlined in Paragraph 18.1 which confirms that the Green Belt will still account for almost 75% of the Borough, as the Green Belt in the last development plan proposals map amounted to 77% of the Borough. Paragraph 3.18 of the Local Plan identifies that the whole Borough covers an area of 329 square kilometres. Thus, based on



the figures outlined above, the Barnsley Green Belt is currently 246.77 square kilometres in size. There are of course 100 hectares in a square kilometre. Accordingly, at just 0.33ha, the application site accounts for only **0.0013%** of the Barnsley green belt across the whole of the Local Plan area. In quantitative terms, it is therefore clear that the development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

## Conclusions

By applying the Government's latest guidance on assessing grey belt it is concluded that the site:

- is not previously developed land.
- does not strongly contribute to purposes a, b and d.
- is not within any of the NPPF footnote 7 assets.

It is considered that were development to include a suitable landscape buffer to enhance the boundary to the east of the site, the development would not *fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan*.



# Appendix A

# Green Belt and Grey Belt Appraisal Methodology

## Grey Belt Review

Land East of Bower Hill, Oxspring

Yorkshire Land Ltd

SLR Project No.: 404.064676.00001

30 July 2025

## A.1 Introduction

This Appendix provides a methodology for assessing the contribution that parcels of land make to the functions of the Green Belt, as set out at paragraph 143 of the NPPF.

The methodology used is based upon best practice drawn from a large number of Green Belt assessments, as well as from the interpretation of Green Belt policies included within various appeal decisions. The assessment methodology for protecting against sprawl, coalescence and the setting and special character of historic towns has also been updated to accord with the definitions and criteria in the Government’s recently issued guidance on the Green Belt, “*Advice on the Role of the Green Belt in the Planning System*” (27<sup>th</sup> February 2025).

## A.2 Definitions

### A.2.1 The Purposes of the Green Belt as set out in the NPPF (December 2024)

Paragraph 142 of the NPPF states that “*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open*”. Paragraph 143 sets out the five purposes of the Green Belt, which are as follows:

- *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.*
- *The following paragraphs provide further clarity on the definition of these terms, with the aid of various planning and legal precedents.*

### A.2.2 Openness

Traditionally openness has been defined as freedom from buildings. In *Timmins v. Gedling Borough Council* 2014 EWHC 654, it is stated that: “[*any*] *construction harms openness quite irrespective of its impact in terms of its obtrusiveness or its aesthetic attractions or qualities*”.

But a number of helpful judgments relating to Jackdaw Crag Quarry in Tadcaster have made it clear that openness is not only a spatial term but that it also has a clear visual dimension. The High Court decision by Lord Justices Arden, Floyd and Sales (*Sales (Turner v Secretary of State for Communities and Local Government and another* [2016] EWCA Civ 466)) which states at paragraphs 14 and 15:

*“The concept of “openness of the Green Belt” is not narrowly limited to the volumetric approach suggested by [counsel]. The word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs ... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.*

The question of visual impact is implicitly part of the concept of “*openness of the Green Belt*” as a matter of the natural meaning of the language used in para. 89 of the NPPF. This interpretation is also reinforced by the general guidance in paras. 79-81 of the NPPF, which introduce Section 9 on the protection of Green Belt Land. There is an important visual dimension to checking “*the unrestricted sprawl of large built-up areas*” and the merging of



neighbouring towns, as indeed the name “*Green Belt*” itself implies. Greenness is a visual quality: part of the idea of the Green Belt is that the eye and the spirit should be relieved from the prospect of unrelenting urban sprawl. Openness of aspect is a characteristic quality of the countryside, and “*safeguarding the countryside from encroachment*” includes preservation of that quality of openness. The preservation of “*the setting ... of historic towns*” obviously refers in a material way to their visual setting, for instance when seen from a distance across open fields.”

The Government’s February 2025 guidance on the Green Belt also refers to the fact that “*urbanising influences*” might “*weaken the land’s contribution to*” protection against sprawl, whilst the sense of separation between towns is identified as being not purely due to physical distance, but also due to a sense of “*visual separation*”.

In conclusion, openness is not simply a matter of the absence of buildings from an area; it is also results from the degree of visibility of both built form - and urban activity - within an area.

### A.2.3 Sprawl

The outward spread of the edge of a large built-up area into the open countryside in an unplanned or unregulated fashion. The Government’s February 2025 Green Belt guidance is clear that this should not include villages.

There is a clear spatial aspect for the potential for sprawl: if the area outside of the settlement edge is contained or largely enclosed by areas of existing development, then there is limited potential for sprawl. Similarly, if there are physical features in reasonable proximity to the parcel that could restrict and contain development, then the parcel would not strongly contribute to protection against sprawl. In addition to the spatial perspective, as the Government’s February 2025 guidance on the Green Belt states, it is possible that land outside of the existing settlement edge could be “*subject to other urbanising influences*”, such as visibility of built form, lighting, movement and noise, which would reduce the land’s contribution to protecting against sprawl.

### A.2.4 Coalescence

Defined as the merging of two nearby towns. The Government’s February 2025 Green Belt guidance is clear that this should not include villages.

A strongly performing parcel of land would be free from development (or the influence of development) and would form a substantial part of the gap between towns. Additionally, a strongly performing parcel would maintain clear visual separation between towns.

### A.2.5 Encroachment

Encroachment can be defined as the spread of urban development across open countryside. As with the definitions of openness and sprawl, there is both a spatial and visual element to encroachment. Spatially, a parcel of land will potentially protect against encroachment when it is entirely free from buildings and when it has an open, rural character. But as Lord Justices Arden, Floyd and Sales state, there is also a visual aspect to encroachment: if there is already a perception of strong urban influences upon a parcel of land, then it less effectively protects against encroachment.

### A.2.6 Preserving the Setting of Historic Towns

Parcels which are free from development, and which are adjacent to a historic town and make a “*considerable contribution*” (Government Green Belt guidance, February 2025) to the special character of the town, should be assessed as making a strong contribution to the setting. The Government’s February 2025 Green Belt guidance states that this contribution could, for example, be “*visual, physical or experiential*”



## A.2.7 To Assist in Urban Regeneration

All Green Belt land performs this function, in that by directing development towards the urban areas it prioritises urban regeneration.

## A.2.8 Grey Belt

The glossary for the new NPPF issued in December 2024 defines grey belt as follows:

*“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”.*

The methodology for determining which parts of the Green Belt should be considered to be grey belt is set out in the Government’s February 2025 Green Belt guidance, which is set out in section A.3, below.

## A.3 Considerations for Assessing the Green Belt Functionality

Table A-1, below, sets out the considerations which are used for each of the Green Belt purposes, which have been updated to align with the Government’s 2025 Green Belt guidance.

**Table A-1: Considerations for Assessing the Green Belt Functionality of Assessment Units**

Green Belt Purposes	Criteria for Assessment
Purpose A: To check the unrestricted sprawl of large built-up areas	<ul style="list-style-type: none"> <li>Is the parcel located on the edge of a large built-up area? (Does not include villages. Parcels away from the settlement edge do not perform this function).</li> <li>Is the parcel free from development, and/or free from urbanising influences such as visibility of built form, noise, movement and lighting?</li> <li>Is the site enclosed by development, such that development of the parcel would not result in an incongruous pattern of development (such as a “finger” of development extending into the Green Belt)?</li> <li>Are there physical features in reasonable proximity to the parcel that could restrict and contain development?</li> </ul>
Purpose B: To prevent neighbouring towns merging into one another	<ul style="list-style-type: none"> <li>Is the parcel between two towns?</li> <li>Does the parcel form a substantial part of the gap between the towns, but only a small proportion of that gap?</li> <li>Is the parcel free from development, and/or free from urban influences?</li> <li>Would development of the parcel be likely to result in the loss of visual separation between the towns?</li> </ul>
Purpose C: To assist in safeguarding the countryside from encroachment	<ul style="list-style-type: none"> <li>Is the parcel close to a town or large built-up area?</li> <li>Does the parcel contain a high proportion of built form or is it largely open?</li> <li>Is the parcel already subject to urbanising influences?</li> </ul>



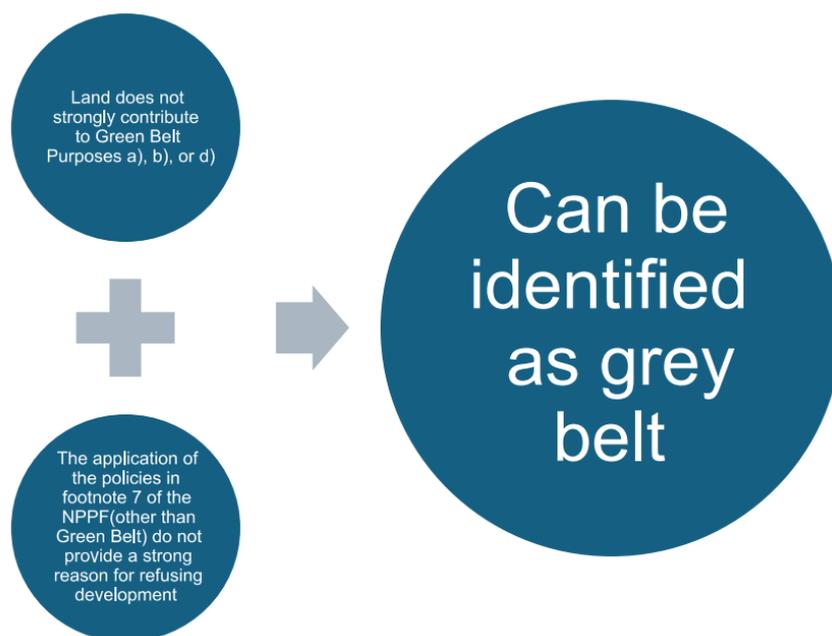
Green Belt Purposes	Criteria for Assessment
	<ul style="list-style-type: none"> <li>Does the site have a largely rural character, urban fringe or does have both rural and urban attributes?</li> </ul>
Purpose D: To preserve the setting and special character of historic towns	<ul style="list-style-type: none"> <li>Is the parcel on the edge of a historic town?</li> <li>Is the parcel free from development and/or free from urbanising influences?</li> <li>Does the parcel have an important visual, physical or experiential relationship to historic aspects of the town?</li> </ul>
Purpose E: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	This criterion is not site specific and cannot, therefore, be used to identify the specific merits of individual parcels. Consequently, it has not been assessed in landscape terms.

In accordance with the levels of contribution set out in the Government’s February 2025 Green Belt guidance, there are four potential levels of contribution to each of the purposes:

- 3 = Makes a Strong Contribution to the Purpose
- 2 = Makes a Moderate Contribution to the Purpose
- 1 = Makes a Weak contribution to the purpose
- 0 = Makes No contribution to the Purpose

#### A.4 Assessing whether a Parcel is Grey Belt

The latest Government guidance on Green Belt assessment (February 2025) sets out the process for determining whether Green Belt land should be considered as grey belt. Figure A-1, below, is reproduced from that guidance and summarises this process:



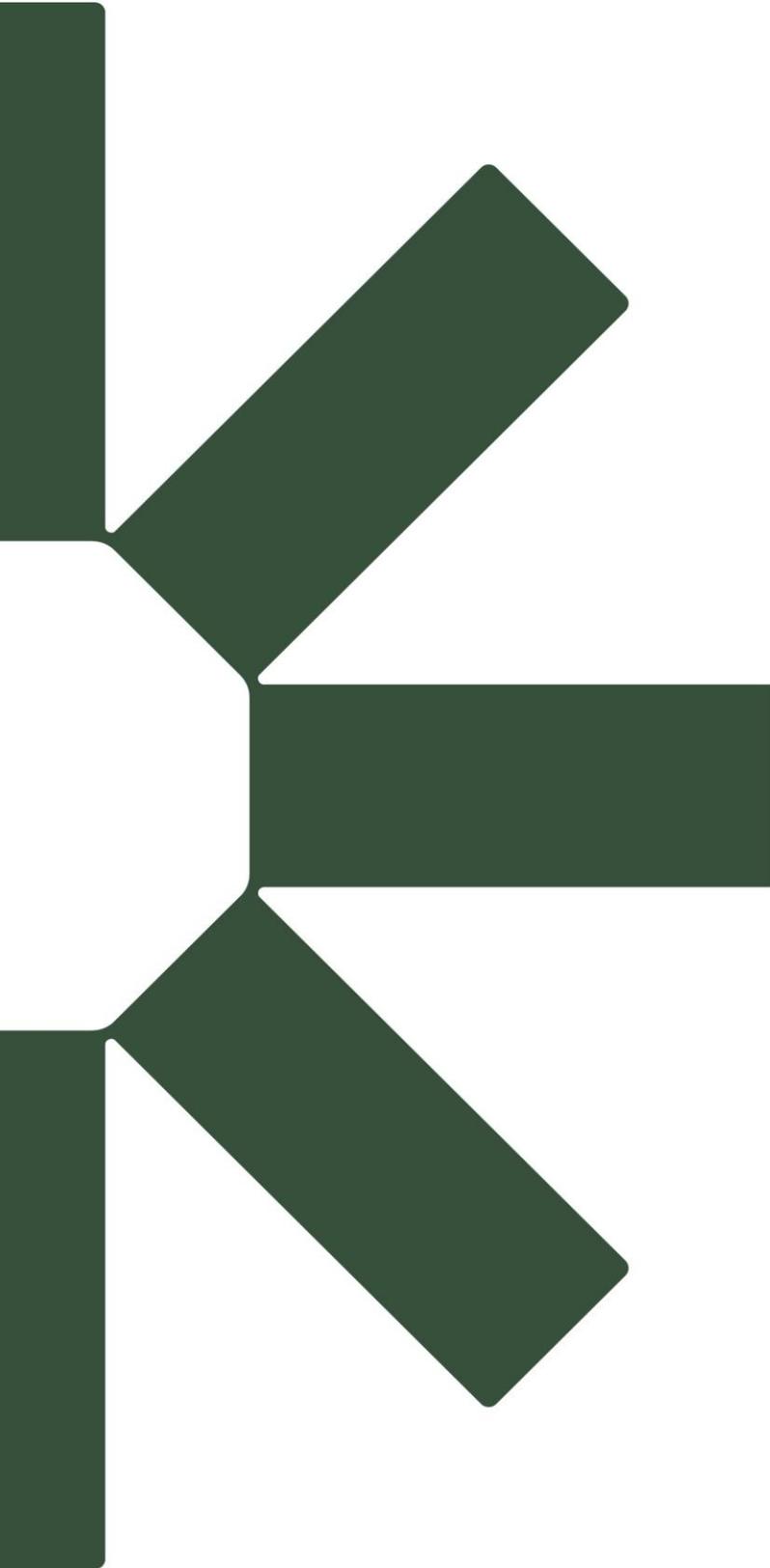
**Figure A-1 reproduced from the Government’s Green Belt/grey belt guidance (February 2025)**

The Government’s February 2025 Green Belt guidance also states that a grey belt assessment should also consider “*the extent to which release or development of Green Belt*



*land (including but not limited to grey belt land) would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area as a whole". The guidance clarifies this statement further by noting that in making this judgement it is necessary to 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".*





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