

Town & Country Planning Act 1990 S78

LANDSCAPE & GREEN BELT PROOF OF EVIDENCE

of

John-Paul Friend

HND (LGD) BA Hons PGDip LA CMLI

on

Landscape & Green Belt Matters

on behalf of

Sigma Homes

in respect of

Mount Avenue, Chaldon

PINS: 6006497

LPA Ref: 2025/771

LVIA Ltd Ref: SIG1594lproof

Date: July 2026



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Landscape & Green Belt Proof of Evidence	
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1.0 Introduction

Witness

- 1.1.1 I am John-Paul Friend. I am the Director of LVIA Ltd and I specialise in landscape and visual and Green Belt planning issues associated with development and change.
- 1.1.2 I have provided evidence for planning appeals by inquiry, written representations and hearing for over nine years.

Qualifications

- 1.1.3 I hold a BA (Hons) degree in Landscape Architecture and Post Graduate Diploma in Landscape Architecture from the University of Gloucestershire. I am a chartered member of the Landscape Institute.

Professional Practice

- 1.1.4 I am the Director of LVIA Ltd and I have been practising landscape architecture for 19 years, all in private practice as a Landscape Architect.
- 1.1.5 I am an associate lecturer at the University of Gloucestershire and University of the West of England, where I teach undergraduate and postgraduate landscape architecture and planning students. I am a member of the Landscape Institute's Advisory Council and am a member of the GLVIA Panel.
- 1.1.6 I have an active involvement in schemes across the United Kingdom. The range of projects in which I have been involved include residential, agricultural, defence, highways and energy. I am also involved in the production of environmental impact assessments, environmental statements, Green Belt analysis and general landscape design. During my professional career I have carried out a substantial number of Landscape and Visual Impact Assessments, Townscape Assessments, Landscape Appraisals, Green Belt Analysis and Character Assessments on a wide variety of sites and areas.
- 1.1.7 LVIA Ltd carries out impact assessments, masterplanning, landscape evaluations and detailed landscape proposals for a wide variety of clients. I liaise with local authority officers in many local planning authorities (London boroughs, district and borough Councils) across Britain; and a high proportion of my practice's activity is solely on site evaluation and landscape design.
- 1.1.8 I know well the Application Site and its surroundings, having reviewed all relevant background information and undertaken field surveys.

Declaration of Truth

- 1.1.9 I declare that the evidence which I have prepared and provide for this appeal is true. It has been prepared and is given in accordance with the guidance of the Landscape Institute and I confirm that the opinions expressed are my true and professional opinions.
- 1.1.10 The scope of my Statement is to deal with the landscape and visual impact and Green Belt issues associated with the site.

Project Involvement

1.1.11 LVIA Ltd were appointed to prepare a landscape and visual impact assessment, Green Belt Analysis, Landscape Concept Plan and LEMP in respect of the proposed development located at Mount Avenue, Chaldon.

1.1.12 The Statement of Common Ground demonstrates that, following the incorporation of the agreed mitigation measures, the Council identifies no substantive residual landscape or landscape-character harm. Both parties recognise that the proposed scheme, once mitigated, would not give rise to adverse landscape effects. Accordingly, there is no outstanding dispute between the appellant and the authority in respect of landscape character or landscape impact and can proceed on the basis that these matters are agreed and not contested.

1.1.13 I am instructed by Sigma Homes to provide landscape and Green Belt evidence in support of the appeal Land at Mount Avenue, Chaldon. My evidence addresses:

- Green Belt purposes and openness
- The correct application of NPPF (2024) Paragraphs 155–157
- The LPA’s Statement of Case and its landscape/Green Belt reasoning
- The relevance and weight of the withdrawn Local Plan evidence (GBA010 parcel)
- The LVIA findings and their implications for the appeal

1.1.14 My evidence is confined to Green Belt matters. I do not address planning matters except where relevant to landscape reasoning.

1.1.15 The Appeal follows the failure of Tandridge District Council (the Council) to determine the planning application. Following the Appeal submission, the Council resolved that it would have refused planning permission for the Appeal Scheme for two reasons.

1.1.16 The Council’s Statement of Case lists the first of these as follows:

“The proposal represents inappropriate development in the Green Belt that would result in significant harm to openness both spatially and visually. The proposal would not comply with the requirements of paragraphs 143, 154 and 156 of the NPPF 2024. The site has also been considered against para 155, however the proposal would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It would fail to check the sprawl of the large built-up area and would fail to safeguard the open countryside from encroachment. Very special circumstances do not exist to override the very substantial weight that must be afforded to the harm to the Green Belt, character of the area and less than substantial harm to a heritage asset. Accordingly, no very special circumstances exist, either individually or cumulatively, to clearly outweigh the harm by reasons of inappropriateness and other identified harm. As such, the proposal is contrary to the provisions of Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies and the provisions of the National Planning Policy Framework (2024) as a whole”.

1.1.17 This document responds only to the first of these two RfR where it relates specifically to Green Belt matters. The council did not provide a RfR that relates to landscape or visual effects and do not question to the methodology or outcomes of the LVIA. It is therefore considered that the outcomes of the LVIA are agreed.

2.0 Response to the LPA's Statement of Case (SoC)

- 2.1.1 This chapter addresses the landscape and visual considerations relevant to the appeal, focusing specifically on those aspects that inform the Green Belt judgement—namely, the way the site is experienced, its degree of enclosure, and the implications for openness. The purpose of this chapter is not to rehearse the full documents, but to set out the evidence that is directly material to the Green Belt assessment and to respond to the landscape assertions made by the Local Planning Authority (LPA) in its SoC.

Tandridge District Council Green Belt Policy Framework

- 2.1.2 The appeal site lies within the Metropolitan Green Belt. Tandridge District Council (TDC) relies on the Green Belt policies contained within the Tandridge Local Plan Part 2: Detailed Policies (2014), notably Policies DP10 (Green Belt) and DP13 (Design and Amenity). These policies were drafted to reflect the National Planning Policy Framework (NPPF) as it stood at that time. Since then, national policy has evolved significantly. The December 2023 NPPF, updated in February 2025, introduced new concepts and clarified the interpretation of Green Belt purposes, openness, and the circumstances in which development may be regarded as not inappropriate. The updated Planning Practice Guidance (PPG) provides further detail, including criteria for assessing the contribution of land to each Green Belt purpose.
- 2.1.3 These national updates supersede elements of TDC's older policy framework. The Local Plan Part 2 predates the Green Belt concept and does not distinguish between strongly and weakly performing Green Belt parcels. The withdrawn emerging Local Plan, which contained a Green Belt Review, is no longer part of the development plan, but its methodology remains informative. As a result, while DP10 and DP13 remain operative, the current NPPF and PPG provide the primary policy tests for assessing the site's performance against Green Belt purposes and openness.
- 2.1.4 The site forms a small, enclosed settlement-fringe pocket defined by residential curtilages to the north, east and west, and by Birchwood Lane and associated vegetation to the south. This physical containment is central to understanding how the land is perceived and the extent to which it contributes to the openness of the Green Belt. The Supreme Court's judgment in *Samuel Smith*¹ confirms that openness must be assessed in terms of how land is experienced, not simply whether it is undeveloped. In this case, the site is not perceived as part of a wider open countryside; its visual envelope is tightly constrained, and any change would be localised and limited.
- 2.1.5 The undisputed landscape evidence demonstrates that the site does not play a meaningful role in expressing openness at a wider scale, nor does it form part of a landscape that contributes to the separation of settlements or the prevention of sprawl. These characteristics directly support the conclusions of the Green Belt Analysis, which identifies the site as a weakly

¹ *R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council* [2020] UKSC 3. Judgment of the Supreme Court delivered on 5 February 2020. The case concerned the correct interpretation of "openness" within Green Belt policy under paragraph 90 of the National Planning Policy Framework. The Court held that openness is a concept with both **spatial** and **visual** dimensions, and that assessing openness is "a matter of planning judgement, not a narrow visual test". Lord Carnwath confirmed that "the visual impact may be relevant, but is not the sole criterion", and that openness should be considered in its **planning context**, including the nature, scale, and duration of development.

functioning part of the Green Belt with no contribution to Purposes (a), (b) or (d), and only a limited, contained relationship with Purpose (c).

- 2.1.6 This chapter therefore provides the landscape context necessary to understand why the site qualifies as Grey Belt under the NPPF definition, and why the LPA's landscape assertions—particularly its claim of a “strong” Purpose (a) contribution—are not supported by the physical reality of the site or by any site-specific evidence.
- 2.1.7 The NPPF glossary defines Grey Belt² as land within the Green Belt that does not strongly contribute to Purposes (a), (b) or (d), and is not subject to any footnote 7 constraints that would otherwise provide a strong reason for refusal. The site at Mount Avenue meets this definition. It is physically enclosed by residential curtilages and Birchwood Lane, does not extend the settlement edge, falls within Chaldon; a village, and does not form part of any gap between towns or the setting of a historic settlement. As a result, it does not perform any meaningful role in checking sprawl, preventing settlement coalescence, or preserving historic setting.
- 2.1.8 the NPPF also clarifies that development on Grey Belt land is not inappropriate where the criteria in paragraph 155a³ are met. As per paragraph 5.2 of the Statement of Common Ground, the only dispute on Green Belt purposes relates to Purpose A. In this case, the site's enclosed nature, limited visibility, and weak functional relationship with the wider Green Belt mean that its development would not fundamentally undermine the purposes of the remaining Green Belt across the plan area. Any spatial or visual change would be confined to the site itself, with no wider implications for Green Belt integrity. Points of relevance to paragraph 155b and 155c are covered elsewhere within submissions.
- 2.1.9 The policy therefore reinforces the conclusion that the site is correctly categorised as Grey Belt and capable of accommodating development without conflict with national Green Belt policy.

² 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 **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:

2.1 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;

3.0 Conclusion of Green Belt Purposes Assessment

Introduction

- 3.1.1 This chapter provides my assessment of the appeal site in relation to Green Belt policy. It follows the structure of the National Planning Policy Framework (NPPF, December 2024, as amended February 2025) and the updated National Planning Practice Guidance (NPPG, February 2025). It draws directly on the site specific Green Belt analysis prepared for Land at Mount Avenue, Chaldon (SIG1594gba).
- 3.1.2 The Council raises purpose 'a' and purpose 'c' of the five aims of Green Belt, with the other aims agreed as not offended.
- 3.1.3 This chapter addresses:
- Whether the site constitutes grey belt under Annex 2 of the NPPF.
 - The site's performance against Green Belt purposes (a), (b), (c), (d) and (e).
 - Whether development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area, as required by NPPF paragraph 155(a).
 - The effect of the development on Green Belt openness, considering both spatial and visual aspects.
 - The relevance of recent NPPF revisions and the emerging policy direction.

Policy Context and Grey Belt Definition

- 3.1.4 The NPPF glossary defines 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.

- 3.1.5 The SIG1594gba analysis confirms that the site makes no contribution to purposes (a), (b) and (d), and only a weak contribution to purpose (c). Chaldon is a village, not a large built up area, which further reduces the relevance of purposes (a), (b) and (d).
- 3.1.6 On this basis, the site satisfies the first limb of the grey belt definition.

Assessment Against Green Belt Purposes

- 3.1.7 The five aims of the Green Belt provided within paragraph 143 of the NPPF are defined as:

- (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.

3.1.8 The following analysis is taken from the GBA and reproduced here for clarity. It details the Site's performance against the purposes of Green Belt.

3.1.9 **Purpose (a):** To check the unrestricted sprawl of large built up areas

3.1.10 The PPG provides guidance on how to consider whether a site contributes to Green Belt purposes. For purpose a it states:

Villages should not be considered large built up areas.

3.1.11 It goes on to detail features that illustrate a site's contribution to purpose a. the features that represent a 'Strong' contribution are set out as follows:

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)*

3.1.12 The site currently sits directly adjacent to existing residential development to the west, north and east and by Birchwood Lane to the south, meaning the site is strongly constrained by physical features. The development of the site would not result in a 'finger' of development as the existing development fringe of the surrounding village extends further into the countryside than the site's southern boundary. Therefore, the site would not fall within this 'Strong' category of contribution.

3.1.13 The PPG goes on to provide illustrative features that detail a moderate contribution as follows:

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*

3.1.14 As previously noted, due to the site's strong physical constraint by existing residential development and road, the site sits in a 'pocket' of built form meaning that development would not result in an incongruous pattern of development due to the proposals sitting within the existing village settlement. The site is more than partially enclosed as physical features constrain it on all sides. Therefore, the site would not fall within this 'Moderate' category of contribution.

3.1.15 The PPG finally provide illustrative features that detail a weak or none contribution as follows:

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

3.1.16 The site is physically enclosed by the existing built extents of Chaldon village meaning that it will fall to the lowest end of the contribution.

3.1.17 The SIG1594gba (CD 1.7) analysis states:

- The site sits within a 'pocket' formed by woodland, residential curtilage and Birchwood Lane.
- Existing development extends further into the landscape than the site itself.
- Development would not extend the settlement boundary or project into open countryside.

3.1.18 When both the guidance from the PPG and also the analysis provided within CD 1.7 are considered, the site has no function in relation to Purpose (a). As stated, this is the only purpose that the Council find disagreement with.

3.1.19 **Purpose (b):** To prevent neighbouring towns merging into one another

3.1.20 The site is enclosed by existing development, roads and woodland and located within the village of Chaldon. The Site is not positioned within any gap between towns.

3.1.21 This means development would not reduce separation between settlements and therefore contribution to Purpose (b) is none. The Council agrees with this conclusion.

3.1.22 **Purpose (c):** To assist in safeguarding the countryside from encroachment

3.1.23 The SIG1594gba analysis identifies:

- The site is already surrounded on three sides by residential development and on the fourth by Birchwood Lane and dense vegetation.
- It forms part of a settlement fringe pocket, not open countryside.
- Any encroachment would be limited and contained.

3.1.24 Contribution to Purpose (c) is therefore weak.

3.1.25 **Purpose (d):** To preserve the setting and special character of historic towns

3.1.26 Chaldon is not a historic town, and:

- There is no intervisibility with Caterham's historic core.
- No listed buildings or heritage assets rely on the site for setting.

3.1.27 Contribution to Purpose (d) is none. The Council agrees.

3.1.28 **Purpose (e):** To assist in urban regeneration

3.1.29 The SIG1594gba analysis notes that:

- The site is equestrian land adjacent to existing residential development.
- In a district where 94% of land is Green Belt, most housing sites will inevitably be Green Belt.

3.1.30 Purpose (e) is therefore not determinative.

3.1.31 Contribution to Purpose (e) is none. Again, the Council agrees.

3.1.32 As the SIG1594gba analysis states: “The site represents a very low functioning part of the Green Belt which does not contribute towards the main functions of keeping land permanently open.”

4.0 Green Belt Openness

- 4.1.1 The PPG states that the concept of openness in the Green Belt has spatial, visual, and experiential dimensions. The PPG advises that, when assessing the impact of development on openness, decision-makers may need to consider the scale, form and permanence of development, the degree of visual change, and the degree of activity likely to be generated, such as traffic generation. These components form the published national methodology for evaluating openness and are addressed below in relation to the appeal site.

Visual Openness

- 4.1.2 Visual openness concerns the extent to which development would be perceived from public vantage points and whether it would alter the visual experience of openness within the Green Belt. The PPG requires consideration of the visibility of change, the geographic extent of receptors, and the degree to which the site contributes to wider visual openness.
- 4.1.3 The SIG1594gba analysis (CD 1.7) identifies that the site is already visually enclosed by vegetation, built form and landform, and that “the geographic extent... from where visual change will be discernible will be very limited.” No long-range views are available, and the land is not perceived as part of an open rural landscape. Any visual change arising from development would therefore be localised and limited to the immediate surroundings. The site does not contribute to wider visual openness, and development would not alter the perception or continuity of the Green Belt at a broader scale.
- 4.1.4 This enclosed landscape is detailed within the accompanying LVIA (CD 1.8) which is not contested by the Council.

Spatial Openness

- 4.1.5 Spatial openness relates to the physical absence of built form and the extent to which development would introduce volume, massing or permanent structures into the Green Belt. The PPG approach requires consideration of whether spatial change would be localised, contained, or experienced across a wider Green Belt extent.
- 4.1.6 At Mount Avenue, spatial change would be confined entirely within a small, enclosed parcel defined by permanent, defensible boundaries formed by residential curtilages to the north, east and west, and Birchwood Lane and associated vegetation to the south. The SIG1594gba analysis (CD 1.7) confirms that “spatial change... would be restricted to the site only” and would not extend the settlement edge or project into open countryside. As a result, the spatial effects of development would be limited, contained, and incapable of influencing the spatial openness of the wider Green Belt.

Activity

- 4.1.7 The PPG confirms that openness also has an experiential dimension, and that the degree of activity generated by development may be relevant to assessing openness. It states that decision-makers may need to consider “the degree of activity likely to be generated, such as traffic generation” when judging whether development would harm openness. This requires an assessment of whether additional activity would be noticeable, perceptible at distance, or materially alter the experience of openness.
- 4.1.8 The SIG1594gba (CD 1.7) analysis concludes that any additional residential activity would be absorbed within a settlement-fringe environment and “would not become discernibly busier.”

The baseline context includes residential movement, local traffic, and human presence associated with nearby dwellings and Birchwood Lane. As a result, the experiential dimension of openness would not be materially altered, and the development would not give rise to any perceptible change in Green Belt activity beyond the site itself.

- 4.1.9 Effects on openness are localised and not experienced at distance. The development would not fundamentally affect the overall Green Belt. This satisfies NPPF 155(a).

Conclusion

- 4.1.10 The updated Planning Practice Guidance (February 2025) clarifies that Green Belt purposes (a), (b) and (d) relate specifically to large built-up areas and towns, not villages. Chaldon is a village, and therefore these purposes are not engaged in this location. Purpose (a) concerns the sprawl of large built-up areas; Purpose (b) concerns the merging of towns; and Purpose (d) concerns the setting of historic towns. None of these circumstances apply to Chaldon. As a result, the site's contribution to these three purposes is none.
- 4.1.11 The site is a Weak/None functioning part of the Green Belt. It does not contribute to preventing sprawl, merging or the setting of historic towns. Encroachment effects are limited and contained. Visual and spatial openness effects are localised and not significant.
- 4.1.12 The site qualifies as Grey Belt under the NPPF definition.
- 4.1.13 Development would not fundamentally undermine the purposes of the remaining Green Belt across the plan area.
- 4.1.14 The site is therefore a suitable candidate for development within the Green Belt under the revised NPPF framework.

5.0 Should the Site be Classified as Grey Belt

- 5.1.1 The initial stage of the assessment is to establish whether the site makes a strong contribution to any of the Green Belt purposes (a), (b) or (d) identified in paragraph 143.
- 5.1.2 The submitted Green Belt Analysis document (SIG1594gba) provided detail regarding the role of land within the Green Belt.
- 5.1.3 The updated Planning Practice Guidance (PPG) provides clear direction on how land should be defined and assessed within Green Belt analysis. It states that using a small number of large assessment areas is rarely appropriate, and that assessment units should be “sufficiently granular” to allow a meaningful evaluation of how different parts of the Green Belt contribute to its purposes.
- 5.1.4 The Tandridge Green Belt Assessment was prepared prior to this guidance and adopts a broad parcel-based approach. It is not a granular assessment and does not identify Grey Belt land. As a result, it offers only limited assistance in the current evaluation of the site, particularly in the context of the Grey Belt definition and the requirement for site-specific analysis now set out in national policy.
- 5.1.5 The assessment of the site against the five Green Belt purposes demonstrates that it performs as a weakly functioning part of the Green Belt. As Chaldon is a village this disengages purposes A, B and D.
- 5.1.6 Table 2: Level of contribution to Green Belt Purposes from the Green Belt Analysis (GBA) document is reproduced below to show the

Table 2: Level of Contribution to Green Belt Purposes

The Site	Assessment of GB Purposes					
	P(a)	P(b)	P(c)	P(d)	P(e)	Overall Rating
Findings of this report	None	None	Weak	None	None	Weak/ None Function

- 5.1.7 The site does not contribute to the fundamental aim of preventing urban sprawl because it is already contained by permanent physical features and does not project into open countryside.
- 5.1.8 It plays no role in preventing neighbouring towns from merging, as it does not form part of any strategic gap.
- 5.1.9 It does not preserve the setting or special character of a historic town, as the village of Chaldon is not a historic settlement for the purposes of the NPPF and there is no intervisibility with heritage assets.
- 5.1.10 Its relationship with safeguarding the countryside from encroachment is limited, as the site is already experienced as part of the settlement fringe rather than open rural landscape.
- 5.1.11 Purpose (e), relating to urban regeneration, is not determinative in a district where over 93% of land is Green Belt and where any meaningful housing delivery will necessarily involve Green Belt sites.
- 5.1.12 Taken together, these findings confirm that the site does not fulfil the core functions of the Green Belt and that its development would not undermine the wider Green Belt’s strategic role.

- 5.1.13 The site is strongly enclosed, visually contained, and perceived only from a very limited geographic extent. It therefore represents a weak or non-functioning part of the Green Belt when assessed against the NPPF purposes.

6.0 Buckinghamshire appeal decision (APP/X0415/W/25/3360406)

- 6.1.1 The Council's reliance on the Buckinghamshire appeal decision (APP/X0415/W/25/3360406) is misplaced. This decision concerned a site which, although categorised as Grey Belt, was found to conflict with Green Belt Purpose (c) because it comprised an open, rural tract of countryside whose undeveloped character made a positive contribution to openness. The Inspector's reasoning in that case was rooted in the specific physical qualities of the land: it was devoid of built form, visually expansive, and experienced as part of a wider rural landscape. The Inspector emphasised that the site's openness and tranquillity were characteristic of countryside, and that development would represent a clear encroachment into that rural environment. Those findings were determinative because the site functioned as countryside both spatially and perceptually.
- 6.1.2 The appeal site at Mount Avenue bears no resemblance to the Buckinghamshire site. It is not open countryside, nor does it possess the rural qualities that informed the Inspector's conclusion in that case. Instead, it is a small, enclosed settlement-fringe pocket defined by residential curtilages on three sides and by Birchwood Lane and associated vegetation on the fourth. The land is already influenced by built form, domestic boundaries, and localised human activity. It is not perceived as part of a wider rural landscape, nor does it contribute to any sense of expansive openness. Visibility into the site is extremely limited, and its physical containment means that it does not play any meaningful role in safeguarding countryside from encroachment at a strategic level.
- 6.1.3 The Inspector in Buckinghamshire found that development would fundamentally undermine the remaining Green Belt because the site's rural openness was integral to the wider Green Belt's function. No such circumstances arise here. Development at Mount Avenue would be confined within an already enclosed parcel and would not alter the perception, function, or continuity of the wider Green Belt. The site does not contribute to the openness of the countryside, does not form part of any rural gap, and does not express the characteristics that led the Inspector in Buckinghamshire to conclude that Purpose (c) was engaged.
- 6.1.4 Accordingly, the Buckinghamshire decision is not comparable. Its reasoning is dependent on landscape qualities that are wholly absent at Mount Avenue. The Council's attempt to transpose that conclusion onto a settlement-edge pocket with no meaningful countryside role unsupported by evidence.

7.0 NPPG Green Belt Methodology

- 7.1.1 The NPPG (2025) requires Purpose (a) assessment to consider containment, defensible boundaries, proximity of physical features restricting development and whether development would create an incongruous “finger” of sprawl. As stated above, as the site falls within Chaldon, a village, Purpose A is not engaged.
- 7.1.2 The LPA does not apply these criteria. Instead, it asserts a “strong” Purpose (a) contribution because the land is currently undeveloped. This is not the test.
- 7.1.3 The site is enclosed on three sides by residential development and bounded by Birchwood Lane and vegetation on the fourth. It does not project into open countryside and does not form a “finger” of development. In fact the site is not extending the settlement edge beyond existing built form in any direction.
- 7.1.4 The Green Belt Analysis concludes:
- “The site will not physically extend further into the countryside... the site has no function when assessed against Purpose (a).” (SIG1594gba, p.9)*
- 7.1.5 The LPA provides no evidence to contradict this.
- 7.1.6 The LPA relies on parcel GBA010 from the Green Belt Assessment that formed part of the evidence base for the withdrawn Local Plan. This parcel covers a very large area including the golf course and open countryside rather than just the site. The wider parcel bears no resemblance to the small, enclosed pocket which forms the application site.
- 7.1.7 The withdrawn Green Belt Analysis on which the Council rely was never tested at examination and predates the revised NPPF and NPPG methodology that relate to the Green Belt concept.
- 7.1.8 Even if the document were relevant, parcel scale conclusions cannot be transposed onto a site specific assessment. However, the LPA has not undertaken any site specific analysis.
- 7.1.9 The Supreme Court in the Samuel Smith decision requires openness to be assessed in terms of how the land is experienced, not simply whether it is undeveloped.

Conclusion

- 7.1.10 The site’s physical characteristics, visual containment, and settlement-edge context mean that it does not contribute significantly to the openness or strategic purposes of the Green Belt. Development of the site would be experienced only from its immediate surroundings and would not affect the wider perception, function, or continuity of the Green Belt.
- 7.1.11 The site’s boundaries; formed by existing residential development and Birchwood Lane —are permanent, defensible, and already define a clear edge to the settlement. As a result, the site does not assist in preventing sprawl, does not form part of any gap between settlements, and does not relate to the setting of a historic town.
- 7.1.12 Its enclosed nature means that any spatial change would be localised, and any visual change would be limited and incapable of influencing the wider Green Belt.
- 7.1.13 These characteristics align directly with the NPPF definition of Green Belt, confirming that the site is suitable for development without undermining the Green Belt’s strategic purposes.

Overall, the site performs as a weak or non-functioning part of the Green Belt, and its development would not conflict with national policy when assessed against paragraph 155.

8.0 Conclusion

- 8.1.1 The landscape and Green Belt evidence before the Inquiry is agreed other than the level of effect on purpose A of the five purposes. The appeal site is a small, visually enclosed settlement-fringe parcel whose physical characteristics, perceptual qualities and functional role within the wider Green Belt are very limited, contained, and strongly influenced by the surrounding built form. The site is defined by permanent, defensible boundaries formed by residential curtilages to the north, east and west, and by Birchwood Lane and associated vegetation to the south. These features already establish a clear and enduring settlement edge. As a result, the land is not experienced as part of an open rural landscape, nor does it contribute to any wider sense of countryside openness.
- 8.1.2 The Green Belt Analysis (SIG1594gba) demonstrates that the site performs as a Weak/None functioning part of the Green Belt. It makes no contribution to Purpose (a) (checking the unrestricted sprawl of large built-up areas), no contribution to Purpose (b) (preventing neighbouring towns from merging), no contribution to Purpose (d) (preserving the setting of historic towns), and only a weak, highly contained relationship with Purpose (c) (safeguarding the countryside from encroachment). Purpose (e) is not determinative in a district where 93.9% of land is designated Green Belt and where any meaningful housing delivery will necessarily involve Green Belt sites.
- 8.1.3 The updated Planning Practice Guidance (February 2025) confirms that Purposes (a), (b) and (d) relate specifically to large built-up areas and towns, not villages. Chaldon is a village. These purposes are therefore not engaged at this location. The LPA's assertion of a "strong" Purpose (a) contribution is not supported by any site-specific evidence and does not apply the NPPG criteria relating to containment, defensible boundaries, or the avoidance of incongruous "fingers" of development. The site does not extend the settlement edge beyond existing built form in any direction and does not project into open countryside.
- 8.1.4 The Council's reliance on parcel GBA010 from the withdrawn Local Plan evidence base is misplaced. That parcel covers a materially different landscape including open countryside and the golf course. It bears no resemblance to the small, enclosed pocket that forms the application site. The withdrawn parcel-based methodology predates the revised NPPF and NPPG and does not identify Grey Belt land. It cannot be transposed onto a site-specific assessment.
- 8.1.5 The Buckinghamshire appeal decision (APP/X0415/W/25/3360406) cited by the LPA is not comparable. That case concerned an open, rural tract of countryside whose expansive character and tranquillity were integral to wider Green Belt openness. The Inspector's reasoning was rooted in the site's rural qualities, its contribution to countryside character, and its perceptual openness. None of those qualities exist at Mount Avenue. The appeal site is not open countryside; it is a settlement-edge pocket already influenced by built form, domestic boundaries, and localised human activity. It does not contribute to any strategic gap, does not express rural openness, and is not perceived as part of a wider rural landscape.
- 8.1.6 The Supreme Court's judgment in *Samuel Smith* confirms that openness must be assessed in terms of how land is experienced, not simply whether it is undeveloped. The appeal site is not experienced as open countryside. Its visual envelope is tightly constrained, visibility into the site is extremely limited, and any change arising from development would be confined to a very small geographic extent. Outside this immediate area, the development would not be perceptible. The LVIA findings—unchallenged by the Council—confirm that the magnitude of residual landscape and visual effects are not substantial.

- 8.1.7 The site meets the NPPF definition of Grey Belt. It does not strongly contribute to Purposes (a), (b) or (d), is not subject to any footnote 7 constraints, and is physically enclosed by permanent features. Paragraph 155(a) is satisfied: development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area. Any spatial or visual change would be confined to the site itself, with no wider implications for Green Belt integrity. Points relating to paragraphs 155(b) and 155(c) are addressed elsewhere in the appeal submissions.
- 8.1.8 The Council did not provide any landscape-based reason for refusal, nor did it challenge the methodology or outcomes of the LVIA. Its assertions within the SoC are not substantiated and do not withstand scrutiny when assessed against national policy, the NPPG methodology, or the site-specific evidence.
- 8.1.9 Overall, the landscape and Green Belt evidence demonstrates that:
- The site is a weak or non-functioning part of the Green Belt.
 - It is correctly categorised as Grey Belt under the NPPF definition.
 - Development would not undermine the strategic purposes of the wider Green Belt.
 - Openness effects are localised, limited, and not significant.
 - The proposal can be integrated within the existing settlement-edge context without material landscape or visual harm.
 - The Council's Green Belt reasoning is unsupported by evidence and does not align with national policy.
- 8.1.10 In landscape and Green Belt terms, there is no basis for dismissal of the appeal.

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