



Methodology for Defining Settlement Boundaries

Fenland Local Plan

May 2022

1. Introduction

- 1.1. This report provides justification for re-introducing settlement boundaries in Fenland and explains the criteria which will be used to determine the location of boundaries.
- 1.2. Settlement Boundaries are a commonly used planning 'tool' which define the extent of the built area of settlements and the countryside.
- 1.3. Alternative names for settlement boundaries include 'development boundaries', 'development envelopes', 'settlement limits', 'village envelopes', etc.
- 1.4. Whilst the name may vary in different areas, the principle is much the same – within settlement boundaries, development is normally acceptable. Outside of Settlement Boundaries (i.e. in the countryside), opportunities for development are typically more limited.
- 1.5. Settlement boundaries provide clarity and certainty about the locations where new development can and will take place. Settlement boundaries play an important role in delivering sustainable development by directing new development to sustainable locations, limiting sprawl, preventing coalescence between settlements and protecting landscape character and important natural and built features and assets within that landscape.
- 1.6. At present, there are no settlement boundaries in Fenland District. It is an aspiration of the Council to define new settlement boundaries through the new Local Plan.
- 1.7. For the avoidance of doubt, this topic paper does not discuss how Settlement Boundaries should be applied in practice - for example, the types and amount of development will be acceptable inside or outside of Settlement Boundaries. This will be addressed through the emerging Local Plan's draft policies and other evidence base documents.

2. National Planning Policy Context

- 2.1. The National Planning Policy Framework (NPPF) (July 2021) sets the government's planning policies for England. The NPPF does not directly discuss the merits of applying settlement boundaries. However, the NPPF provides a number of policies relevant to setting settlement boundaries.
- 2.2. The NPPF's para. 15 states that the planning system should be *genuinely plan-led*. Para. 16(d) indicates that plans should contain policies that *are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*. Defining Settlement Boundaries through the Local Plan provides clarity around which locations are suitable for development.
- 2.3. However the NPPF's 'presumption in favour of sustainable development' (para. 11a) advocates flexibility in the plan-making process to *positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change*. The amount of flexibility which should be applied to settlement boundaries is a matter to be determined through the plan-making process.
- 2.4. Para. 20 requires Local Plans to make sufficient provision for the areas housing needs, looking ahead over a minimum 15 year period (para. 22). Therefore, new settlement boundaries must include sufficient supply of housing land to meet housing needs for the next 15 years or further.
- 2.5. Para. 68 requires planning policies to identify a supply of specific, deliverable sites for years one to five of the plan period and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. The use of settlement boundaries can support this by including those areas which are expected to deliver housing development over the plan period.
- 2.6. Para 69 recognises the important contribution small and medium sized sites can make to housing supply, and supports the development of windfall sites through planning policies. By defining settlement boundaries, the Local Plan will enable the development of small windfall sites, which might otherwise not have been considered as site allocations by virtue of their size. For medium sized sites, where these were not known about at the plan-making stage, where located in a settlement boundary, the development of the site would likely be acceptable in principle.
- 2.7. Para. 78 requires local planning authorities to support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs. Para. 72 discusses the merits of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home). Settlement boundaries are likely to support the delivery of such 'exception' developments. Where a site is unsuitable for market development by virtue of being outside a settlement boundary, this increases the likelihood of the site being developed as an affordable housing or entry-level exception site.
- 2.8. To promote sustainable development in rural areas, para. 79 requires housing to be located where it will enhance or maintain the vitality of rural communities. Settlement boundaries direct development to locations within settlements.
- 2.9. Para. 80 requires policies to avoid the development of isolated homes in the countryside. Settlement boundaries support this by limiting development in the countryside.

- 2.10. However, para. 85 recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements. The emerging Local Plan will need to address such exceptions through its policies.
- 2.11. It is important to recognise that the countryside is not simply undeveloped land, but is of value and fulfils many functions in its current use. For example, as set out in para. 120 (b), for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. This is a particularly important issue in Fenland, a high quality, productive and nationally important area for food production; and an area with extensive flood risk.
- 2.12. Para. 174 requires planning policies to contribute to and enhance the natural environment, including protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside; and recognising the wider benefits from natural capital and ecosystem services.
- 2.13. Settlement boundaries direct development to settlements, thereby protecting the countryside from development.

3. Fenland Context

- 3.1. The former 1993 Fenland Local Plan included settlement boundaries. However, the current adopted Local Plan 2014 abandoned settlement boundaries in favour of a criteria-based approach.
- 3.2. It was anticipated the criteria-based approach would enable each proposal to be assessed on its own merits, thereby boosting the delivery of new development.
- 3.3. Through engagement with the development industry, the Council understands the current approach (no settlement boundaries) has been unpopular with agents and developers as there is less clarity about which sites will in principle be acceptable for development, and which will not.
- 3.4. Furthermore, the Council understands the current approach has been unpopular with communities as the Local Plan does not provide clarity about where new development will take place. The criteria-based approach means new development can take place in locations not explicitly shown on the Policies Map.
- 3.5. The Council consulted on its intention to re-introduce settlement boundaries through the [Issues and Options consultation](#).
- 3.6. Responses to [Question 4](#) of the consultation confirmed that:
- 3.7. There was significant support for the re-introduction of Settlement Boundaries (77%) from both local residents and the development industry. The main justification was that the current policy is too subjective and result in inconsistent decision making and settlement boundaries will provide more clarity and certainty for landowners, developers, local communities and the Council.
- 3.8. Question 4b asked if a policy should be strictly applied or if there should be flexibility. Just over half of respondents supported a more flexible approach. But any policy must include clear criteria so that there is certainty.
- 3.9. Several respondents highlighted the need for the Council to work closely with Parish and Town Councils to establish any settlement boundaries.
- 3.10. Therefore, the decision was made to include Settlement Boundaries in the emerging Local Plan.

4. Purpose of Fenland's Settlement Boundaries

- 4.1. The purpose of the new Settlement Boundaries is to provide greater certainty about the locations where development will normally be acceptable, thereby supporting applicants to make successful applications.
- 4.2. Settlement Boundaries will be defined for every settlement identified by the emerging Local Plan's Settlement Hierarchy, clearly defining the limit between town and country and providing a plan-led approach to housing growth. This approach reflects views received during the Issues & Options consultation.
- 4.3. Locally, Settlement Boundaries are an understood and accepted planning tool for guiding and managing developments, as most or all neighbouring local planning authorities apply Settlement Boundaries through their Local Plans. Settlement Boundaries will help to ensure that future decision-making is consistent.
- 4.4. The location and extent of Settlement Boundaries will be informed by existing built and natural features and the emerging Local Plan's strategy for growth, as described in the criteria in the following section. This will protect the countryside from unnecessary development.
- 4.5. Through its policies, the emerging Local Plan will define the type and amount of development which can take place within and outside of settlement boundaries. The new Settlement Boundaries will enable the development of sites which might otherwise be too small to form a site allocation.
- 4.6. It will be a matter for the policies of the Local Plan to determine the degree of flexibility which may be applied to Settlement Boundaries, i.e. the extent to which these boundaries are 'hard' and cannot be breached by development in any circumstance, or 'soft', allowing some forms of development to take place outside of Settlement Boundaries.
- 4.7. It is not the role of the Settlement Boundary-making process to identify additional development opportunities. The separate Site Assessment Process will assess the development potential of individual site submissions and will inform the selection of sites for inclusion in the emerging Local Plan. **Requests to amend a draft settlement boundary purely for the purposes of 'opening up' land for development are unlikely to be fulfilled.**

5. Criteria for defining Settlement Boundaries

- 5.1. The following criteria will be applied when drawing Settlement Boundaries for those towns and villages in Fenland District identified by the emerging Local Plan's Settlement Hierarchy.
- 5.2. Settlement Boundaries will be assessed on the basis of physical features on the ground, such as buildings, walls, rivers, ditches, roads, field boundaries, property curtilages and so on.
- 5.3. Settlement Boundaries will **include**:
- a) Most existing built development, including the curtilage of buildings where this closely relates to the character of the built form and has enclosing features.
 - b) Brownfield land which is within or adjacent to the built area of the settlement.
 - c) Permanent Park Home sites which are within or adjacent to the built area of the settlement.
 - d) Site allocations for residential development proposed by the emerging Local Plan.
 - e) At the time of defining settlement boundaries, unimplemented planning permissions for residential development.
- 5.4. Settlement Boundaries will **exclude**:
- f) The open countryside.
 - g) Land in use for agriculture, fisheries, horticulture, orchards, plantation, forestry, woodland, mineral extraction or processing of waste.
 - h) Open spaces, sports and recreational facilities, allotments, school playing fields, cemeteries and churchyards, paddocks and equestrian uses located in the countryside or at the edge of the built form of settlements.
 - i) Designated wildlife sites and habitats.
 - j) Development which is physically separate from a settlement. For example, individual dwellings or groups of dwellings.
 - k) Agricultural farmsteads and or buildings which stand on the edge of the built form of settlements.
 - l) Sections of large curtilages of buildings which relate more to the character of the countryside than the built form. For example, extensive garden land.
 - m) Camping and caravanning sites and moorings which serve a primarily temporary and/or holiday purpose.
- 5.5. The effect of applying the above criteria will generally mean that settlement boundaries will be applied tightly around the built form of settlements, whilst providing a sufficient supply of available housing land to meet the district's Local Housing Need requirement over the plan period by including draft site allocations and sites with extant planning permission.
- 5.6. For some settlements, it may be necessary to designate multiple Settlement Boundaries where the settlement consists of distinctly separate built areas.
- 5.7. The above criteria will be used when defining settlement boundaries through the *Local Plan* process. An emerging *Neighbourhood Plan* could apply a different set of criteria to determine the extent and location of its settlement boundary.

6. Economic consequences and viability impacts

- 6.1. The introduction of settlement boundaries will provide greater certainty about the locations where development will normally be acceptable, and where it will normally be unacceptable.
- 6.2. This greater certainty will likely affect land values in some areas. Sites which are within Settlement Boundaries, and therefore acceptable for development *in principle* could potentially experience uplift in value.
- 6.3. The cumulative effects of the emerging Local Plan's policies on development viability will be tested through the *Local Plan Viability Assessment*.

7. Conclusions

- 7.1. To provide greater clarity and certainty regarding the location of new development, the draft Local Plan will seek to introduce new settlement boundaries for all settlements listed in the Settlement Hierarchy. The location and extent of boundaries will be determined by applying the criteria in Section 5.
- 7.2. The proposed settlement boundaries are shown on the draft [Policies Map](#). Any comments on the proposed settlement boundaries should be submitted as part of the draft [Local Plan consultation](#).