MATTER 4
GREEN BELT BOUNDARY ALTERATIONS

Hearing Session: Wed 23 October 2019

WRITTEN STATEMENT
Prepared by:
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On behalf of:
Millwood Designer Homes Ltd

Representor ID No: 1178623

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WBP Ref: 7925
Executive Summary

Millwood Designer Homes Ltd maintain their objections to the soundness of the Local Plan in the context of the Council’s proposed approach to policy TLP03 in relation to the revision of Green Belt boundaries to accommodate the District’s objectively assessed needs, the failure to demonstrate a five year supply of deliverable housing land; and the need to identify additional deliverable housing allocations, including on land at Limpsfield, South Nutfield, Felbridge and Dormansland.

Their objections may be summarised as follows:

- The Plan is **not justified** having regard to the inconsistent approach to reviewing Green Belt boundaries to accommodate the District’s objectively assessed housing needs. Consequently, it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.

- The Plan is **not effective** and will fail to provide a five year supply of deliverable housing land on adoption and deliver the requisite amount of housing during the plan period.

- The Plan is **not consistent with national policy** having regard to the need to ensure revisions to Green Belt boundaries (including whether settlements should be inset from this designation) accords with the obligations on the authority in paragraph 86 of the NPPF.

In order for the Local Plan to provide an appropriate basis for the planning of the District to 2033, and in helping to meet the District’s objectively assessed housing need, Millwood Designer Homes Ltd identify a need to allocate additional sites at sustainable settlements, including the Tier 1 settlement of Limpsfield.

In addition, there is also a need to inset the Tier 3 settlements of South Nutfield, Dormansland and Felbridge from the Green Belt in order to accord with the paragraph 6 of the NPPF; and to provide for additional housing allocations that can help meet the objectively assessed housing need whilst also contributing towards sustainable patterns of growth.

The above changes are necessary in order to satisfy the NPPF tests of soundness.
1. **INTRODUCTION**

**Context and Background**

1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Millwood Homes, addressing the questions for **Matter 4** as set out in the Inspector’s Matters, Issues and Questions regarding the soundness of the Local Plan having regard to the approach to Green Belt boundary alterations to accommodate the District’s development requirements during the plan period to 2033.

1.2. In setting out our position in relation to the Green Belt boundary alterations, we continue to rely upon and refer to the content of our detailed representations submitted in response to the Regulation 19 consultation in September 2018, alongside the other statements submitted to the Examination, either by ourselves (Matter 3) or through those of the Tandridge Housing Forum (of which Millwood Designer Homes Ltd forms part).
2. Responding to the Questions

Question 4.1:

Was the Green Belt Assessment undertaken on the basis of a clear methodology consistent with national planning policy for protecting Green Belts?

2.1. As detailed in the in our September 2018 representations, we do not consider that the Green Belt assessment was undertaken in accordance with National Policy for protecting the Green Belts. Paragraphs 86 is clear:

“If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.”

2.2. Whilst the Council’s assessment of settlements washed over by the Green Belt in their Part 3 Assessment (GB1) (paragraph 2.5) states that the Authority’s approach to reviewing settlements is to adhere to the guidance in paragraph 86, this has not been followed.

2.3. As indicated in paragraph 2.10, the authority has also included the sustainability of the location as part of the assessment process of considering the insetting of a settlement.

2.4. Paragraph 84 of the NPPF requires local authorities to consider the consequences for the promotion of sustainable patterns of development both within and beyond their administrative areas in reviewing Green Belt boundaries.
2.5. As detailed in the representations and the Statements of the Tandridge Housing Forum to other sessions (including in relation to Matter 2), the Plan as submitted does not currently address the areas objectively assessed needs. Furthermore, there is no agreed mechanism with other authorities for the shortfall in objectively assessed needs to be meet elsewhere. Consequently, the failure to meet objectively assessed needs indicates that the plan is not achieving sustainable development as required by paragraph 14 of the NPPF.

2.6. On this basis, the Council must seek to accommodate its objectively assessed needs within its administrative area. This includes planning for growth at Tier 1 settlements such as Limpsfield, as well as planning for sustainable allocations at the Tier 3 settlements including at Dormansland, South Nutfield and Felbridge (whilst also insetting the Tier 3 settlements from the Green Belt).

2.7. These settlements are appropriate locations to accommodate further development within the context the provisions at paragraph 86 of the NPPF.

2.8. In undertaking the assessment, the Authority (see assessment of area AFI 047 – Dormansland as an illustration on page 31 of the 2016 Part 2 Area for Further Assessment document (GB4)) acknowledged that the existing infill boundary of the place does not contribute towards the openness of the Green Belt.

2.9. In this instance, the authority (in accordance with the guidance in paragraph 86 of the NPPF) is obliged to remove the settlement from the Green Belt (even if this had initially relied upon the existing infill settlement boundary.

2.10. The Authority was then obligated to assess whether the “infill settlement boundary of the existing local plan for all settlements for insetting” then complied with the requirements of paragraph 85 of the NPPF.

2.11. Since the authority has not complied with their own assessed conclusions of settlements like Dormansland not needing to be retained in the Green Belt, the subsequent approach to reviewing Green Belt boundaries undertaken is inconsistent with the obligations in the NPPF.
2.12. The Council should therefore be obligated to remove all settlements such as Dormansland, South Nutfield and Felbridge from the Green Belt as they do not contribute towards the Green Belt openness. In removing these settlements from the Green Belt, boundaries around each should then be defined which comply with the requirements in paragraph 85 of the NPPF.

**Question 4.2:**

In terms of paragraph 84 of the Framework, have the proposed alterations to the Green Belt boundaries taken account of the need to promote sustainable patterns of development and are they consistent with the Local Plan strategy?

2.13. As detailed in the response to question 4.1, the review of Green Belt boundaries has not considered the implications for the achievement of sustainable development for areas outside of the district, as required by paragraph 84 of the NPPF. This arises as there is no mechanism to address unmet needs in other authorities and therefore the plan fails to comply with the obligations in paragraph 14 of the NPPF for the achievement of sustainable development which emphasise that development needs must be resolved.

**Question 4.3:**

Have all realistic alternatives to releasing land from the Green Belt been considered, such as further development in the urban area or increasing development densities, and would the most efficient use of land proposed for release from the Green Belt be made?

2.14. The evidence submitted with the Plan indicates that to achieve the authority’s constrained approach to development needs necessitates the removal of land from the Green Belt. The principle of this is supported, although for the reasons detailed in the representations and other statements to the Examination, further revisions to the Green Belt are required in order that the district’s development needs are addressed.)
Question 4.4:

Is the site selection methodology for sites to be released from the Green Belt robust and are the proposed alterations to the Green Belt boundaries justified?

2.15. No. As detailed in this statement and the representations, the Council has failed to comply with the requirements of paragraph 86 of the NPPF which obligates the Authority to remove settlements from the Green Belt which make an important contribution to the openness of the designation. This should therefore have occurred with Dormansland, South Nutfield and Felbridge.

2.16. In removing these settlements from the Green Belt to comply with paragraph 86 of the NPPF, the opportunities to remove sites to enable the authority to meet its objectively assessed needs should have also occurred.

2.17. When reviewing Green Belt boundaries and reflecting the provisions at paragraph 84 of the NPPF, the Council should provide for growth at the sustainable Tier 3 settlements by removing them from the Green Belt.

2.18. Allocations at these settlements (including Dormansland, Felbridge and South Nutfield) can help to meet the need for market and affordable homes whilst also supporting and sustaining local services and facilities. This can also assist in providing increased patronage levels to support and sustain local bus services.

2.19. The opportunities in these locations should have also been explored with appropriate revisions to the Green Belt included in the submitted Plan.
Question 4.5:

In overall terms, are there exceptional circumstances for the proposed alterations of the boundaries of the Green Belt, to accommodate the level development proposed?

2.20. It is accepted that there are exceptional circumstances in Tandridge to justify alterations to the Green Belt on the basis of addressing the objectively assessed development needs. However, the failure to fully address the need (especially as there is no mechanism to resolve the un-met needs) is considered to weaken the position of the authority.

2.21. To resolve this, the authority must identify further land to remove from the Green Belt, thereby addressing the district’s objectively assessed development needs which provide the required exceptional circumstances to support the amendments required, as acknowledged in the Court judgement of Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 10784

Question 4.6:

In overall terms, are the proposed boundaries of the Green Belt defined clearly and would they be likely to be permanent or capable of enduring beyond the plan period?

2.22. No. As the submitted Plan does not address the District’s current objectively assessed needs with no mechanism agreed with other authorities to resolve the shortfall, it is therefore likely that when a review plan is undertaken, further revisions to the Green Belt will be required. Consequently, the submitted Plan does not provide Green Belt boundaries which are likely to endure beyond the Plan period.

Suggested Policy Changes

2.23. That the Tier 3 settlements listed in policy TLP08 are removed from the Green Belt with associated revisions to the Policies Map. That the removal of these settlements is acknowledged in the text of policy TLP03.

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