EXAMINATION STATEMENT - MATTER 04

GREEN BELT REVIEW

Tandridge District Council - Local Plan: 2033

Representations on behalf of Crest Strategic Projects

September 2019
CONTENTS

1.0 INTRODUCTION 01

2.0 RESPONSE TO MATTER 04 – GREEN BELT BOUNDARY ALTERATIONS 03

APPENDICES

APPENDIX 1 PART 1 GB ASSESSMENT (DEC 2015) - PLAN OF 47NO. "WIDER" AREA PARCELS;

APPENDIX 2 PART 1 GB ASSESSMENT (DEC 2015) - PLAN OF 49NO. "NARROWER" AREAS FOR FURTHER INVESTIGATION;

APPENDIX 3 PART 2 GB ASSESSMENT (OCT 2016) - PLAN OF 54NO. AREAS FOR FURTHER INVESTIGATION (PART 2 GB ASSESSMENT);

APPENDIX 4 PART 2 GB ASSESSMENT (OCT 2016) - PLAN OF 13NO. SUB-AREAS FOR "EXCEPTIONAL CIRCUMSTANCES";

APPENDIX 5 PART 3 GB ASSESSMENT (JUNE 2018) - PLAN OF 69NO. SITES CONSIDERED FOR "EXCEPTIONAL CIRCUMSTANCES";

APPENDIX 6 PART 3 GB ASSESSMENT (JUNE 2018) - PLAN OF 18NO. SITES SELECTED FOR "EXCEPTIONAL CIRCUMSTANCES" (PART 3 GB ASSESSMENT).
1.0 INTRODUCTION

1.1 This Statement has been prepared by Barton Willmore LLP on behalf of our Client; Crest Strategic Projects, who has interests in land within Tandridge District Council (TDC).

1.2 Crest has been promoting a Site at Lower Broadbridge Farm, Smallfield and has submitted representations to each of the stages of the draft Local Plan as follows:

i) Issues and Approaches (Reg 18 Consultation; Jan – Feb 2016);
ii) Sites Consultation (Reg 18 Consultation; Nov – Dec 2017);
iii) Garden Villages (Reg 18 Consultation; Aug – Oct 2017);

1.3 Following the Issues and Approaches consultation, Barton Willmore/Crest engaged in a meeting with TDC Officers (April 2016). The objective of this meeting was to discuss the consideration of the Site as part of the HELAA (Housing Economic Land Availability Assessment) and wider evidence base (inc. Green Belt Review).

1.4 At the meeting, TDC Officers suggested a phased approach to development at the Crest Site, with the northern section being developed first (i.e. c. 180 units earlier in the Plan period) and the southern section (c. 120 units) being developed subsequently (later in the Plan period).

1.5 Crest as the single promoter of the Site maintains that it’s Site is “suitable”, “available” and “achievable” and thus “deliverable” either as a single/comprehensive development or through a phased approach, as above (as indicated by TDC). This is particularly important given the significant shortfall in meeting housing needs in the submitted Local Plan.

1.6 The Local Plan was submitted during the period for when transitional arrangements for applying the 2012 NPPF were in place. Reference is therefore made to the 2012 NPPF in responses to the Inspector’s questions, unless otherwise stated. These representations respond to the Inspector’s questions within Matter 04 and have been considered in the context of the tests of ‘Soundness’ as set out at Para 182 of the NPPF. These require that a Plan is:
• **Positively Prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where reasonable;

• **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternative, based on proportionate evidence;

• **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities;

• **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.
2.0 RESPONSE TO MATTER 04 – GREEN BELT BOUNDARY ALTERATIONS

*Issue: Is the Green Belt Assessment consistent with national planning policy for Green Belts, is it based upon appropriate criteria and is it adequate and robust?*

*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?*

*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?*

2.1 The Green Belt Assessment does not provide a clear methodology for:

- Protecting Green Belt; or
- Identifying potential land/sites which may be suitable for Green Belt release.

2.2 The Green Belt Assessment is therefore **not** considered to be "justified". To explain this position, we set out below the stages/steps of the TDC Green Belt Assessment and provide commentary on this.

*a) TDC Green Belt Assessment (Part 1 – Dec 2015)*

2.3 The TDC Part 1 Assessment initially divides the District into 47no. area parcels; i.e. GBA 001 – GBA 047. A Plan of these areas is at Appendix 1.

2.4 The Part 1 report provides an assessment of each of the 47no. area parcels with regard to the 5no. purposes of the Green Belt (NPPF - para 80). Whilst we would debate some of the merits of the assessment, we do not object to this, as a broad process.

2.5 The objective of the assessment is to identify narrower “Areas for Further Investigation” (AFIs) to be considered as part of the Local Plan and subsequent stages of the Green Belt Assessment. 49no. AFIs were selected by TDC – see Plan at Appendix 2.

2.6 This is where clarity on the Green Belt Assessment unfortunately ends.
2.7 From experience, Green Belt Assessments tend to identify sub-parcels as “less constrained areas” for further investigation – meaning that they are potentially the most suitable areas for potential Green Belt release/development, as to be investigated further. The Green Belt Review for the submitted (March 2019) St. Albans City and District Local Plan is a good example of this¹.

2.8 For the TDC Green Belt Assessment, it is however unclear as to what the AFIs represent. The Assessment refers to them as areas that “deviate from the overall assessment, i.e. an area which serves a purpose less or more effectively”. It is therefore not clear:

- as to whether the areas selected are considered the most likely areas for Green Belt release or whether they are the most sensitive Green Belt areas in the District; or
- the purpose of AFIs – whether they are to be identified for potential release or for continued protection.

b) Green Belt Assessment (Part 2): Areas for Further Investigation (Oct 2016)

2.9 The Part 2 Assessment considers the 49no. AFIs identified in the Part 1 Assessment.

2.10 6no. additional AFIs were added to the assessment (somewhat arbitrarily in our view) and 10no. of the Part 1 AFIs were extended in size (2no. areas (038 and 042) were also amalgamated). AFI 037 to the south of Smallfield is a good example of an AFI being extended in size.

2.11 The Part 2 Assessment therefore considers 54no. AFIs – see Plan at Appendix 3.

2.12 The suggested objective of the Part 2 report is:

a) to identify narrower sub-areas to be considered (in a Part 3 Assessment) in terms of “exceptional circumstances” for Green Belt release; and
b) whether or not settlements currently washed over by the Green Belt should inset from Green Belt.

2.13 A Plan of 13no. identified narrower sub-areas to be considered in light of “exceptional circumstances” is at Appendix 4.

¹ Refer to https://www.stalbans.gov.uk/planning/Planningpolicy/library/greenbelt.aspx
c) **Green Belt Assessment (Part 3): Exceptional Circumstances and Insetting (June 2018)**

2.14 Part 3 of the Green Belt Assessment further confuses matters. It seeks to assess/consider 69no. sites in terms of “exceptional circumstances”/potential for Green Belt release – see Plan at **Appendix 5**.

2.15 This departs from the Part 2 Assessment in terms of sites/areas selected for “exceptional circumstances” – as per Appendix 4.

2.16 Arguably, this could include additional sites identified through the iterative evidence base since the October 2016 Part 2 Assessment. However, from investigating individual sites further, the process remains unclear.

2.17 As an example, sites OXT 021 and OXT 074 were identified (and thus known to TDC) in the December 2015 HELAA as being “suitable, available and achievable”. Neither site however appeared within an AFI (Part 1 / 2 of Green Belt Assessment) or within an “area to be considered in Part 3 in terms of exceptional circumstances” (Part 2).

2.18 It is therefore unknown as to why these (and potential other sites) made it into the Part 3 Assessment. This is particularly concerning given that OXT 021 has been identified as a “site justifying exceptional circumstances” (See Plan at **Appendix 6**) in the Part 3 Assessment and forms an allocation (HSG13 - 60 homes) in the Local Plan.

2.19 It is thus unknown to us as to why OXT21 has become an allocation in Green Belt terms, whereas our Client’s Site (SMA 009 has not notwithstanding most of it falling within an Area for Further Investigation (AFI 027 – refer to Appendix 3).

2.20 In view of the above, it is considered that the Green Belt Assessment does not provide a clear/robust methodology in terms of protection of the Green Belt as well as for identifying sites for potential Green Belt release. It is therefore not “justified”, “effective” or “consistent” with the NPPF. The Local Plan is therefore considered “unsound” on this basis.
APPENDIX 1

PART 1 GB ASSESSMENT (DEC 2015) - PLAN OF 47 NO. "WIDER" AREA PARCELS;
APPENDIX 2
PART 1 GB ASSESSMENT (DEC 2015) - PLAN OF 49 NO. “NARROWER” AREAS FOR FURTHER INVESTIGATION;
APPENDIX 3

PART 2 GB ASSESSMENT (OCT 2016) - PLAN OF 54NO. AREAS FOR FURTHER INVESTIGATION;
APPENDIX 4

PART 2 GB ASSESSMENT (OCT 2016) - PLAN OF 13NO. SUB-AREAS FOR “EXCEPTIONAL CIRCUMSTANCES”;
APPENDIX 5

PART 3 GB ASSESSMENT (JUNE 2018) - PLAN OF 69 NO. SITES CONSIDERED FOR “EXCEPTIONAL CIRCUMSTANCES”;
APPENDIX 6

PART 3 GB ASSESSMENT (JUNE 2018) - PLAN OF 18NO. SITES SELECTED FOR "EXCEPTIONAL CIRCUMSTANCES".