6 September 2019

Dear Mr Banks

Tandridge Local Plan - INSPECTOR’S INITIAL MATTERS, ISSUES AND QUESTIONS
Andrew Black Consulting on behalf of Oxted Shareholders

Matter 4: Green Belt Boundary Alterations

I write on behalf of the Oxted Shareholders in response to the Inspector's Initial Matters, Issues and Questions (MIQs) for the Tandridge Local Plan in relation to a number of sites in Oxted. Andrew Black Consulting (ABC) will be appearing at the examination on behalf of the Oxted Shareholders who hold under common ownership but separate companies the following omission sites against which Regulation 18 and 19 statements have been previously made:

- Land West of Chalkpit Lane, Oxted (OXT035) - Oxted Land Limited
- Chichelle Road, Oxted (OXT006) - Oxted Residential Ltd
- Land at St Mary's Church (OXT034 - Adjoining OXT006) - Oxted Developments 2008 Ltd
- Land at Barrow Green Road, Oxted (Also known as Stoneyfields) (OXT007) - Oxted Developments 2007 Ltd

Matter 4 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?**

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

4.1.1 There are a number of inconsistencies in TDC's approach to reviewing the extents of the Green Belt. The methodology which TDC has adopted does not comply with national policy and is therefore unsound.

4.1.2 A number of the purposes of the Green Belt to which sites are assessed against have been wrongly applied and there are questions over the degree to which exceptional circumstances should influence release of land from the Green Belt. These are explored in the following sections.

4.1.3 Paragraph 80 of the 2012 NPPF sets out the five purposes of the Green Belt. These are:
To check the unrestricted sprawl of large built-up areas.

To prevent neighbouring towns merging into one another.

To assist in safeguarding the countryside from encroachment.

To preserve the setting and special character of historic towns.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

**Purpose 1: To check the unrestricted sprawl of large built-up areas**

4.1.4 The intention behind this purpose is to prevent the urban sprawl of the settlement to which it surrounds. In this case, Tandridge lies within the Green Belt surrounding London. Therefore the Green Belt serves to restrict the urban sprawl of London, rather than settlements within Tandridge such as Oxted.

4.1.5 Within its Green Belt methodology, TDC have considered that all in-set settlements are large built-up areas (paragraph 3.20 of the Green Belt Assessment Methodology, 2015). In a rural district such as Tandridge, it is difficult to justify this position and is not consistent with the underlying principle of this purpose of the Green Belt.

4.1.6 It is therefore recommended that no weight be given to this purpose when assessing Green Belt sites surrounding Tier 2 (Semi-Rural services settlements) and Tier 3 (Rural settlements) settlements.

**Purpose 2: To prevent neighbouring towns merging into one another**

4.1.7 This purpose relates the maintaining the Green Belt in order to prevent the merging of neighbouring towns. However TDC have applied this to all settlements, including small settlements and clusters of housing. This is inconsistent with paragraph 80 of the 2012 NPPF and no weight should be given to this purpose for sites surrounding Tiers 2, 3 and 4 of the settlement hierarchy.

**Purpose 3: To assist in safeguarding the countryside from encroachment.**

4.1.8 TDC have sought to protect the countryside from encroachment but have taken a whole-scale overarching strategy to this approach. Given the pressing housing need in the district and the inability of TDC to meet this need, a more granular approach to assessment of the countryside should have been taken by the council in order to consider specific areas of the countryside where further encroachment would be acceptable.

**Purpose 4: To preserve the setting and special character of historic towns**

4.1.9 TDC concedes that purpose 4 is unlikely to apply to Tandridge. However they have considered that conservation areas and listed buildings also form part of this purpose and should be applied to the methodology. This is inconsistent with paragraph 80 of the 2012 NPPF as the intention of this purpose is to protect historic towns such as York or Bath, not the inclusion of conservation areas and listed buildings as part of the Green Belt review methodology. Listed buildings and conservation areas are site constraints which should be taken into account after the Green Belt Assessment, not as a part of it.
4.1.10 It is therefore recommended that this purpose be removed from the assessment and sites which have been discounted for this reason are reconsidered.

Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.1.11 It is accepted that TDC does not benefit from large urban areas requiring substantial regeneration as is the case with other local authorities. Nevertheless there are areas within the district that could be reused as brownfield or previously developed land. It is not considered that TDC has done enough in this regard to properly consider a more granular approach to brownfield sites.

Harm to the Green Belt

4.1.12 TDC acknowledges the district's dispersed settlement pattern but have failed to grasp what impact this has on the purposes of the Green Belt. We would argue that due to the extremely high level of Green Belt in the district, the harm to the Green Belt from development is minimal with regards to Purposes 1, 2 and 3. Building on settlement edges would not necessarily involve an unacceptable level of encroachment into the countryside and unlikely to lead to the merging of neighbouring towns.

4.1.13 TDC state that providing a housing target of 6,056 units would result in a loss of no more than 2% of the area of the Green Belt. To meet the OAN of 9,400 units set out in the 2015 SHMA, this would only result in the loss of an additional 111 hectares of land from the Green Belt, or 0.46%. To meet the standardised methodology target of 12,900 units, this would involve an additional loss of 0.98% Green Belt land (228ha) to the original 2%.

<table>
<thead>
<tr>
<th>Increase in Housing Target of 6,056 (units)</th>
<th>Land Required (at 30dph)</th>
<th>Loss of Green Belt land</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,344 (Total 9,400 OAN from SHMA, 2015)</td>
<td>111 ha</td>
<td>0.46%</td>
</tr>
<tr>
<td>6,844 (Total 12,900 OAN standard method)</td>
<td>228 ha</td>
<td>0.98%</td>
</tr>
</tbody>
</table>

Figure 1

4.1.14 This represents a very small proportion of the district's Green Belt land and it is argued that the benefits of addressing TDC's acute housing shortage outweigh the minimal harm to the Green Belt.

4.1.15 TDC’s Green Belt methodology is fundamentally flawed and has incorrectly applied three of the five purposes of the Green Belt as set out in the 2012 NPPF.

4.1.16 TDC have not given enough weight to the acute housing need within the district and have placed too higher weight on the harm to the Green Belt. It is recommended that this balance is readdressed.
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?

4.2.1 No. The adjustments made to the green belt boundaries bear little relation to the spatial strategy as established in the local plan settlement hierarchy. Areas of green belt release have not been considered in the most sustainable areas of the plan or with any focus on settlements at the top of the hierarchy.

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?

4.2.3 It is considered that there is limited ability for TDC to meet housing needs through development in the urban area. Whilst densities could realistically be increased, this would still not have the effect of sustainably meeting the housing need in full. It is inevitable that green belt land needs to be realised in TDC to meet the pressing housing need.

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?

4.4.1 The Planning Practice Guidance in regard to green belt development was updated in July 2019 and new wording in relation to green belt development was added. It is acknowledged that this was released after the plan was submitted for examination but it nevertheless provides helpful guidance where modifications to plans are necessary as a matter of soundness. It states that:

Where it has been demonstrated that it is necessary to release Green Belt land for development, strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include:

• new or enhanced green infrastructure;
• woodland planting;
• landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);
• improvements to biodiversity, habitat connectivity and natural capital;
• new or enhanced walking and cycle routes; and
• improved access to new, enhanced or existing recreational and playing field provision.

Paragraph: 002 Reference ID: 64-002-20190722
Revision date: 22 07 2019

4.4.2 There are several omission sites which should be considered for green belt release as part of the local plan where such compensatory improvements could be incorporated. As part of the reconsideration of these sites it is suggested that preference should be given to sites where compensatory improvements could also be incorporated.
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?

4.5.1 Paragraph 83 of the 2012 NPPF states that:

'Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.'

4.5.2 Whilst it is understood that exceptional circumstances need to be demonstrated in order to release land from the Green Belt, it is felt that TDC have not attached enough weight to the acute housing need in the district. The approach taken by TDC is to use the high proportion of Green Belt as justification for being unable to meet their OAN, rather than to strike a reasonable balance between the two.

4.5.3 The concept of what are considered to amount to Exceptional Circumstances was not previously defined within the NPPF. However the revised NPPF sets the definition of affordable housing in clear terms at paragraph 137 where it is stated that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

4.5.4 Whilst it is acknowledged that the TDC plan will be examined under the previous iteration of the NPPF which did not have the wording explicit to paragraph 137 it is nevertheless considered that it provides a helpful explanation of what is required to demonstrate exceptional circumstances. Other green belt constrained authorities such as Runnymede council have set out a significant evidence base in relation to exceptional circumstances and it is notable that TDC has not gone in to the same level of detail.

4.5.5 It is therefore recommended that TDC seek to provide much more justification around exceptional circumstances than is currently apparent within the plan.

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?

4.6.1 Paragraph 83 of the NPPF (2012) states that:
Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

4.6.2 In choosing to draw the amended green belt boundaries so tight to existing settlements it is considered that TDC have not complied with the wording of paragraph 83 of the framework and the requirement for green belt boundaries to endure beyond the plan period. Given the conclusions reached in other matters statements on the fragility of the five year housing land supply it is considered that pressure will be placed on green belt boundaries during the plan period. TDC should be allocating ample sites in order to avoid this situation and it is further evidence of why additional housing sites must be considered as part of the plan examination.

I can confirm that we will be seeking to appear in person for matter 4 at the hearing sessions and would be grateful for your confirmation of this.

Yours Sincerely

Andrew Black

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