

Matter No 6
Green Belt
19th June 2012
Redrow Homes (ID: 320737)
(DLP Planning Ltd)

SOUTH GLOUCESTERSHIRE CORE STRATEGY EXAMINATION

PRE-HEARING STATEMENT

MATTER 6: GREEN BELT

Issue 1: In preparing the CS has the Council adequately explored the potential of land within the Green Belt to meet identified and future development needs?

1. This is not the first time that the Inspector has posed a question along these lines and it is our contention that the Council has still not undertaken a proper NPPF-compliant review of Green Belt.
2. In his letter to the Council dated 15th August 2011 (PA6) which followed the Exploratory meeting in June last year, the Inspector outlined his concerns regarding the Core Strategy and about continuing with the Examination.
3. Insofar as Green Belt was concerned, he expressed the view that the limited changes proposed in the CS to the Green Belt could be acceptable, but only if they were undertaken in the context of an overall understanding of the future role of the Green Belt in South Gloucestershire. However, he specifically acknowledged:

“That is not the case because the Council concedes that it has not undertaken a full assessment of its Green Belt to ensure that there would be no need to change boundaries during the remainder of the plan period or for a reasonable period beyond.”

(Ref: PA6 Paragraph 7)

4. On the Council’s own admission, this is still not the case now (Ref: Doc PS7 - SGCS Strategic Green Belt Assessment December 2011 - Paragraph 1.12).
5. It was in the aforementioned circumstances that the Inspector stated unequivocally that:

“My concern is that the Council’s limited and piecemeal approach to the Green Belt brings into question the validity of its approach to assessing development potential. This would make it difficult to find the CS sound because I cannot be certain that the CS is founded on the most appropriate strategy (PPS12 para. 4.36).”

(Ref: PA6 Paragraph 8)

6. This was reiterated in the Inspector's further letter of 11th November 2011 where he stated that:

"I cannot see how the Council can convince me its strategy is the most appropriate one without a more comprehensive assessment of its wider GB areas than I have at the moment."

(Ref PA9 Paragraphs 4 - emphasis added)

7. This reflects, in essence, the case we made in our representations on the originally submitted CS, and we have seen nothing new in the SGCS Strategic Green Belt Assessment December 2011 (Ref: PS7) that would persuade us that these shortcomings have been satisfactorily addressed. Indeed, we say that there is nothing in the 2011 Assessment over and above that which was already before the Inspector, other than a reiteration of the Council's view that a piecemeal approach is sufficient because the areas it proposes to release it says are consistent with the spatial strategy.

8. It is, moreover, particularly telling that at paragraph 1.12 the Council specifically acknowledge that:

"... any longer term review of the Green Belt would need to be undertaken at a later date would need to be done holistically with the other local authorities in the West of England to ensure that sustainable patterns of development are achieved in accordance with government guidance."

9. This only serves to reinforce our assessment of the Council's review that there has been no new work undertaken that would ensure that there would be no need to adjust boundaries during the remainder of the plan period or for a reasonable period beyond, consistent with the requirements set out in the NPPF (referred to below).

10. In terms of evidence, Section Two of the report only makes reference to the South West Regional Strategy (which we take as referring to the draft replacement RS and not RPG10) and two associated studies related to the Green Belt by Colin Buchanan (Document LR12) and the Arup Report of 2007 (Document LR13). Neither can be prayed in aid as 'new' evidence.

11. It is nevertheless noteworthy that the Council make reference at paragraph 2.3 to the Colin Buchanan Report and to there being few cases where Green Belt directly adjacent to the existing urban area does not fall within the two higher categories of harm leading to the conclusion that:

".. difficult decisions in relation to the Green Belt are practically inescapable".

12. That the Panel and subsequently the Secretary of State did not seek to duck these difficult decisions is evident by the identification in the draft SWRSS of the two areas of search 1C and 1D to the east and north of Bristol (in South Gloucestershire) respectively (Document LR8/2).

13. It was and still is also our case that the South Gloucestershire Strategic Green Belt Review published as part of the evidence base for the CS in 2006 did no more than consider how 23 areas of Green Belt fulfilled the purposes

and functions of Green Belt. Notably, the Stage One analysis set out in the 2011 document which is based on the old 2006 review concludes that:

“The entire Green Belt area surrounding the Bristol conurbation fulfils all five of the Green Belt purposes except Areas 5 and 15, which are inappropriate for development because they lie beyond the defensible boundary of the motorway network, which creates a constraint to effective connectivity to employment, retail, community etc.”

14. And helpfully adds that this analysis:

“is not in itself sufficient to identify the most appropriate location(s) to release land from the Green Belt...”

15. As a result of what the Council refers to as its further analysis, it does seek to justify the release of the two sites it had already earmarked for release from the Green Belt in the originally submitted draft CS. However, in respect of Area 10 in particular, we do not see any rationale for excluding Redrow’s land to the east of the M32 (SHLAA Site 094) from the area proposed to be released from the Green Belt. This is an equally sustainable location as that part of Area 10 identified by the Council for release, as in the words of the commentary contained in table 4, it *“adjoins the existing Bristol conurbation”* and *“benefits from nearby public transport improvements”*. It also lies ‘within’ or to the south of the line of the M4 motorway which is a readily recognisable feature and likely to be permanent (Ref: NPPF Paragraph 85), and is otherwise generally regarded as providing a logical long-term defensible inner boundary to the Green Belt.

16. In general terms, we say that the December 2011 Strategic Green Belt Assessment still represents a *limited and piecemeal* approach to the assessment of Green Belt and does not go far enough. It consequently fails to demonstrate that the CS is founded on the most appropriate strategy and does not provide any confidence whatsoever that Green Belt boundaries will not need to be altered at the end of the plan period (ref issue 3 below).

Issue 2: Is the Council’s approach to its Green Belt consistent with the requirements of the national planning policy framework?

17. We had previously argued that that the Council’s approach to its Green Belt was not consistent with the national guidance set out then in PPG2. That guidance has been carried forward largely unchanged into the NPPF and we have seen nothing in the SGCS SGA December 2011 (Ref: PS7) that would persuade us to change our mind.

18. Paragraph 83 of the NPPF is clear that at the time local planning authorities propose to alter their Green Belt boundaries through a review of the plan (which SGC do), they:

“should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring the plan period.”

19. It is, moreover, clear from NPPF (Paragraph 84) that the whole purpose of such a review is the pursuit of sustainable patterns of development in the long

term. This is clarified at paragraph 85 where local planning authorities are required to *inter alia*:

“where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period.”

and

“satisfy themselves that that Green Belt boundaries will not need to be altered at the end of the development plan period.”

20. We say that a proper comprehensive (and NPPF-compliant) review of Green Belt in South Gloucestershire is now long overdue.
21. The Green Belt which surrounds and separates Bristol and Bath was first established by the local authorities in the mid 1950s and given ministerial approval in 1968 when the County of Gloucestershire Development Plan First Quinquennial Review (1968) was approved.
22. Subsequent modifications to the Green Belt in the South Gloucestershire area (formally Northavon and Kingswood District Councils) were made in the context of the Avon County Structure Plan 1985. This was intended to deal with development in the period 1979 to 1991, but was only finally approved by the Secretary of State with modifications in 1985, largely in respect of housing numbers and green belt changes, crucially, in order to accommodate development beyond 1991 i.e. longer term beyond the plan-period in accordance with advice (then) in PPG2 but carried forward now into the NPPF.
23. The detailed Green Belt boundary changes were subsequently defined through adoption of a number of Local Plans between 1987 and 1991. That is to say, between nineteen and twenty three years after the boundaries were previously ‘defined’ in a statutory development plan.
24. The First, Second and Third Alterations to the Avon County Structure Plan made no changes to the general scale and extent of the Green Belt in South Gloucestershire.
25. The Joint Replacement Structure Plan (JRSP) which was adopted in September 2002 did include a limited reappraisal of the general form and extent of the Green Belt in the context of the need to promote sustainable patterns of development and the scale of growth proposed to be accommodated by the four constituent Unitary Authorities. However, as a result of this, it did not propose any reconfiguration of the Green Belt in South Gloucestershire and accordingly the South Gloucestershire Local Plan (adopted in 2006) did not make any changes to the inner or outer boundaries to the Green Belt within the district.
26. Acceptance of this approach was dealt with by the Inspector who conducted the Public Local Inquiry into the South Gloucestershire Local Plan in 2003 and 2004 at paragraphs 2.1 to 2.5 of his report (Ref: Document LR11). He nevertheless concluded that:

"it will be for the next structure plan review to consider the need to revise the general extent of the green belt, as proposed in RPG10 (paragraph 3.11), in order to consider sustainable development opportunities over the longer term."

"It is clear that the need to ensure that future patterns of development are sustainable means that there should be a review of green belt boundaries. The tightness of the existing green belt around the main urban area, its overall width, its relationship to the main transport corridors, to the outlying towns, such as Yate and the future role of Severnside, are all factors that will have to be taken on board in undertaking a review of the green belt."

(Ref: South Gloucestershire Local Plan Public Local Inquiry Inspector's Report November 2004 extracts from Paragraphs 2.2 and 2.3 - Document LR11)

27. In coming to this unambiguous conclusion, it is noteworthy that the Local Plan Inspector made specific reference to RPG10 and Paragraph 3.11 and the need to review Green Belt in the next round of Structure Plans (i.e. after the JRSP) to ensure that future patterns of development are more sustainable.
28. As we know, there was no "next round of Structure Plans" but the draft SWRSS (incorporating the Secretary of State's proposed changes – July 2008) reiterates this requirement and went further in foreshadowing strategic alterations at Areas of Search 1C and 1D, to the east and north of Bristol respectively (in South Gloucestershire) (Ref Document LR8/1 Policy HMA1: West of England HMA).
29. Eleven years on from approval RPG10 by the Secretary of State in 2001, and four years on from reiteration of this in Policy SS4 of the draft revised SWRSS the case for undertaking a proper review of Green Belt has only increased in urgency.
30. To date twenty seven years have elapsed since the last time the general scale and extent of the Green Belt on the north and eastern fringes of Bristol was confirmed to be altered i.e. when the first Avon County Structure Plan was approved by the Secretary of State, albeit only after he had made modifications to that which had been submitted by the then Avon County Council. Twenty one years has elapsed since those boundaries were last fixed through the adoption of Local Plans.
31. We say that in accordance with: the requirements set out in RPG10 back in 2001; the conclusions of the Inspector who reported on the South Gloucestershire Local Plan in 2004; the requirements set out in the draft SWRSS incorporating the SoS's proposed changes in 2008; and in accordance with the requirements set out in the NPPF, a proper comprehensive review of Green Belt in South Gloucestershire is now overdue. As a consequence the submitted CS (and as proposed to be changed by the Council):
 - a. fails to address the possible need to provide for safeguarded land
 - b. fails to consider the broad location of anticipated development beyond the plan period

- c. fails to provide any confidence that Green Belt boundaries will not need to be altered at the end of the plan period; and as a consequence
 - d. fails to ensure the protection of the Green Belt within this longer time-scale; and
 - e. fails to demonstrate that the CS is founded on the most appropriate strategy.
32. As such, we do not believe that the CS as submitted and proposed to be changed by the Council is consistent with the NPPF, and cannot therefore be judged to be sound. It is, moreover, not based on any effective joint working across the boundary (Ref: NPPF Paragraph 182).
33. We would also caution against taking a pragmatic approach to approving the CS on the proviso that a proper review of Green Belt is subsequently undertaken in the context of an early review. Recent history has clearly shown that in spite of higher level plans, the Secretary of State and Inspectors all endorsing the requirement for a comprehensive review, there is no political appetite for agreeing such a course of action and no sanction against non-action other than a plan being found unsound or piecemeal unplanned changes achieved through the appeal process.

Issue 3: How likely is it that existing Green Belt boundaries would need to be changed at the end of the plan period?

34. This is clearly difficult to quantify and the answer to this question will, to some extent, depend on the level of development approved for this Core Strategy, future levels of provision/delivery against this level and the levels of provision justified by ongoing monitoring and review of the CS and the evidence base.
35. It has been a longstanding and well understood principle that one of the essential characteristics of Green Belts is their permanence (Ref NPPFD Paragraph 79) and that accordingly they should be maintained as far as can be seen ahead. Consequently, paragraph 83 is clear that at the review of plans the consideration of boundaries should be undertaken having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
36. In not identifying any safeguarded land between the urban area and the Green Belt in order to meet longer-term development needs, the plan provides no flexibility for meeting any contingencies that might arise in the most sustainable locations. Crucially, at the level of development being contemplated, we say that the risk of needing to change the boundaries at the end of the plan period is too high to provide the necessary degree of confidence implied in the NPPF.