

Matter 17

**Gedling Borough Council
Local Plan Examination**

Statement on Behalf of

**Mr Steve Walker
Ref: 14343137**

(Thursday 23rd March – 10am)

**Matter 17
Policies Map**



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Matter 17: Policies Map

Issue 17a: Green Belt Boundary

Q1. Should any further changes be made to the Green Belt boundary? If so, what are the exceptional circumstances which justify the changes?

And

Issue 17b: Policies Map

Q2. Are any changes required to the Policies Map in response to policy changes?

In dealing with the Green Belt boundaries; policy 3 of the Core Strategy explicitly states that Part 2 Local Plans will review the Green Belt boundaries and this has been widely accepted by the ACS authorities and through the EiP. The approach to reviewing Green Belt, as set out in policy 3, is not simply about accommodating growth, but also retaining or creating defensible boundaries individual to settlements. It is both logical and reasonable that Green Belt boundaries are reviewed through the Local Plan process to ensure that they remain both relevant and credible.

We have provided evidence to the consultation stages of the Plan to support our assertion that changes should be made to the Green Belt boundary, around Burton Joyce, to correct a clear anomaly, in accordance with the Core Strategy. In short, the Green Belt boundary to the west of some properties off Lambley Lane, currently severs through domestic curtilages, which are functionally disconnected from the wider Green Belt; are of an entirely different character to the rural, agricultural hinterland of the village; are separated from the open countryside by a wide and robust woodland belt, which is itself very different in character and kind to the curtilage land; and, are not visually open in character.

In their most recent correspondence, the Council has concurred with the rationale for the correction of the Green Belt and has proposed to rectify the Green Belt boundary to follow the inner edge of the woodland to the rear of domestic curtilages at 73a, 73 and 75 Lambley Lane, as well as straightening the boundary to the rear of number 95 Lambley Lane.

We fully support this proposed further change to the Green Belt boundary and in turn, the change to the policies map. In the context of the Green Belt, the demonstration of exceptional circumstances is no more obvious than in the case of the land to the rear of 75 Lambley Lane, thus providing significant justification for this change.

From a process perspective, we have noted that the Examining Inspector commenting on the Chiltern District Council Core Strategy in 2011¹, expressed the following view:

¹ <http://www.chiltern.gov.uk/CHttpHandler.ashx?id=5900&p=0>

'The adopted local plan established the Green Belt boundary in the District. There are anomalies in the boundary where, for example, it does not follow an existing feature, bisects a residential curtilage or development has taken place beyond the boundary. Exceptional circumstances are required (the test in PPG2) for changing the boundary. The anomalies highlighted affect only small areas and do not have any strategic implications. It is not therefore necessary for the Core Strategy to signal that a Green Belt boundary review will be undertaken or for such a review to have already been done to deal with these small boundary problems.'

Planning Advisory Service guidance from November 2014² reviews most recent case law on the subject of Green Belt review and concludes that *'for revisions to the green belt to be made exceptional circumstances have to be demonstrated. Whether they have been is a matter of planning judgment in a local plan exercise ultimately for the inspector.'*

The purposes of including land within the Green Belt is defined in the NPPF, which states, at paragraph 85, that Green Belts should not include land that is not necessary to keep permanently open; be satisfied that boundaries will not need to be altered; and define boundaries clearly. The release of land here would be in line with the exceptional circumstance tests set out at paragraph 85 of the NPPF, in so far as:

- The Green Belt boundary, as adopted, was drawn erroneously without using local knowledge, or using defined boundaries – physical features that are readily recognisable;
- The site to the rear of 75 Lambley Lane forms, and always has formed, part of the overall garden and domestic curtilage. This 'cutting across' is nonsensical and as such, the ownership boundary offers a more logical and robust Green Belt boundary;
- The site is not wooded, unlike much of the adjoining land. A copse screens the site from view and provides a recognisable physical boundary;
- The site exhibits a very different character to the surrounding undeveloped land which forms part of the designated Mature Landscape Area and Site of Interest for Nature Conservation. The site, exceptionally in this location, falls within neither of these designations and is expressly recognised as 'distinct';
- The appropriateness of 'tidying up' Green Belt boundary anomalies, where possible, has been recognised by Planning Inspectors in regards to sites elsewhere.

For the reasons set out above, the proposed amendment does not undermine the purpose of the Green Belt rather, this further change to the Green Belt boundary,

² <http://www.pas.gov.uk/documents/332612/6363137/Main+Issue+4+-+Green+Belt+-+PAS+Guidance+-+Case+Law+Update+-+2014.pdf/56737f0c-b16e-4887-aabd-d60a42b38f1b>

and the policies map, is a simple resolution to a non-strategic anomaly, which supports the Council's duties under section 39 of the Planning and Compulsory Purchase Act 2004 when exercising their functions under part 2 of the Act in relation to local development documents.

We consider that with this proposed change to the Green Belt boundary, the Plan is sound.