

Matter 4

**Gedling Borough Council
Local Plan Examination**

Statement on Behalf of

Mr Steve Walker

(Tuesday 7th February 2017 – 2 p.m.)

**Matter 4
The Green Belt**



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Issue 4b: Removal of land from the Green Belt

Q2. Has the principle of removing land from the Green Belt already been established in the ACS? If so, does the Plan deviate from the principles set out in the ACS in this regard?

In dealing with the Green Belt; policy 3 of the Core Strategy explicitly states that Part 2 Local Plans will review the Green Belt boundaries to meet development needs.

A sequential approach will be used giving consideration to the statutory purposes of the Green Belt; establishing a permanent boundary; and creating defensible boundaries.

The Core Strategy is clear that the review is to include; land adjacent to development boundaries of the main built up area of Nottingham, key settlements for growth, and **other villages** (my emphasis).

It is logical that Green Belt boundaries are reviewed to enable sustainable development in line with the spatial strategy and other sustainable aspirations. As such, we support the principle of a Green Belt review.

However, the Council in their Local Planning Document has focused only on amending the boundaries relating to larger, strategic sites and safeguarded land. The opportunity to carry out a comprehensive and robust review of all villages, tidying up any anomalies as exceptional circumstances, has been missed.

This failure to formally review the Green Belt, particularly around Burton Joyce, emphasises the fact that the Plan has not been positively prepared, in accordance with the local and national policy requirements.

The absence of a holistic review of the Green Belt raise a question mark over the credibility of the review overall and the soundness of the Plan.

We have provided evidence to the consultation stages of the Plan demonstrating clearly, that the inclusion of our client's land in the Green Belt is erroneous and a clear drafting error, which the Council can and should correct through the local plan process as the opportunity arises in accordance with the Core Strategy.

Notably, the Examining Inspector commenting on the Chiltern District Council Core Strategy in 2011¹, highlighted that; anomalies the Green Belt boundary, which only affect small areas do not have strategic implications and therefore, it is not necessary for a boundary review to be undertaken however, the boundary can be changed in exceptional circumstances. Furthermore, the Planning Lawyer, Martin Goodall

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

echoes this position and commenting on 8th May 2014 stated that, “over the years a number of anomalies have been created by inept drawing of the Green Belt boundaries for instance, cutting across a residential curtilage which makes no sense and should be corrected”. Martin also emphasises that Local Planning Authorities should take the opportunity of ironing out anomalies of this sort at an appropriate juncture, which is the Local Plan process.

With reference to Local Planning document LPD/REG/04 the Council has mistakenly considered the representations as a comment solely on the policies map rather than the soundness of the plan more widely, and has made the comment that *‘to take the site out of the Green Belt a significantly larger area of land would also need to be released in order to follow defensible boundaries.’* This is factually incorrect.

In my client’s case, the adjoining belts of woodland offer a significant and robust, defensible boundary, based on clearly recognisable, physical features.

The rationale for the retention of this site as Green Belt is unclear, while its inclusion in error seems clear. It follows that we believe that the release of land here would be in line with the exceptional circumstance tests set out at paragraph 85 of the NPPF.

The appropriateness of ‘tidying up’ Green Belt boundary anomalies and errors, where possible, has been recognised by Planning Inspectors in regards to sites elsewhere through the Local Plan process. The Core Strategy requires a review of the Green Belt, and it is incumbent upon the Council to conduct a full review based on Green Belt principles, not simply to identify strategic growth options.

In light of obvious non-conformity with the adopted Core Strategy and the National Planning Policy Framework, the soundness of the Plan is jeopardised.