



Ms Carmel Edwards Local Plan Programme Officer
c/o Gedling Borough Council,
Civic Centre,
Arnot Hill Park,
Arnold,
Nottingham
NG5 6LU

20 December 2016

Our Ref. 16.099

Dear Carmel

Representation on Gedling Local Plan Part 2, with regard to land at 75 Lambley Lane, Burton Joyce. Submitted on behalf of Mr Steve Walker

I write formally on behalf of Mr Steve Walker of 75 Lambley lane, Burton Joyce, to make a formal objection to the Local Plan, on the basis that it is not positively prepared, is not justified and is not consistent with the adopted Core Strategy. I would be grateful if you could pass on these comments to the Inspector in advance of the Examination.

We have received your notification of the Examination in Public and will respond separately to the matters raised.

Our client, Mr Steve Walker, is the owner of 75 Lambley Lane, Burton Joyce which enjoys extensive garden land. The council inexplicably and erroneously drew the village Green Belt boundary through half of Mr Walker's garden demise many decades ago. They cannot tell us exactly when.

Mr Walker's contention is that the boundary was drawn erroneously and without due professional care and attention - a key part of the NPPF.

In reviewing the Local Plan the council are **choosing** not to take remedial action by amending the boundary.

This despite them writing to Mr Walker on 24 July 2014 saying :

" the settlement boundary could be changed to correct minor discrepancies or to ensure that the Green Belt follows defensible lines on the ground"

Over the past two years Mr Walker has set out very clear evidence that shows the boundary was drawn erroneously. He has also set out why the land should not be considered Green Belt. He has met various officers, members and councillors on site - all of whom have not disagreed that the current situation is a travesty.

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Indeed a senior planning manager - since left - said he fully agreed with Mr Walker - but that "ah yes it will be difficult because it is current green belt and you know what councillors are like".

Yet the current Local Plan proposal is that no change will be made as it "would require larger areas of the Green Belt to be removed".

This is considered to be an absolute travesty. It is hiding behind jargon, lazy and unsound. Mr Walker hopes this note will prove to you beyond a shadow of a doubt that the council's approach on this single issue makes their approach to the Local Plan unsound. It does not follow planning policy.

It would be very easy to realign the boundary to **"correct a minor discrepancy and ensure defensible lines on the ground are followed"**.

We absolutely reject the suggestion that larger areas of Green Belt would need to be removed.

We want the inspector to have the facts at hand.

1. It is clear from the councils own SHLAA map (photo 1 appended) that Mr Walker's demise is one demise.

There should be no reason for the council to have bisected Mr Walker's garden in half to draw the Green Belt boundary. Unless - due professional care and attention was not used at the time.

It is clear that whoever drew the boundary did not do so with local knowledge, nor follow defensible boundaries on the ground. A key test of the NPPF.

2. We have aerial photographic evidence that Mr Walker's garden has always been a garden (photo 2 appended).

The photograph shows a thickly wooded area adjoining Mr Walker's demise. Since that ariel photograph was taken the council gave planning permission (in 1989 we believe) for a house to be built.

They then drew the Green Belt boundary around that house. So they allowed a thickly wooded area to be built on (which we would suggest could be Green Belt or at least a defensible boundary).

Mr Walker cannot believe that the council now have the temerity to say that if they changed the boundary his open / unwooded garden land would lead to the loss of a larger area of land lost to the Green Belt!

3. The purpose of including land within the Green Belt is defined in the NPPF (para 85)
Should not include land:

- A) that is not necessary to keep permanently open
- B) be satisfied that boundaries will not need to be altered and define boundaries clearly

On point A - the land is not open. It is Mr Walker's private garden land. It cannot be accessed nor seen by anyone. It is significantly different to the wider countryside. If the boundary were redrawn no one would even know - that is how well screened and inaccessible it is.

There would be no detrimental impact on the openness of the Green Belt if the boundary were redrawn.

It is well screened, has no merit and is low grade. There would be no adverse loss of views. It is wasted land at the moment and its use would enhance its visual appearance.

On point B - the currently drawn boundary has no recognisable physical feature other than it cuts Mr Walker's garden in half. The boundary was clearly originally drawn without using professional skill or local knowledge nor using defined boundaries - nor using recognisable physical features.

The council have a good opportunity to right this travesty by redrawing the boundary to reflect the actual boundaries. In fact, it is incumbent upon the Council to review the Green Belt in accordance with the Core Strategy and the Local Plan provides the direct available opportunity to correct a clear error as an exceptional circumstance. The failure to do so does not represent a sound or positive approach to plan making.

The land to the edge of Mr Walker's demise has a copse of some 30 metres (photo 3 appended) and then to the rear of that lies farmland with extremely clear defensible physical features (photo 4 appended attached). This is clearly where the Green Belt boundary should be.

Unlike other councils locally, Gedling have chosen not to tidy up clear boundary inconsistencies. They have chosen to focus their attention on larger sites in the village and more strategic sites in the borough and safeguarded land.

We believe this is a fundamental weakness of their response to the Local Plan - is non-conforming and therefore jeopardises the soundness of the Plan. This does not follow local or national policy - meaning in this specific instance it cannot be credible or sound.

4. This is not an issue of whether the site would be used for housing or not. Indeed the council have said in their SHLAA analysis that the site is suitable for housing should the boundaries change.

So the issue is a single issue. That the boundary should most definitely be changed to reflect planning policy - that the boundary follows defensible lines, uses obvious physical features.

The existing boundary as drawn is clearly inconsistent with planning policy, is illogical, and a clear mistake. The approach to the Local Plan in this regard is clearly unsound and the Council has failed to utilise the only opportunity it has to correct errors.

The council should promote the need for a more robust Green Belt review and specifically remove my garden land.

Mr Walker considers that this is an appalling state of affairs and should not have had to get this far - requiring professional support. The council could quite easily have righted an obvious wrong without doing a full boundary review. They have the ability to change a boundary in exceptional circumstances - by correcting this inept mistake.

FINALLY

Mr Walker fully appreciates that the Inspector's role is to review whether the council have approached the Local Plan process rigorously and thoroughly and in accordance with policy rather than the minutiae - which Mr Walker's issue falls within.

But the council are some two years late in formulating the Local Plan than they anticipated. In that time they've had adequate time to correct the single mistake.

They have simply chosen not to Mr Walker believes, because it is in the small, insignificant (to them), "too hard" to justify category.

We very much hope that the Inspector will look in detail at the evidence, visit the site to see for herself how absurd the situation is and allow Mr Walker or ourselves the opportunity to talk through the detail.

Yours Sincerely

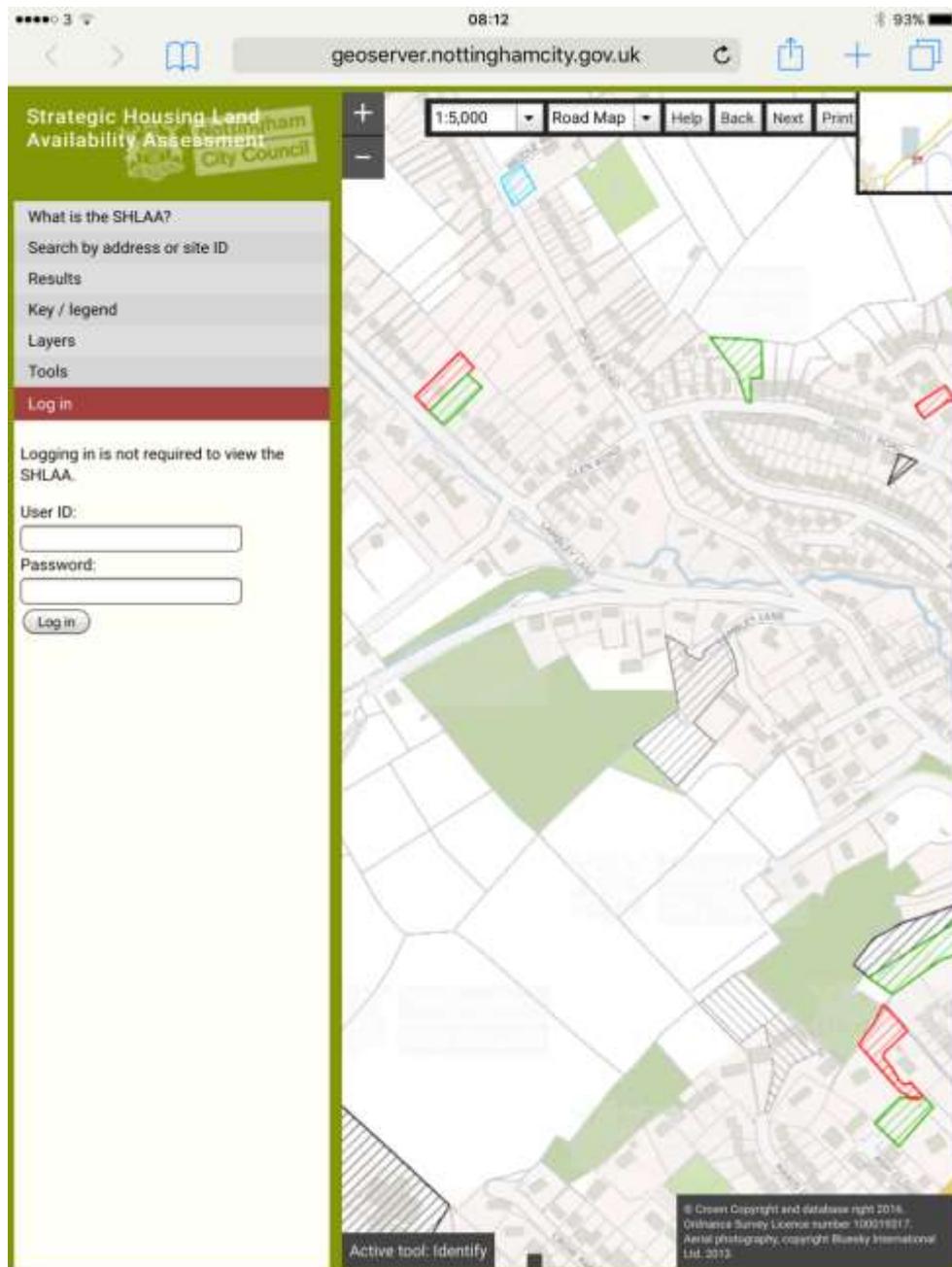


Bob Woollard, BA(Hons) MA MRTPI
Director

c.c. Mr Steve Walker

Enclosures:

Photo 1 – Council’s own SHLAA map showing my garden demise. The existing GB boundary cuts through half of Mr Walker’s garden.



Note the green areas adjoining Mr Walker’s demise are what we consider to be the appropriate, defensible boundary.

For the council to say any change would necessitate taking out larger areas of the GB is an absolute travesty.

They should be simply following Defensible boundaries.

Photo 2 - Ariel photograph from the early 70s.



This clearly shows the contiguous garden demise with a mature vegetable patch.

Note the heavily wooded area adjoining. The council granted planning for a house in the middle of that wooded area and THEN drew the GB boundary around it.

Photo 3 - The view at the edge of Mr Walker's demise looking through the copse to the farmland - which is where the most appropriate boundary should be set.



Photo 4 - This is clearly a defensible boundary with clear physical features, trees and shrubs delineating it.



This is the view from the farm land - even before the 30 metre close - even before reaching Mr Walker's garden demise.