

1 March 2013

Dear Ms May

Three Rivers Development Management Policies LDD Examination

Thank you for your letter of 24 January. I apologize for the delay in replying.

Overall I believe that the changes proposed enhance the clarity of the plan. However, they raise one or two further issues that you may wish to consider prior to the Hearing sessions.

As I said in my previous letter, the NPPF categorization of buildings for agriculture and forestry as not inappropriate in the Green Belt does not extend to agricultural and forestry dwellings. Given that Appendix 3 understandably gives guidance on such *dwellings* I would question the change to the heading that states it relates to *buildings*. The first sentence of the Appendix, though correct in itself, stands in isolation as the rest of that section is concerned solely with dwellings. I would suggest that the title remain unchanged and that the first two sentences be deleted; the second becomes superfluous if the title is unchanged.

You may also wish to consider whether Policy DM2 should make clear at the outset that construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which follow. I accept that this to some (minor) extent repeats national guidance and that both Core Strategy Policy CP11 and SPG No.3 refer to inappropriateness. However, the reference in Policy CP11 is very brief and that in the SPG refers back to PPG2. This is such a fundamental tenet of Green Belt policy that it really needs to be stressed; otherwise there is an implication that if the Policy DM2 tests are satisfied, for example on agricultural justification for a dwelling, then approval will follow. Agricultural justification would be one of the "other considerations" to weigh in the balance against Green Belt and other harm but it would not necessarily be determinative in itself.

Use of the word *appropriate*, as in para. 4.8 of the supporting text to Policy DM2, should be avoided. Though it is a seemingly obvious opposite of *inappropriate*, the inappropriate/not inappropriate formula is tried and tested and should be used, even at the risk of some clumsy grammar.

I note that the Council are satisfied that the intended content of the SPDs reflect what is permissible under the 2012 Local Plans Regulations. The glossary in the NPPF defines SPDs as documents which *add further detail* to policies in the Local Plan or *provide further guidance* on particular issues such as design. Where a policy stops and further guidance starts may be difficult to define but in my view a policy should include any fundamental matters on which a decision on a planning application will turn. You may wish to check the matters covered in the table on the final page of your letter accordingly. This is something we can discuss further at the Hearings.

Please do not hesitate to contact me through Ian if anything is unclear. As before, could you post this letter and any reply on the Council's examination web page.

Yours sincerely

Robin Brooks