

Examination of Three Rivers Site Allocations Local Development Document

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Dear Ms May,

Examination of Site Allocations Local Development Document (SALLD)

Thank you for your interim response to my letters of 10th and 30th July 2013 and your letter confirming in principle that you will be requesting me to recommend 'main modifications'. I look forward to your separate letter regarding the longevity of the Green Belt boundary, and I acknowledge that this is a complex matter. I am writing today because the comments below may have some bearing on your thought processes in respect of that matter.

First, your letter contained some useful clarifications and signals of intent pending more definitive information, for example on the school sites and the housing site capacities/anticipated densities.

Secondly, I am pleased to note that there is potentially a clear solution to the issue of Green Belt boundary definition so far as the sites in Table 1 of your interim response are concerned. This is certainly a step in the right direction.

Having said that, I think there is some way to go yet if my initial concerns are to be allayed, and I have in mind, in particular, the sites you set out in Table 2 of the interim response.

I appreciate that Policy CP2 of the Core Strategy embodies the principle of an indicative phasing strategy taking into account, amongst other things, infrastructure requirements and sustainability considerations. It is clear from the policy that the indicative strategy will be something of a moving picture in the light of Annual Monitoring. Moreover, it is clear within the policy that edge of settlement sites identified for development which are currently protected by Green Belt policy are in general to be considered for development later rather than sooner if urban sites come forward to meet needs (and a five year deliverable supply specifically) in the meantime. That concept is not, in itself, incompatible with the need to secure an enduring Green Belt boundary. It is conceivably the case that a higher yield of housing from the urban area than currently anticipated could remove the need to utilise certain sites currently within the Green Belt during the period to 2026,

and I have no doubt that such a possibility is something that the Examination will in due course be considering.

However, it is now very clear, given your interim response, and particularly the comments associated with Table 2 therein¹, that the Council intends to use Green Belt designation as a de facto phasing mechanism for land release in lieu of an explicit phasing policy directed to the orderly release of land (in pursuance of the Spatial Vision) allocated or, alternatively, safeguarded for future development.

This approach would, I am bound to say, be fatal to soundness. I am firmly of the view that it would corrode the integrity of the very policy that is so important to the communities of Three Rivers, and so important nationally.

The National Planning Policy Framework is very clear not only as to the importance of Green Belt policy but also as to the manner in which it is to be deployed. Effectively continuous review within the timescale of a local plan simply does not square with the fundamental characteristic of permanence set out in paragraph 79 of the Framework. Local communities would not have the confidence that land in the Green Belt will be protected even in the short term, as its status and future would be entirely contingent upon the changing picture of events elsewhere in the District. Certainly within the timescale of a local plan and, generally speaking according to the Framework, beyond, Green Belt boundaries should be capable of enduring, thereby maintaining certainty and confidence. The local plan should ensure sufficient land is allocated or otherwise identified for development needs to support that intention.

To put it in the simplest of terms, land should be in or out of the Green Belt; and if it is out of the Green Belt, it should be allocated for development (phased if necessary), or safeguarded to accommodate needs arising later rather than sooner. It seems to me that, through the Framework, the Council has all the necessary development planning tools it needs to not only take the difficult decisions that may be necessary to accommodate its development needs in accordance with its Spatial Vision and Core Strategy but also to ensure that public confidence in a Green Belt boundary that is acknowledged to be in need of some limited alteration now is, so far as possible, maintained.

The approach currently espoused by the Council, on the other hand, engenders unwarranted ongoing uncertainty as to the status and future of land on the urban edge that is currently in the Green Belt. An important function of the SALDD as I see it is to resolve such uncertainty. The approach being followed at the moment, it seems to me, represents the worst of all worlds. Communities will be conscious that land 'left in' the Green Belt (i.e. the Table 2 sites) is nevertheless likely to be effectively removed from it, by reason of the Council concluding 'very special circumstances' (notwithstanding that it is a site already identified for development at some

¹ Notably, the sentences... *"To remove the Green Belt designation from these sites at this time could result in development coming forward too early due to pressure from the development sector. Whilst the Council acknowledge that it is likely that development within the Green Belt will be necessary later in the plan period, it is also possible that more windfall sites within the urban area will come forward earlier in the plan period and/or more dwellings than anticipated will be delivered on other sites thus negating the need to release further land from the Green Belt later in the plan period."*

point) or that it could be removed at any time by some form of interim or ad hoc review of the SALDD. Developers, on the other hand, would not have the confidence or certainty to plan ahead or else would have to resort to the vagaries of having to demonstrate 'very special circumstances' to utilise land known to be, in effect, earmarked for development. For the reasons given in my previous letters, this confused and confusing approach is not acceptable. The integrity of Green Belt policy locally and nationally would be undermined. The policy must necessarily be applied in a manner which is clear and consistent if its integrity is to be upheld.

With this objective in mind, has the Council considered a specific policy in the SALDD to phase the release of sites removed from the Green Belt that are anticipated to be developed towards the end of the plan period, or if not in the event needed prior to 2026, beyond it?

Finally, I turn to the Table 3 sites which the Council says can be developed in a manner which means that the development needed in those locations would not be classified as development that is inappropriate within a Green Belt, for example because it would be limited infilling or would replace or re-use an existing building without materially diminishing the openness of the Green Belt.

I can see that, unusually, some reliance could perhaps be placed on formally identified opportunities of that nature and that these could potentially be identified in the SALDD in some way, notwithstanding that such opportunities are available wherever they occur in the Green Belt, identified in advance or not. I think participants in the examination might wish to debate the implications of that before I draw any firm conclusions.

Moreover, in examining the SALDD, I would be concerned to understand whether the component of the housing land supply identified as coming from such sources (Leavesden Pumping Station and the land at Three Acres, Toms Lane, for example) would in fact deliver the housing numbers indicated whilst complying with the criteria by which they would be deemed not inappropriate.

It is clear from your interim response that you are in the process of giving serious thought to the concerns I have raised. I hope this response is of further assistance in your consideration of how the Council should take matters forward and I look forward to hearing from you shortly.

Yours sincerely

Keith Manning

Inspector