

**Wycombe District Local Plan Examination**

**Written Statement**

**Matter 6 – Green Belt**

**Progress Planning on behalf of Mr L Mason (Land at Old Moor Lane, Wooburn Moor)**

**June 2018**

## 1. Introduction

- 1.1 Progress Planning act on behalf of the owner of land at Old Moor Lane, Wooburn Moor which has been promoted for development through the plan making process for 130 dwellings. This has included:
- Strategic Housing Land Availability Assessment (SHLAA) and call for sites submissions
  - Representations submitted on the Draft Wycombe District Local Plan in August 2016. This was supported by an indicative masterplan; a Transport Report; and a drainage and utility assessment.
  - Representations submitted on the Publication of the Wycombe District Local Plan in November 2017. These representations warned the Council of our view that the Plan was not legally compliant and unsound, because it was not positively prepared, not justified and not consistent with national policy.
- 1.2 Past representations have shown that the site is deliverable - being available now; offering a suitable location for development now; and that the site is viable with housing being able to be delivered on the site within 5 years or phased through the plan period to suit the Council's housing trajectory. Our client's site at Old Moor Lane is in a sustainable location and development would result in very limited impact upon the openness of the Green Belt and the purposes of including land in it (this is especially evident when compared against proposed allocations BE1 and BE2). Development of the site will also have social and environmental benefits, including the delivery of public open space and much needed affordable housing.
- 1.3 We are disappointed to see that the Council has progressed to submit the Local Plan for examination in its present form. This statement addresses the following:
- Matter 6 – Green Belt (this statement) which covers the following questions
1. Are the Green Belt Assessments (GB1 and GB2) soundly based, justified and consistent with national policy?
    - (a) Can the need for housing and employment development be accommodated on deliverable sites within settlement without releasing land from the Green Belt?
    - (b) Has the capacity of areas within settlement to accommodate growth been robustly assessed and what were the conclusions?
    - (c) How were the removal sites identified and assessed?
    - (d) Was an assessment undertaken of the contribution of each of the removal sites to the Green Belt purposes and what were the conclusions?
  2. Is the approach to amending Green Belt boundaries to release sites for development soundly based and is it consistent with the conclusions of the review in respect of their contribution to Green Belt purposes?
- 1.4 The above questions relate directly to our previously submitted written representations on the plan.

## 2 Matter 6 Green Belt

### 2.1 1 - *Are the Green Belt Assessments (GB1 and GB2) soundly based, justified and consistent with national policy?*

#### *(a) Can the need for housing and employment development be accommodated on deliverable sites within settlement without releasing land from the Green Belt?*

- 2.2 It is considered that Green Belt releases in the District are necessary. However, we consider that the plan should be removing more land from the Green Belt for the following reasons:
1. Housing need identified in Wycombe District should not be delivered in Aylesbury Vale District. The greatest housing need in the District is in the south east of the District which is a considerable distance from Aylesbury (*see paras 2.11 to 2.22 of our representations on the Draft Wycombe District Local Plan in August 2016*).
  2. There are deliverability risks associated with a number of the urban sites which may result in substantial delays and the failure to deliver sufficient housing land supply over the plan period.
  3. Sites such as our clients at Old Moor Lane have very limited impact upon the openness of the Green Belt and the purposes of including land in it and should be released from the Green Belt.
- 2.3 It is therefore considered that the plan is not justified in terms of it not being the most appropriate strategy for the District. Failing to provide for full housing need within the District in the areas of most need is an inappropriate strategy which will force young people out of the area in the search for a place to live. Available evidence has been provided to the local planning authority to show that sites such as our clients at Old Moor Lane can deliver housing locally where it is most needed with very little harm to the Green Belt.
- 2.4 To be consistent with National Policy the plan needs to be able to meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. About 13,200 new homes are needed in Wycombe District to 2033 – we accept this figure, but stress that it should be considered a minimum. However, the fact that the plan proposes that Aylesbury Vale District Council will meet 2,275 of Wycombe District’s housing need is considered to be unsound. It is not justified the evidence shows that some sites (including our client’s site at Moors End) perform weakly in terms of their Green Belt purposes and would provide houses in a locally sustainable location rather than forcing young people out of the District away from families and friends creating unsustainable travel patterns and the breakdown of communities.
- 2.5 The test is whether the Green Belt land is still meeting its purposes as defined by national policy and identify whether exceptional circumstances exist to warrant the removal of land from the Green Belt to assist meeting housing and other development needs in the interest of sustainable development. We agree that generally there are exceptional circumstances present which necessitate Green Belt housing allocations. This is largely due to the constrained nature of the district and the high level of housing need. However, an exceptional circumstances test needs to be applicable to every individual Green Belt allocation. Therefore, where a site is included as an allocation which would cause greater harm to the Green Belt than one which has been rejected, it can be considered to not justify very special circumstances (especially if the benefits of development are equal).

There are errors and inconsistencies in the assessment process which are set out later in this statement.

- 2.6 It should be noted that the Arup “Critical Friend” Summary Report on the Wycombe Green Belt Assessment Part 2 is concerned with methodology but does not in any way check the content produced and whether this has adhered to the methodology and is sound in that regard. We have fundamental concerns that the Council has failed to apply the methodology in a consistent, objective and fair manner.

***(b) Has the capacity of areas within settlement to accommodate growth been robustly assessed and what were the conclusions?***

- 2.7 It is considered that urban capacity has been appropriately assessed in that all potential urban sites have been identified. However, we would note that the reliance on a large number of urban sites provides deliverability risks to the plan with not enough flexibility provided to take this into account. Some of these urban sites will have issues present including complex land ownership, existing leaseholds, contamination issues, and site clearance costs. Green Belt sites such as our clients at Old Moor Lane are immediately available and developable. It is questioned whether the plan is effective in this regard in terms of its deliverability over the plan period.

***(c) How were the removal sites identified and assessed? And (d) Was an assessment undertaken of the contribution of each of the removal sites to the Green Belt purposes and what were the conclusions?***

- 2.8 The Green Belt Assessment (Part 1) was published in March 2016 and our previous representations have identified our concerns with the robustness of the assessment. The Part 2 Assessment was published in September 2017 and has been used as a key evidence document in support of the Wycombe District Local Plan site selection process. This sets out a four-stage assessment process which involves:

Step 1: Is the location capable of supporting sustainable development?

Step 2: Is the site capable of removal from the Green Belt?

Step 3: Is the site otherwise developable?

Step 4: Are there Exceptional Circumstances to justify?

- 2.9 With regards to Step 1 our client’s site at Old Moor Lane is clearly in a very sustainable location for development and is within a Tier 2 settlement.
- 2.10 Regarding Step 2 our client’s site at Old Moor Lane performs weakly against the of including land in the Green Belt; would result in a rational built-up area contiguous with Wooburn Moor (a non-Green Belt built-up area); and would result in a new permanent and robust Green Belt boundary based upon suitable existing features.
- 2.11 With regards to Step 3 this is clearly defined in the NPPF “*to be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged*”. Land at Old Moor Lane is in a suitable location for development and has been evidenced through our previous representations is available and development is immediately viable.

- 2.12 Finally, in terms of Step 4 exceptional circumstances are present in terms of the need for housing delivery over the plan period which cannot be delivered in urban areas together with the evident benefits of housing delivery at Old Moor Lane, as set out in our previous representations.
- 2.13 It is considered that land at Old Moor Lane clearly should have passed all 4 steps of the assessment process and recommended for allocation for 130 dwellings in the Wycombe District Local Plan. The fact that it wasn't whilst other less suitable sites were, brings into question the robustness of the evidence base and has resulted in the production of a submission Local Plan which is not justified and therefore considered unsound. These assessment errors and inconsistencies are discussed in more detail below in relation to the assessment of our client's site at Old Moor Lane and the allocation BE2 Hollands Farm.

Errors and inconsistencies in the assessment of land at Old Moor Lane and BE2 Hollands Farm

- 2.14 BE2 Hollands Farm is a new site identified in the plan as a result of the Green Belt review. In the GB Review it is identified as SBE0027 + SBE0028.
- 2.15 The Arup part 1 assessment summary stated that while the sub-area is largely open, the influence of built-form reduces its sense of rurality. Paragraph 79 of the NPPF is clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The open nature of the land is clearly very important in terms of the potential for harm to the Green Belt. This harm should have given more weight through the assessment.
- 2.16 This site is situated between Bourne End and Wooburn. It is clearly the case that the site is located between two settlements. While ribbon development extends along Hedsor Road to the south, the west is located along the edge of the industrial area of Bourne End. The east of the site borders residential areas on the edge of Wooburn. When assessed against GB purpose 2 the assessment has concluded that the site does not provide a gap between settlements and makes no discernible contribution of separation.
- 2.17 This is completely erroneous interpretation. The land very clearly provides a large gap between the settlements of Bourne End and Wooburn. Ribbon development already connects these 2 settlements on either side of the site which are the only remaining parcels of land separating the settlements. This site has a very high contribution to this purpose of the Green Belt. It is considered that on this purpose alone the site should have failed the Green Belt assessment process, especially considering sites with far less harm to the Green Belt are available such as our client's site at Old Moor Lane.
- 2.18 The site has clearly been assessed incorrectly to give a low contribution to the purposes of the Green Belt. It should have been considered to have a medium/high contribution and therefore not capable of removal from the Green Belt.
- 2.19 The inclusion of this site allocation is therefore unsound based upon it not being justified or consistent with national policy in relation to the Green Belt. There are also concerns over the developability of the land which are set out in our Matter 10 Statement.
- 2.20 Our client's site at Old Moor Lane, Wooburn Moor (SWG0026) is a 4.9ha site. The site passed Step 1 and is considered to be a location capable of supporting sustainable development. However, the site was erroneously failed at Steps 2 and 3 of the process.

- 2.21 In regard to Green Belt purpose 1), the assessment acknowledged that the Green Belt boundary lacks permanence and consistency. It was also however considered to play an important role in preventing the outward sprawl of a large-built up area in the absence of another durable boundary. The assessment has therefore considered that Wooburn Moor is a large built up area whereas the assessment of Hollands Farm considered that Bourne End and Wooburn were not large built up areas. This is a clear inconsistency which has unfairly penalised the assessment of our client's site at Old Moor Lane through the scoring process.
- 2.22 The site is surrounded by residential development forming a semi-circle around the west of the site. The M40 motorway runs from the north to the south east to the site, across which is an industrial use development. Therefore, development on the site should not be considered to result in outward sprawl as the site itself is almost completely surrounded by existing development and infrastructure. The existing Green Belt boundary in this area is acknowledged to lack permanence and consistency, however this proposal would move the boundary to the M40 motorway and field owned by Glory Hill Farm. This would give the new boundary the permanence and consistency it requires.
- 2.23 Regarding purpose 2), it was considered in the review that the Green Belt in this location acts strongly to prevent neighbouring towns from merging. The assessment itself contradicts this by also stating that the M40 motorway acts as a barrier between High Wycombe and Beaconsfield.
- 2.24 The site does not lie on a main connecting road between the 2 towns. The motorway and A40 act as a stronger and more permanent barrier between the towns and there are a number of additional parcels of agricultural land also between. Therefore, the site should not be considered to act as a barrier, preventing neighbouring towns from merging. The high score of 5 given to the site on this purpose is extremely unfair considering the score of 0 given to Hollands Farm, which results in actual physical coalescence between settlements.
- 2.25 In regard to purpose 3) the site should not be considered to assist in safeguarding the countryside from encroachment. The location of the site lying between residential development and the motorway would not result in encroachment, should it be developed. 80% of the site borders either residential dwellings or the M40 motorway. The assessment has even acknowledged that the parcel has minimal links to the wider countryside. Comments have been made in the assessment about a parcel of retained Green Belt land to the west which would be divorced from the wide Green Belt by the M40 motorway, and that it would be more acceptable for the adjustment of the Green Belt boundary if it were included. This goes to reinforce how the M40 motorway is a much more suitable boundary for the Green Belt.
- 2.26 In terms of developability the assessment makes very broad assumptions that there may be additional issues relating to transport and noise and air pollution. Boundary treatments and buffer zone will reduce any impact of the M40. There are multiple examples of successful development sites near motorways.
- 2.27 In terms of an unacceptable landscape impact this has not been properly defined. In the same heading, the LPA claim that there is a strong urban influence already arising from nearby housing and the motorway. A high-quality layout and design together with sensitive landscaping has been proposed.

- 2.28 The assessment also states that access isn't possible from Old Moor Lane so would need to be from Glory Mill Lane, resulting in significant road and footway improvement works. Road improvement works is not a reason to dismiss the site when a Transport Statement has already been submitted evidencing safe access to the site is achievable. It seems the case that the LPA have sought issues in order to justify rejection of the site where there are none.
- 2.30 As set out above there are various errors and inconsistencies present in the results of the Green Belt Assessment. It is considered that this clearly evidences that the assessment is not robust, and the site selection process is not justified or effective. We therefore, submit that the Wycombe District Local Plan is not sound on this matter.

**2- *Is the approach to amending Green Belt boundaries to release sites for development soundly based and is it consistent with the conclusions of the review in respect of their contribution to Green Belt purposes?***

- 3.1 The NPPF at paragraph 83 is very clear in that authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. Paragraph 85 notes that local planning authorities should define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.
- 3.2 Reduced weight has been applied through the Green Belt Study methodology to the presence of existing strong boundaries, with the ability to create new boundaries through landscaping considered sufficient. This approach came through the Arup "Critical Friend" note. This resulted in a re-work of the methodology to incorporate a more flexible approach to boundaries, by setting out how potential to mitigate weak boundaries would be identified.
- 3.3 It is considered that the result of this is that sites which benefit from permanent long-term boundaries as set out in the NPPF have not received the strong weight they should have been and conversely those with weak boundaries have been given the benefit of doubt that something could be created.
- 3.4 Existing strong physical boundaries (e.g. rail, major road) and natural boundaries (e.g. river) are inherently more permanent than landscaping. This is not reflected through the Green Belt Study and the Wycombe District Local Plan can therefore also be considered unsound in this regard as it is inconsistent with national planning policy.
- 3.5 With regards to Green Belt boundaries our client's site at Old Moor Lane has very strong permanent physical boundaries consistent with the NPPF. Please see our representations submitted on the Publication of the Wycombe District Local Plan (November 2017) which highlighted this issue together with the inconsistencies in application of the methodology.

**4. Conclusions**

- 4.1 It has been shown above that in relation to Matter 6 Green Belt the Wycombe District Local Plan as submitted for examination is unsound, that is - it is not positively prepared; justified; effective; nor consistent with national policy.
- 4.2 There have been serious errors and inconsistencies in the application of the Green Belt Review methodology. This has been unfairly advantageous to a number of sites at the expense of others, with no logical explanation given. The plan is clearly not justified or effective in this regard as the evidence is not robust.

- 4.3 The approach to amending Green Belt boundaries can be considered to be flawed and Inconsistent with national planning policy as set out in the local plan. The NPPF at paragraph 83 is very clear in that authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. Reduced weight has been applied through the Green Belt Study methodology to the presence of existing strong boundaries, with the ability to create new boundaries through landscaping considered sufficient. Existing strong physical boundaries (e.g. rail, major road) and natural boundaries (e.g. river) are inherently more permanent than landscaping. This is not reflected through the Green Belt Study and the Wycombe District Local Plan can therefore also be considered unsound in this regard.
- 4.4 It can also be considered that the plan is not effective as more Green Belt releases should be accommodated to provide certainty to housing delivery. The reliance on the delivery of often complex urban sites raises question marks over delivery especially in the early stages of the Plan (e.g. see note by Inspector Jonathan Bore during the Guildford Local Plan examination, 22/06/2018). It is also considered that Wycombe District should providing for all of its housing need within its own District (where it is needed) rather than 'off-loading' a significant proportion to Aylesbury Vale. Especially where it has been shown that there are existing Green Belt sites which could be sensitively developed having very limited impact upon the Green Belt.
- 4.5 The seriousness of the soundness issues identified mean that it is considered that the plan should either:
- Undergo main modifications to include the removal of site BE2 Hollands Farm and the inclusion of Old Moor Lane for 130 dwellings (and other sites more appropriate than Hollands Farm as necessary).
  - Undergo main modifications to include an increased buffer in housing delivery taking account of the risks associated with the inclusion of a number of urban sites where deliverability is questionable. Together with the inclusion of Old Moor Lane for 130 dwellings which can offer certainty of delivery in the early plan period.
  - Be withdrawn from the examination by the Council (and return to Reg 18 stage consultation on the Local Plan)
  - Be found unsound by the Inspector.