



The London Green Belt Council

MAY 2009

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How secure is Green Belt Policy?

As recorded in the minutes of last February's meeting, the Prime Minister gave a speech to the Local Government network on Digital Britain, on 29th January, which contained expressions which alarmed me for their ambiguity. In the context of housing supply, words like 'we will not allow old arguments and old ideologies to stop us getting on with the job together' could be interpreted by development interests as applying, inter alia, to green belt. So we thought that we should see the transcript of the full speech.

The text did not reassure me very much. It was about 3400 words long, naturally concerned largely with economic development and recovery. It is the section about housing that could be used to attack green belt. It reads:

'....Already local authorities are pivotal in delivering new support for those facing repossession ... and helping to provide greater security for home-owners at difficult times. But we must also look to provide further action on housing supply for the future. We know that there is still significant demand for housing, you see it in your own areas. There is clearly spare capacity in the house building industry, so we must consider all options if we are to meet the needs and aspirations of individuals and families across the country as a whole.

'In the past we have placed restrictions on local authorities delivering social housing.... But let me today be clear, if local authorities can convince us that they can deliver quickly and cost effectively more of the housing that Britain needs, and if local authorities can build social housing in sustainable communities that meets the aspirations of the British people for the 21st century, then we will be prepared to give you our full backing and put aside any of the barriers that stand in the way of this happening. We will not allow old arguments and old ideologies to stop us getting on with the job together when there are families who need homes, when there are bricklayers, carpenters and electricians ready and willing to work, when there are construction companies which are ready to build houses. So in the coming months we will report on further measures to address housing supply to support real need, and we recognise the important role that local authorities can play alongside of course the social housing reform that will ensure a fairer system for all.'

It is only a matter of time before some interests try to use the above as an argument for overriding green belt planning considerations, so our Chairman wrote to the Prime Minister. The reply came from a Minister in the Department for Communities and Local Government, and is as follows:

‘... There are no plans to alter the fundamental basis of Green Belt protection, or to set aside the presumption against inappropriate development in Green Belt which we establish and explain in Planning Policy Guidance Note 2. Please be assured that the Government certainly does not regard PPG2 as an old ideology. It was the Prime Minister himself who told the House of Commons that we ‘will continue to protect robustly the land designated as green belt’. Our position, stated in the 2007 Planning White Paper ‘Planning for a Sustainable Future’, has been reaffirmed by Ministers on several more recent occasions.

‘As you will be aware, local planning authorities and regional planning bodies have to make difficult decisions about the most sustainable locations for the housing we need, but they must work within the framework of national planning guidance and the plan-led system. Regional Spatial Strategies prepared by regional planning bodies set the framework for Green Belt policy and settlement policy for the region, and form the context for local plan-making by local planning authorities. Any proposal to amend a particular regional spatial strategy has to be made in draft form, and subjected to public consultation and later scrutiny by an independent panel. The presence of Green Belt means that the land so designated will generally remain unavailable for major new development.

‘I hope this confirmation is useful. Yours sincerely, IAIN WRIGHT’

Members may find it useful to use this as a counterblast if occasion arises.

Other Planning Ideas being aired

Earlier in the same speech the Prime Minister said ‘When we came into government, local government itself had no real power over their local economies’. He goes on to imply that the creation of Regional Development Agencies provides, together with local and multi-area agreements, more flexibility in matching local needs with wider needs. [The text I have is slightly garbled here, as though something is missing]. At the same time other papers are circulating, suggesting that regional organisations should be abolished, and in another case, that the powers of the planning inspectorate should be greatly reduced.

Members will have varying views, but from the green belt point of view I suggest that (1) there is a case for having planning bodies whose horizon is wider than counties but less than national, but (2) as unelected bodies, the Regional Development Authorities should *not* have planning powers. When regional bodies were created there were separate regional planning authorities and regional development authorities, with the former having the planning powers. That at least meant that every thought was not concentrated on economics and development, though the criticism that they lacked election still applied. Much more thought still needs to be given to this matter - just handing everything back to the old structure of local authorities is almost certainly not the answer - any more than is the Prime Minister's apparent suggestion that RDAs have been a blessing.

Finally, (3), green belt would surely not be helped by reducing the powers of the Planning Inspectorate. There will, of course, always be occasions when one could wish that an inspector had decided differently, and there are rare occasions, like one recently reported in Notes, where an inspector clearly got the guidance wrong and was corrected by a later inspector; but generally the inspectors do a superb job and we have every reason to be grateful to them; they have almost certainly saved green belt many more times than they have agreed to its surrender.

A Dreadful BBC Programme

Some of you may have seen the short programme transmitted by the BBC over Easter under the title England's Green and Pleasant Land. It was without doubt the worst programme about the green

belt that I have ever seen. It ignored what the green belt was for, and that scenic quality was not a criterion for designation. It implied that most farm land was unattractive but said that much woodland could be splendid, partly because it could conceal development within it. Therefore it would be good not only to use existing forest (Hainault Forest was mentioned) to help meet housing needs, but also to plant trees on open land or woodland edges in order to build concealed housing there in due course. Many other considerations apart, the effect of roads and other infrastructure was glossed over, as was the fact that all this would reduce green belt. All-in-all it was a shoddy, superficial programme: the BBC ought to be thoroughly ashamed of it.

Simplifying / Amalgamating Planning Documents

We have long been concerned that the gradual replacement of planning guidance notes (PPGs) by policy statements (PPSs) could eventually be applied to PPG2. So far our fears seem unfounded, and the letter quoted above from the Parliamentary US of S for the Dept. for Communities and Local Government (DCLG) implies that no changes are envisaged in that direction. A recent Item in 'Planning' lists the planning documents 1-25. Of these 13 are now PPSs and 12 remain PPGs; and the idea of merging two existing PPGs into one is discussed.

One can hardly dispute that the plethora of mixed policy statements and detailed guidance notes got a bit out of hand, but overall our experience is that PPG2 has worked extremely well, and we must be alert to attempts by the development interests to get it weakened.

CPRE Survey of Public Opinion about the Green Belt

We are co-operating with and supporting a survey CPRE are conducting of what people think about the Green Belt. A survey in 2005 showed that 85% of respondents supported the Green Belt. Hopefully, the survey will show that that level of support has been maintained. Please ask your individual members to respond to the survey. This can be done on-line at: <<http://www.cpre.org.uk/campaigns/planning/green-belts/green-belts-green-belts-for-a-greener-future-survey>>. This website also has the survey available to download as a PDF document. Alternatively you can get copies by contacting Suzanne Natelson at <suzanne@sustainweb.org>, tel 020 7837 1228. CPRE will be contacting LGBC member organisations separately to offer to attend their meetings to talk about the survey.

Planning Decisions

1. We have often reported cases involving argument over whether or not *extensions* can be permitted because they are disproportionate to the original building. A rather complicated version of this situation occurred at Iver Heath in respect of a property in the green belt and the Colne Valley Regional Park. It shows the inspectorate putting its foot down in defence of green belt against an attempt to go on seeking increases in the size and impact of the original property. A two-storey extension which increased the floorspace of the original building by 37.75% was approved and implemented in 2005. A further application for a single-storey extension was approved but not implemented in 2007. The combined effect of both approvals would have been an increase of 47% over the original floorspace. The present proposal, rejected by the Council and the subject of the appeal, would lead to a cumulative increase in floorspace of 67.72%. The inspector concluded that the existing and proposed extensions would be disproportionate to the size of the original dwelling. He accepted that neither the height nor the footprint of the building as now proposed would exceed that approved, and he concluded that 'the proposal would not therefore in my view harm the openness of the green belt. Nevertheless that does not outweigh the intrinsic harm to the green belt that would occur by way of inappropriateness'. He dismissed the appeal.

2. *Sunken buildings*. Coming down to earth, I note that the green belt can be harmed by what you can't see as well as what you can. A proposal in Worcester green belt involved a four-bedroomed house and work space, a central garden linking the two buildings, which would be sunk into the ground and covered with earth. The council rejected it and there was an appeal. The appeal inspector said that existing structures on the site did not appear out of place, but that significant engineering works would be needed to restructure the ground and that any benefits would be outweighed by the impact of the development. He dismissed the appeal. [Incidentally; the report in Planning says that the development would be 'partially submerged'. I don't know whether it would be partial or impartial, but submerging applies to water, not land].

3. *Nottinghamshire green belt* has been largely saved following the Government's rejection of a planning inspector's report which supported 2007 proposals in a draft regional strategy to remove large areas from the green belt.

4. Permission was refused for a *residential caravan* on green belt land in Dorset, and an appeal inspector was not impressed by the very special circumstances claimed by the appellant. These were (1) his need for isolation to recover from drug addiction away from temptations to relapse; and (2) the therapeutic benefit of building a (permitted) stable block for horses on the land. The inspector thought that green belt was not the only land where isolation and peaceful surroundings could be found; and that the construction of a stable block would take only a few months.

5. Item 2 above includes reference to *engineering work*, in that case the work necessary to create and maintain underground or semi-underground structures. This example goes in the other direction: wind turbines. Four wind turbines were proposed in Cheshire green belt, the appellant stressing that they would not interfere with openness. The inspector quoted para 3.12 of PPG2, which reads

'The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the green belt'.

The inspector said that the wide visibility of the masts, plus their sub-station, site tracks etc contributed to making the scheme inappropriate. He recognised the importance of reducing carbon emissions, but PPG2's requirement that very special circumstances must be demonstrated meant that the balance of advantage must be obvious. He did not think that the benefits of the scheme outweighed its inappropriateness and harm to visual amenity. He dismissed the appeal.

6. A public house in Hedgerley, South Bucks, proposed an *external smokers' shelter*, following bans on smoking in public places. The shelter would only be about 15 sq.m in area and would be open on two sides. It would go into an area which already contained timber sheds, an aviary, and a canopy providing external covered seating for customers. The inspector's report said 'I consider that it would be an attractive structure, that would preserve the character and appearance of the conservation area and the setting of the listed building, by virtue of its siting, materials, and design. In my view it would not harm the visual amenities of the green belt'. But four paragraphs later she concluded that the possible benefits of having the shelter do not clearly outweigh the harm by reason of inappropriateness and impact on openness to an extent necessary to amount to very special circumstances. She dismissed the appeal.