

NORTH HERTFORDSHIRE LOCAL PLAN EXAMINATION

Matter 3 Statement from CPRE Hertfordshire

APPENDICES

App. No.	Document	Page No. (B) = Blank page
1	Letter from Alan Scott, DCLG to Cedric Hoptroff, The London Green Belt Council - 27 th Nov 2014	1, 2
2	Letter from Brandon Lewis MP to Chief Executive, The Planning Inspectorate – 19 th Dec 2014	3, 4
3	Letter from Brandon Lewis MP to Members of Parliament - 7 th June 2016	5, 6 (B)
4	Letter from Gavin Barwell MP to Kevin FitzGerald, CPRE Hertfordshire - 4 th May 2017	7, 8 (B)



**Department for
Communities and
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Our Ref: 468762

27 November 2014

Dear Mr Hoptroff

Thank you for your letter of 11 October to the Secretary of State, about the additional guidance concerning Green Belt published in 6 October, which you contrast with the language used in the Press Release. I have been asked to reply.

There has been no change to our policy on the protection of Green Belt, which remains as set out in March 2012 in the National Planning Policy Framework. Green Belt policy makes clear that permanence is an essential characteristic of Green Belt, and that a Green Belt boundary should be altered only in exceptional circumstances, using the Local Plan process to consult on the proposed change, followed by independent examination of the draft revised Plan. However, we felt it would be useful to draw the attention of local authorities to the full wording of paragraph 14 of the Framework, including its footnote which mentions Green Belt and other land with protective designations.

The guidance issued on 6 October is therefore a clarificatory reminder to local authorities of how the Framework qualifies the presumption in favour of sustainable development, and is designed to help them allocate land appropriately in draft Plans and have those Plans found sound at examination. As you have seen, the guidance consists of text under the heading 'Housing and economic land availability assessment - Methodology - Stage 5: Final evidence base', inserted into the existing Planning Practice Guidance, and accessible at <http://tinyurl.com/ke44yxn>. The guidance underlines the importance of the Green Belt protections set out in the Framework.

On the question whether local authorities have to meet in full the housing needs they have identified in housing needs assessments, the guidance says:

Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs.

However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so


doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need., and addresses the question whether housing and economic needs override planning constraints such as Green Belt. In planning to meet their objectively assessed local development needs, local authorities should take account of constraints which indicate that development should be restricted.

Your letter appears to invite me to add further guidance to the guidance, and I hope you appreciate that that is not what Ministers would wish to happen. As regards the determination of planning applications (whether by local authority, planning inspector or call-in decision-maker) Ministers have expressed the view that unmet housing need alone is unlikely to amount to the very special circumstances which can justify planning permission for inappropriate development in Green Belt. In the context of examining draft Plans, planning inspectors will apply policy and guidance as they see fit, and endeavour to ensure that any Plan is sound and their recommendations robust.

However, may I thank you again for the gift of the useful map of London's Green Belt. I have put it up on the wall next to our Divisional noticeboard, and it has received several complimentary remarks! I hope the launch event and your AGM went well.

With best wishes

Yours sincerely



ALAN C SCOTT
Planning policy adviser



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19th December 2014

Dear Simon,

Strategic Housing Market Assessments

I am writing to ensure our existing policy position on emerging evidence in the form of Strategic Housing Market Assessments is clear.

We have set out in our recent guidance that a Strategic Housing Market Assessment is just the first stage in developing a Local Plan and councils can take account of constraints which indicate that development should be restricted (http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/#paragraph_045).

The extent of constraints will be justified on a case by case basis for each Local Plan, depending on particular local circumstances, within a housing market area.

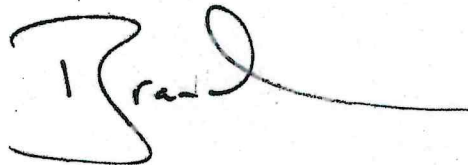
Many councils have now completed Strategic Housing Market Assessments either for their own area or jointly with their neighbours. The publication of a locally agreed assessment provides important new evidence and where appropriate will prompt councils to consider revising their housing requirements in their Local Plans. We would expect councils to actively consider this new evidence over time and, where over a reasonable period they do not, Inspectors could justifiably question the approach to housing land supply.

However, the outcome of a Strategic Housing Market Assessment is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans.

Councils will need to consider Strategic Housing Market Assessment evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing

requirement. They also need to consider whether there are opportunities to co-operate with neighbouring planning authorities to meet needs across housing market areas. Only after these considerations are complete will the council's approach be tested at examination by an Inspector. Clearly each council will need to work through this process to take account of particular local circumstances in responding to Strategic Housing Market Assessments.

As you are aware, the Secretary of State can recover appeals, for example where he considers that they raise issues of national importance. This is important to support the application of relevant policies at national level.

A handwritten signature in black ink, appearing to read 'Brandon Lewis', with a long horizontal flourish extending to the right.

BRANDON LEWIS MP



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07/06/2016

Dear Colleague,

Development on brownfield and Green Belt land

This Department has received a large number of identical letters, forwarded by Members of Parliament, which concern the National Planning Policy Framework, housing provision, and the need to re-use brownfield land and protect Green Belt. These concerns arise from our recent consultation on proposed changes to the Framework, and from recent misreporting of potential development on Green Belt land. I am writing to clarify the Government's position.

The claims made in the reports are misleading and speculative as they include figures based on unadopted Local Plans and unapproved planning applications. The Government has put in place the strongest protections for the Green Belt. The Framework makes it clear that inappropriate development may be allowed only where very special circumstances exist, and that Green Belt boundaries should be adjusted only in exceptional circumstances, through the Local Plan process and with the support of local people. We have been repeatedly clear that demand for housing alone will not change Green Belt boundaries. However, we recognise that it is local authorities, working with their communities and with detailed local knowledge, which are best placed to decide the most sustainable, suitable and viable sites for new homes. The Housing and Planning Act 2016 has increased local people's power to plan their areas with new measures to speed up and simplify neighbourhood planning.

This Government is committed to re-using brownfield sites for housing, and we have undertaken to ensure that 90 per cent of brownfield land suitable for housing will have planning permissions for new homes in place by the end of this Parliament. To support this policy, we have introduced local brownfield registers; accelerated disposal of public sector brownfield for housing – with a commitment to release land for at least 160,000 homes by 2020; extended permitted development to give new life to thousands of buildings; and set up a Home Building Fund to provide £2 billion of loans for infrastructure and land remediation to support large housing sites. We expect 50% of this Fund to be spent on brownfield land. In addition, £1.2 billion of our £2.3 billion starter homes funding will support brownfield site preparation; delivering at least 30,000 starter homes.

Green Belt remains constant at around 13% of England, and in 2014-15 there was only a 0.1% reduction in size as a result of Local Plan reviews. Furthermore, only 0.02% of Green Belt was converted to residential use, after consulting local people. Taking account of land reclassified as national park, the Green Belt is actually 120 square miles larger than in 1997.

BRANDON LEWIS

RECEIVED
- 8 MAY 2017



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Our Ref: 3300490

Dear Mr Fitzgerald

- 4 MAY 2017

Thank you for your letter of 21 April about the Green Belt.

I hope you will appreciate that, for reasons of propriety, no Minister would be able to pass comment on a Local Plan. I will therefore make only general points in response to your queries.

As set out in the National Planning Policy Framework, a local authority is expected to carry out an objective assessment of local housing needs. The term 'housing demand', by contrast, is generally taken to refer to what the market wants and can sell; and under existing national policy it would not be a basis for altering a Green Belt boundary.

However, the Framework recognises that, in exceptional circumstances, a local authority may find it necessary to review the extent of its Green Belt. The supporting guidance reminds local authorities that, in planning to meet local housing and other needs, they must have due regard to national policies - such as Green Belt policy - which indicate that development should be restricted and which may restrain the ability of an authority to meet its need.

When any Green Belt alteration is proposed, the revised draft Plan with the supporting evidence is submitted for examination by a planning inspector. The inspector, who exercises independent judgement in the name of the Secretary of State, has to consider whether the draft Plan is sound. A Plan will be found sound only if it is properly prepared, justified, effective and consistent with policy in the Framework.

CPRE
GAVIN BARWELL

SIGNED ON BEHALF
OF MINISTER IN
HIS/HER
ABSENCE

