



The London Green Belt Council

It is with deep regret that we have to report the recent deaths of two people, who in different ways made notable contributions to the growth and character of the London Green Belt Council.

Sir Sydney Chapman, former MP for Chipping Barnet, was our first President. He died on 9th October, last year, a few days short of his 79th birthday. He was our President from 1984 until 1988 when he had to resign because he had been appointed a Government whip and he could not hold such a post and be President of an outside pressure group at the same time.

In 1992, he was appointed Vice-Chamberlain of the Royal Household. His post in the Royal Household was emphatically not, as some people might assume, just the preservation of a traditional title. He was the formal link between Buckingham Palace and Parliament, and he had to report to the Queen every day that the House was sitting, to keep her up to date with events in Parliament.

There were many other aspects of Sydney Chapman's interest in open spaces. For instance, to prevent over-development in outer suburbs he supported the campaign 'Plant a tree in 73', which was a great success and led to a succession of such schemes in subsequent years; he led an all party campaign to preserve British Commons; he took a keen interest in Barnet's open spaces, conservation areas and woodland; and it is due to his persistence that a bridge over the A1 south of junction 23 of the M25 was redesigned for use by horses and cyclists.

He remained in touch with me for several years after he had ceased to be an MP and had left London, and I shall treasure his memory very much.

R.W.G. Smith

Laurence (Laurie) Holt and his late wife, Mary, represented the Chislehurst Society on LGBC for many years. At a meeting in 1987, volunteers were sought for the post of Secretary of LGBC and Mary volunteered Laurie, who had recently retired, for the job, thinking it would keep him occupied. It was an inspired choice. Laurie was not one to seek the limelight, but he had a good analytical brain which he applied to assimilating and commenting upon government consultation papers, draft local plans and planning applications and appeals. Eventually the difficulty of getting to meetings forced Laurie to relinquish the post of Secretary in 2009.

In 2010, a fall landed him in hospital. He had no close relatives and when he was due to be discharged with no care arrangements in place, a good friend, whom he had known since school days, stepped in and, on Christmas Eve, found a place for him in a care home in Bromley. It was only intended to be a temporary expedient, but Laurie liked there and became a permanent resident for the rest of his life.

I visited him at the care home from time to time and he was alert, happy and still writing regularly to DCLG on Green Belt and other matters. I last saw him on the day of our AGM in November and he was not at all well. He did not want to talk and seemed to be giving up. A few weeks later he died. I represented LGBC at his funeral when, in a simple service, he was laid to rest in Chislehurst Cemetery – in the Green Belt.

Cedric Hoptroff

Development on Underground Station Car Parks

Transport for London are seeking to develop an additional car park at Theydon Bois station on Green Belt land they own on the eastern side of the line. Currently the line forms a clear boundary separating the village on the west side from the Green Belt on the east. The land for the proposed car park has been used from time to time for storage of railway materials &c, but it has not been developed with any permanent structures. The existing car park, which is brownfield land, has been put forward by TfL in response to Epping Forest DC's call for possible housing/commercial development sites in the local plan review process.

TfL argue that they can develop the new car park without a full planning application, using their rights under the General Permitted Development Order as a statutory undertaking to do things connected with their functions. Local residents are challenging this and have taken Counsel's opinion. It is understood that TfL wish to develop other car parks along the eastern end of the Central Line. Is development of station car parks an issue for other members? If so, it could be useful to discuss with John Warren at Theydon Bois. Email: warren.john@hotmail.co.uk

London Green Belt Map

Our map of the London Green Belt was launched in the Houses of Parliament on 5th November. The map shows the whole of the London Green Belt at a scale of 1:175,000. It is available folded or in a roll to facilitate wall mounting. It would be helpful if member organisations could publicise the map to their members via newsletters &c. A form to order copies of the map accompanies these Notes.

All-Party Parliamentary Group on the Green Belt

About this time last year, the APPG on the Green Belt was collecting evidence in order to produce a report. The Group has reported but their report has not received much publicity. Some of the main points of the report can be summarised as:

- There needs to be a 'brownfield first' policy, in the context of which, local planning authorities should compile statistics on available brownfield sites.
- Green Belt boundaries should be under the control of Neighbourhood Plans rather than the Local Planning Authorities.
- A system of grading the importance of Green Belts should not be introduced.
- Impose a premium on Green Belt land to be paid by developers.

The full text of the report can be found at

<https://appgreenbelt.files.wordpress.com/2014/07/appg-greenbelt-report-20142.pdf>

'Brownfield' development consultation

The APPG's call for the compilation of brownfield statistics is preaching to the converted, as the Government have recently published a consultation paper on encouraging brownfield development.

(www.gov.uk/government/uploads/system/uploads/attachment_data/file/398745/Brownfield_Consultation_Paper.pdf)

The proposals would require local authorities to compile data on the availability of brownfield land, and meet a target of having 90% of it developed or with planning permission by 2020. The paper has a section defining what is, and what is not, to be regarded as brownfield land. This definition includes the following useful passage:

The Government attaches great importance to the Green Belt and the National Planning Policy Framework makes clear that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness

and permanence. Inappropriate development on brownfield land in the Green Belt should not be approved except in very special circumstances.

Para 13 of the consultation paper quotes the definition of previously developed land in Annex 2 of NPPF. We have taken the opportunity to ask for this definition to be amended to make clear that when otherwise inappropriate development is allowed in the Green Belt because of very special circumstances, the land remains Green Belt. If the development is no longer required, the land should not be regarded as brownfield, and any redevelopment must be appropriate in the Green Belt (without relying on the last bullet point of NPPF para 89) or justified by very special circumstances of its own. Alternatively the site should revert to open land.

Revision of Planning Guidance and Guildford's response

On 6th October 2104, the Government issued revised guidance on the assessment of housing need:

http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/#paragraph_044

This made clear that after the need has been assessed local planning authorities should seek to provide for it 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to, land designated as Green Belt,'. Guildford Borough Council, which had envisaged a substantial development of the Green Belt in their current local plan review have decided to reassess the position in the light of this revised guidance and the strong opposition to their proposals revealed by the consultation process.

Brandon Lewis, the Planning Minister, wrote to the Chief Executive of the Planning Inspectorate on 19th December to further clarify the revision. The following are extracts from his letter.

"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."

"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."

The full text of his letter is at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/390029/141219_Sim_on_Ridley_-_FINAL_SIGNED.pdf

House of Commons Committee on the DCLG

The House of Commons Select Committee which monitors the DCLG has produced a report on the operation of the National Planning Policy Framework

(<http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/19002.htm>)

As far as Green Belt is concerned, the report is disturbingly inclined to favour building on the Green Belt as a way of meeting housing needs. For example, it encourages local planning authorities to

review the Green Belt in every local plan review and it criticises the Review of Planning Guidance mentioned above on the grounds that the requirement to take account of constraints in deciding whether a local planning authority can meet its assessed housing need extends the protection of the Green Belt compared with the NPPF.

We wrote to the Chairman of the Committee taking issue with these points. In his reply, the Chairman said, on the first point, that he did not consider the recommendation was inconsistent with the NPPF's stipulation that Green Belt boundaries should only be altered in exceptional circumstances. On the second point he conceded that the committee recognised that there might be different views.

We hope that the Government will firmly defend the Green Belt in its response to the report.

Very special (but very questionable) circumstances

We have objected to two applications for inappropriate development principally on the grounds that the very special circumstances were not justified. In Cuffley, there was a proposal for a development of over 500 dwelling on Green Belt. The applicants sought to justify the development on the grounds that it had to be where it was proposed to be to use surplus heat from a combined heat and power from waste plant planned nearby. However there was no suggestion of the housing development when permission was given for the power plant and a careful reading of the application for the 500 dwellings implies that it could be run in a way which would produce more power and less heat. (Welwyn-Hatfield application S6/2014/1697)

The other application was at Harefield and sought permission for a Dementia Care Community on a Green Belt site adjoining Harefield Hospital. The principal special circumstance alleged was synergies between the work done at the Care Community and in the Hospital. However, dementia is not a subject in which Harefield Hospital specialises. (Hillingdon application 69751/APP/2014/2906)

Planning Decision

Inspector's decision on appeal against proposed development at Bedford Cottage, Wapseys Lane, Hedgerley Bucks SL2 3XG (APP/N0410/D/14/2225138). Decision dated 5th November 2014.

The appeal was against refusal of consent for two detached triple garages. The report was complicated by the fact that in one respect the policy approved by South Bucks. District Council was not consistent with national policy in the Planning Framework. The inspector pointed out that the Framework stressed that new buildings within the Green Belt was inappropriate unless they accord with identified exceptions, which did not apply in this case. The Council's district plan allowed certain exceptions within the cartilages of Green Belt properties. The Framework allowed exceptions in very special circumstances, but they will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. He then considered them.

As regards effects on the purposes of the Green Belt, the inspector considered openness, visual amenity, and whether resultant harm would be clearly outweighed by other considerations. As regards the first he concluded that the proposed garages would not prejudice the purposes of the Green Belt because of their size and siting, though they would significantly erode the front garden. But they would affect the openness of the Green Belt. He considered other matters raised by neighbours etc. and concluded that "The other considerations, even when taken together, do not clearly outweigh the harm by reason of inappropriateness, harm to openness and visual amenity of the Green Belt, and the conflict with national and local policy. Accordingly, it is concluded that the very special circumstances required to justify the development do not exist, and taking into account all other matters this appeal should fail."