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Your ref: 11737890

Dear Eddie,

Thank you for your response of the 12th August.

I note your comment on the housing needs in both council areas but up till now this has not been accepted by Government Ministers as a reason for allowing development on Green Belt.

In a letter to Members of Parliament for English Constituencies dated the 7th June 2016, Brandon Lewis, the Minister of State for Housing and Planning said "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 the Green Belt boundaries".

In a further letter dated 10th June 2016, Brandon Lewis stated "The Government is committed to maintaining strong protections for Green Belt. The National Planning Policy Framework makes it clear that inappropriate development should only be allowed where very special circumstances exist and that Green Belt boundaries adjusted only in exceptional circumstances, through the Local Plan process".

In the Roundhouse Farm appeal, this was not done through the Local Plan process, local people did not give their support to the application nor did their representatives, local Councillors. It would be fair to say that the wishes of local people were totally ignored.

In a further letter to me dated 10th June 2016, Brandon Lewis stated "starter home developments be permitted in Green Belt, but only if included in a neighbourhood plan approved at a local referendum; or if in brownfield sites where there would be no substantial harm to the openness of the land".

A further letter to the RT Hon Theresa Villiers from the Rt Hon Sajid Javid, the then Secretary of State, on 27th October 2016 said “It has never been the case that an area of Green Belt can never be altered, but any such changes are locally-led and can be made only in exceptional circumstances by means of the Local Plan process, following consultation and independent examination by a planning inspector to ensure that the plan is sound. We designed the Framework to be locally interpreted and applied, so we do not define exceptional circumstances. However, the supporting guidance reminds local authorities that, in planning to meet local housing needs, they must have regard to the Framework’s policies on the protection of areas such as Green Belt, which indicates that development should be restricted and which may restrain the ability of an authority to meet its need”.

Once again there is clear emphasis that Green Belt boundaries can only be changed as part of a Local Plan. Again, this appears to have been ignored by the Inspector.

In a letter of 9th October 2017 to the Rt Hon Chris Grayling, the Secretary of State said “Local authorities then need to determine whether there are environmental designations or other physical or policy constraints (such as Green Belt) which prevent them meeting their housing need”.

This is again emphasised in a letter from the Secretary of State on the 27th April 2018 to Crispin Blunt MP. There is also the stricture to “examine all other reasonable options for meeting their development needs, before concluding that any Green Belt land has to be released”. Again, from the appeal recommendation, it appears that the Inspector did not follow this process.

In a recent letter from the current Secretary of State, the Rt Hon Robert Jenrick, in a letter to the Rt Hon Theresa May dated the 19th July 2021. “A local authority can alter the boundary of Green Belt land only in exceptional circumstances and where it can demonstrate that it has fully examined all other reasonable options for meeting its development need”. Further “The Framework also makes clear that most new building is inappropriate in the Green Belt and should be refused planning permission unless there are very special circumstances. Some examples of these circumstances are listed in the Framework, such as buildings for agriculture, or limited infilling in villages”. This interpretation of the Framework is given scant recognition in the appeal.

Referring to the statement made by the Inspector in paragraph 47 of her Decision, I have quoted above several instances from statements made by Ministers, including the current Secretary of State which appear to have had “limited weight”. Is the suggestion that the Inspector’s planning judgement overrides statements made by Ministers. The inference is that any statement made by any Minister should be given “little weight”.

If this is accepted then what can we, as citizens, rely on for Government policy statements?

Finally, you refer to paragraph 13 of her decision. Paragraph 13 refers to a Green Belt boundary which is common to most Green Belt boundaries. The Green Belt is supposed to stop urban sprawl, as stated in paragraph 137 of the Framework. This will inevitably mean that Green Belt boundaries are likely to be urbanised. If this appeal is regarded as a precedent, then most of Green Belt boundaries will be under threat. It also becomes a further threat in that once the development is built, there will then be “the edge of a settlement rather than a wholly rural context”. So further Green Belt would then be under threat.

It is quite clear from Ministerial statements and reading the Framework that Green Belt boundaries are only to be altered as a result of a local plan with the support of local people. This appeal was not part of the local plan process and was certainly not supported by local people, either councillors or residents.

In these circumstances we would like to be informed exactly what is the policy as set out by Ministers on behalf of the Government about sacrificing Green Belt and also whether this will be adhered to by the Inspectorate.

If the Inspectorate gives "little weight" to Ministerial statements then what action will be taken to imbed them into the NPPF.

Yours aye

Richard

Richard Knox-Johnston

Chair

The London Green Belt Council

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