

HEARING STATEMENT ON BEHALF OF TAYLOR WIMPEY UK LTD (ID. A5098)

Shropshire Local Plan Examination Matter Statement 6: Green Belt and
Safeguarded Land

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MATTER 6: GREEN BELT AND SAFEGUARDED LAND

This statement has been prepared on behalf of Taylor Wimpey Strategic Land ('TW') in respect of their interests in 'Land at Cross Road, Albrighton'.

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall approach to the Green Belt.

1. What is the basis of the Green Belt Review? What methodology has been applied and is it soundly based? Is the Council's approach to the Green Belt assessment robust and in line with national guidance?

Basis for Green Belt Review in Shropshire

- 6.1 TW has set out the need for a Green Belt review to be undertaken as part of the Shropshire Local Plan ('the Plan') in its Regulation 19 Pre-submission response to this examination (at paragraphs 7.12 – 7.1.4).
- 6.2 On this principal issue, TW is in broad agreement with the Council. As highlighted in its response (paragraph 7.1.4), TW points out that the Shropshire Green Belt was last reviewed as part of the Bridgnorth Local Plan which time expired in 2011. The Green Belt land released as part of that process has now largely been developed or has been allocated for development, including sites released at Albrighton. The new Plan looks forward to at least 2038. Albrighton is, and remains, a key settlement and as such is one of the foci for future growth in Shropshire. However, due to the tightly drawn Green Belt boundary around Albrighton, there is little opportunity to deliver future needs and achieve a sustainable pattern of development over the plan period without considering the further release of Green Belt land. TW maintains this view.
- 6.3 Similarly, on the broader issue of Green Belt constraining Shropshire from meeting future needs was identified by the previous local plan Inspector who presided over the Sites Allocations and Management of Development DPD as a key issue for the new Plan, and whose final report¹ recommended a review of the Green Belt should be undertaken (paragraph 7.1.3).
- 6.4 To reiterate their previous response (paragraph 7.1.4) the broad context has therefore been set for an assessment and review of Shropshire's Green Belt as part of this Plan review process.

The context for changes to Green Belt Boundaries in Shropshire

- 6.5 It is also important to reflect that when reviewing Green Belt boundaries, the need to promote sustainable patterns of development must be a key consideration for the Plan². The means by which

¹ Report on the Examination into the SAMDev Plan, Page 8, Paragraphs 20 to 23

² NPPF 2021, para 142

sustainable growth is best achieved is through the strategic policies of the Plan (notably, the spatial distribution strategy) which guides where future growth is to be delivered in order to achieve sustainable development outcomes. If this is best achieved by focusing growth into areas currently designated as Green Belt, then that is entirely appropriate and accords with national policy³, which makes clear that the need for changes to the Green Belt should be established in the *strategic policies* of the Plan.

- 6.6 It therefore follows that strategic policies should also provide the context for considering whether exceptional circumstances exist to justify changes to Green belt boundaries, and importantly whether the strategy has examined 'other reasonable options' for meeting identified needs⁴. These options, critically, must therefore be focused on the strategy and not be considered in a 'vacuum' outside of the strategy. As explained above, and in their Regulation 19 response, TW contend there is very little scope (if any) in meeting identified needs at Albrighton in line with the spatial strategy in Policy SP2 without incursions being made into the Green Belt, due to the nature of the settlement boundary that exists at the moment.
- 6.7 In TW's view, it is therefore inevitable that amendments will need to be made to the settlement boundary at Albrighton to deliver future growth in line with the strategic policies in the Plan and that this will necessitate appropriate adjustments to the Green Belt.

5. How have the conclusions of the Green Belt Review informed the Local Plan? Do decisions on Green Belt releases reflect the need to promote sustainable patterns of development, and prioritise sites which are previously developed and/or well served by public transport? Where is this evidenced?

- 6.8 No.
- 6.9 TW observes that this question relates primarily to initial queries raised by the Inspectors [ID1] on the steps taken prior to the Council's decision to propose alterations to the Green Belt boundary in the Plan. In this context, it is noted that the Council did not provide this information earlier in the process of reviewing the Plan, given that the Green Belt Review itself has not been updated since the Stage 2 assessment was published in November 2018. In response, however, the Council has now helpfully published a Green Belt Topic Paper ('GBTP') [GC4g] as requested by the Inspectors, which TW has reviewed and responds to, where necessary, in this statement.
- 6.10 The GBTP makes clear (at paragraph 7.12 and 7.22) that the Green Belt Assessment [EV049.01] and Green Belt Review [EV050.01] were not intended to demonstrate or make specific recommendations on the need for Green Belt release in Shropshire. The Council, nevertheless, highlights other documentation that has informed the proposals within the Plan. In respect to the Council's decisions on releasing Green Belt sites, key evidence base is provided at Appendix B to T

³ NPPF 2021, para 140

⁴ NPPF 2021, para 141

of the Final Sustainability Appraisal (SA) [SD006.01] which provides information on the Council's assessment of potential development sites.

- 6.11 In submissions made to the Regulation 19 Pre-Submission consultation, TW identified a number of soundness concerns with the Council's assessment in the SA of Land at Cross Road, Albrighton (site ref. ALB014) [SD006.03], concluding that there was no evidential basis to exclude site ALB014 from allocation in the Plan in preference to the two preferred sites allocated at the settlement (see paragraphs 6.1.7 - 6.1.36). This remains TW's position regarding the exclusion of Land at Cross Road from allocation in the Plan.
- 6.12 Nonetheless, the Inspector's question highlights an important aspect of national policy, which is to ensure that Green Belt reviews reflect on the need to promote sustainable patterns of development and / or prioritise sites well-served by public transport⁵. In this context, TW has reviewed the site assessments again, and considers that some decisions on releasing Green Belt sites in the Plan do not reflect national policy. For example, the Plan proposes the release of two sites from the Green Belt at Aveley (ALV006/ALV007; and ALV009). TW's analysis has found that the site assessment indicates that both sites are located within 480m of a bus service [SD006.05]. However, TW notes Land at Cross Road, Albrighton (ALB014) is located within close proximity to a major railway line providing regular services between Shrewsbury and Wolverhampton, in addition to regular bus services to surrounding areas. TW considers that the Land at Cross Road is well-served' by public transport and therefore should be prioritised ahead of other sites that do not have access to local rail services in accordance with national policy.
- 6.13 To be clear, TW is not advocating for the removal of the two Aveley sites from the Plan. Nonetheless, TW contend that in deciding which Green Belt sites to release, the Council has not applied national policy correctly or on a consistent basis. If it had, any reasonable assessment would have concluded that Land at Cross Road, Albrighton should be prioritised for release ahead of the two preferred sites at Aveley based on the level of public transport available in the local area. Furthermore, the fact that Land at Cross Road is so well-served by public transport and is capable of achieving sustainable pattern of development provides clear evidential support for its release from the Green Belt. Consequently, the Council's approach to Green Belt release has not followed the evidence, and so is not soundly based (not justified).

6. Has meeting some of the housing and employment needs of the Black Country led to the need to release or safeguard more land from the Green Belt?

- 6.14 According to the Council the answer would appear to be 'no', but TW contends that it should.
- 6.15 The Council provides some commentary in the GBTP on matters relating to Green Belt release and cross-boundary need (at paragraph 8.24-8.29). TW welcomes the Council's decision to support the '*development capacity of the Black Country Authorities*' within the draft Shropshire Local Plan (paragraph 8.25), and that by doing this '*complements*' the proposed '*urban focussed*' strategy of the

⁵ NPPF 2021 para 142

Plan (paragraph 8.26). Nonetheless, immediately after this the Council states that the proposed contributions to unmet housing and employment needs are *'not proposed to be met on a specific site allocation(s) or within a specific settlement(s)'* but rather it would be absorbed *'in accordance with the proposed strategy for the distribution of development already advanced'* at the draft Plan (Regulation 18) stage (paragraph 8.27). As a result, the Council claims *'the decision to seek to accommodate a proportion of the unmet housing and employment needs forecast to arise within the Black Country was not the principal factor in concluding that exceptional circumstances existed'* (paragraph 8.28). TW interpret this as meaning that because taking some of the Black Country's unmet need is not the 'principal' factor in justifying Green Belt release in the Shropshire, the Council does not need to show how this unmet need is to be planned for and delivered.

- 6.16 TW does not agree with the Council on this point. The Council appears to suggest that the unmet need from the Black Country (currently some 1,500 dwellings) would be accounted for *'within the Shropshire Local Housing Need'* (paragraph 8.27). This must be incorrect. The need currently belongs to the Black Country Authorities; it is not Shropshire's need to accommodate. This need is therefore over and above Shropshire's distribution strategy that seeks to address its own local need and so additional sites must be identified to ensure it can be delivered. The corollary is also true; that if the need was not accommodated in Shropshire, it would need to be accommodated somewhere else and would not require the additional sites to be allocated in the Plan.
- 6.17 Simply put, in accommodating some of the Black Country's unmet need, the Plan should provide a clear strategy for bringing forward sufficient supply of land to deliver it, consistent with national policy⁶. To demonstrate this is deliverable, and thus soundly based, the Plan should identify specific sources of supply to meet it. There are numerous statements in the Plan and the supporting documentation, notably the GBTP (at paragraph 8.29) that points to locations in the east of the area as being *'well placed to accommodate the proposed contributions to unmet housing and employment needs arising within the Black Country.'* The presence of Green Belt in this part of the area should not, as a matter of principle, preclude such locations as being considered as able to address the unmet need from neighbouring areas and also deliver sustainable patterns of development. One such location is Albrighton, which is strongly linked both functionally and physically to the Black Country, being located in relatively close proximity to Wolverhampton City, but is heavily constrained by Green Belt around the settlement boundary.
- 6.18 As explained elsewhere in their evidence to this examination, including their Regulation 19 submissions, TW considers that Land at Cross Road, Albrighton represents an excellent opportunity to deliver additional housing in the east of the area to help deliver the identified needs of the Plan.

⁶ NPPF 2021, paras 23 and 66

7. Is the extent of safeguarded land sufficient to meet longer term needs beyond the plan period and are they justified?

- 6.19 TW contends there is justification for safeguarding Green Belt land in the Plan in order to meet longer-term development needs stretching well beyond the plan period. Principally, safeguarded land in the Plan will enable the Green Belt boundary to endure beyond the plan period having regard to its intended permanence in the long term, as well as enabling future development needs in Shropshire to be met in a sustainable way consistent with national policy⁷. This represents a key aspect of good, effective planning.
- 6.20 However, TW has raised soundness concerns in its Regulation 19 Pre-submission response regarding the proposed safeguarding of one particular site, 'Land at Cross Road, Albrighton' under TW's control (ref. ALB014). The site is referred to under reference 'sub-parcel 36' in the Green Belt Review (stage 2) [EV050.01 and EV050.02]. The site was originally proposed to be safeguarded in the Preferred Sites consultation document in 2018 [EV005.01, section 4]. In principle, TW fully supports the proposal to release the site from the Green Belt.
- 6.21 Nonetheless, evidence has been submitted by TW which demonstrates the site can and should be released from the Green Belt at Albrighton in this Plan, and not simply safeguarded for development at some point in time beyond 2038. The evidence relating to the Green Belt Review of the site is provided in TW's Regulation 19 submission (paragraphs 8.1.51-8.1.67 of the main submission; and Appendix 3, sections 5.1, 5.2, 5.5, 5.6, and 5.7).
- 6.22 The key conclusion from the evidence submitted to this examination is that the site, should be removed from the Green Belt without compromising the purposes of the Green Belt as defined in the NPPF (see paragraph 8.1.64). This broadly accords with the Council's own position on the site provided in the Council's final SA, finding the site to be '*well contained and considered to have characteristics of the settlement edge*' [SD006.03]. On this basis, there is clear evidence to demonstrate that the site can be removed from the Green Belt whilst ensuring the remaining Green Belt boundaries are robust and can endure in the longer-term.
- 6.23 On this basis, TW contends that there exists clear justification for not only safeguarding the site, but also releasing it from the Green Belt in this Plan for development purposes. This is because there are a number of exceptional circumstances to show that the site should be released now. This forms the basis for TW's response to question 8 set out below.

8. Do the exceptional circumstances, as required by paragraph 136 of the Framework, exist to justify the Local Plan's proposed removal of land from the Green Belt, including safeguarded land?

- 6.24 Yes.

⁷ NPPF 2021, para 140 and 143c

- 6.25 As is widely acknowledged and understood, neither national policy⁸ or practice guidance explain how ‘exceptional circumstances’ should be determined in any particular location, simply that these should be ‘fully evidenced and justified’. This is, therefore, a matter of planning judgment. Nonetheless, as explained TW’s Regulation 19 Pre-submission response (paragraph 7.1.5-7.1.6) relevant case law⁹ has clarified that in demonstrating exceptional circumstances exist to justify the release of Green Belt, a two-stage process should be followed (in normal situations). The two-stage process should thus establish both ‘strategic’ and ‘site-specific’ circumstances relevant to the Plan.
- 6.26 TW has submitted evidence to this examination demonstrating that exceptional circumstances exist ‘in principle’ (strategic) to justify the release of Green Belt, notably at Albrighton. This is set out in its Regulation 19 response (paragraphs 7.1.7-7.1.12 of the main submission; and Appendix 3, section 5.3). In addition, submissions show that local (site-specific) exceptional circumstances also exist to justify the removal of Land at Cross Road, Albrighton from the Green Belt (paragraphs 7.1.13-7.1.19).
- 6.27 TW notes that the Council has applied a somewhat different approach to determining exceptional circumstances as justification for the proposed release of Green Belt land in the Plan, which is summarised in the GBTP (paragraph 8.36) and states:
- “8.36 ...the updated Green Belt Exceptional Circumstances Statement (EV051) summarises the process of considering all other reasonable options within the context of the preferred spatial strategy proposed for Shropshire; and the specific exceptional circumstances considered relevant for those locations where amendments are proposed to Green Belt boundaries.” (TW emphasis)*
- 6.28 Whilst TW does not object in principle to taking an approach that focuses on specific ‘locations’, there is nonetheless a risk that other relevant factors that could be defined as ‘strategic’ exceptional circumstances could be given less recognition or importance in the application of planning judgment in establishing those circumstances or, potentially, could even be ignored. Thus, if it is found to have occurred, this could undermine the soundness of the Plan.
- 6.29 This was a concern identified by TW in its Regulation 19 response regarding those exceptional circumstances underpinning the release of Green Belt land at Albrighton (paragraph 7.1.12). The pertinent evidence used by the Council is provided in the Exceptional Circumstances Statement (ECS) updated version dated December 2020, the relevant commentary is at paragraphs 5.48-5.63 of the ECS [EV051].
- 6.30 The exceptional circumstances identified by the Council as justifying Green Belt release at Albrighton cover four considerations, as follows:
- Supporting the Role and Function of Albrighton in the Future (paragraphs 5.51-5.52)

⁸ NPPF 2021, para 140

⁹ IM properties Development Ltd v Lichfield DC [2014] EWHC 2440 (Admin); Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gelding Borough Council [2015] EWHC 1078 (Admin)

- Meeting Local Needs in the Future (paragraph 5.53-5.56)
- Sustainable Patterns of Development (paragraphs 5.57-5.59) and
- Green Belt Performance (paragraphs 5.60-5.63)

- 6.31 TW broadly agrees with the four considerations identified by the Council as constituting exceptional circumstances at Albrighton. In line with the legal guidance quoted above, the first three are essentially 'strategic' circumstances, whilst the fourth is broadly 'site-specific'. On this evidence alone, it is clear that exceptional circumstances exist to justify the release of Green Belt land in Shropshire.
- 6.32 That said, TW contend that the Council is ignoring one very important additional 'strategic' exceptional circumstance, and greater clarity regarding the 'site-specific' circumstances relating to Land at Cross Road (ALB014) should be provided. The strategic exceptional circumstance that has not been adequately articulated or recognised in the Plan, or in the GBTP evidence, is the significant under-delivery of housing at Albrighton since 2006 when compared to other similar settlements in the hierarchy, totalling just 88 dwellings in 14 years (see separate evidence submitted by TWL to Matter 3: Development Strategy which discusses this issue in more detail). This is acknowledged by the Council in the Preferred Sites consultation document which accepted that housing delivery at Albrighton has been 'modest' and is a result of the constraints caused by a tightly drawn Green Belt boundary around the settlement [EV005.01, para 4.16]. TSL notes, however, that this reference has subsequently been removed in the Pre-Submission Plan (set out in the Place Plan Area commentary for Albrighton under 'Settlement Policies') [SD002], but it is not clear what the reason is for this omission. The lack of recognition in this factor as an exceptional circumstance at Albrighton suggests that the decision to resist releasing any new Green Belt land for allocation in the Plan has not been informed by all relevant considerations and so that decision is not adequately justified.
- 6.33 TW would also point that unmet housing need arising from outside the area can and should be given the proper recognition as a strategic exceptional circumstance in the Plan and the supporting evidence base.
- 6.34 In relation to 'site-specific' exceptional circumstances, TW observes that the ECS indicates that certain sites that do not perform strongly against the Green Belt purposes, notably Land at Cross Road, Albrighton (ALB014) '*...in and of itself is not considered a defining exceptional circumstance...*' [EV051, para 5.63]. TW disagrees with the Council's position. based on the findings from a number of other recent Plan examination findings issued on this matter.
- 6.35 Notably, there are numerous examples, including at Guildford, Broxtowe, Reigate and Banstead, Stevenage, Bolsover, Wycombe, Oxford City, South Oxfordshire, Central Bedfordshire, Nottingham, Cherwell, Doncaster, Lancaster City, New Forest, Staffordshire Moorlands, and Rossendale where Local Plan Inspectors have accepted that performance of sites against the Green Belt purposes has constituted exceptional circumstances. Relevant extracts from some of the Inspectors Final Reports referred to above are appended to this submission, to illustrate the point; this includes at Reigate

and Banstead Local Plan (Issue 2), in Appendix 1; Wycombe Local Plan (Issue 8) in Appendix 2; and Staffordshire Moorlands Local Plan (Issue 2) in Appendix 3 of the submission.

- 6.36 In this context, TW has submitted evidence to this examination to show that Land at Cross Road performs relatively weakly ('low-moderate' score) against the purposes and thus local (site-specific) exceptional circumstances exist to justify its removal from the Green Belt (paragraphs 7.1.13-7.1.19). TW therefore considers it wholly appropriate that Green Belt performance in this case is an exceptional circumstance that justified releasing the site for allocation in the Plan, and which is consistent with other recent local plan examinations.
- 6.37 On this basis, TW contends the Council's assessment of exceptional circumstances is not reflective of the available evidence, with respect to the relevant circumstances at Albrighton and in particular with reference to the exceptional circumstances relevant to 'Land at Cross Road, Albrighton' (ALB014). The assessment of strategic and site-specific exceptional circumstances, and thus the decision not to release this site for development in this Plan, is therefore not proportionate or adequate. It is not soundly based (not justified and consistent with national policy¹⁰).

¹⁰ NPPF 2021, para 31

Appendix 1



The Planning Inspectorate

Report to Reigate and Banstead Borough Council

by Helen Hockenhill BA(Hons) B. PI MRTPI
an Inspector appointed by the Secretary of State
Date: 9 July 2019

**Planning and Compulsory Purchase Act 2004
(as amended)
Section 20**

Report on the Examination of the Reigate and Banstead Development Management Plan

The Plan was submitted for examination on 18 May 2018

The examination hearings were held between 30 October and 9 November 2018

File Ref: PINS/L3625/429/9

Other Green Belt boundary changes

Anomalies

28. The GBR took the opportunity to assess minor anomalies in the Green Belt boundary. These include digitising errors, for example where the boundary has been drawn through a building; encroachment, where built development has encroached into the Green Belt over time; and weak boundary features. In terms of the last-named category, the minor amendments proposed provide strong border features in line with the Framework guidance that sites should have a strong defined boundary. I am satisfied that the minor changes proposed are justified and that exceptional circumstances exist. The changes are detailed on the Policies map.

Washed over and inset villages

29. The GBR also reassessed inset and washed over settlements in the Green Belt. Babylon Lane forms a very low-density settlement with dispersed buildings and open outer boundaries. It is currently inset into the Green Belt. The settlement makes a contribution to openness, and in line with paragraph 86 of the Framework, it is necessary to prevent development in the village in order to protect and maintain its character and its contribution to openness. I am satisfied that exceptional circumstances exist for it to be washed over by Green Belt.
30. In the case of Netherne-on-the-Hill, this forms a village washed over by the Green Belt. It is a dense settlement, reasonably compact and includes a conservation area, several listed buildings and a historic park. It has seen significant growth since the Green Belt boundaries were originally established in the 1994 Borough Local Plan. The village no longer makes a contribution to openness of the Green Belt and little contribution to the five Green Belt purposes. I consider that exceptional circumstances exist for it to be inset in the Green Belt.

Conclusion on Issue 1

31. The approach to the GBR is justified, effective and consistent with national policy.

Issue 2 – Whether the proposed site allocations are justified, effective and consistent with national policy and the Core Strategy and where sites are located in the Green Belt whether the exceptional circumstances have been demonstrated for their removal.

32. The DMP proposes 12 SUEs, the selection of which was based on a number of different assessments including constraints, Green Belt contribution, sustainability and viability. 9 SUEs are located in the Green Belt, the remaining 3 being in the Rural Surrounds of Horley. I shall assess each allocation in turn.

SUEs within the Green Belt

Policy ERM1: Land at Hillsbrow, Redhill

33. This forms a greenfield site located within the Green Belt to the east of Redhill Town Centre to the south of the A25. It consists of open grassland with large areas of ancient and other woodland within the site. The site is allocated for approximately 100 new homes, including 25 units of retirement accommodation.
34. Given the sites relationship to the built-up area, and the location of the former Copyhold Works and ribbon development to the north, the site can be described as partially contained. It makes a limited contribution to the Green Belt purposes. The site has a strong tree belt to the south and a road and further dense tree planting to the north providing clear and defensible boundaries.
35. Further evidence, including a Masterplan for the site and a review of site densities, suggests that approximately 145 dwellings could be provided, rather than the 100 set out in the policy. **MM29** increases the capacity of the site accordingly so that the allocation makes a greater contribution to housing need.
36. The site is in an area with a low risk of flooding and there are no fundamental constraints to development. I am satisfied that its allocation is realistic, viable and deliverable in the timeframe envisaged by the Council.
37. Concerns have been expressed about the highways impact of the development particularly the cumulative impact of this site and ERM2/3 which lies immediately to the north and is also accessed from the A25 Nutfield Road. I have no evidence that such impacts cannot be addressed through mitigation measures. **MM29** requires the submission of a Transport Assessment to address potential impacts and make the policy effective.
38. The modification also updates the policy to include reference to the provision of approximately one traveller pitch on the site in order to align with other policies of the plan.
39. For the above reasons, there are exceptional circumstances which justify the alteration of the Green Belt boundary.

Policy ERM2/3 Land west of Copyhold Works and former Copyhold Works, Redhill.

40. This allocation brings together two land parcels, firstly an open paddock to the west of the site, and secondly to the east, the site of the Former Copyhold Works, an industrial site comprising derelict buildings and areas of hardstanding. The site is allocated for approximately 210 dwellings including 53 units of retirement accommodation. An area of 1.5 hectares is to be reserved for a primary school to serve the site and the local area.
41. The site lies contiguous with the urban area of Redhill. The western paddock is contained by the urban area to the west and the former works to the east.

Whilst it has an open character, it makes little contribution to the purposes of including land within the Green Belt. The former Copyhold Works to the east of the site comprises areas of hardstanding and structures resulting in an urbanised brownfield character.

42. There are strong defensible site boundaries with a tree belt and landfill bund to the north and east and the road and further trees to the south. The land drops down to the north and long-range views are achievable. I am satisfied that through sensitive design and landscaping and the retention, protection and management of the existing woodland areas on the site, the visual impact of development can be appropriately mitigated.
43. The site lies next to the Patteson Court Landfill site. This is a regionally important waste facility dealing with municipal, commercial and hazardous waste. The site has planning permission until 2030. The site operator indicated at the hearing that the infilling of waste was anticipated to end in 2028 with the site fully restored by the end of 2030. Concern has been expressed with regard to the potential environmental impacts of the landfill site on the living conditions of future residents of the SUE. I have had regard to the odour impact assessment and noise assessment submitted by the site promoter, the terms of the Environmental Permit and the views of the Waste Planning Authority. Whilst I acknowledge that the landfill site is well controlled and managed, I am not persuaded by the current evidence that the allocation is suitable for housing now.
44. I consider it justified that the operations of the landfill site are substantially complete before housing development takes place to safeguard the living conditions of future residential occupiers of the site. **MM30** amends the explanatory text accordingly and explains what is meant by 'substantially complete' in the interests of effectiveness. It is also justified for the modification to require the submission of a phasing plan for the residential scheme to minimise any potential conflicts with ongoing waste operations and restoration of the landfill site. The modification provides clarity on the expectations at the planning application stage, including environmental and technical assessments and mitigation measures to take account of the potential environmental conflicts. Consequential amendments to the explanatory text are also required in the interests of effectiveness.
45. Substantive evidence has been provided that the site could deliver more than 210 dwellings through a higher average density of development. **MM30** increases the site capacity to approximately 230 homes enabling the development to make a greater contribution to the delivery of housing. The modification also makes provision for approximately 3 traveller pitches on the site in order to align with other policies in the plan.
46. The policy is unclear and lacks justification for the provision of alternative community facilities should a primary school not be required on the site. In order to remedy this and allow flexibility, **MM30** provides that the land reserved for the school can be used to deliver additional homes if shown not to be required and modifies the Infrastructure requirements accordingly. I consider the delivery mechanism for the school in the Infrastructure section of my report.

47. The policy is also too restrictive in requiring the provision of public open space to the south of the site. This is a matter to be determined at planning application stage. The modification removes this locational requirement in the interests of flexibility and effectiveness.
48. In terms of potential highway impacts I have already considered the cumulative impact of this development and Site ERM1 above. For consistency, **MM30** requires the submission of a Transport Assessment to address potential impacts. I consider that with appropriate mitigation measures, the development would be acceptable in highway terms.
49. Concerns have been raised about the retention of existing woodland walks that run through the site and onsite contamination. The policy requires the retention, improvement and extension of pedestrian and cycle facilities and the addition of new paths through the site. This matter is therefore adequately addressed. I am satisfied that any potential contamination on the site from the previous industrial uses can be appropriately remediated.
50. Subject to the above mitigation and phasing, I am satisfied that there are no significant constraints to the development and the site is deliverable within the timeframe envisaged. The allocation makes a significant contribution to meeting housing need. I consider that there are exceptional circumstances as described above justifying the alteration of the Green Belt boundary in this case.

Policy ERM4a: 164 Bletchingley Road, Merstham

Policy ERM4b: Land south of Bletchingley Road, Merstham

51. The above two sites lie next to each other to the south of Bletchingley Road on the eastern edge of Merstham. ERM4a is allocated for approximately 30 dwellings with ERM4b for approximately 20 new homes. They form greenfield sites located in Flood Zone 1, an area at the least risk of flooding. The GBR assessed both sites together as ERM4. The eastern and western boundaries of the site are made up of trees and hedgerows of varying density. The respective policies require enhancement of tree and hedgerow planting, which I am satisfied will achieve acceptable defensible Green Belt boundaries and mitigate any significant impact on the character and appearance of the area.
52. **MM31** increases the number of homes on Site ERM4b to approximately 30 to take account of updated evidence and recent pre application discussions.
53. Sites ERM4a, 4b and ERM5 are accessed from Bletchingley Road. In order to address the potential cumulative impacts of these developments, all three allocations are required to provide a safe access, upgrade pedestrian and cycle routes to Merstham local centre and submit a Transport Assessment to address the potential impacts of the developments on the A23/School Hill junction. I consider that unacceptable harm in terms of traffic and highways issues are unlikely to arise.
54. There is concern about the removal of these sites and also Site ERM5, which I consider below, from the Green Belt and the subsequent loss of green space between the edge of the settlement and the motorway. Subject to the

design and mitigation requirements of the respective policies, I consider that acceptable developments can be achieved respecting landscape character and improving green infrastructure links. I am also satisfied from the Landscape and Visual Impact Assessment that the development of the sites would not adversely impact on the setting of the AONB to the north.

55. With the exception of a residential property and outbuildings to the north east corner of Site ERM4a, the two sites are largely open in character and contribute to the openness of the Green Belt. However their development would assist in meeting the housing needs of the borough and add to the range and choice of housing available. There are no substantial constraints to development, and I am satisfied that the sites are deliverable and viable. They are in an accessible location within walking distance of Merstham local centre and are served by public transport. For the reasons outlined above, I consider that there are exceptional circumstances to justify the alteration of the Green Belt boundary in this location.

Policy ERM5: Oakley Farm, off Bletchingley Road, Merstham

56. Oakley Farm comprises open farmland used for grazing with a cluster of listed agricultural buildings. The site is at low risk of flooding. It is contained to the west by the existing built up area of Merstham and has strong defensible boundaries with trees and hedgerows and the motorway berm to the north/north east. It makes a limited contribution to the purposes of the Green Belt.
57. Updated evidence suggests the site can accommodate approximately 130 dwellings rather the 95 homes stated in the policy. **MM32** increases the capacity of the site and includes the provision of approximately 25 units for older people and approximately 1 traveller pitch to align with other policies of the plan. The modification also adds a bullet point to the Infrastructure requirements of the site to explain how the traveller pitch would be expected to be provided for effectiveness.
58. There are no constraints to the development, and I am satisfied the site is deliverable and viable. In light of the above, there are exceptional circumstances which justify altering the Green Belt boundary in this location.

Policy SSW2: Land at Sandcross Lane, Reigate

59. This site forms agricultural land located to the south west of Reigate, a short distance from Woodhatch local centre. The site is allocated for approximately 260 new homes, including at least 65 retirement homes, as well as small scale commercial/retail facilities. Land is also set aside for new health provision.
60. The site lies adjacent to the built-up area of Reigate and is bordered by existing roads with dense hedgerows providing well defined boundaries. It comprises open farmland and its development would result in a loss of openness of the Green Belt and encroachment into the countryside. However, the development of the site would make a significant contribution to housing needs including affordable housing and older persons accommodation. The allocation is therefore necessary to ensure that the

housing requirement is met. It also provides for a new health centre to meet the needs generated by future occupiers of the site and the wider area. I consider these benefits outweigh the adverse impacts on the Green Belt.

61. **MM34** amends the site boundary on the Inset Plan to reflect updated land ownership information and ensure the policy is effective.
62. The site promoter confirms that the site is available and deliverable and that it is viable with a 35% affordable housing contribution, however an increased capacity would improve viability. Having regard to the typically higher densities for older persons accommodation, **MM34** increases the approximate number of homes to be delivered on the site to about 290. This increases the contribution of the site to the borough's housing needs. The modification also adds the requirement for the provision of approximately 3 traveller pitches to align with other policies of the plan.
63. The allocation sets aside land for a new health facility. The policy and explanatory text should be modified to clarify that if it is demonstrated that the facility is no longer needed at planning application stage, then the land can be used for further housing provision. This is necessary to achieve flexibility and ensure the policy is effective.
64. The Infrastructure requirements for the development are clarified in the modification to outline the expectations with regards to traffic management measures. The reference to public open space to the western part of the site is deleted to avoid duplication with the site allocation text. These amendments are necessary for effectiveness.
65. Concern has been raised about the cumulative impact of this site and Sites SSW6, 7 and 9 with regard to highway matters and school provision. I shall address this later in my report when I consider Site SSW9.
66. For the above reasons, there are exceptional circumstances which justify the alteration of the Green Belt boundary.

Policy SSW6: Land west of Castle Drive

67. This site forms a triangular shaped parcel of land adjacent to an existing residential development south of Castle Drive. It is allocated for 10 dwellings. **MM35** amends the site area in light of updated information.
68. The site forms part of a larger area of land, which if developed would result in a loss of openness and encroachment into the countryside. This small area, however, makes a limited contribution to the purposes of the Green Belt and provides the opportunity to deliver biodiversity and green infrastructure improvements linking to the wider countryside. The western boundary is weak but with further enhancement I am satisfied this can be improved, reducing the impact on the character and appearance of the area. There are no significant constraints which would impact on the delivery of the site. Exceptional circumstances therefore exist to justify the alteration of the Green belt boundary in this location.

69. The Policy requires that appropriate on site public open space and play facilities should be provided. However, this is not justified as it would not accord with Policy OSR2 due to the small scale of the development. **MM35** deletes this requirement.

Policy SSW7: Hartswood Nursery, Reigate

70. This site allocated for approximately 25 new dwellings, comprises an existing residential property, adjacent grazing land and a former nursery with a number of semi derelict agricultural structures. The site is bounded by existing residential properties to the west on Dover Green Road and intermittent trees along a private drive to the south. There are no defined features to the western boundary. I am satisfied that the weaker western boundary can be strengthened through additional landscaping and planting. In this context and bearing in mind the existing buildings on the site, the land makes a limited contribution to the Green Belt purposes. Exceptional circumstances are therefore demonstrated to alter the Green Belt boundaries.
71. There are no substantive obstacles to the delivery of the site. In order to address surface water flooding issues a flood risk assessment would be required. **MM36** sets out the required addition to the policy to ensure effectiveness.

Policy SSW9: Land at Dovers Farm, Woodhatch, Reigate.

72. This site forms an agricultural field with a belt of trees to the eastern boundary. It is allocated for approximately 100 dwellings, including up to 25 units of retirement accommodation. There is existing development to the western portion of the site including development along Dovers Green Road and also to the northern boundary. A private access road leads to a small industrial estate to the south of the site. There are strong defensible road boundaries in the west and south and tree and hedgerow planting on its other boundaries.
73. The site is open in character and its development would impact on the openness of the Green Belt. However, bearing in mind the lack of alternative sites in the urban area to meet the housing needs of the borough, and the significant contribution of the site to the delivery of housing, I consider the benefits outweigh the harm to Green Belt openness.
74. Further evidence, including an assessment of site densities and potential housing mix, suggests that the site could accommodate a greater number of dwellings. **MM37** increases the site capacity to approximately 120 homes in the interest of effectiveness. It also adds the requirement for the provision of approximately 1 traveller pitch to align with other policies of the plan.
75. A small part of the site is located in Flood Zones 2 and 3 and therefore at a higher risk of flooding. The Policy states that no development should take place in this area of the site. **MM37** requires a site-specific flood risk assessment for this policy to be effective.

76. Concern has been expressed with regard to the cumulative traffic impact of this site together with Sites SSW2, SSW6 and SSW7. The infrastructure requirements for all four sites includes the submission of a Transport Assessment and requires improvements to the local road network. The requirements for Policies SSW2 and SSW9 also include measures to manage rat running and re-routing. In order to make the policies effective and provide clarity on expectations in this regard, **MMs 34 and 37** refer to possible traffic calming or other appropriate measures. I am satisfied that through the development management process these matters can be adequately addressed and that residual cumulative impacts on the highway network would not be severe.
77. The Education Authority has undertaken modelling work and has concluded that there would be a shortfall in places in the Reigate primary school planning area and the three other central-borough primary planning areas of Mersham, Redhill and Earlswood/Salfords. At least one additional form entry primary school is envisaged to be needed between September 2022/2023. The DMP allocates land at Site ERM2/3 Land west of Copyhold Works to address this need. The Council has outlined further options should this site fail to come forward or is delayed. In terms of secondary school provision, expansions are planned as well as a new secondary school in Merstham. I am therefore satisfied that adequate provision can be made.
78. The site has active developer interest and is viable, available and deliverable. For the reasons outlined I consider that exceptional circumstances exist for the alteration of the Green Belt boundary in this location.

SUEs outside the Green Belt

Policy NWH1: Land at Meath Green Lane, Horley

79. This site, just less than 10 hectares in extent, is allocated for approximately 75 dwellings. It lies outside the Green Belt and is to be taken out of the Rural Surrounds of Horley. It has strong defensible boundaries made up of dense tree belts and the river to the north. The site also lies adjacent to the urban edge of the Horley North West Sector development. This relationship enables the allocation to benefit from the infrastructure to be provided as part of this larger development, in particular public transport, education, health provision and community facilities.
80. Part of the site lies in Flood Zone 2 and 3. Development is to be concentrated in Flood Zone 1. **MM39** is necessary to make the policy effective in ensuring that a flood risk assessment for the site is undertaken. The modification also updates the site boundary on the Inset Plan following further information from the site promoter.
81. The policy requires primary access to the site to be taken through the North West Sector. The Council has confirmed that the timing for the implementation of this route should not hinder the delivery of the site. The site promoter has suggested that access to Meath Green Lane should be provided for choice and flexibility. However, this is a narrow winding rural lane where an additional junction and increased traffic would alter its character. There is no access to Meath Green Lane from the North West

Appendix 2



The Planning Inspectorate

Report to Wycombe District Council

by Nicola Gulley MA MRTPI

an Inspector appointed by the Secretary of State

Date: 10 July 2019

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the

Wycombe District Local Plan

The Plan was submitted for examination on 28 March 2018

The examination hearings were held between 16 July and 26 September 2018

File Ref: PINS/K0425/429/12

Flood and Landscape Management

136. The framework for the consideration of matters in relation to flood risk and sustainable drainage systems is provided by Policy DM39, as revised by **MM70**, which is necessary to provide clarity about the requirements of national policy. The policy is based on the findings and recommendations contained in the Wycombe Strategic Flood Risk Assessment (SFRA) Level 1⁵⁶ and SFRA Level 2⁵⁷ and is, in my view, consistent with the requirements of national policy. To ensure that the requirements of the Policy are addressed in site specific proposals, revisions through **MM12, 14, 15, 22, 38, 39, 40, 46** and **48** are necessary to the Policies HW4, HW6, HW7, HW19, PR13, PR14, PR15, RUR2 and RUR 4 to explain the requirement for proposals to manage local sources of flood risk. Similarly, in order to ensure that the development of allocated sites does not have an adverse impact on the landscape or AONB, **MM51** and **52** are necessary to amend Policies RUR8 and RUR9 to ensure that development takes a landscape-led approach. Other policies subject to similar modifications in relation to flood risk and landscape are addressed in the following site-specific assessments.

Housing Allocations

Policy HW8 - Land off Amersham Road including Tralee Farm, Hazlemere

137. The site could accommodate 350 dwellings and associated public open space. It is anticipated that the allocated site will be brought forward in conjunction with the adjoining site known as '*Land Off Earl Road*' which is in Chiltern District. The site is situated within the Green Belt and adjacent to the AONB. The allocated site, which comprises approximately 12 hectares of land currently occupied by agricultural buildings, warehousing, a former equestrian centre and some residential dwellings, is enclosed largely by residential development and is located adjoining the Tier 1 settlement of High Wycombe. **The conclusions of the GB2 Assessment indicate that the Green Belt parcel, which contains the allocation: only fulfils the Green Belt purposes defined in the NPPF relatively weakly;** is in a sustainable location for growth; capable of being removed from the Green Belt; and suitable for the proposed use. Having regard to my conclusions on Issue 1 and 4, and considering the evidence presented, I consider that exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for housing development.

138. Although I note the issues in relation to the impact of the proposal on the existing orchard, flood risk and the provision of a primary school, I am content that, subject to **MM16** which is required to explain the requirements for flood management and educational provision, these issues are addressed in the policy and can be appropriately managed through the course of the development. Therefore, based on the submitted evidence, I am content that the allocated site is sound.

Policy HW9 Land at Green Farm, Glynswood, High Wycombe

139. The site at Green Farm, Glynswood is allocated for the construction of 50 dwellings. It is situated within the Green Belt and in the AONB. The allocated site,

⁵⁶ FRW12

⁵⁷ FRW2

which comprises a roughly square area of grassland enclosed by a combination of residential development and mature trees, is located on the urban fringe of the Tier 1 settlement of High Wycombe. The findings of the GB2 Assessment indicate that the allocated site only fulfils the Green Belt purposes defined in the NPPF relatively weakly, is in a sustainable location, is capable of being removed from the Green Belt without adversely impacting on the wider designation and is suitable for the proposed use. Having regard to my conclusions on Issue 1 and 4, and considering the evidence presented, I consider that exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for housing development.

140. Several representors have suggested that because of its potential impact on a heritage asset, the Disraeli Monument, which is located across Hughenden Valley, **the proposal constitutes 'major development' in the AONB**. Whilst I recognise that the allocated site is visible from the Monument, I consider that the long range nature of these views together with the location of the site, adjacent to existing residential development, and the presence of boundary trees would ensure that the development of the site would appear to be part of the existing urban area and as such would not have a significant impact on the heritage asset or the enjoyment or landscape qualities of the wider AONB. Therefore, subject to the revision proposed in **MM17** which requires the addition of new criteria that seek to manage flood risk and clarify the nature of the view from the site, I am content that the allocated site is sound. Whilst, I note the representations made to MM17, I am content that the revision proposed would improve the clarity and application of the policy and accord with the Framework. I have made a consequential change to paragraph 5.1.71 of the LP.

Policies HW10 - Horns Lane, Booker, High Wycombe and HW11 - Clay Lane, Booker, High Wycombe;

141. Land at Horns Lane and Clay Lane are allocated for the construction of 64 dwellings and, subject to **MM18** which is necessary to increase the scale of development, 40 dwellings respectively. The sites, along with that allocated under Policy HW16 for employment, are located within close proximity to each other and are situated within the Green Belt to the south-west of High Wycombe. As a result, the submitted Plan identifies the sites allocated under Policies HW10, HW11 and HW16, and the intervening land, which accommodates small-scale commercial and residential development along Clay Lane, as being a single site proposed for removal from the Green Belt.
142. The Horns Lane allocation is located on the urban fringe of High Wycombe and comprises a roughly triangular area of land enclosed by a combination of residential development, the M40 and allotments. The Clay Lane allocation, which comprises an area of undeveloped land enclosed by Clay Lane and Clay Hill, is also located close to High Wycombe. The Wycombe Air Park allocation comprises two parcels of land which include the existing operational air park and a substantial area of undeveloped land. The allocation is enclosed by a combination of the M40, Clay Lane, Marlow Road and to the west by the legal and regulatory limits to development associated with the licensing and operation of the air park. The findings of the GB2 Assessment indicate that the combined site only fulfils the Green Belt purposes defined in the NPPF relatively weakly, is in a sustainable location for growth, and is capable of being removed from the Green Belt without

having an adverse impact on the integrity of the wider designation and suitable for the proposed use.

143. Whilst the combined site is situated largely outside the urban area of High Wycombe, because of its proximity, connectivity and predominantly semi-urban character, the area for removal is, functionally, part of the larger area of the Tier 1 settlement, and as such in a sustainable location. The removal of a relatively small area of land, which is largely semi-urban in character, would not materially increase the potential for High Wycombe, Lane End or Marlow Bottom to coalesce, promote urban sprawl or result in the further encroachment of development into the countryside. Moreover, the requirements outlined in Policy HW11 and HW16 would, for the most part, ensure the establishment of appropriate and enduring boundaries. Therefore, having regard to my conclusions on Issue 1, 2, 4 and HW16 and considering the evidence presented, I consider that exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for employment and housing development.

144. The conclusions of the HELAA indicate that both the proposed allocated sites are largely free from constraint and based on the evidence presented I am content that the allocations in respect of Policies HW10 and HW11 are sound. I have made a consequential change to MM11 which amends Table 11 - Sites identified for housing or housing-led mixed use development in the High Wycombe area to reflect the change in indicative capacity at the Clay Lane site contained in MM18.

HW15 - Land to the rear of Hughenden Road, High Wycombe

145. The site, which is located close to the Hughenden Stream, is allocated in the Plan for the construction of an unspecified number of dwellings. Evidence presented by the Environment Agency⁵⁸ indicates that the site should be considered a Functional Flood Zone (Flood Zone 3b)⁵⁹ and that proposals other than 'water compatible' development and 'essential infrastructure' would be inappropriate and undeliverable at this site. The site allocation is not soundly based and **MM19 and MM80** are necessary to delete the allocation.

Policy MR6 - Land adjacent to Seymour Court Road, Marlow

146. Land adjacent to Seymour Court Road comprises an area of some 0.3 hectares of undeveloped agricultural land, which is allocated for the construction of 9 dwellings. The allocated site, which is situated within the Green Belt and the AONB, adjoins the Tier 2 settlement of Marlow and is enclosed by a combination of residential development and mature trees. The findings of the GB2 Assessment indicate that overall the site only fulfils the Green Belt purposes defined in the NPPF relatively weakly, is in a sustainable location for growth, capable of being removed from the Green Belt without adversely affecting the integrity of the wider designation and suitable for the proposed use. Having regard to my conclusions on Issue 1 and 4, and considering the evidence presented, I consider that exceptional circumstances exist to justify the alteration of the Green Belt boundary to remove the site for housing development.

⁵⁸ SCG2A

⁵⁹ As defined by Table 1 'Flood risk' the Planning Practice Guidance

Appendix 3



The Planning Inspectorate

Report to Staffordshire Moorlands District Council

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Date: 18 June 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Staffordshire Moorlands Local Plan

The Plan was submitted for examination on 28 June 2018

The examination hearings were held between 9 October and 23 October 2018 and 4 and 5 February 2020

File Ref: PINS/B3438/429/5

sustainable strategy. The approach is scored positively by the suite of SA documents (SD 6.1 – 6.5).

52. The SMCS envisaged that the majority of **the District's** housing requirement, other than completions and commitments, would be accommodated by new allocations either within existing urban areas or through small urban extensions to the towns. This Plan has a similar approach.
53. Green Belt covers the western part of the District, affecting about half of the Plan area. Biddulph is surrounded by Green Belt. Many of the larger villages in the District close to the Potteries conurbation are also constrained by Green Belt. About half the countryside around Cheadle is also designated as Green Belt but the eastern side of the town is not so constrained.
54. The strategy and spatial distribution reflect the location of the Green Belt in the proportion of development proposed for Biddulph and in the modest shift of development away from the rural areas. Policy SS3 indicates that Biddulph **would accommodate around 20% of both the District's housing and** employment requirements. Biddulph is the second largest settlement in the District after Leek. But the 20% earmarked for Biddulph is a smaller proportion of development than the other towns of Leek and Cheadle, reflecting, to an extent, Green Belt constraints. Some 30% of both housing and employment requirements would be steered towards Leek whereas some 25% of housing and 20% of employment would go to Cheadle.
55. Most of the homes delivered from allocations in the rural areas will be in larger villages beyond the Green Belt, reflecting the above strategy. A significant proportion of the homes will be at Blythe Vale. The site is adjacent to the village with the broadest range of services in the District, including secondary and primary schools, a medical centre, a range of shops and a railway station. That the site is close to the Potteries conurbation does not exclude it from **contributing to the District's needs**. The alternative approach of distributing homes over a number of villages would be less sustainable as set out within the SA. In particular, such an option, although potentially benefiting the vitality of some of these village communities as suggested by Policy SS2, would be likely to lead to greater pressure on Green Belt land. This is reflected in earlier iterations of the Plan which showed over 500 homes on such land on the edge of villages.

Exceptional Circumstances

56. In the context of the overall strategy, the Plan proposes some Green Belt release in Biddulph, Cheadle and the rural areas. The Framework requires that exceptional circumstances need to be demonstrated to alter Green Belt boundaries.
57. Biddulph has suffered from economic decline and includes a ward with high deprivation. The 20% proportion of development referred to above seeks to meet the economic and social needs of Biddulph whilst recognising the environmental considerations, principally the restrictions imposed by the Green Belt wrapping around the town.
58. There is some non-Green Belt land in the town but not sufficient to provide the 20% of development referred to above. Some development beyond that

which can be accommodated within the existing town boundary, involving Green Belt land, would be justified to stem decline, support regeneration, provide market and affordable housing and employment opportunities, and to **enhance the town's role as a service centre**. The specific needs of Biddulph would not be met by development away from the town in adjoining authorities. In any event these authorities are also affected by Green Belt. The SMCS also envisaged that Green Belt release would be required in Biddulph and the circumstances relevant then have not materially changed. Therefore, in principle exceptional circumstances have been demonstrated to alter Green Belt boundaries in Biddulph. However, the Plan as submitted does not clearly articulate these high-level exceptional circumstances. MM8 would include such an explanation so that the Plan is positively prepared, justified and consistent with national policy.

59. In terms of particular sites in Biddulph, the majority of housing development would be provided within the built-up area or existing town boundary, beyond the Green Belt. This would be through two allocations and windfalls. The submitted Plan shows the two allocations at the Wharf Road Strategic Development Area [SDA] and Biddulph Mills providing about 390 dwellings and 1 ha of employment land, without encroaching into the Green Belt.
60. In terms of Green Belt release, the Tunstall Road SDA would involve the alteration of Green Belt boundaries and is shown in the submitted Plan as contributing some 85 dwellings and 5 ha of employment land. The SDA would have limited impacts on Green Belt purposes because of its relationship with the Victoria Business Park to the west of the A527 and the significant separation that would remain between the southern extremity of Biddulph and the outlying parts of the Potteries conurbation. Therefore, I conclude that exceptional circumstances exist for the release of the land at Tunstall Road from the Green Belt. However, the exceptional circumstances to support the release of this Green Belt land should be more clearly articulated within the Plan to justify the proposals in the context of national policy. This would be achieved by MM42.
61. The larger of the two allocations referred to in paragraph 59 above, known as the Wharf Road SDA, was flagged up in the SMCS as a broad location for housing. However, the allocation in the submitted Plan not only relates to land in the town boundary but also includes Green Belt land to the west of the Biddulph Valley Way [BVW]. The latter component of the allocation is known as BDNEW.
62. BDNEW would have the potential for about 255 dwellings. However, the BDNEW site would result in an incursion of development into the countryside beyond the clearly defined defensible boundary of the BVW. Development would have a significant impact on the Green Belt purposes of checking the unrestricted sprawl of a large built-up area and safeguarding the countryside from encroachment. The south-western boundary would not use physical features that are readily recognisable. In addition, the site is indicated to be of high landscape sensitivity. Other parts of the built-up area of Biddulph around Gillow Heath and Newpool extend beyond the BVW. However, these comprise well-established residential areas. There is a significant stretch of the BVW between the two that has not been breached. This strong boundary would be considerably weakened by BDNEW. It is also of note that the

BDNEW site was not identified as one that could potentially be suitable for housing in the initial Districtwide Green Belt Review in 2015 (SD 22.4) or the Strategic Housing Land Availability Assessment [SHLAA] (SD 26.1).

63. For the above reasons I conclude that exceptional circumstances do not exist for the alteration of the Green Belt boundaries in Biddulph for that part of the Wharf Road SDA comprising BDNEW. MM9 which modifies Policy SS4 (strategic housing and employment land supply), MM12 which modifies the supporting text to Policy SS6 (Biddulph Area Strategy), MM22 which modifies Policy H2 (housing allocations) and MM40 which modifies Policy DSB1 (Wharf Road SDA) are, therefore, required so that the Plan is positively prepared, justified and consistent with national policy. Corresponding changes to the Policies Map would also be required.
64. One of the consequences of not allocating BDNEW would be that, based on the **Plan's strategy of providing about 20% of the housing requirement in Biddulph**, the remaining allocations and other elements of housing supply, as modified by MMs referred to elsewhere in this report, would be some way short of the residual requirement for the town of some 945 dwellings. There would be a shortfall of about 230 dwellings. There would also be a shortfall **against the Plan's requirement for the District as a whole of about 350 dwellings, equivalent to just over one year's supply.**
65. To provide sufficient sites for the total Biddulph LP requirement would need additional Green Belt release. I have had regard to the Green Belt reviews conducted by the Council that have considered a number of potential sites on the edge of Biddulph, including the assessment of potential land around Biddulph following the initial hearings in October 2018. The later assessment followed my recommendations that BDNEW should not be released from the Green Belt but that other options, including identifying areas of safeguarded land, should be considered. This resulted in the Council proposing the safeguarding of three sites at Gillow Heath (BD062, BD068 and BD087) as MMs to the Plan.
66. However, the sites assessed, which do not form part of the submitted Plan, including those at Gillow Heath, have varying adverse effects on Green Belt purposes and also have a range of landscape and other constraints. Although the effects vary, all of the sites contribute to at least one of the five Green Belt purposes set out in paragraph 80 of the Framework.
67. Moreover, **the Council's proposals to safeguard land but not allocate enough land in Biddulph for the Plan period falls between two stools.** Even if the Gillow Heath sites were to be allocated, rather than safeguarded, they would not bridge the entire gap between provision and the net requirement for the Plan period and no land would be identified for safeguarding. Furthermore, if additional land is required in Biddulph in the future, the Gillow Heath sites may not necessarily represent the most suitable option taking into account all things considered in the round, including the amount of land required at that **time, Green Belt purposes, the location relative to the town's services and a review of constraints affecting these and other sites.**
68. Sufficient sites would be available to meet the Biddulph requirement for the next 10 years in accordance with paragraph 47 of the Framework on the

assumption that the allocations are deliverable or developable. In terms of the remaining requirement, the Framework requires that a supply of sites for years 11-15 of a LP should be identified 'where possible'. It is not an absolute requirement to identify sites for the entirety of a plan period. The shortfall would be towards the end of the Plan period.

69. Therefore, the Gillow Heath sites proposed for removal from the Green Belt and safeguarding through the MMs should remain part of the Green Belt as shown in the submitted Plan and accompanying Policies Maps. The suitability of the Gillow Heath sites and other Green Belt land on the edge of Biddulph could be reviewed when the LP is updated, should there be a need to identify more land for development at that time. As part of this review, both development requirements for the new Plan period and the need for safeguarded land could be considered such that the quantum of land released from the Green Belt would meet longer-term development needs.
70. The Plan will be considered for updating within 5 years in accordance with the 2019 Framework. An earlier review would also occur if sites are not delivering housing as anticipated. In reviewing the requirement for an update and the need for Green Belt release, the Council would have regard to housing and other development needs and deliverability at that time. Whilst the Framework requires that LPs should consider Green Belt boundaries having regard to their intended permanence in the long term so that they are capable of enduring beyond the Plan period, circumstances may well change going forward in terms of development requirements such that an update of the Plan may indicate that sufficient land has already been identified to meet longer-term needs either in the District overall or within the Biddulph area in particular.
71. This Plan, as suggested by the Examining Inspector into the SMCS, represented an opportunity to undertake that comprehensive review, but for the reasons given, the submitted Plan and the alternative which proposed the Gillow Heath sites for safeguarding do not achieve this. To my mind a comprehensive review should consider both the allocation of sites to meet the requirement for Biddulph for the Plan period and whether to safeguard additional land for beyond the period. To embark on that review now would significantly delay the adoption of the Plan and risk suppressing rather than accelerating housing delivery in the District. The submitted Plan, with the modification relating to BDNEW, has identified sufficient land in Biddulph for the next 10 years and for the District as a whole for all but the last couple of years of the Plan period and would be sound.
72. I have given further consideration to how the Plan should refer to Biddulph's longer-term needs following the February 2020 hearings. The Plan should make it clear that Biddulph should be revisited again so that a comprehensive review can be undertaken. This would be secured by MM55 so that the Plan is positively prepared, justified, effective and consistent with national policy.
73. All in all, I do not consider that exceptional circumstances to justify additional Green Belt release in Biddulph at the present time have been demonstrated.
74. In terms of Cheadle, most of the land allocated is within the existing development boundary or on non-Green Belt land. However, a relatively small

parcel of land to the south of Mobberley Farm is proposed for release from the Green Belt. This is to enable direct access from the main road network into the Mobberley Farm SDA and the provision of an initial section of the potential link road between the A522 and A521. Without this Green Belt land, it is unlikely that the site would be capable of being delivered. This would sterilise an area which has been earmarked for development for many years, preventing suitable development land in Cheadle coming forward and putting pressure on more sensitive areas on the edge of the town, including larger areas of Green Belt. The provision of the link road would also be stymied, with implications for traffic congestion in the town centre. The land is already partly developed with a veterinary surgery and makes limited contribution to Green Belt purposes.

75. For these reasons I conclude that exceptional circumstances exist for the alteration of the Green Belt boundary to the south of Mobberley Farm. However, the Plan does not clearly articulate the reasons. MM45 is needed so that Policy DSC3 (Mobberley Farm SDA) is positively prepared, justified and consistent with national policy.
76. There is no need for the release of further Green Belt land in Cheadle. A range of sites have been allocated on non-Green Belt land within the built-up area and on the northern side of the town to meet **Cheadle's contribution to the District's housing requirement**. It has not been demonstrated that further release of land to the south of Mobberley Farm is necessary to enable the SDA to come forward.
77. The larger villages of Biddulph Moor, Blythe Bridge/Forsbrook, Brown Edge, Cheddleton, Endon, Kingsley, Werrington/Cellarhead and Wetley Rocks are also affected by Green Belt. All these villages have had new homes built since 2014 and have other housing committed through permissions (see EL5.005 Appendix 9). That said the level of development has been and will be modest in most of the settlements reflecting the Green Belt restrictions. Some sites on the edge of these villages were assessed in the Green Belt Review as having limited effect on Green Belt purposes. However, notwithstanding the specific impacts, exceptional circumstances do not exist for the strategic reasons set out earlier. Biddulph Moor lies within the Biddulph Neighbourhood Plan Area but, **in respect of the LP's spatial strategy**, falls within the Rural Areas. Allocating land in Biddulph Moor would not contribute to the shortfall in Biddulph.
78. Of the larger villages, the LP only proposes Green Belt release in Werrington through Policy DSR4 (land off Ash Bank Road, Werrington). Werrington is a village with a range of services, including primary and secondary schools, and good transport connections to the Potteries conurbation. There are few development opportunities within the village. The two sites proposed to be removed from the Green Belt are, to a significant extent, enclosed by existing development, including that at HM Young Offenders Institute. The sites make only a moderate or limited contribution to Green Belt purposes. There are no other overriding constraints. I conclude that exceptional circumstances exist for the release of the sites from the Green Belt. However, the Plan does not clearly articulate the reasons. MM50 is needed so that Policy DSR4 is positively prepared, justified and consistent with national policy.