

THE LONDON PLAN DRAFT FOR PUBLIC CONSULTATION DECEMBER 2017

Wealden Land Ltd

February 2018

INTRODUCTION

These representations are submitted on behalf of Wealden Land Ltd, in response to The London Plan The Spatial Development Strategy for Greater London, Draft for Public Consultation, December 2017.

Our client has a substantial brownfield site at Sidcup in the Borough of Bexley, which is environmentally harmful to local residents and its Green Belt environment. There is an opportunity to remove this non-conforming use and to enhance the site through residential redevelopment, with potential for a small element of B1 offices.

Our client is a Member of the Home Builders Federation and supports the representations made by HBF in relation to the Draft Housing Policies in the Draft London Plan. These representations therefore focus on the Draft Green Belt policy.

PLANNING POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

These Representations have regard to the relevant paragraphs within the NPPF and their consistency with the principles and policies set out in the Draft London Plan, in particular, section 9 “Protecting Green Belt land”:

Paragraph 83 of the NPPF impresses that Local Planning Authorities should only alter Green Belt boundaries, in exceptional circumstances, through the preparation or review of the Local Plan. At which time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

Paragraph 84 continues: “When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.”

Paragraph 85, provides further guidance to local planning authorities for defining Green Belt boundaries, including:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period;

When considering a planning application, paragraph 89 lists a number of scenarios where the construction of new buildings is an exception to inappropriate development, including:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In summary, the NPPF places great importance on the protection of the Green Belt, whilst providing flexibility especially on brownfield land to allow local planning authorities to review Green Belt boundaries, where appropriate, to establish whether the land continues to meet the purposes of the Green Belt, and to grant planning permission for new redevelopment so long as the openness of the Green Belt is respected.

In relation to previously developed land, paragraph 111 directs:

Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning

authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

It should be noted that our client's land meets the environmental test above.

Paragraph 182 sets out the Tests of Soundness for a Local Plan to be assessed against to be considered sound. These representations consider the Draft London Plan as published against these tests of soundness, namely whether it will be:

(i) **Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it reasonable to do so and consistent with achieving sustainable development;

(ii) **Justified** - the plan should be the most appropriate strategy, when considered against reasonable alternative, based on proportionate evidence;

(iii) **Effective** -the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and

(iv) **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

REPRESENTATIONS

POLICY G2 LONDON'S GREEN BELT

In accordance with the NPPF, Policy G2 seeks to protect the Green Belt from inappropriate development. However, part B of the Draft policy states:

"The extension of the Green Belt will be supported, where appropriate. It's [sic] de-designation will not."

This policy evidently goes beyond the directions of the NPPF and removes any flexibility for reviewing the Green Belt boundary, in relation to de-designation. This overly strict approach does therefore not meet the tests for soundness set out in Paragraph 182 of the NPPF, as it fails to be "consistent with national policy."

The NPPF is clear in its direction that the review of Green Belt boundaries should be at the discretion of the local planning authority, yet the wording of this policy would remove the opportunity for local authorities to assess and determine the appropriateness of land remaining in the Green Belt, which in some cases may no longer meet the criteria and objectives of Green Belt land.

This complete removal of flexibility toward "de-designation" poses a risk to local authorities that may not be able to "satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period", particularly given the mounting requirement to deliver housing at higher regional levels than the recent past. The policy as currently drafted, does not recognise the positive advantages that an appropriate review of the Green Belt may offer in terms of housing land availability, if certain non-performing parts of the Green Belt are released in the right circumstances, in accordance with the directions of the NPPF. This is especially the case for brownfield land opportunities that may exist.

Paragraph 111 of the NPPF directs that planning policies should encourage the effective use of land by re-using land that has been previously developed. The Draft policy not only removes the ability to "de-designate" Green Belt land, but goes beyond this, inferring that there should be no development in the Green Belt at all. This is expressed in the Draft supporting text, which although it acknowledges that not all parts of the Green Belt provide significant benefits, as they have become "derelict and unsightly", also states that "this is not, however, an acceptable reason to allow development to take place." This wording is worrying, as it implies that, contrary to the NPPF, any development, even that which is in the exceptions list to "inappropriate development", is prohibited by the London Plan.

Our client welcomes the radical increase in housing numbers in the Draft Plan, but the ability to deliver such a quantum of sites within the built-up boroughs of London will be exceptionally difficult to provide because sufficient sites are not readily available. There are however, a magnitude of unsavoury brownfield sites within the Green Belt that are potentially available. Such sites present a significant opportunity if planning policy takes a more positive approach to support their short term release. In such instances, there is scope for environmental enhancement which can bring about much improved quality of life for local residents. The release of modest pockets of brownfield land within the Green Belt may offer a relatively small amount of the required future housing supply but a very important contribution nevertheless. The London Plan must not be overly prohibitive in terms of restricting all development in the Green Belt, especially in relation to brownfield redevelopment opportunities.

Our client therefore strongly urges that the wording of this policy and its supporting text be reviewed, to ensure that a flexible stance is adopted, to comply with the NPPF.

Rapleys comments

Wealden Land Ltd (barrychamberlain@wealdenhomes.co.uk)

Page: [Policy G2 London's Green Belt](#)

Section: [N/A](#)

The London Plan Draft for Public Consultation December 2017

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Representations

Policy G2 London's Green Belt

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Page: [Multi-policy response](#)

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See attached.