

## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 3 OCTOBER 2013

#### REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING AND TRANSPORT

#### EAST HERTS DISTRICT-WIDE GREEN BELT REVIEW – PART 1 (SEPTEMBER 2013)

WARD(S) AFFECTED:        ALL

#### **Purpose/Summary of Report**

- This report summarises the findings of the East Herts District-Wide Green Belt Review – Part 1 (September 2013), and seeks endorsement to use the Review to inform the preparation of the East Herts District Plan.

#### **RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL AND EXECUTIVE: That:**

<b>(A)</b>	<b>The East Herts District-Wide Green Belt Review – Part 1, September 2013, be supported as part of the evidence base to inform and support the East Herts District Plan.</b>
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#### **RECOMMENDATIONS FOR COUNCIL: That:**

<b>(A)</b>	<b>The East Herts District-Wide Green Belt Review – Part 1, September 2013, be agreed as part of the evidence base to inform and support the East Herts District Plan.</b>
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#### 1.0    Background

- 1.1    Over the last two years the Council has been undertaking a process of short-listing options as part of the emerging development strategy to deliver the District's objectively assessed needs. Evidence gathered through this process, including through the ongoing Strategic Land Availability Assessment, indicates that only a small fraction of the District's residential development needs can be accommodated within the existing built-up areas on previously developed sites. There is therefore no option but to look outside the towns for suitable locations in which to

accommodate development. As four of the five main towns in the District are surrounded by Green Belt, this will result in the need to release Green Belt land.

1.2 In order to inform the strategy selection process and to determine the most suitable and appropriate location for development within the Green Belt, a Green Belt Review is being undertaken.

The purpose of the Review as a whole is twofold:

- To address whether the District's objectively assessed need for development can be accommodated within the constraints created by the Green Belt;
- To inform the strategy selection process of the District Plan.

1.3 The Review is split into two parts. The purpose of Part 1 of the Green Belt Review is to:

- Assess the District's entire Green Belt against the purposes of the Green Belt as defined by the National Planning Policy Framework (NPPF).

1.4 Part 1 of the Review will inform the Detailed Site Assessments undertaken in Part 2 of the Review, which will be presented to the District Plan Executive Panel on 3<sup>rd</sup> December 2013 alongside the emerging development strategy for the Draft District Plan. The December Report will also include more information on the Council's approach towards Major Developed Sites in the Green Belt, minor boundary amendments necessary as a result of digital mapping improvements, new or compensatory Green Belt and the approach towards safeguarding Green Belt land for future development beyond the emerging Plan period.

## 2.0 Report

2.1 Chapter 1 of the Green Belt Review introduces the Review and outlines the background and purposes of the Review. It explains the national approach to Green Belts as defined by the NPPF, setting the context for the Review. A very recent High Court (*Hunston Properties Ltd vs' Secretary of State for Communities and Local Government and St Albans City and District Council*, 5.9.2013) decision has made the national approach to Green Belts clearer than ever before. In response to a Judicial Review of an application for Green Belt development in St Albans, a High Court Judge stated that "*Green Belt policy is not an outright prohibition on development in the Green Belt. Rather it is a prohibition on inappropriate development in the absence of very*

*special circumstances*” (paragraph 29). In this context, the decision to release a location from the Green Belt in order to enable a fully evidenced development strategy supporting a District Plan would depend on the balance of many strategic planning factors. This Review therefore seeks to inform whether the development strategy would be possible in relation to Green Belt principles.

- 2.2 Chapter 2 of the Review explains the methodology used in this Review. The methodology for Part 1 of the Green Belt Review is straightforward – the District is broken down into large segments based upon those established for the Landscape Character Assessment, 2007. It then assesses each of these segments against four of the five Green Belt purposes using a set of criteria. At this stage, Part 1 is very high-level and does not seek to determine which parts of the Green Belt is needed or should be released for development. It simply informs the Detailed Site Assessments in Part 2 of the Review and the initial strategy selection process.
- 2.3 The results of this District-Wide high level Review of the Green Belt is summarised in a series of maps and tables, using a basic colour coding system based upon the contribution each segment plays against the criteria devised for each Green Belt Purpose. See **Essential Reference Paper ‘B’**.
- 2.4 As part of this Review research has been undertaken into the approaches taken by neighbouring authorities. We will be keeping a watching brief on the approach towards the Green Belt taken for each of our neighbours, responding as necessary to any consultations. In summary:
- Broxbourne Council has undertaken both an inner boundary review and a two stage review in 2008. It is presumed that there will be an update presented as part of their anticipated forthcoming revised draft Local Plan.
  - Uttlesford District Council undertook a Green Belt Boundary Scoping Report in 2011 in order to consider the principle of allocating land for development within the part of their district which is currently within the Green Belt.
  - Welwyn Hatfield Council has joined with St Albans City and District Council and Dacorum Borough Council to undertake a Green Belt Review. The methodology is very similar to those used for the East Herts Green Belt Review. Part 1 of the joint Review will be published in the next few months.
  - Stevenage Borough Council published Part 1 of their Green

Belt Review as part of their Local Plan 1<sup>st</sup> Consultation earlier this year. Their methodology is again very similar.

- North Herts District Council have identified a need for a Green Belt Review and have expressed a desire to extend the Green Belt in order to provide further protection in strategic gaps between settlements. So far Green Belt issues have been covered in a number of technical documents, but not in the form of a single Green Belt Review.

2.5 The recommendations in this Review will be used to inform the preparation of Part 2 of the Green Belt Review, the District Plan and the emerging development strategy for each town and the district as a whole. It is therefore important to remember that these recommendations will need to be considered in relation to all the other planning issues and development needs of the district.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

- Criteria-Based Assessments on Green Belt, Strategic Gaps and Boundary Limits, included in Chapter 3 of the Strategy Supporting Document, presented to the District Plan Executive Panel 29 March 2012.

<http://online.eastherts.gov.uk/moderngov/ieListDocuments.aspx?CId=151&MId=2024&Ver=4>

Contact Member: Cllr Mike Carver - Executive Member for Strategic Planning and Transport  
[mike.carver@eastherts.gov.uk](mailto:mike.carver@eastherts.gov.uk)

Contact Officer: Kevin Steptoe - Head of Planning and Building Control  
01992 531407  
[kevin.steptoe@eastherts.gov.uk](mailto:kevin.steptoe@eastherts.gov.uk)

Report Author: Jenny Pierce - Senior Planning Policy Officer  
[jenny.pierce@eastherts.gov.uk](mailto:jenny.pierce@eastherts.gov.uk)  
Katie Simpson – Planning Policy Officer  
[katie.simpson@eastherts.gov.uk](mailto:katie.simpson@eastherts.gov.uk)