

Sent by email to: localplan@tmbc.gov.uk

19/12/2019

Dear Sir/ Madam

Response by the Home Builders Federation to the post submission consultation

Thank you for consulting the Home Builders Federation (HBF) on the additional documentation supporting the submitted local plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

Having reviewed the additional evidence base submitted by the Council we would like to comment on the Green Belt exceptional circumstances topic paper produced by the Council and its justification regarding the outer expansion of the Green Belt. We did not comment on this expansion in our representations as it was not clearly signalled within the plan itself that this was the Council's intention. However, the publication of the additional topic paper has raised this matter to our attention and as such would like to comment on this additional document submitted late to the examination.

The NPPF, at paragraph 83, states that once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. The Framework continues by stating that at that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they are capable of enduring beyond the plan period. However, the Council has not provided any justification for the extension of the Green Belt other than this would strengthen the purposes of the Green Belt at the suggest location for its expansion.

However, when considering any decision to extend Green Belt it is necessary to consider the judgement in Gallagher Homes Limited and Lioncourt Homes Limited v Solihull Metropolitan Borough Council (2014) EWHC 1283 (Admin). In this judgement it was noted that circumstances are not exceptional unless they necessitate a revision. It would appear to us that the Council has a desire to expand the Green Belt but that there is no necessity for its expansion in order to deliver the fundamental aim of Green Belt policy which is to prevent urban sprawl and that there are other policy mechanisms available to address issues such as countryside encroachment and maintaining existing settlement patterns. For instance, the area subject of the proposed extension

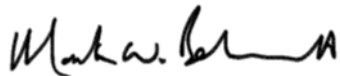


is already defined as countryside with the associated presumption against most forms of development, added to which, significant parts of the area are designated as Conservation Areas within which development is subject to more stringent control. There is no evidence presented as to why the application of such development management policies would not be sufficient to ensure appropriate development at the location being proposed for Green belt designation.

The Council has also failed to justify its position in relation to the penultimate bullet point in paragraph 85 which requires Council's to satisfy themselves that Green belt boundaries will not need to be altered at the end of the development plan period. Given that the Council is seeking to adopt a plan that deliver a level of housing growth much lower than current policy states is required there can be no certainty that further amendments are not required and as such to extend Green Belt with the potential for these to be amended in future in order to meet development needs.

To conclude we do not consider this topic paper to provide the necessary justification that there are exceptional circumstances that necessitate the expansion of the Green Belt at this point. The adoption of other development management policies presented in this local plan alongside are sufficient and will also ensure that the Council does not create unnecessary barriers to meeting future development needs. We would also like to attend any hearing sessions to present our concerns on this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Behrendt', with a stylized flourish at the end.

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