Examination of the Runnymede 2030 Draft Local Plan

Examination Hearing Statement

on behalf of Tarmac Trading Limited

Matter 4: Green Belt Boundaries and Exceptional Circumstances

November 2018
1  INTRODUCTION

1.1.1  This Hearing Statement has been prepared by Heaton Planning Limited ("HPL"). This statement supports the representations made on behalf of Tarmac Trading Limited ("our Client").

1.1.2  This statement follows from previous representations to the plan (ID representor 1937) and should be read in conjunction with the previous representations.

1.1.3  We have responded where appropriate to the questions highlighted within examination document ID/02. It is our intention to play an active role in the examination hearing sessions. This may include participation in some of the other questions for which answers have not been provided here although which still relate to matters raised within representations previously made. This is consistent with the published guidance.
2 MATTER 4 – GREEN BELT BOUNDARIES AND EXCEPTIONAL CIRCUMSTANCES

2.1.1 Question 4.1 a) Does the Plan’s strategy make as much use as possible of suitable brownfield sites and underutilised land, including estates regeneration and surplus public land where appropriate?

2.1.2 No, we assert given the specific characteristics of our client’s site it is representative of “underutilised land”.

2.1.3 The published Green Belt Review Part 2 (March 2017) considers the site within “Sub Area 87”. It finds that:

“Sub-area 87, located to the south of Egham/Englefield Green (Egham Hythe), performs moderately against Purposes 1 and 3. However, as a result of its enclosure by existing natural features, including dense woodland and, beyond this, Mead Lake, the scale of any outward growth would be limited and the extent of built-form regularised. Furthermore, the sub-area is set in-between two inset areas, Egham Hythe to the north and Thorpe Industrial Estate to the south. It is judged that these areas are functionally and visually linked and effectively form part of the same large built-up area, thus the role of this area in preventing sprawl is limited. While the sub-area and wider strategic Parcel are both considered to be largely rural in character, the sub-area is largely contained by built-form, thus diminishing its rurality and connection to the wider countryside. Any harm to the integrity of the wider Green Belt would be limited by this sense of enclosure”.

And

“It is judged that, overall, the sub-area plays a limited role in terms of the integrity of the wider strategic Green Belt. However, its southern boundary (east of the Thorpe Business Park) is less strongly defined and while much of the sub-area is contained it is judged that further strengthening of this boundary may be necessary to prevent any sense of sprawl and limit harm to the wider Green Belt”
“Sub-area 87 performs moderately against the NPPF purposes, but makes a lesser contribution to the overall integrity of the wider strategic Green Belt. **Subject to mitigation to improve the durability of its southern boundary, it could be considered further**” (HPL emphasis underlined)

2.1.4 Clearly, the Council’s evidence base draws many positive conclusions which support the case for its removal from the Green Belt. These consider the function of the site against the strategic purposes of including land within the Green Belt and firmly establishes the context by which “it should be considered” by the Council for potential removal. The site has not been considered, following the site selection process for which numerous flaws and inaccuracies have been identified.

2.1.5 Nonetheless, we have undertaken further professional assessment to assist the Council and this is explained below.

2.1.6 A Landscape and Visual Appraisal has been prepared and it is provided as **part of our previous representations.** The role of such assessments is worthwhile when considering issues of openness within the Green Belt context. Recent case law has clarified matters and encourages a much more holistic assessment that places greater emphasis on the ‘visual dimension’ of openness than has been traditionally applied.

2.1.7 Turner v Secretary of State for Communities and Local Government [2016] EWCA Civ 466 is relevant case law. This clarifies that the concept of openness of the Green Belt is not narrowly limited to the “volumetric approach” that has been conventionally applied.

2.1.8 This judgment has held that the word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. This also means that landscape and visual impact considerations have a worthwhile role in these circumstances.

2.1.9 The landscape and visual impacts of the development of this site have been carefully considered by our Chartered Landscape Architect. Within the report contained as part of our representations it is concluded that there are specific landscape orientated reasons for the removal of the site from the Green Belt. These confirm that:
A. The removal of Site 18 from Green Belt will not have a greater impact on visual openness than existing land uses;

B. There is already intervisibility between built developments surrounding the site which define it as a pocket of land within the curtilage of the existing built urban morphology and will not result in urban sprawl;

C. The potential degree of visual impact resulting from the proposed industrial and commercial land allocation and removal of the site from Green Belt is acceptable; and,

D. There is an existing clearly defined and defensible boundary to the Green Belt within the immediate area located to the north of Thorpe Industrial Estate and east of the site. It is these boundaries which should define the junction between urban development and the Green Belt.

2.1.10 We submit that our client’s land is very much “underutilised”. A plan showing our suggested Green Belt Boundary is provided as part of our representations.
Question 4.2 - Having regard to the proposed releases of land from the Green Belt, does the Plan promote sustainable patterns of development?

2.1.11 No, our wider submissions highlight the difficulties of providing further employment development to Thorpe Industrial Estate (despite the plan clearly intending this).

2.1.12 Notwithstanding this, we identify that our client’s land has been excluded from consideration owing to its perceived lack of locational sustainability. As contained within our previous representations we have undertaken additional assessment work of our own to scrutinise the approach of the Council. This is provided within Appendix 4 to our previous representations as part of “Technical Note 1 – Accessibility and Highway Matters” prepared by David Tucker Associates (DTA).

2.1.13 DTA have analysed the Site Selection Methodology. This includes the scoring criteria used by the Council. They have assessed the site and established that:

“the Council’s scoring criteria has been applied to the development in a way that is not consistent with current travel methods and national travel behaviour” (HPL emphasis underlined).

2.1.14 Consequently, DTA conclude:

“When considering reasonable walking and cycling distances to facilities the site should score medium to medium-high and not the current low score for accessibility”

And,

“Importantly the site would present a modest extension to the existing Thorpe Industrial Estate. With the site being nearer to facilities and the urban area; it is more accessible than the existing industrial estate which is considered to be a major employment area. Furthermore, with the additional workforce that would be employed at the site, this could potentially assist with subsidising future bus services, should an operator review their routes” (HPL emphasis underlined).
2.1.15 Clearly, the positive identification of our client’s land is more representative of promoting sustainable patterns of development. The current approach of the local plan is inadequate and therefore unsound with this regard.
Question 4.3 - Are there adequate reasons in this case for not identifying safeguarded land as part of the Green Belt review? Are the consequences for the permanence of the Green Belt boundaries acceptable?

2.1.16 No, as explored in our response to Matter 1, it is clear that the Council have actively avoided identifying safeguarded land by artificially shortening the plan period.

2.1.17 This position is unusual as the Council acknowledges the need to respond to true longer term needs, such as the identified regional deficiency in employment land (which may also involve meeting yet to be determined development needs from within Spelthorne BC) through a subsequent review of its plan. Paragraph 5.27 of the draft plan clarifies this position and states that:

“Runnymede Borough Council will seek to ensure delivery of the housing need that cannot be met within the Borough is met within the wider HMA in the first instance. As evidenced through the SHMA, Runnymede has the strongest functional links with Spelthorne Borough Council. However, Spelthorne BC is only at the early stages of the preparation of its Local Plan and is therefore not currently in a position to confirm what proportion of the HMA’s objectively assessed housing needs it will be able to meet. A first review of the Local Plan will occur within 5 years of adoption in line with the recommended timescales for review in the PPG when there will be a greater certainty about what Spelthorne can deliver through its Local Plan, and Runnymede will have had additional time to seek to resolve any issues associated with the redistribution of unmet development needs outside of the Borough in the longer term, if any such issues are found to exist.” (HPL emphasis underlined)

2.1.18 As noted previously, this statement appears to relate to housing need and there is no mention specifically of the regional deficiency (identified by Regeneris Consulting for the LEP) in employment land. The existence of significant regional development drivers such as Heathrow expansion and a related Southern Rail link also merit further consideration and will inevitably require a longer term view than 10-11 years currently envisaged.
2.1.19 This is also particularly important given that any review of the plan to meet additional development needs (reflecting either a longer plan period or needs that cannot be met within Runnymede) will inevitably involve further review of the Green Belt.
Question 4.4 - Does the proposed release of land from the Green Belt take adequate account of the effects on broader purposes that it may serve e.g. provision for outdoor sports and recreation, access to the countryside, protection and enhancement of landscapes, visual amenity and biodiversity?

2.1.20 No, given the identified failings within the site selection process, we submit that the proposed release of land does not fully take up opportunities to improve the value and function of Green Belt.

2.1.21 For example approximately 32% of our client’s proposed site is a maturing woodland plantation. This would be retained as part of any development proposal for the site as it serves the function of forming a long term, logical and defensible Green Belt boundary.

2.1.22 The development of the site provides the opportunity to sensitively manage and enhance this area delivering public access, the creation of linkages beyond the site and enhancements to biodiversity, visual amenity and landscape quality.

2.1.23 The site selection methodology as it has been applied by the Council limits virtually all opportunities for such considerations to influence site selection.