

“SAFE UNDER US”?

An investigation into
widespread threats from
housebuilding in the London
Metropolitan Green Belt

September 2016



London
Green Belt
Council



London
Campaign to Protect Rural England

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FOREWORD

The battle to protect London's Green Belt has been continuing for over 50 years in order to preserve this important 'green lung' for those who live and work in the capital and its suburbs. Originally it was created to stop urban sprawl and to encourage inner city regeneration. It has been successful in doing so until now.

The founders of Green Belt Policy in the UK had a vision to preserve the openness of the landscape and to prevent urban sprawl in times of population growth and an expanding urban footprint. Today, as we expect population to grow and housing requirements to increase, we confront similar issues as those early urban planners.

The London Metropolitan Green Belt is now facing, arguably, its greatest threat – with over 200 sites proposed for development.

Although the government is claiming that the Green Belt is “safe under us”, its policy guidance has encouraged the need for increased housing numbers which have forced Local Planning Authorities to consider Green Belt development to meet newer and higher housing targets.



Richard Knox-Johnson
Chairman, London Green Belt Council

This report tries to untangle the quagmire of policies, pressures and incentives that Local Planning Authorities are facing to develop credible Local Plans, which increasingly include development on Green Belt land. While the government says it has made clear that housing need cannot justify development on Green Belt, Local Planning Authorities say they have little choice.

As far as London's Green Belt is concerned, unless action is taken to ensure that 'safe under us' means just that, then much of the land will be lost and the important purposes of the Green Belt will be undermined.

At times of growth, Green Belt protections should, if anything, be strengthened, not weakened or abandoned. This will ensure we provide the necessary green spaces for health and well-being that future generations have the right to.

The newly appointed Communities Secretary, Sajid Javid has stated, “the Green Belt is absolutely sacrosanct”. We would simply ask that the Government lives up to that promise.



John Croxen
Chairman, CPRE-London

This report was commissioned as a joint project between the London Green Belt Council and the Campaign to Protect Rural England, London Branch, two organisations committed to the preservation of the Metropolitan Green Belt.

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Office of CPRE. Finally, considerable credit for producing this document goes to the London Branch of CPRE and especially to Alice Roberts and Catherine Maguire for the research, analysis and collation of the information contained in this document.

Cover Title: In April 2015 just before the General Election, the Daily Telegraph headline read: 'Green Belt is safe under us until 2020', *Conservative manifesto will say*

Cover Photo: From CPRE Essex. Boys on the Skyline.

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EXECUTIVE SUMMARY

The London Metropolitan Green Belt is one of 14 Green Belts in England. It contains 514,040 hectares of land surrounding London. It is over 60 years old. Its main object was to contain urban sprawl and retain good quality open and rural landscape which was clearly separate from urban areas.

There are considerable benefits of London's Green Belt and it is popular and widely supported by the public. The costs of urban sprawl were understood clearly at the time the Green Belt was put in place. More recently these are understood to extend to providing areas for recreation and sport, supporting better air quality, eco systems and biodiversity, assisting the reduction of flood threat in the city, and creating opportunities for local food production.

As London grows to a higher density city, more inhabitants will come to rely on protected green spaces in the Green Belt for the benefits they provide.

However, the London Green Belt is under greater threat than it has ever faced in the past. There are proposals for 203 sites within the London Green Belt including proposals for 123,528 new homes. And, these threats are underestimated, as many local planning authorities have not yet filed Local Plans and the full ramifications of large infrastructure projects have not been included.

Most sites are allocated in Local Plan documents, so the threats are real. Local Planning Authorities with Green Belt are practically all carrying out Green Belt reviews in order to find land to accommodate housing development. Already some areas of Green Belt have lost their designation, a number of sites are threatened with planning permission, while others are being built or have already been built.

Underlying the threats to the Green Belt are government policies on housing and planning. The government has made statements about its aim to protect Green Belt but in effect it is not protected.

The evidence points to the following reasons why councils are seeking to release Green Belt:

- When the National Planning Policy Framework (NPPF) was published, it was seen as a document with many areas of ambiguity and contradictory policies, making the development of local plans fraught with difficulty. Specifically, in terms of Green Belt policy, there are many contradictions and ambiguities.
- Guidance on the government's NPPF is causing Local Planning Authorities (LPAs) to inflate housing targets to questionably high levels, basing them upon speculative and in many cases invalid assumptions. It is these targets which underpin the Green Belt threats.
- LPAs must show how they will accommodate the housing targets. Theoretically they can say Green Belt is a constraint. But the NPPF states that if a Local Authority is unable to accommodate its housing target (because of the constraint), it has a duty to cooperate with adjoining Local Authorities in order to persuade them to accept their deficit. This has proved to be politically unacceptable and somewhat naïve as a concept and Inspectors have rejected some local plans as the duty to cooperate has either not been carried out or it has not been carried out correctly.
- The government points to a protection of the Green Belt contained in the NPPF – that only in “exceptional circumstances” can it be developed – inferring that “exceptional circumstances” must exist in order to release Green Belt land. However, when compiling this report evidence was found that general pressures are now being accepted as ‘exceptional’.
- Inspectors have made decisions at reviews of local plans which are not consistent and appear to be acting on instructions from government.

- Green Belt Reviews and the need to demonstrate they have fulfilled the “Duty to Cooperate” mean a protracted process for councils within London's Green Belt. Most LPAs are late in submitting Local Plans. They are running the serious risk of stringent government sanctions if they fail to have a plan in place by ‘early 2017’. This is creating a further incentive for councils to accommodate housing targets within their own boundaries even if it means releasing Green Belt.

All this is exacerbated by the effects of land-banking. Companies, having obtained planning permission, hoard the land until the profit forecast has been achieved. They then sell it on to a developer at an inflated price. The LPA has no control over these companies and can apply no sanctions. They must simply find more sites in order to achieve the five-year supply of land they are required to demonstrate.

This report concludes that the planning system is not able to protect Green Belt in the way it was intended and current policies will result in considerable areas of Green Belt being lost.

The report sets out the following recommendations:

What must be done to halt the unnecessary release of Green Belt?

1. Impose a moratorium on all inappropriate development in the Green Belt
2. Amend Planning Practice Guidance (PPG) that general pressures for unmet housing need does not constitute de facto ‘exceptional circumstances’
3. Apply a sequential approach prioritising brownfield before de-designating Green Belt
4. Action should be taken to stop the practice of parcelling Green Field sites into small segments, as part of a Green Belt reviews, and then making a judgement as to whether the segments meet the Green Belt purposes.
5. The terms of the “Duty to Cooperate” should be more clearly defined to reduce delays

6. LPAs must genuinely be able to state that the Green Belt is a constraint and they should be compensated if the constraint means they are unable to benefit from financial incentives
7. Facilitate positive use of and restoration of derelict Green Belt
8. Reinstate the former Advisory Panel on Standards to ensure consistency and quality control
9. Require LPAs and Planning Inspectorate to apply equal weight to the three aims of the NPPF, namely economic, social and environmental roles that are embedded in the definition of sustainability

... and how can we ensure housing need assessments are realistic?

10. Immediately stop the indiscriminate 10% increase in housing target advocated by inspectors
11. Revisit or recalibrate housing targets to ensure they are supportable and realistic

...and what is a more realistic approach to getting houses built?

12. Introduce a time-limit for planning permission to be executed, i.e., ‘use it or lose it’
13. Deter land-banking with financial sanctions on the land owner, i.e. pay council tax on houses that are not built within a reasonable time limit set by the LPA
14. Realise the capacity of suitable small sites for small builders and developers
15. Incentivise LPAs to prioritise brownfield instead of Green Belt for development

1. INTRODUCTION TO THE LONDON METROPOLITAN GREEN BELT

The London Metropolitan Green Belt ('London Green Belt' or 'Green Belt') is one of 14 Green Belts in England.² The Green Belt contains 514,040 hectares of land around London³ which is protected from development, i.e. where it is not permitted to build except in *very special circumstances*. The whole of the London Green Belt covers nearly one-third of all green belt-designated land in England (Figure 1). The counties of Bedfordshire, Berkshire, Buckinghamshire, Essex, Greater London, Hertfordshire, Kent and Surrey all have designated Green Belt within their borders. It is overseen by 66 Local Planning Authorities (LPAs): 18 are in Greater London and the remaining 48 are in the surrounding counties. The amount of green belt land varies widely from 60 hectares in Haringey (Greater London) to 34,000 hectares in Sevenoaks (Kent). The proportion of Green Belt

Green Belt Definition: A permanent area of open land that surrounds an urban area.
The main aim of a Green Belt is to limit urban sprawl into rural areas by keeping land permanently open for uses such as agriculture, forestry, and outdoor leisure. A secondary aim is to encourage urban regeneration. More recently, green belt land has also been recognised for its contribution to supporting vital ecosystems.

in each LPA ranges from just 5% in Aylesbury Vale to 93% in both Tandridge and Sevenoaks.

The London Green Belt dates back to pre-war initiatives which sought to retain a good quality open and rural landscape that was clearly separate

from urban areas. The city planners of the time were faced with not only an expanding city population but also support for the protection of rural landscapes. They appreciated that if development continued unplanned and unchecked it would be haphazard and would unnecessarily encroach into countryside. In 1938, the London Metropolitan Green Belt was created, its most important characteristic being its **permanence and openness**. A timeline of events leading to the formation and maintenance of the London Green Belt is contained in Annex 1.

The five purposes of a Green Belt according to the 2012 National Planning Policy Framework (NPPF) paragraph 80 are:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land.⁴

As London grows into a higher density city, more people will come to rely on protected green spaces in the Green Belt for the many benefits they provide, which include:⁵

- **Preventing unrestricted sprawl:** safeguards the countryside from encroachment, providing open green space and protection of town and city historic settings.
- **Encouraging urban regeneration.**
- **Supporting and maintaining eco-system benefits, including:** urban cooling, improved air quality, flood protection, carbon absorption (especially woodland areas), and local food production.
- **Providing areas for recreation, sport and health:** ensures Londoners enjoy open land and countryside in and near the city, which in turn supports better health and well-being and tourism development
- **Avoiding the costs of sprawl, including:** increased travel costs; decreased economic vitality of urban centres; increased tax burdens due to more expensive road construction and maintenance; increased car use leading to higher air pollution levels; potential loss of economically productive land used for farming and horticulture; reduced tourism revenues from various heritage sites and areas of outstanding natural beauty; increased expense to extend energy and water infrastructure.⁶

Source: "The Strongest Protection"? CPRE-London, March 2016



Figure 1. Map of the London Metropolitan Green Belt

What would London look like if the Green Belt protections had not been in place? As Sir Andrew Motion, former president of CPRE, stated:

"Since about 1940, the population of Los Angeles has grown at about the same rate as the population of London. Los Angeles is now so enormous that if you somehow managed to pick it up and plonk it down on England, it would extend from Brighton on the south coast to Cambridge in the north-east. That's what happens if you don't have a green belt."

Green Belt Policy recognises that these protected spaces should not only be preserved, but be enhanced to provide greater benefits to more people in the future.

2. THREATS TO THE LONDON GREEN BELT

2.1 Widespread threats to the London Green Belt

As of June 2016 the London Green Belt Partnership Project identified **203 sites** in the London Green Belt which are under threat from development (Figure 2). Data was collected from 42 (66%) of the Local Planning Authorities (LPAs) that included green belt land in their area. These 42 surveyed LPAs contain nearly 84% of all London Green Belt land. We reviewed Local Plans and coordinated information directly with CPRE county branches to ascertain details of these proposals and their knowledge of ongoing developments.

2.2 Proposals for new housing underpin the majority of threats to the Green Belt

The majority of the threats to the preservation of the London Green Belt are proposed sites for new housing, with 123,528 new homes proposed in the 203 sites identified (Table 1). Incremental infrastructure demand such as schools and roads have also been identified. All these threats are now tracked and updated on an interactive map which is available on London Green Belt Council's website.⁷ Detailed data by LPA is provided in Annex 2.

Source: London Green Belt Council website

Figure 2. Map of London Green Belt Threats

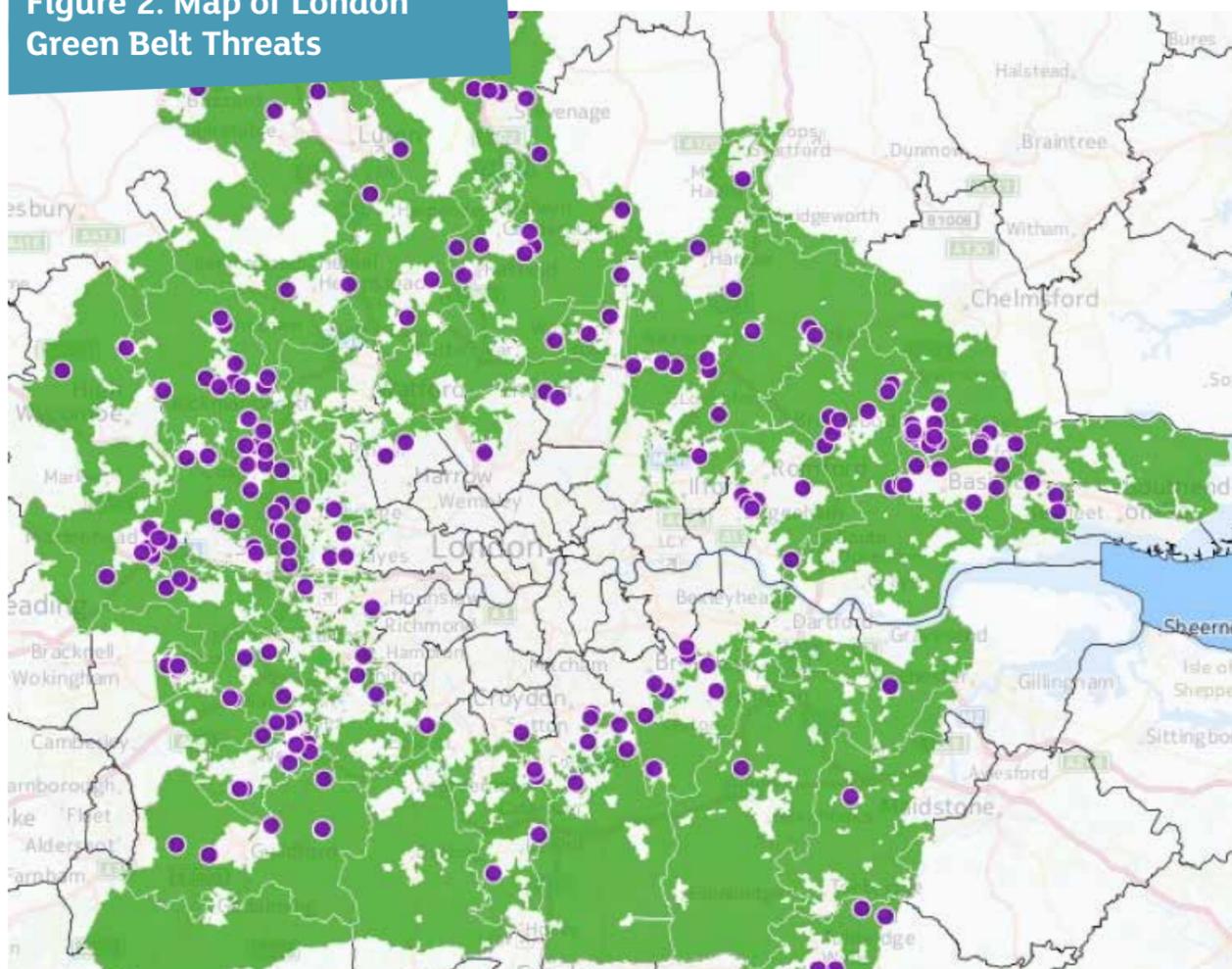


Table 1: Summary Data of Threats to the London Green Belt

Source: Data compiled from local plans and information from 8 CPRE branches

	NUMBER OF PROPOSED HOUSES	EXAMPLES OF OTHER THREATS	HECTARES OF GREEN BELT LAND	GREEN BELT AS % OF TOTAL LAND AREA	NO. HOUSES PROPOSED/ HECTARE OF GREEN BELT	PERCENT OF GREEN BELT LAND COVERED IN DATA
Hertfordshire	41,523	Dev. from Strategic Rail Freight Interchange	84,720	52%	0.49	82.0%
Essex	27,120	3 schools, GP surgery, and retail	97,480	27%	0.26	69.4%
Surrey	24,185	amenities for housing developments; extension of Surrey Research Park	121,810	73%	0.20	100.0%
Buckinghamshire	15,312	9 'employment options'	50,160	27%	0.31	55.8%
Bedfordshire	11,700	M1-A-5 link road; M1-A6 link road	28,360	23%	0.39	99.5%
Greater London	2,100	schools; loss of green belt designation; gypsy/traveller sites; stadium expansion; retirement home with amenities	35,190	22%	0.06	89.7%
Berkshire	1,138	None Recorded	24,080	19%	0.05	68.4%
Kent	450	solar farms; care home; potential for housing	72,240	19%	0.01	91.7%
Total	123,528		514,040		0.24	83.5%

The majority of the 203 threatened sites are sites required to meet housing targets and appear in LPAs' draft or adopted Local Plans (Table 2). This indicates that the LPAs support the proposed site allocations and that these threats are genuine.

Closer examination of specific cases shows LPAs are conducting, or even re-doing recent, Green Belt Reviews to find land for housing development, for example in the case of Redbridge's Oakfield site. Some LPAs, such as Broxbourne, state they have no alternative: "the Borough's development needs can only be achieved through the strategic release of some Green Belt land."⁸ Uttlesford Council asked consultants to find sites for housing development and to clarify what might

constitute 'exceptional circumstances' to release Green Belt.⁹ Examples of Green Belt Review undertakings are contained in Annex 5 and more thoroughly discussed in subsequent chapters.

Much Green Belt has already been de-designated and given approval for development. A number of threatened sites have already received planning permission. Some have either already been built or in the process of being built, for example:

- Houghton Regis in Central Bedfordshire: 5,200 dwellings, permission granted
- Eastern Leighton Buzzard in Central Bedfordshire: 2,500 dwellings, permission granted

- High Leigh in Broxbourne: 523 dwellings, outline permission granted
- Longcross in Runnymede: 200 dwellings, permission granted.

Table 2. Data Sources for Threatened Green Belt sites

DATA SOURCE	NUMBER OF SITES
Local Plan Prep: Public Consultation	126
Adopted	18
Green Belt Review	15
Local Plan Prep: Working Group Minutes	12
Planning Permission Granted	9
Planning Application in Progress	6
Pre-submission/Submitted	5
Planning Permission Refused (threat remains)	4
Pre-Planning	4
Proposed revisions to Adopted Local Plan	2
Planning Brief	1
Other	1
Total	203

Notes:

1. Green Belt Review – 10 sites in Epping Forest District Council and 5 in Runnymede Borough Council
2. Local Plan Preparation: Working Group Minutes - all sites are in the Royal Borough of Windsor and Maidenhead
3. 94% (115,489) of the proposed dwellings are on sites allocated by local authorities in their Local Plan documents
4. 6% (7,434) of the dwellings are proposed by developers outside of the Local Plan process

2.3 Threats underestimated

Threats are likely to be significantly underestimated because:

- Only 2/3 of the LPAs have been surveyed thus far. One would expect additional threats to Green Belt land from the remaining 1/3 of the LPAs.
- Approximately one tenth of LPAs with London Green Belt land are yet to produce Local Plans and have not yet publicly identified sites proposed for housing or other development.
- This study did not take account of many threats from large infrastructure projects: Cross Rail 2 and the Lower Thames Crossing, impacting Green Belt in Essex, Kent, South-West London and Surrey; a further 20,000 houses along the Cross Rail 2 corridor; and development along the High Speed 2 corridor.
- In Hertfordshire, the extent of threats is so great that CPRE Hertfordshire was only able to supply information on sites proposed for the development of over 500 homes. Therefore, smaller sites, with proposals for under 500 houses, have not been included.

Additionally, since June 2016 CPRE branches have informed us that there are even more threats than our original assessment in June 2016. For example:

1. As a result of the LPAs' recent pre-submission Local Plan, the Royal Borough of Windsor and Maidenhead in Berkshire has seen new housing threats increase from 1,138 to 2,245 new homes and an additional two sites for development; and
2. Runnymede Borough Council in Surrey now has ten sites proposed for Green Belt de-designation in its draft Local Plan, up from five in the original June 2016 review.

New threats now threaten 210 Green Belt sites, including provision for 124,835 new homes. This supports our assertion that Green Belt threats are underestimated and will continue to increase in the future.

3. GOVERNMENT POLICY: AMBIGUITIES AND CONTRADICTIONS

The government has been a staunch supporter of protecting Green Belt both in the media and in its election manifesto for 2015. Yet its policies do not consistently support its public statements. The contradiction between public statements and actions, as well as ambiguities in written policies on Green Belt protection have clearly led LPAs' to propose Green Belt sites in local plans. Additional financial incentives and onerous sanctions provide huge pressures for LPAs to follow a route of least resistance to get a Local Plan approved and often this is proving to mean proposing the release of Green Belt land for housing development.

3.1 Public Statements versus Policy

Publicly, the Government has frequently and strongly underlined its commitment to protecting the Green Belt:

- The Government pledged before the 2015 general election in its election manifesto that it would protect the Green Belt saying that the Green Belt would be 'safe under us'¹⁰
- In October 2014, the Department of Communities and Local Government (DCLG) stated in answer to a question in parliament about housing and Green Belt:
Q. *In decision-taking, can unmet need for housing outweigh Green Belt Protection?*
A. *Unmet housing need ... is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt.*¹¹

- In a letter to MPs in June 2016 Brandon Lewis, Minister of State for Housing and Planning, said "*we have been repeatedly clear that demand for housing alone will not change Green Belt boundaries.*"
- On 18 July 2016, the new Communities Secretary Sajid Javid replied to a question from Theresa Villiers MP saying: "*The Green Belt is absolutely sacrosanct. We have made it absolutely clear, in the Conservative Party manifesto, and that will not change. The Green Belt is special. Unless there are exceptional circumstances, we shouldn't be carrying out any development there.*"¹²

Paragraph 79 of the 2012 NPPF emphasises the government's support for the continued protection of Green Belt, stating:

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

Importantly, Paragraph 14, footnote 9 in the NPPF clearly states that local plans should meet objectively assessed needs (OAN) unless "specific policies in this Framework indicate development should be restricted." Footnote 9 specifically identifies land designated as Green Belt as one of these protected/restricted sites.¹³

However, government policies as set out in the 2012 NPPF allow for different interpretations of priorities. The NPPF itself is ambiguous over what is sacrosanct with respect to Green Belts, as shown in Table 3.

Table 3. Examples of Contradictory Policies Embedded in the 2012 NPPF

Source: NPPF 2012

PROTECT GREEN BELT		CONTRADICTION/AMBIGUITY	COMMENT
Paragraph 83 states: "Planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that 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."	vs	Paragraph 84 states: "When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary."	Paragraph 83 states only exceptional circumstances can justify development on Green Belt, while Paragraph 84 seems to indicate that 'sustainable development' is an exceptional circumstance
Paragraph 87: "As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."	vs	Paragraph 88: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."	Paragraph 87 underlines the importance of Green Belt; however paragraph 88 introduces the idea that 'other considerations' can outweigh the benefits of Green Belts.

The NPPF adds to the confusion about what is or is not allowed: the phrase "exceptional circumstances" (as per paragraph 83 in the table above) is **not defined** and "sustainable development" **is defined according to the DCLG, but subjective in its interpretation.**

As 'exceptional circumstances' is not defined, a case can be made for it to mean anything within the confines of 'sustainable development', which is the 'golden thread' running through the NPPF. The DCLG concept of sustainability requires LPAs to achieve economic, social and environmental gains simultaneously, without giving undue preference.¹⁴ However, this leaves space for a case to release Green Belt to be made (and evidence shows this is what is happening) in general 'sustainability' terms which essentially allows other priorities, whatever they may be, to take precedence.

Unhelpful clarifications: Paragraph 34 of government Planning Policy Guidance clarified that 'unmet housing need' cannot justify the 'very special circumstances' needed to build on Green Belt. But that clarification only related to decision-taking on planning applications, not Local Plan preparation; and it only mentioned housing, not other generalised pressures.

Brandon Lewis's letter of June 2016 referred to a much rehearsed government line that '*demand for housing alone will not change Green Belt boundaries*' (referencing paragraph 44 of the PPG) but the word 'alone' introduces ambiguities and in any event the exceptional circumstances under which boundaries can be changed remain undefined, as stated above.

Ultimately, neither of these statements has deterred councils from identifying Green Belt sites for housing development.

3.2 Government's failure to use 'call in' powers

In January 2014 the Secretary of State chose not to call in two major Green Belt developments in Central Bedfordshire despite no Green Belt Review having taken place, stating that the applications should be determined at local level. These major Green Belt sites are now in the process of being developed despite not featuring an appropriate Local Plan process.¹⁵

Central Bedfordshire's Local Plan was formally withdrawn in November 2015, following strong criticism from the Planning Inspector for failing in its 'Duty to Cooperate' with neighbouring LPAs, as set out in the NPPF. A specific mention was made in relation to failing to help meet Luton Borough Council's unmet housing needs. At the time, the Plan included proposals to develop approximately five square miles of Green Belt to include 13,000 homes. Two of the sites proposed already had planning permission granted for large scale developments: Houghton Regis 1 and 2 (5200 dwellings plus 40 hectares of employment land) and Eastern Leighton Buzzard Urban Extension (2500 dwellings and 16 hectares of employment land).

Both sites were referred to the Secretary of State for Communities and Local Government in 2014. Despite no Green Belt Review having been carried out, government chose not to call them in, stating that the applications should be determined at local level. While this was taking place, the DCLG stated that 'calling in' had been reduced to single figures in the previous 12 months, presumably to demonstrate its support for localism though this could equally be read as the government failing to act as a steward for the countryside. In reality it sent a message that government would be unlikely to intervene to protect Green Belt, despite its promises.

3.3 Government sanctions and 'special measures'

If a LPA's plan is found to be unsound or is not submitted by early 2017, government has put in place an onerous sanction – namely that the local authority will lose planning powers over development in their area. This creates huge pressure for LPAs to adopt strategies to

get a plan in place quickly. This is an important factor in what is prompting councils to propose to release Green Belt sites for development.

LPAs feel they are more likely to get their plan approved if they do what the government requires of them. This is the low-risk strategy. So the real question is, why do they see the release of Green Belt as the low risk strategy?

Essentially the answer is twofold. First, there are strong indications from government that they want LPAs to set (what appear to be unrealistically) high targets for housing building (see Chapter 4). Second, the indications are that they should meet the target in full. It is much easier for the LPA to meet the housing target in full, on Green Belt land, within its own borders – easier than the alternative. The alternative is to say Green Belt is a constraint. But that prompts lengthy, risky, negotiations with neighbouring authorities under the required 'Duty to Cooperate' to try to get neighbours to take on some of the target – something which is unlikely to end well and will take a long time (Chapter 5 discusses this further.)

Our research revealed that 82% of those authorities in the Home Counties and 73% in the London Boroughs have not yet submitted their Local Plans. Only 10 of the 66 LPAs have an adopted plan. So the majority of councils in the London Green Belt face the risk of serious sanctions.

How will the sanctions work? In February 2016 the government published its '*Technical Consultation on the Implementation of Planning Changes Feb 2016*' which sets out consequences to LPAs which do not have their plan in place by early 2017:

"We have set out our commitments to take action to get plans in place and ensure plans have up-to-date policies by:

- *publishing league tables, setting out local authorities' progress on their local plans;*
- *intervening where no local plan has been produced by early 2017, to arrange for the plan to be written, in consultation with local people, to accelerate production of a local plan; and*

- *establishing a new delivery test on local authorities, to ensure delivery against the number of homes set out in local plans*¹⁶

In 2016 the Secretary of State was given powers to take over Local Plans in paragraph 146 of the Housing and Planning Act 2016¹⁷:

Secretary of State's default powers (1) This section applies if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document. (2) The Secretary of State may— (a) prepare or revise (as the case may be) the document, or (b) give directions to the authority in relation to the preparation or revision of the document.

In December 2015 the government consulted on how they might enforce the housing delivery test referred to earlier in this section, suggesting that one approach might be to find additional sites themselves if 'the existing approach is not delivering the housing required'.¹⁸ This means

that Government will be assessing housing targets and their under-delivery when deciding whether to apply *special measures* to councils. It is apparent that there is clear pressure on local authorities with Green Belt within their border, to use some of their Green Belt to avoid being placed in special measures.

The consultation said in paragraphs 32 and 33:

"32. To strengthen the incentive for delivery on consented sites, we propose to amend planning policy to make clear that where significant under-delivery is identified over a sustained period, action needs to be taken to address this.

"33. One approach could be to identify additional sustainable sites if the existing approach is demonstrably not delivering the housing required. These would need to be in sustainable locations, well served by infrastructure, and with clear prospects for delivery which could be specifically set out as part of any future planning consent. A range of sites may be appropriate, which could include new settlements."

The concern for local authorities is that they will have no control over which sites the government decides are 'sustainable' if sanctions or 'special measures' are implemented.

3.4 Financial incentives: the New Homes Bonus

The Government established the New Homes Bonus (NHB) in 2011 to incentivise local authorities to facilitate housing growth, following the slowdown in housebuilding after the 2008 financial crisis. The NHB is also meant to encourage local authorities to bring empty homes back into use. The bonus is paid to authorities according to the number of new homes they build. LPAs also gain an uplift in council-tax receipts from new homes. Many LPAs are heavily dependent on funding from the NHB having had their central government grants reduced.

*"The Bonus is a grant paid by central government to all upper and lower tier councils to incentivise them to increase the number of available homes. Each additional home added to the council tax base, after deducting demolitions, results in an authority receiving an annual Bonus payment. Payments are based on the national average council tax band relevant to each property, and are paid annually for six years. The payment recognises newly built properties and conversions as well as for bringing long term empty properties back into use. There is also an additional payment for each affordable home delivered of £350 per year, again paid for six years."*¹⁹

The New Homes Bonus (NHB) has provided "a clear financial incentive for authorities, with payments rising in line with the total number of new homes being made available over time."²⁰

Cllr Jackie Wren, SURREY

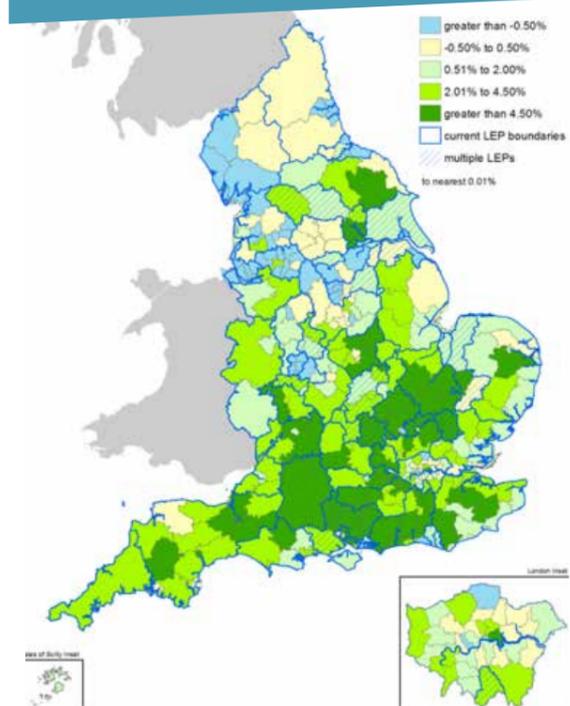


"Tandridge Council is a small one and like other authorities, has had its government grant cut... over the years it has become heavily reliant on the money it gets from house-building and the government's New Homes Bonus. This year 16.5% of the council's revenue was derived from the New Homes Bonus. Next year it will be 17%."

By 2014/15 the impact of the NHB resulted in an increase in councils' spending power per dwelling by over 5% for approximately half the authorities in all of England, with a very small number achieving up to a 25% increase. For the minority of authorities facing negative impacts, the percentage impact was much less pronounced than for those facing positive impacts, losing at most a 1.41% reduction in their spending power per dwelling.²¹

Figure 3 shows that some of the highest positive impacts are in authorities located within a broad commuter belt around London, where much of London's Green Belt is located. It is likely the NHB is a contributory factor to increasing threats to the London Green Belt from housebuilding.

Figure 3. Net Financial Impact from the New Homes Bonus (%) England, 2014-15²²



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Data Sources:
OS Boundary Line
DCLG LGF

3.5 Housing growth's link to economic development

Evidence points to the government's housebuilding drive being linked closely to its approach to delivering economic growth. The government has a target of a million homes being built in England by 2020. But that is only part of the story. Government guidance points to a requirement for LPAs to do what they can to achieve economic growth, and links this to housing need. **In this way aspirational growth targets are contributing in a direct way to inflating the housing targets for which LPAs must plan to provide land.**

Paragraph 17 of the NPPF states that councils should:

"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development

needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.”

Our research indicates that Paragraph 17 is clearly influencing proposals to use Green Belt as shown in the following case studies in Oxfordshire, Basildon and Cheshire.

Case Study 1

Helen Marshall, Director of CPRE Oxfordshire, reported that: “The Oxfordshire Local Enterprise Partnership (OxLEP) has a growth strategy based on creating more than 85,000 jobs between 2011 and 2031. This has led to a housing target of 100,000 houses in the same time period – the equivalent of a new Oxford being built every 10 years. This is in turn leading to direct attacks on the Oxford Green Belt. A Planning Inspector has just approved 1,500 houses across four Green Belt sites and we are very likely to see an application for a further 3,500 houses on a Green Belt site being submitted shortly.” Local Enterprise Partnerships are an important part of the picture: they are driving growth figures which councils must take account of when assessing housing need. LEPs are not subject to democratic control and lack ‘transparency, accountability and governance’ (National Audit Office report 23 March 2016) but are frequently behind the aspirational growth figures which councils use to set their housing targets.

Helen Marshall, Director of CPRE Oxfordshire



Case Study 2

Philip Gibbs, a Basildon resident, believes that the wider political issue is that the government has in recent years seen housing growth as economic growth.

“New housing contributes to our GDP directly and indirectly in a number of ways. Construction work itself adds a short term contribution to GDP which must be maintained by continuing to build more houses. People who occupy houses then add to GDP in the longer term through services needed to run and maintain their property. If housing growth also supports more migration into an area or country, then all economic activity of those people as consumers and workers also adds to GDP. But the most worrying part of the calculation of economic growth due to housing growth is “imputed rent.” This is a number added to GDP calculations where there is home ownership simply to ensure that a move from renting to ownership does not reduce GDP figures. It is not something of any real economic benefit, yet it is a significant factor promoting housing growth.”²³

Barry Knichel, member of Save Cuffley and Northaw Green Belt, Hertfordshire

“There seems to be a mood within the council to go for unrealistically high aspirational economic growth targets. For example, the Local Plan has a forecast for retail growth that suggests by 2032 there will be a requirement for 50% retail capacity.”



Case Study 3

Lillian Burns, Deputy Chair of CPRE North West regional group, believes that arguments about economic development are clearly being used to justify housing in Green Belt in Cheshire East

“When the Examination in Public into the Submitted Cheshire East Local Plan first opened in Autumn 2014, Cheshire East Council were saying that they believed there would be economic growth of 0.4% per year over the period of the plan. They were predicting that the population would grow by 40,000 by 2030, that there would be 20,000 new jobs and that there would be a need for between 27,500 and 29,500 new homes. The inspector said that if Cheshire East Council were serious about the number of jobs they claimed they could bring into the area, then the number of houses they were asking for would not be sufficient. He paused the examination hearings and asked them to go away and re-calculate their figures and carry out a thorough Green Belt review.

“Instead of putting the economic projections down to a more realistic level, the Council have put them up significantly and, in the Proposed Changes to the Local Plan that they will be tabling to the inspector this Autumn when the hearings re-open, they are now predicting economic growth of 0.7% per year i.e. year on year for 20 years, a population growth of 58,000 by 2030 and a need for a minimum of 36,000 homes. This, even though housebuilding in the area has never approached anything like the numbers they are predicting they will achieve. And, in order to accommodate this greatly-increased housing figure – and an increased allocation of employment land - they are now proposing far greater incursions into the Green Belt than was originally the case. Ironically, many of the Green Belt parcels they are proposing to sequester actually received the highest rankings in their own Green Belt review. It feels as though nothing makes sense any longer and the only arguments that are gaining traction are economic ones – often based on little more than optimistic aspirations”.

3.6 Legalised bias in the decision-making process

The Housing and Planning Act 2016 now requires planning authorities to spell out financial benefits in reports placed before a council planning committee, but not the associated costs of a development. The costs of a development to a LPA would normally include additional infrastructure requirements as well as loss of potentially valuable ecosystems or recreation areas to the community. Including these costs would be consistent with the DCLG’s approach to robust planning which considers the economic, social and environmental roles of development to be considered simultaneously and equally in the planning process.

The lack of identification of costs of a development may also result in LPAs failing to identify all potential sites. Importantly, brownfield sites may have higher costs in terms of building but larger benefits in terms of green infrastructure for ‘future-proofing’ our environment. This legislation is a means of persuading the public to accept a development without having a good understanding of all the trade-offs and cost implications, i.e. there is no requirement to give a balanced view.²⁴

4. INFLATED HOUSING TARGETS

Housing targets are at the root of the threats to London's Green Belt. Local authorities must show in their Local Plans how they will accommodate the Objectively Assessed Need (OAN) for housing and economic development. This they must calculate following the government Planning Policy Guidance (PPG).²⁵

Though government has said that the need for housing alone cannot justify release of Green Belt, the reality is that it is housing targets, and the need to find sites to accommodate these targets, that are driving most LPAs to conduct Green Belt Reviews.

This is exacerbated by land-banking, because LPAs must demonstrate a five-year supply of sites even if they have already issued enough planning permissions which will not be developed in time.

4.1 Recently upward revised housing targets

CPRE's report, "Set up to Fail" (Nov 2015)²⁶ revealed that local authorities nationally have upwardly revised their housing targets in the recent past, compared to their pre-NPPF local plan. That research showed that the average housing requirement of the 54 local plans adopted in the past two years (that have included a new housing target) was 30% above government household projections and 50% above the average build rate (taken over the past 15 years). Our new research supports this. Specific examples include:

- Tandridge District Council's housing target has quadrupled since its 2008 Local Plan: Now 9,400 more houses are needed in the period 2013 to 2033, or 470 houses per year-- nearly four times greater than the 2008 plan;
- Rochford District's housing need has been assessed to have increased between 312 and 392 houses per annum, up from its 2011 plan of housing need of 250 houses per annum.

- Welwyn Hatfield's housing need has been assessed as increasing from 7,500 to 13,000, a near doubling from three years ago
- Basildon's target growth rate has increased by 80% more than historic values when comparing its 2004 assessment with its current long term plan

Our new research includes interviews with local campaigners (including a local councillor) to try to understand how and why targets have increased so much. The full interviews are available in Annex 4.

A number of common themes emerged:

- **An inflated starting point:** The Office for National Statistics projects growth from a level which is unusually high, i.e. is due to a one-off circumstance which may not be repeated (Tandridge and Welwyn Hatfield interviews). This inflates population projections even before the housing needs assessment has begun.
- **Aspirations for economic development:** High aspirational targets for economic growth have translated into inflated housing targets. Often the aspirational growth rates used to project housing needs are much higher than the growth rates achieved in the recent past. Interviewees felt aspirations were often unrealistically high.
- **Inward migration:** (or increasing outward migration from London) This frequently makes up a proportion of the figure (e.g. Tandridge, Rochford, Basildon). At least one council pointed out that London has said that it can meet its own housing need.
- **Historic under-provision:** Government guidance directs councils to take account of past under-supply²⁷. In Basildon this accounted for around a third of the uplift in the housing target.

Government guidance points LPAs towards higher housing figures by requiring that they take account

of, for example, past provision and market signals; however, we do not see corresponding lower provisions if circumstances change. Where the evidence is patchy, **the Planning Inspectorate has suggested councils add an arbitrary 10% to their target.**

Planning Advisory Service (PAS) guidance states:

*"What is clear from the NPPF is that an authority's objectives or values cannot justify undersupplying the Objectively Assessed Need. But there is no reason why the authority cannot provide for housing development over and above the assessed need. The OAN is a minimum target, subject to supply constraints. There is no suggestion that it is a maximum." The guidance goes on to say: "...while the PPG advises that the demographic projections should be adjusted in the light of past provision and market signals it does not quantify this adjustment. Some Local Plan Inspectors have used a rule of thumb, suggesting that in places where the evidence suggests moderate under-provision, or the signals are mixed the projected housing need might be increased by 10%."*²⁸

A recent meeting of the Save the Cuffley and Northaw Green Belt residents group

"OAN figures are following over-optimistic economic forecasts...They are building estimates on estimates and coming up with an economic growth figure that is way in excess of the national average. This is the main driver of housing growth." Barry Knichel, Save the Cuffley and Northaw Green Belt, Hertfordshire



The Planning Policy Guidance asks LPAs to base their plans on aspirations rather than need or an arbitrary 10% increase as proposed by the Planning Inspectorate. This leads to *'made-up targets that the construction industry has neither the will nor the capacity to meet...The result is that the local authorities are being compelled by national policy to release land for development in a bid to meet the targets.'*²⁹

Cllr John Mason, Rochford District Council



"The calculation adds in further factors for London Demographic effect, headship rate (an indication of number of people per household), market signals and economic signals (workforce and replacement by migration into the area for economic reasons) which brings the total to 392. Ageing workforce and replacement by migration into the area for economic reasons appear to form a large part of the increase, but it could be an aspiration, or plan, for increased outward migration from London rather than a need."

4.2 Land-banking and developer incentives

LPAs face the continuing problem of land-banking and developers retaining land with planning permission to achieve higher returns on their investment, making Green Belt the only alternative for current local plan development. According to the Local Government Association (LGA) there is planning permission for approximately 475,000 homes nationally, but they are not being built.³⁰

Land-banking has a major impact on LPAs as they cannot rely on the planning permissions they have granted to count towards their five-year housing supply as required by the NPPF. Therefore, they are being forced to find more land for development. This is when LPAs propose to allocate Green Belt as it is likely to be the only land available.

Land-banking is a barrier to the building of homes for those wishing to enter the housing market as it not only continuously increases the price of land but will ensure that the housing targets are not met. Government needs to grasp this nettle by introducing financial disincentives for retaining land as an investment.

As CPRE's 'Set Up to Fail'³¹ report explains:

"developers are then able to pick the most profitable sites. These are usually greenfield ones ...[but] they do not necessarily have the motivation or capacity to build faster. Building rates stay low; housing targets are missed; countryside is needlessly lost: the worst of all worlds. ... leaving brownfield sites that could provide 1 million homes standing idle."

The combination of unrealistic housing targets and land-banking has led LPAs to **unnecessarily** allocate land for housing in the London Green Belt, asserting it is the only alternative.

A group of people enjoy a day out in the Lea Valley in the London Metropolitan Green Belt



5. LPAS' RESPONSES TO MEETING HOUSING TARGETS

Local planning authorities are setting targets for new housing which are far higher than in the recent past. They must then set out, in an updated Local Plan, what sites are to be set aside to accommodate these targets. Where LPAs have Green Belt in their area, they often cannot find enough sites to accommodate their housing targets. The LPAs then conduct a Green Belt Review to identify potential sites on Green Belt land.

Theoretically a LPA can cite Green Belt as a constraint. If they do, they must negotiate with neighbouring authorities under the 'Duty to Cooperate', as set out in the NPPF, to see if they are able to accommodate some of their housing load. This process is not only protracted, but politically fraught, especially as the majority of LPAs in London's Green Belt are struggling to finalise their plans, putting them at risk of serious government sanctions. (Key stages of the production of local plans is described in Annex 3).

5.1 LPAs slow to develop Local Plans risk sanctions

A review of the status of Local Plan development and adoption in the London Green Belt catchment area showed that LPAs show slow progress in putting an approved Local Plan in place. Hence, they are at risk of government intervention.

Local authorities are under pressure to have a post-NPPF Local Plan in place by early 2017 or they face serious sanctions. LPAs are required to develop Local Plans which reflect national policy and clearly define the boundaries of protected sites. They must also state their own policy towards protection which usually echoes words used in the NPPF.

A review of the progress and status of Local Plans was carried out to see if there was any linkage with the location of sites threatened with development.

Since the inception of the 2012 NPPF, most LPAs we examined are in plan preparation stage with no post-

NPPF adopted Core Strategy or Local Plan submitted:

- Only 8 out of the 48 Home County councils with London Green Belt have submitted Local Plans for examination, with six deemed sound by the Inspector
- In Greater London only five of the 18 boroughs with Green Belt have submitted local plans with four deemed sound (Annex 7)

Where Local Plans have been found to be sound, proposals are not necessarily final. Many are still identifying sites and will need to submit further revisions documents to the Planning Inspectorate.

There does appear to be a relationship between those LPAs with Green Belt who have yet to complete their Local Plan and those considering using Green Belt to provide land for meeting their housing target. Those councils appear to be facing a particular dilemma and many will struggle to meet the government's 2017 deadline.

5.2 Green Belt Reviews: to protect or to develop?

Green Belt Reviews are being widely used to identify sites on Green Belt for development to meet housing need. The NPPF requires LPAs to accommodate housing need within their Plans and has indicated that councils might need to review Green Belt boundaries to find sites. This has forced LPAs to review their Green Belt boundaries. Most LPAs we looked at were conducting Green Belt reviews.

The rules to change a Green Belt boundary are theoretically quite stringent. This reflects the highest level of protection given to Green Belt. An area of Green Belt land only needs to fulfil one of the five Green Belt purposes to be deemed worthy of protection. LPAs can propose to change Green Belt boundaries (and remove the designation) but they must prove that there are 'exceptional circumstances'.

Green Belt Reviews can identify two things:

1. Parcels of land which no longer meet Green Belt purposes: it is relatively rare that a LPA will find land that no longer meets any one of the five purposes
2. Potential sites for development: LPAs can conduct a Green Belt review if they feel they cannot find enough sites, not in the Green Belt, to deliver the assessed housing need.

Of all 48 LPAs in the London Green Belt outside the Greater London Authority (GLA), nearly 70% have done or are planning a Green Belt Review. Of the 32 councils we surveyed, 84% have done or are planning a Green Belt Review (Annex 6).

While doing a Green Belt review does not necessarily mean that Green Belt will be used to find sites for housing, it can be used in this way and can identify sites which may be used for development now or in the future.

Case Studies: Green Belt released despite meeting criteria—Guildford and Sutton

Case Study 4: Guildford Borough Council is one of the few LPAs in the London Green Belt which has a Local Plan at pre-submission stage, i.e., the final hurdle before being submitted to the Planning Inspectorate for examination. Having accepted the Strategic Housing Market Assessment housing figure of 13,860 dwellings to be built from 2013-33, the council included sites from its Green Belt and Countryside Study in the Local Plan. Originally, Guildford was going to put forward parcels of land which had been identified in this study as only fulfilling 1 or 2 of the 4 Green Belt criteria they were assessing land against. However, having been unable to find sufficient sites, they also put forward sites which met 3 or even 4 Green Belt purposes according to their own review. Some of those sites are now in the pre-submission plan. (The review excluded the ‘urban regeneration purpose.’). Guildford marginally reduced the amount of dwellings to be built on Green Belt land from

A typical review will see councils identifying parcels of Green Belt and scoring them against each of the five green belt purposes, categorising them as making a major contribution (to Green Belt), a contribution, or no contribution. Areas are then identified to go forward as potential sites for housing, usually subject to further appraisal.

Often parcels of land score highly in terms of meeting the Green Belt purposes set out in the NPPF but are nonetheless put forward (e.g. in the Guildford example below). Additionally, LPAs are suggesting smaller Green Belt segments as alternatives to original proposals (e.g. Epping and Sutton) so that they may be eventually included in the Local Plan because there are not enough (whole) sites scoring less well.

Recently, some LPAs have conducted Green Belt Reviews even though they have done one in the very recent past, with a view to finding sites for development. The Redbridge and Enfield situations exemplify this.

9,228 in its 2014 Draft Local Plan to 8,038 in its revised 2016 Pre-submission Plan, including sites which scored very well in terms of meet Green Belt purposes. 58% of the houses in this newly proposed Local Plan are on the Green Belt.³²

Case Study 5: London Borough of Sutton—The London Borough of Sutton’s Green Belt and Metropolitan Open Land Review assessed its Green Belt Land against 11 criteria. Following this assessment one parcel of land, Wellfield Gardens was recommended for de-designation in the March 2016 Local Plan consultation³³. The area met five of the eleven Green Belt criteria it was assessed against and was regarded by campaigners as performing its Green Belt function very well by holding back sprawl in an area which had already suffered from some encroachment and where further encroachment would make the Green Belt boundary even less defensible.

Second Green Belt Reviews to find sites for development

Case Study 6: In the **London Borough of Redbridge**, the council has recently completed a second review and found different results from a review conducted only a few years ago. The process has been conducted very much behind closed doors and it is unclear why certain sites were deemed to meet Green Belt purposes in the first review but not the second. The key site of Oakfield, a set of well-used playing fields, is now deemed to be a suitable site for development, despite nothing having changed since the last review, or indeed since it was originally designated as Green Belt.

Case Study 7: In the **London Borough of Enfield**, a second review has been signalled despite one having been conducted as recently as 2013. Residents are extremely concerned that a second review is being conducted simply to identify sites for housing development: the council have said that the first review was not thorough which residents say is ‘baloney’.³⁴

Enfield residents take their Green Belt campaign to the Town Hall



5.3 Exceptional circumstances no longer exceptional

If LPAs use a Green Belt review to identify land that is needed for development, it must assess which sites least meet the Green Belt purposes and they must take the further step of setting out the ‘exceptional circumstances’ which justify developing that land.

Evidence suggests that councils appear confident that a Planning Inspector **will accept that housing need—the five-year supply required—will constitute the ‘exceptional circumstances’** needed to justify releasing Green Belt when made in the context of a wider case for sustainable development. This is exemplified in a number of cases set out below and in Annex 5. Rulings such as these set a clear precedent.

Case Study 8

Gateshead Council and Newcastle City Council Local Plan Planning Inspector’s Report February 2015³⁵

“Para 53. Clearly the revised PPG stresses the great importance of protecting the Green Belt but, by using the word “may”, it does not direct planning authorities to a particular outcome. As indicated above, sustainable development is at the forefront of the Councils’ approach and they have determined that Green Belt releases are a necessary component of the sustainable development of their areas, as set out in policy CS1 “Spatial Strategy and Sustainable Growth.” Alternative strategies have been tested and found to be less sustainable. Thus in principle exceptional circumstances exist and, subject to my conclusions on individual allocations under issues 7 and 8, the chosen strategy is sound.”

Uttlesford council asked consultants to look at what might constitute 'exceptional circumstances' including looking at 'how this has been assessed elsewhere'. **This case illustrates how a council looks for confirmation that releasing sites for housing development is acceptable because others are doing it.**

Case Study 9

Uttlesford Council asked consultants to look around for how other councils have argued the 'exceptional circumstances' needed to justify taking Green Belt for housing.³⁶

"A second aim of the study will be to clarify the types of development which could fall within the scope of 'exceptional circumstances', to assist the Council's decision-making process in this respect. The guidance should include case-studies and examples of how this has been assessed elsewhere at Examination in Public of Local Plans, and matters which could fall within the definition of 'sustainable development' (NPPF Paragraphs 84 and 85) in this context."

Evidence from Broxbourne (below) and Redbridge and Brentwood (see Annex 5) shows that LPAs are making weak arguments for 'exceptional circumstances'. In these cases, residents were resistant to new housing in already built-up areas. Part of the LPA's justification for consideration of Green Belt for development is that it avoids impacting on the suburban character of the borough. This argument is made as part of a wider case for 'sustainable development', again subject to broad interpretation (for example, higher density could be argued to be more sustainable).

Case Study 10

Broxbourne Council in Hertfordshire argues there is no alternative but to build on Green Belt and even cite 'impact on the suburban character of the borough' as a reason they need to look to Green Belt to accommodate housing development.

"Urban and brownfield sites cannot meet all of the development and infrastructure needs and provide for sufficient opportunities for the future development of the Borough. The nature and location of town centres and railway stations limit the scope for significant additional development in and around such locations without major redevelopment that is not considered practicable or desirable within the lifetime of the Local Plan. Intensification of existing residential areas would adversely impact on the suburban character of much of the Borough and would not provide the means to ensure the delivery of appropriate infrastructure to support development. The potential to re-use employment land for housing is limited given the Council's aspirations and objectives to promote economic growth and development. Alternative options have been carefully considered and in Broxbourne the Council has concluded at this stage that planning for the Borough's development needs can only be achieved through the strategic release of some Green Belt land."³⁷

5.4 Green Belt not a 'constraint' and the 'Duty to Cooperate'

LPAs theoretically have an option to say that Green Belt is a constraint on their ability to meet their housing need in full. Government Planning Practice Guidance states:

*"Do local planning authorities have to meet in full housing needs identified in needs assessments? Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs. However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need."*³⁸

However, if a LPA does regard Green Belt as a constraint on its ability to meet housing need, it must also demonstrate that it has cooperated with neighbouring councils -- i.e. there is a "Duty to Cooperate" -- to negotiate whether neighbours could meet some of the need that it cannot itself meet. It must demonstrate cooperation or a Planning Inspector is likely to find its plan unsound.

Government guidance states that plans "*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 is reasonable to do so and consistent with achieving sustainable development.*"³⁹

We examined where LPAs were conducting Green Belt reviews and also how councils were approaching Green Belt Reviews, making the case for 'exceptional circumstances' and what impact the Duty to Cooperate had.

What we found

- LPAs can cite Green Belt as a constraint but are not doing so. Councils with Green Belt are almost all seeking to release Green Belt to meet housing needs rather than citing Green Belt as a constraint. One notable exception to this rule is Castle Point (Annex 5).
- The Duty to Cooperate might be the reason councils don't cite Green Belt as a constraint. The Planning Inspectorate has rejected plans for failure to cooperate, e.g. Central Bedfordshire, Runnymede, and Aylesbury Vale. The Planning Inspectorate indicated that councils really only have two options: to negotiate with neighbours or allocate sites in their own area. In reality it is very difficult to expect neighbouring councils to take on additional housing particularly if they themselves have similar constraints. Thus councils have only one option – to release Green Belt.

In some cases, LPAs have identified Green Belt sites for housing development without having conducted a Green Belt Review. The Dunton Hills Garden Village proposed in Brentwood is an example of this (Annex 5). In the past the Inspector has rejected plans that identified sites in advance of conducting a Green Belt Review so it is not clear why they have taken this approach.

6. INFLUENCE OF THE PLANNING INSPECTORATE AND JUDICIARY

The role of the Planning Inspectorate: The Planning Inspectorate is an executive agency sponsored by the DCLG and the Welsh Government. Its function is to examine Local Plans and rule whether or not they are 'sound', i.e. comply with government policy and guidance. In their most recent Annual Report it was stated: *"We support the Government's policy aims of delivering more housing and effective local planning through our role in the local plan process."*⁴⁰

Initial findings show that both the Planning Inspectorate (PI) and the Judiciary have generally been ruling in favour of development. This is important as many of the messages LPAs receive on how they should interpret government policy and guidance come from the PI, with the Judiciary as the enforcer of the legal interpretations of policy. We have already identified how the PI has influenced increasing housing targets by an arbitrary 10%.

6.1 Planning Inspectorate favouring development over Green Belt protection

The following chronology of PI statements demonstrates the message LPAs appear to be getting-- that they should turn to the Green Belt to meet their housing targets:

December 2013: The Planning Inspectorate's letter to Brighton and Hove lays the groundwork for defining 'exceptional circumstances'.

The inspector wrote:

*"I recognise the constraints faced by the Council but if I am to find the Plan sound, notwithstanding such a significant shortfall in the provision of new housing, I would need to be satisfied that the Council had left no stone unturned in seeking to meet as much of this need as possible."*⁴¹

April 2014: The Planning Inspector indicated in April 2014 that Green Belt cannot in any real way be cited as a constraint on development, saying that if such a constraint exists, councils have a 'Duty to Cooperate' with neighbouring authorities to negotiate their meeting some of the need.

Case Study 11

Runnymede Borough Council's Core Strategy - Planning Inspector's Assessment April 2014⁴²

"Having concluded that the OAN is 595 dwellings a year, the Council considered the constraints to development in the Borough. These are identified in The Housing Context Technical Paper and include areas of flood risk, Green Belt and Special Areas of Conservation. I agree that these are significant constraints. Primarily as a consequence of these constraints, the Council has concluded that the housing target should be a minimum of 220 dwellings a year (i.e. 37% of OAN). This is a significant shortfall and further emphasises the need for the Council to have fulfilled the Duty to Cooperate in a more collaborative and robust way, with the objective of seeking to meet a greater proportion of its housing need, either within the Borough or elsewhere in an appropriately defined housing market area."⁴³ (Plan rejected.)

December 2014: The Planning Inspector indicated that plans will be rejected if they do not include some kind of uplift on the Sub National Population Projections and suggested that a figure of 10% might do, in the absence of evidence.

February 2015: The Planning Inspector confirmed the expectation that councils must work together to meet housing need however politically intractable this may be.

Case Study 12

Uttlesford - Summarised conclusions of the Inspector 3 December 2014⁴⁴

"... Planning Practice Guidance 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections (e.g. affordable housing needs, employment issues and market signals). The brief for the forthcoming Strategic Housing Market Assessment (SHMA) currently being produced for Uttlesford and its 3 neighbouring authorities in the 'Harlow/M11 corridor' requires PPG compliance on these matters. It remains to be seen how these factors will be considered and weighed in the SHMA. While evidence on some of these topics is patchy. Taking them in the round and without discussing them in detail here, I consider that an uplift of at least 10% would be a reasonable and proportionate increase in the circumstances of Uttlesford, say to about 580pa. The submitted plan therefore does not provide for a full PPG-compliant OAN." (Plan rejected)

Case Study 13

Central Bedfordshire Development Strategy Planning Inspector Letter February 2015⁴⁵

"Assessing and addressing the objectively assessed housing needs of the Luton Housing Market Area is ... of central importance for the Plan. The Council and Luton Borough Council have jointly commissioned the SHMA and are agreed about the objectively assessed need; this is 30,000 dwellings up to 2031. They are agreed too that 17,800 of this need arises within Luton. It also appears to be agreed that the whole of this need cannot be met within Luton. That too is evidence of the positive and ongoing engagement required by the Duty process.

41. However, how much can be met and where does not appear to be agreed by the two authorities. In that respect they seem no further forward now than they were in 2011 when the JCS (Joint Core Strategy) was withdrawn." (Plan rejected)

Save Oakfield Site campaigners protest against proposals to build 1,000 homes on some of the best quality football and cricket pitches, and a strategically important site for sports, in East London



February 2015: The Planning Inspectorate indicated that if a council can make a case that building on Green Belt is more 'sustainable' than building elsewhere, it constitutes the 'exceptional circumstances' needed to justify building on Green Belt.

Case Study 14

Gateshead Council and Newcastle City Council Local Plan Planning Inspector's Report February 2015 ⁴⁶

The Planning Inspector found that the Council had demonstrated that exceptional circumstances existed and its strategy for proposing to develop on the Green Belt was sound.

"51. The capacity of the urban areas has been carefully assessed, many inset towns and villages are designated as Growth Areas, and development beyond the Green Belt has been regarded as unsustainable to meet Newcastle's and Gateshead's needs. The Councils have determined that the Green Belt Growth Areas are the most sustainable locations outside the urban area which are consistent with the spatial strategy (policy CS1) of creating thriving communities and a more prosperous economy. For these reasons the Councils contend that exceptional circumstances exist."

LPA's generally believe that the Inspectorate will not accept that Green Belt is a 'constraint'.

In Essex, Castle Point Council says they cannot meet their housing need because of Green Belt constraints but neighbouring councils do not feel this will be accepted by the Planning Inspectorate. According to Philip Gibbs, a resident and campaigner in neighbouring Basildon:

Philip Gibbs, a resident and campaigner in neighbouring Basildon

"Very few councils have stood up to the government and not met their objectively assessed need. The only one we know which is standing up to it is Castle Point – to save as much Green Belt as they can. We want to see what the Inspector makes of that. Surrounding councils think Castle Point are fools – that it won't work: they believe the Inspectorate will not accept that they are not meeting their need and the consequences of taking that risk are too high."



It is clear that what determines 'exceptional circumstances' is open to interpretation. Arguments are often made for exceptional circumstances in general terms of 'sustainability'. In the cases we reviewed, the 'sustainability' argument seemed weak, with little weight being to the very strong statements the government makes about the importance of Green Belt. In any event, the subjectivity of the consideration undermines the intention of Green Belt protection, which is to prohibit development forever (*openness and permanence* being its key characteristics) except in 'exceptional circumstances' – the clear intention of which was for exceptional to mean just that.

6.2 A Judicial Review

If planning permission by an applicant is refused by a LPA, an appeal can be made to the Secretary of State. Appeals are conducted by the Planning Inspectorate which hears the appeal and makes a recommendation, either supporting or rejecting the LPA's decision. The report of the inquiry together with the recommendation is then sent to the Secretary of State. The Secretary of State either supports or rejects the Inspector's recommendation.

Often developers appeal the decision, which then goes to the Appeal Court. There is no third party right of appeal against planning permissions, although they are able to instigate a Judicial Review if they believe the decision was taken erroneously or illegally. Communities can also request the Secretary of State to 'call in' a planning application for a public inquiry if more than local significance is involved.

The limited research carried out in preparing this report yielded the following case whereby 'very special circumstances' was cited. The Bedfordshire example is presented below to highlight the process.

Case Study 15

Central Bedfordshire: In December 2014, following an appeal against the council's decision to grant permission for the Houghton Regis Development of 5,000 dwellings in Central Bedfordshire, the High Court found that the benefits of the scheme outweighed the harm and so 'very special circumstances' existed. The judge concluded: "It is most unfortunate that this project, which will deliver much needed development and nationally important infrastructure, has been delayed by a challenge in legal merit."

Children enjoying kayaking in the Green Belt in Essex



7. CONCLUSIONS

- i.** The Government has pledged to protect the Green Belt and points to the ‘strongest protection’ which is given to Green Belt in planning policy. But London’s Green Belt is manifestly not safe from development. Evidence of 203 sites under threat from development include proposals for 123,528 new homes to be built in London Green Belt.
- ii.** The majority of these sites are either already allocated in Local Plans or are included in the consultation documents agreed by Local Authorities, indicating that these threats are genuine. Once sites are in the draft Local Plan, as approved by LPAs, they are more than likely to remain—making these threats very real.
- iii.** Inflated housing targets underpinned by unrealistic economic growth projections are forcing LPAs to release Green Belt to ensure new home delivery over the required 5-year planning horizon.
- iv.** Theoretically councils can cite Green Belt as a constraint on their ability to meet their housing target in full, but in practice councils are not doing this. Instead they appear to be responding to a series of government and Planning Inspectorate messages, sanctions and incentives which lead them to seek to allocate Green Belt for housing development. In particular, they see negotiating with neighbouring LPAs under the Duty to Cooperate as very onerous and to be avoided.
- v.** Theoretically LPAs need to make a case for ‘exceptional circumstances’ to justify release of Green Belt. However, the arguments LPAs are putting forward (and which have been found to be sound by the Planning Inspectorate) are unexceptional.
- vi.** Further pressure is being caused by land-banking, leading to LPAs not being able to meet their 5-year supply of sites. This means that these LPAs have to find more land to meet their targets and sometimes the only alternative resource is Green Belt.
- vii.** Whether LPAs’ actions are driven by government guidance and/or Planning Inspectorate precedent, or whether councils are themselves responding to incentives, the result is that Green Belt sites are being allocated for housing development on an unprecedented scale. This strongly contrasts with the government’s public messages underlining its commitment to protect Green Belt.

8. RECOMMENDATIONS

What must be done to halt the unnecessary release of Green Belt?

Government should call an immediate halt to the release of Green Belt for housing development and only allow Green Belt release in genuinely exceptional circumstances. London’s Green Belt is a vital asset and it should – as government is currently stating – be ‘absolutely sacrosanct’.

- 1.** A moratorium should be imposed on all inappropriate development in the Green Belt. This means any development which does not fall within the restriction of ‘very special circumstances’ as defined in Paragraph 89 of the NPPF. Notwithstanding that Paragraph 89 relates to decision-taking on planning permissions, a similar moratorium should be applied to decision-taking on proposed release of Green Belt in Local Plan preparation. In other words, ‘exceptional circumstances’ should be defined in the same way as Paragraph 89 defines ‘very special circumstances’.
- 2.** It should not be possible to subvert the ‘very special’ or ‘exceptional’ circumstances test with generalised arguments about the benefits of a development outweighing the harm. Government must amend the Planning Practice Guidance to make it clear that general pressures such as the need for housing, schools or economic growth cannot justify release of Green Belt in Local Plan preparation. Guidance should refer to Local Plan preparation as well as planning applications; it should extend beyond housing to all generalised pressures i.e. anything which is not ‘exceptional’; and ‘exceptional’ should be defined by the same criteria as set out in paragraph 89.
- 3.** A sequential approach should be applied so that no Green Belt site can be de-designated in a Local Plan: a) unless a full Green Belt Review has taken place and unless it is judged to meet none of the five Green Belt purposes set out in the NPPF; and b) until all suitable brownfield sites have been identified, included and developed. Suitable brownfield sites are those which do not include significant greenfield land and/or biodiversity and ecological value.
- 4.** Parcelling Green Belt sites into small segments as part of a Green Belt review and then judging whether the segments meet the Green Belt purposes should not be allowed. The site should only be considered as a whole. Segmenting sites into small sections threatens the integrity of the Green Belt by allowing incremental development within its boundaries.
- 5.** The “Duty to Cooperate” is not working as intended. There is no doubt that it has a use but as far as expecting neighbouring LPAs to supply development land, it is unrealistic and politically naïve. The terms of the “Duty to Cooperate” should be clearly defined so as to be less ambiguous and cause less delay.
- 6.** Councils must genuinely be able to state that the Green Belt is a constraint and they should be compensated if the constraint means they are unable to benefit from the financial incentives available to councils with no such constraint.
- 7.** Government should facilitate, through national policy and financial measures, positive use and restoration of the Green Belt recognising its potential to support resilient city growth through sustainable tourism and employment, local food production, health and well-being, and vital eco-systems. Enforcement action should also be introduced to reinstate Green Belt where it has been deliberately allowed to become derelict by those intending to obtain planning permission.
- 8.** Government should reinstate the former Advisory Panel on Standards (APOS) in order to act as a quality standard for Planning Inspectorate decisions.

9. Government should require LPAs and the Planning Inspectorate to apply equal consideration to the three aims of the DCLG definition of sustainability: namely economic, social and environmental.

... how can we ensure housing need assessments are realistic?

Government should:

- 10. Immediately stop the 10% increase in housing target as advocated by Inspectors. This figure is totally indiscriminate and has no analysis or evidence to support it.
- 11. Revisit and where necessary recalibrate housing targets to ensure they are supportable and realistic to account for flaws in the process of setting targets and to ensure any impact of Brexit is taken into account.

... and how to institute a more realistic approach to getting houses built?

In order to meet their target of 1,000,000 homes to be built by 2020, government should focus on using readily available brownfield land and building some 470,000 homes that already have planning permission but are not being built. Government should cease to focus on increasing land availability as a means to increase house building rates: neither land availability nor the planning system are the cause of slow house building rates. More realistic ways must be found to promote house building.

Government should:

- 12. Introduce a time limit for planning permission, after which the permission is lost or transferred to the local authority for example for self-build. Land with planning permission held by a large land owner could also be released to smaller builders after a specified time.
- 13. Introduce measures to deter land-banking: after a reasonable period, the land owner should pay to the local authority the council tax that would have been collected on those homes yet to be completed. This would continue until they are occupied.
- 14. Realise the capacity of suitable small sites that are essential to accelerating housing building rates and encourage local authorities to take steps to improve site identification.
- 15. Provide funding to bring brownfield sites into use. This could be achieved by incentivising LPAs with additional funds of New Homes Bonus payments for the use of suitable brownfield sites.

ANNEXES

ANNEX 1: Historical Timeline of the Formation of the London Green Belt

Adapted from: LB Redbridge (2010), Natural England and CPRE (2010) and additional information from GLA (2015)

1890	1919	1926	1929	1935	1938	1943	1947
Ebenezer Howard's vision of Garden Cities outlines a principle of "always preserving a belt of country around our cities"	Town and Country Planning Association calls for towns to be surrounded by a rural belt	Formation of CPRE, one of whose earliest campaigns was against urban sprawl	Raymond Unwin, chief planner for Greater London Regional Planning Committee, proposes a 'green girdle' around London to compensate for a deficiency of green spaces in the capital	London County Council announces a 'Green Belt loans scheme' allowing local authorities to locally define the function of the land. 11,400 ha of land was purchased by local authorities	The Green Belt (London & home counties) Act gives permanent protection to London's Green Belt land	Patrick Abercrombie's <i>County of London Plan</i> defines the Green Belt around London	The Town and Country Planning Act enables local authorities to designate and protect areas such as the Green Belt through local development plans, without needing to purchase the land
1955	1962	1988 & 1998	2009	2011	2012	2014	
Duncan Sandys, Housing minister, encourages local authorities to define Green Belt. Circular 42/55 outlines three functions: to check urban growth; prevent neighbouring settlements from merging; to preserve the special character of a town	'The Green Belts' government publication gives a presumption against Green Belt development, although development that doesn't interfere with the 'open character' of the land may be permissible. Circular 14/84 gives advice for detailing boundaries in local plans	Policy Planning Guidance (PPG) 2 Green Belts states; 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness'. Circular 43/55 defines five green belt functions	The Town and Country Planning (Consultation) Direction requires planning applications to be referred to the Secretary of State where a local authority proposes inappropriate development on Green Belt, if the development consists of buildings 1000 m ² or more or would significantly impact openness	The National Planning Policy Framework (NPPF) retains the five functions of the Green Belt from Circular 43/55	The London Plan establishes Policy 7.16 on Green Belt. Policy 7.17 on Metropolitan Open Land assigns the same degree of protection as Green Belt	Planning Policy Advice released in October: "Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the 'very special circumstances' justifying inappropriate development on a site within the Green Belt"	

ANNEX 2: Summary of threats to the London Green Belt by Local Planning Authority, as of June 2016

COUNTY	DISTRICT/BOROUGH	NUMBER OF THREATS FROM HOUSING*	OTHER THREATS*
Bedfordshire	Central Bedfordshire	11,700	
	Luton	Not surveyed	Not surveyed
Berkshire	Windsor and Maidenhead	1138	
	Bracknell Forest	Not surveyed	Not surveyed
	Slough	Not surveyed	Not surveyed
	Wokingham	Not surveyed	Not surveyed
Buckinghamshire **	Chiltern and South Buckinghamshire**	15,100	9 sites identified as 'employment options'
	Wycombe	212	
	Aylesbury Vale	Not Surveyed – but has been approached by Chiltern and South Buckinghamshire under Duty to Cooperate to meet 7500 of its unmet housing need	Not surveyed
Essex	Basildon	8885	Housing developments also contain proposals for two primary schools, a secondary school, a GP surgery and retail.
	Brentwood	3889	
	Castle Point	261	
	Epping	11300	
	Rochford	2785	
	Chelmsford	Not Surveyed	Not Surveyed
	Harlow	Not surveyed	Not surveyed
	Southend	Not surveyed	Not surveyed
	Thurrock***	Not surveyed	Not surveyed
	Uttlesford	Not surveyed	Not surveyed
Hertfordshire****	Broxbourne	2623	
	Dacorum	900	
	East Herts	15,800	
	North Herts	11,000	
	St Albans	4000	
	Stevenage	1350	
	Welwyn Hatfield	5850	
	Hertsmere	Not Surveyed	Not Surveyed
	Three Rivers	Not Surveyed	Not Surveyed
	Watford	Not Surveyed	Not Surveyed
Kent	Gravesham***	No threats recorded but Site Allocation Document suggests that using Green Belt land to meet housing targets will be considered	Lower Thames Crossing Site Allocation Document suggests that using Green Belt land to meet housing targets will be considered
	Sevenoaks	450	
	Tonbridge and Malling		1 solar farm 1 site put forward at the 'Call for Sites' stage of Local Plan process
	Tunbridge Wells		3 solar farms, 1 health and wellbeing facility/ care lodges
	Dartford	Not Surveyed	Not Surveyed
	Maidstone	Not Surveyed	Not Surveyed
	Medway	Not Surveyed	Not Surveyed

COUNTY	DISTRICT/BOROUGH	NUMBER OF THREATS FROM HOUSING*	OTHER THREATS*
London*****	Barking and Dagenham	125	2 areas at risk of losing Green Belt Protection 2 school developments on Green Belt land
	Barnet		Sports stadium expansion
	Bromley		8 school developments threatened on Green Belt
	Croydon	675	1 area at risk of losing Green Belt protection 2 areas at risk from school developments 3 areas to be allocated as Gypsy/Traveller sites
	Enfield	300	1 area at risk from school development 1 area at risk of losing Green Belt protection
	Harrow		The London Borough of Harrow's Site Allocation document removes RN Orthopaedic Hospital's Green Belt status. A proposal to increase the size of the hospital will encroach into the open space.
	Havering		Green Belt sites are being consulted on following a call for sites (at the time of writing, London Borough of Havering has stated that they are unlikely to need to develop these sites)
	Hillingdon		4 sites at risk of losing Green Belt protection
	Hounslow		1 area (Hounslow Heath) proposed for development, potentially resulting in the loss of green space within Green Belt and public access to green space
	Kingston upon Thames*****		1 site under threat from proposals which include housing and a retirement home in addition to a swimming pool and football pitch.
	Redbridge	1000	
	Sutton	Surveyed but no threats currently recorded	1 area at risk of losing Green Belt protection but threat appears to have been lifted
	Bexley	Not Surveyed	Not Surveyed
	Ealing	Not Surveyed	Not Surveyed
	Haringey	Not Surveyed	Not Surveyed
	Harrow	Not Surveyed	Not Surveyed
	Newham	Not Surveyed	Not Surveyed
Richmond	Not Surveyed	Not Surveyed	
Waltham Forest	Not Surveyed	Not Surveyed	

COUNTY	DISTRICT/BOROUGH	NUMBER OF THREATS FROM HOUSING*	OTHER THREATS*
Surrey****	Elmbridge	1024	Proposed housing development also includes medical centre, retail, office and primary school. Large sports facility including football pitches, athletics track and field sports facilities
	Guildford	8288	Urban extensions proposed include 10/11ha extension to the Surrey Research Park and strategic employment site Sites proposed for housing developments also include schools, care home, traveller plots, retail and community buildings
	Reigate and Banstead	1400	
	Runnymede	1700	5 sites at risk of losing Green Belt protection
	Spelthorne	1500	
	Tandridge	8319	
	Woking	1954	Permission granted for 57,000sq metre extension to McLaren's technology centre
	Epsom and Ewell	No threats currently recorded but awaiting input from a SHMA before finalising Local Plan proposals. It is extremely likely that the SHMA will propose a very significantly increased OAN, resulting in proposed loss of Green Belt.	
	Mole Valley	No threats currently recorded but awaiting input from a SHMA before finalising Local Plan proposals. It is extremely likely that the SHMA will propose a very significantly increased OAN, resulting in proposed loss of Green Belt.	
	Surrey Heath	Surveyed but no threats currently recorded	Surveyed but no threats currently recorded
Waverley	Surveyed but no threats currently recorded	Surveyed but no threats currently recorded	
ALL Local Planning Authorities		Total no. of threats from new dwellings: 123,528	

* Empty cells/'No threats currently recorded': Data about threats had not been updated for this study as of 30 June 2016. This should not be taken to imply that there is no risk to the Green Belt in this area.

** Chiltern and South Buckinghamshire District Councils are working on a Joint Local Plan

*** Green Belt land in parts of Kent (and Thurrock, Essex) are at risk from the proposed Lower Thames crossing. The route and likely impact are not yet known but the impact on the Green Belt is likely to be considerable.

**** CPRE Hertfordshire only collects data for sites of over 500 proposed dwellings

***** Green Belt land in parts of Hertfordshire, North East London, Kingston and Surrey are at risk from Cross Rail 2 which could lead to the building of 20,000 homes along the CR2 corridor

ANNEX 3: Key Stages in Production of Local Plans

These are set out in the Town and Country Planning (Local Planning-England) Regulations 2012

- **Preparation (Regulation 18):** Main consultation opportunity on the draft Local Plan, following which further amendments and adjustments may be made to take account of feedback received. It is important to publish key evidence studies and undertake constructive engagement during this stage and prior to this consultation in order to comply with the Duty to Cooperate.
- **Publication (Regulation 19):** Final opportunity for comment on the Local Plan prior to submission of the Local Plan for examination. No further changes may be made to this document after this stage. It is not a full public consultation and will not be accompanied by the full range of publicity and participation opportunities undertaken as part of the Regulation 18 consultation, but the 'general' and 'specific' consultation bodies must be notified of the availability of the documents. The Council must collect all responses and compile a Statement of Representations to submit to the Planning Inspectorate.
- **Submission (Regulation 22):** Dispatch of the required documents to the Planning Inspectorate for Examination. The Government has indicated that it wants all Local Planning Authorities to submit their Local Plans by 'early 2017'.

- **Consideration of representations by the appointed person (Regulation 23)** Before examining the Local Plan the Inspector must consider the comments ('representations') made on the plan by interested parties.
- **Examination in Public (Regulation 24):** Planning Inspector will consider the documents submitted and issue a report which states whether he or she considers the Local Plan to be 'sound'. The inspector can recommend 'main modifications' to the submitted plan.
- **Receipt of the Inspector's Report (Regulation 25):** If the Inspector recommends that the plan is 'sound', then the Council may proceed to adopt the plan as policy. Exceptionally, if the plan is not found sound, then the Council may withdraw it under Regulation 27.
- **Adoption (Regulation 26):** following receipt of the Inspector's final report, the Council may adopt the Local Plan as a material consideration in the consideration of planning applications under Section 23 of the Planning and Compulsory Purchase Act 2004.

ANNEX 4: Interviews on Housing Targets and the London Green Belt

1. Barry Knichel: member of Save Cuffley and Northaw Green Belt, in Welwyn Hatfield Borough Council (WHBC) in Hertfordshire

The housing target for the borough has suddenly nearly doubled from the original target. The Objectively Assessed Need for housing (up to 2032) for Welwyn & Hatfield Borough Council was determined by the council with the help of consultants and saw an increase from 7,500 in 2010 to 13,000.

What can you say about the accuracy of the 13,000 figure?

- There seems to be a mood within the council to go for unrealistically high aspirational economic growth targets. For example the Local Plan has a forecast for retail growth that suggests that by 2032 there will be a requirement for 50% more retail capacity. This is unheard of in modern day retailing and not validated by anyone in retail. The OAN figures are following over optimistic economic forecasts that are being skewed by recent one-off activities that are not going to be replicated. They are building estimates on estimates and coming up with an economic growth figure that is way in excess of the national average. This is the main driver of housing growth and is delivering totally unrealistic targets. Moreover, no one seems to be able to understand or explain the calculations.
- The average number of houses proposed per head in Welwyn Hatfield is more than double that in Hertfordshire as a whole.
- The targets have been distorted by the impact of the old British Aerospace site development. That was a one-off opportunity which inflated past growth but that growth figure is being used to project forward, though obviously we do not have ex-aerospace sites available every year.”

What do you think is underlying the inflating of the housing targets?

“The council is petrified about the inspector saying the targets are too low or finding another reason to reject the Local Plan. They say it will mean we will entirely lose control of development in the borough. So they are erring on the side of extreme caution. They say ‘we have to do it, we have no choice, the government is making us do this.’ There is a feeling among councillors that the accountability for targets is not entirely in the hands of the local council and that ‘external forces’ are at work to drive these volumes. This could be a cop out or just misguided but it smacks of decision makers already looking for excuses as to why they cannot be held accountable.

What are residents’ concerns?

“Residents feel the numbers are too high but we feel it’s very hard to challenge the council, that we have no voice. People are very concerned about infrastructure – schools, healthcare and roads for instance – for which there are no real plans. There is no upside for residents.”

The government says it wants to protect the Green Belt. “Yes but it is committing to protect the Green Belt at the same time as allowing councils freedom to do the opposite.”

2. Jackie Wren: represents the Oxted and Limpsfield Residents Group on Tandridge District Council, Surrey

Tandridge council’s housing target has unexpectedly quadrupled. Draft Local Plan documents now say that 9,400 more houses are needed in the period 2013 to 2033, or 470 houses per year, which is almost four times the requirement contained in the Local Plan adopted in 2008. Tandridge District is 94% green belt, a largely rural area with limited employment opportunities and infrastructure.

What can you say about the accuracy of the housing figure?

“The OAN figure is significantly inflated.

- 89% of the projected total population increase is comprised of inward migration which should not be included in the needs assessment.
- Tandridge’s assessment uses standard 2012 projections showing population to grow by 17.7% from 2013-33 though this rate is higher than that in both Surrey and the South East.
- “Although Tandridge has a stable economic base, it has seen loss of local employment and ranks low on all economic measures, yet the council unrealistically assumes that local jobs will rise by a third and that Tandridge will experience top quartile continuous economic growth for the next twenty years.
- Tandridge lost many major employers from the mid-1990s. Organisations like the NHS and the Ministry of Defence left and the brownfield sites they had occupied were quickly converted into housing, attracting inward migration. These figures have been projected forward though these circumstances cannot be repeated.”

What do you think is underlying the inflating of the housing targets?

“The truth in Tandridge is that the Council has built a massive amount of housing and its latest figures for its five year land supply show it is exceeded by a huge 806 per cent. We do not know why the Council has so fundamentally changed its approach: we worry that money is a factor. The Council is a small one and like other authorities has had its government grant cut and over the years it has become heavily reliant on the money it gets from house-building and the government’s New Homes Bonus. This year 16.5% of the council’s revenue was derived from the New Homes Bonus. Next year it will be 17%.”

What do local residents think?

“I stood against the council leader and won with a very large majority. That’s how upset people are

about what is happening in Tandridge over the Local Plan. In the Delivery Strategies the distinctive characteristics of Tandridge – open countryside, high quality landscapes, small, rural settlements and long-standing local businesses – are marginalised to make way for a Tandridge that is a dormitory district where residents travel to jobs located elsewhere, mostly by car. That “vision” conflicts with the sustainable development objectives of the NPPF. Mostly people just want a fair assessment which reflects the NPPF. People are also very concerned about infrastructure which is already struggling to cope with demand from all the new build that has already taken place. No account has been taken of how overstretched health facilities, schools, roads and parking will cope with thousands more homes.”

The government says it wants to protect the Green Belt. “If the government wants to protect the Green Belt then it must challenge local authorities and make sure they are actually following government guidance.”

3. Resident Philip Gibbs: stood for election in Basildon in Essex on a platform to protect Green Belt

Basildon’s target growth rate has increased by 80% more than historic values. In 2004 the housing target for a Basildon 15-year plan was proposed at 8,000 homes.⁴⁷ The current figure is 15,260 for a 20 year plan so the target rate has grown.

What can you say about the accuracy of these figures?

- “Between 2001 and 2011 the population of Basildon Borough grew from 165,668 to 174,500 or 0.51% per year. Assuming an average occupancy of 2.3 people per home Basildon is now targeting a population growth of 20% over the twenty year period or 0.91% per year. So the target growth rate has increased by about 80% over historic values. This can also be compared with the UK population growth rate which is currently around 0.6% and has been about 0.7% over the last decade.
- Furthermore the new Thames Gateway South Essex (TGSE) Strategic Housing Market Assessment (SHMA)⁴⁸ has increased the assessed housing

need for the five local authorities it covers by about 20,000 more homes spread over Rochford, Castle Point and especially Southend-on-Sea. Southend has very little undeveloped land left so its extra need is likely to have to be spread over the other authorities when it reviews its land supply shortly. Basildon and Thurrock could be expected to take the extra homes and that could easily add another 4,000 or more homes in Basildon.

- The TGSE SHMA section 7.30 says *‘the analysis of market signals also indicated that there has been a significant historic under-supply against planned housing targets at the wider TGSE level, with approximately 10,300 fewer dwellings delivered than planned to 2014. The vast majority of this shortfall relates to Thurrock and Basildon, with Southend-on-Sea broadly meeting plan targets over this period.’* The TGSE SHMA assessed the need to be about 30,000 more homes than continued growth at previous rates would require, so I think it is fair to say that compensation for under-supply accounts for about a third of this excess assessment.

- I can only assume that the rest comes from projected increases to inward migration. The justification given for the high figure is increasing outward migration from London despite the fact that London has said it can meet all its own growth needs.”

What do you think is underlying the inflating of the housing targets?

“What the council often say is that they are having to allocate sites for this many houses because the government is driving the numbers. The government of course has said that you don’t have to build that number if green belt is a constraint. But councils don’t seem to be taking up that offer because realistically they believe the Planning Inspectorate won’t be happy if you haven’t met need. Very few councils have stood up to the government and not met their objectively assessed need. They believe it is too risky. It’s also about money: “You’re never going to hear a local authority saying that they must build more houses because they need the New Homes Bonus but you can look at the amount they receive from it and it has to be a factor.”

The government says it wants to protect the Green Belt “I think that was just spin to get votes. They are clearly not protecting Green Belt. “Some sections of the NPPF were written very carefully to make it look like they were protecting the Green Belt, but when taken as a whole, the legislation encourages a release of green belt land in local plans.”

What do residents think?

A number of residents stood to challenge seats at the local elections on a platform to protect the Green Belt. I narrowly missed out – but we got three new councillors.

4. Cllr John Mason: represents Rochford District Residents and is Leader of the Opposition on Rochford District Council, Essex

The housing need for Rochford District has been assessed to have increased from 250 houses per annum to between 312 and 392 per annum.

The Core Strategy approved in December 2011 required Rochford District Council to deliver 250 houses per annum up to 2025. Because it ended earlier than the required 2031, the Planning Inspectorate required there to be an early Revision of the Core Strategy and the Council has just started to assemble evidence for this. Because this has been delayed so long Nathaniel Litchfield has put Rochford District Council on its list of 21 Councils at risk of direction by Government.

What can you say about the accuracy of the figures?

“The housing need for Rochford is assessed at being between 312 and 392. Turley (who carried out the Strategic Housing Market Assessment) are recommending the higher figure.

- Even the lower figure is much higher than the UK growth rate. UK population growth for 2015 is estimated at 0.6%. The historic growth in Rochford between the 2001 and 2011 census showed an increase from 78,489 to 83,287 which is also 0.6%. However, the population growth figures used in the SHMA (0.85% to 1.06%) are much higher than this.

- The calculation adds in further factors for London Demographic effect, headship rate (an indication of number of people per household), market signals and economic signals (workforce and replacement by migration into the area for economic reasons) which brings the total to 392. Ageing workforce and replacement by migration into the area for economic reasons appear to form a large part of the increase, but it could be an aspiration, or plan, for increased outward migration from London rather than a need.”

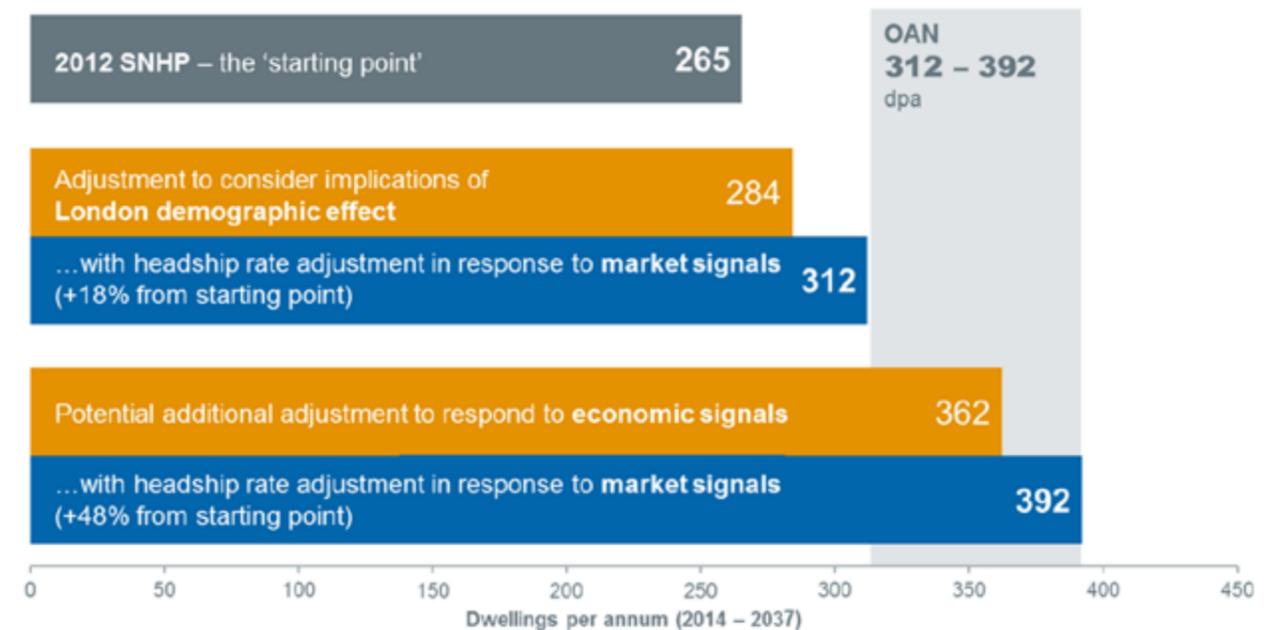
This diagram illustrates factors affecting the uplift in housing targets in Rochford from the South Essex Strategic Housing Market Assessment 2016⁴⁹

What do residents think?

“There are now six Rochford Residents on the Rochford District Council. We contested 8 seats and won 6 in the most recent election. One of our planks in each of our election addresses was to ensure that the current housing policy needed total revision.”

Rochford

Figure 7.7: Adjustments to the Demographic Starting Point Implied in the Evidencing of the OAN – Rochford



Source: Turley, 2015

ANNEX 5: Additional Case Studies of London Green Belt Threats

1. Although Dacorum's Local Plan was adopted in September 2013, The Planning Inspectorate raised concerns that it had not carried out a robust Green Belt review – indicating its clear expectation that this should be done.

The first stage of a joint Green Belt Review with St Albans and Welwyn Hatfield took place in 2013, immediately after the Local Plan was adopted. It indicated there should be no further changes to the Green Belt boundaries in Dacorum.⁵⁰ However, the second stage of a joint Green Belt Review in 2015 (yet to be published)⁵¹ looked again at the Green Belt Parcels which performed less well in Dacorum. The council is working on its 'New Single Plan' – a partial review its Local Plan and the Green Belt Review will form part of the evidence base for this:

"The Stage 2 Green Belt Review and Landscape Appraisal and the Settlement Hierarchy Study will be published at the same time. The output of the two studies is key to the consideration of the most appropriate locations for planned growth in the borough. Any recommendations about locations for growth should be made in light of the evidence from both of these studies and their conclusions will be drawn together in a short strategy, which will then be considered against the conclusions of other relevant evidence in formulating issues and options for the new Local Plan. This will allow us to take a comprehensive assessment of constraints, in the same way that we are assessing housing and job needs via the joint SHMA and Economy Study work."⁵²

2. Luton and Central Bedfordshire Borough Councils have a joint target of 30,000 homes but Luton has said they have limited capacity to meet the 17,800 needed in their area and that Central Bedfordshire should be looking to release Green Belt to help meet the overall target.⁵³ The Planning Inspector said that although they had agreed on the overall need, they had failed to agree where and how much of

the need would be met. As a result, the Inspector said that Central Bedfordshire Council had failed in their Duty to Cooperate and the Local Plan had to be withdrawn.⁵⁴

To fulfil its Duty to Cooperate, Central Bedfordshire attempted to establish a Memorandum of Understanding with neighbouring councils about meeting overall housing needs for the area – but their failure to agree this was one reason the Planning Inspector advised them to withdraw their plan.

The Planning Inspector said: *"The MoU ... fails to meet the guidelines for such a document ... In particular, it does not establish clearly the scale of the unmet need nor does it set out how and where this will be met. Moreover, it has not been signed by all of the authorities, most notably Luton Borough Council. To that extent it cannot be relied upon by the Council as a mechanism for demonstrating that through the Duty process the need of the Luton Housing Market Area will be delivered, even in the future."⁵⁵*

3. London Borough of Redbridge consulted residents on accommodating housing within suburban areas but received thousands of objections. Head of Planning explained at a London Assembly Planning Committee meeting in January 2015 why they were looking at Green Belt land for housing. "...we put out a consultation to see whether there were alternatives to the preferred option that we were pursuing, which included the Green Belt release... We did a consultation cross-borough and we have received 2,500 objections from people objecting a north-south corridor essentially trying to intensify the western side of the borough. It attracted such a violent public reaction because these areas are very highly valued in terms of character and the conservation areas. Density is fairly moderate. ... The consequence of intensification in a leafy outer London suburb is very severe. ...this is something

we have to reconsider again shortly, but it would be very, very difficult to pursue that."

4. Local campaigners in Basildon are concerned that Brentwood Council has identified an important Green Belt site near to Basildon, for housing development, because consultation with Brentwood residents indicated building near to Brentwood was not popular. Brentwood Borough Council's Draft Local Plan seeks to allocate land for around 3,900 houses, including the controversial Dunton Hills Garden Village along the border with Basildon District Council for 2,500 dwellings. This site allocation, along with other Green Belt sites in Brentwood borough, has been put forward without assessing the importance of the site in terms of its Green Belt designation.⁵⁶ The land at Dunton is particularly key to the purpose of London's Green Belt. Local campaigner Ed Cowen said: *"Dunton Wayletts is in the five mile wide corridor of countryside separating Greater London from Basildon, the narrowest stretch of the London Metropolitan Green Belt. Unless the development of the Green Belt can now be stopped/controlled at Dunton there will no longer be a London Metropolitan Green Belt."⁵⁷*

Phil Gibbs, local campaigner, added "We think that housing in Brentwood District should be near Brentwood town, not near Basildon. The A12 to Brentwood is being widened and Crossrail is coming through. However, the A127 which would have to support the proposed Dunton development is already heavily congested and there's only funding for small improvements to junctions. Brentwood Council hasn't hidden the fact that they want to keep it away from Brentwood voters and more generally away from the A12 corridor."⁵⁸

5. The Epping Forest District Council's Stage 1 Green Belt Review⁵⁹ demonstrates clearly how previous encroachment into the Green Belt is used to justify further encroachment.

In this case, Green Belt land was divided up into parcels and graded from 0-5 (0= no contribution, 3 moderate, 5 strong) for each Green Belt purpose. All areas scored at least 4 or 5 for at least one purpose but the review looked at smaller segments, some of which are assessed as doing less well or as having already been encroached. These segments were then put forward for further investigation, for example:

- Parcel DSR016 (North East of Chipping Ongar) where the review concluded that residential development appears to have slightly breached the existing Green Belt
- DSR053 (South of Harlow Common) which the review said has been encroached by built development (the petrol station off the A414) with other potential existing encroachment at the northwest (housing) and western boundaries (pub, car dealership)
- DSR069 (East of Waltham Abbey & West of Epping) where the review said there was particularly heavy concentration of encroachment west of Woodgreen Road and east of Waltham Abbey in the form of offices, storage, housing and equestrian related businesses.

ANNEX 6: Green Belt Review Status

Home County Green Belt Review Status

	GBR not planned	GBR planned in next 12 months	GBR undertaken less than 12 months ago	GBR undertaken 1-4 years ago	GBR undertaken over 4 years ago
Sample surveyed for this report (32)	5	7	7	12	1
All home county district councils with GB (48)	15	9	9	14	1

Areas with no current Green Belt Review but with significant Green Belt development threatened

While the majority of threats appear to be arising from a process which involves a Green Belt Review, we found that four councils had not conducted a Green Belt Review but that sites in their areas were threatened with significant housing development nonetheless.

Planning Authority	Green Belt Review Status	No of dwellings proposed
Brentwood	Not planned	3889
Spelthorne	Not planned	1500
Central Beds	Planned in next 12 months	11700
Reigate and Banstead	Planned in next 12 months	1400
Total number of dwellings		18,489

Greater London and Green Belt Reviews

Two London boroughs, Redbridge and Enfield have decided to do further reviews, despite having carried out earlier GBRs. Sutton carried out a Green Belt review as part of its evidence base for its Local Plan consultation in March 2016.

Local Plans with London Green Belt which have been submitted for Public Examination

Found to be Sound	Withdrawn
Gravesham 2014	Central Bedfordshire 2014
Dacorum 2013	Uttlesford 2014
Reigate and Banstead 2014	Runnymede 2014
Watford 2012	Aylesbury Vale 2013
Hertsmere 2012	Waverley 2013
Woking 2012	Medway 2012

- Gravesham:** In September 2014 Gravesham Borough Council adopted its Local Plan covering the period to 2028 however this was subject to modifications including increasing their housing target from 4600 to at least 6,170 dwellings. A Green Belt review, new Strategic Housing Market Assessment (SHMA) and an early review of the plan which is due to start in autumn 2016.
- Reigate and Banstead:** Only a broad Green Belt assessment was produced for the 2012 Local Plan where two strategic areas were identified to build 1000-1400 dwellings in the last five years of the Plan if required. A more detailed assessment of these areas is likely to be presented to the Council in August.
- Woking:** The Council has proposed further Green Belt sites and nearly 2,000 more dwellings to establish a long term permanent boundary to 2040. Sites proposed in a 2015 consultation are expected to be included in the Site Allocations Plan due to be submitted to the Planning Inspectorate later in 2016.
- Dacorum:** Although Dacorum's Local Plan was adopted in September 2013, the Planning Inspectorate raised concerns that it had not carried out a robust Green Belt review. The council is therefore working on its 'New Single Plan' – a partial review of its Local Plan and the Green Belt Review will form part of the evidence base for this.

ANNEX 7: Status of Local Plans within the London Green Belt

Status of Local Plans: Home County LPAs with Green Belt

Status		Home County Green Belt LPAs Surveyed (32)	All Home County Green Belt LPAs (48)
Local Plan progress: submitted for public examination	Sound/Adopted	4 (13%)	6 (13%)
	Submitted	0	2 (4%)
Local Plan progress: not yet submitted	Publication/Pre-submission	3 (9%)	4 (8%)
	Preparation (including Options and Issues consultation)	19 (59%)	29 (60%)
Plan documents not yet published	Preparation planned 2016/17	5 (16%)	5 (10%)
	No plan progress	1 (3%)	1 (2%)
Not known			1 (2%)

Status of Local Plans: London Boroughs with Green Belt

Status		London Green Belt Boroughs Surveyed (12)	All London Green Belt Boroughs (18)
Local Plan progress: submitted for public examination	Sound/Adopted	3 (25%)	4 (22%)
	Submitted	0	1 (6%)
Local Plan progress: not yet submitted	Publication/Pre-submission	1 (8%)	1 (6%)
	Preparation (including Options and Issues consultation)	7 (58%)	10 (56%)
Plan documents not yet published	Preparation planned 2016/17	1 (8%)	2 (11%)

FOOTNOTES

1. <http://www.telegraph.co.uk/news/general-election-2015/11528903/Green-Belt-is-safe-under-us-until-2020-Conservative-manifesto-will-say.html>
2. The 14 Green Belts in England are: Avon (Bristol and Bath), Burton on Trent and Swandicote, Cambridge, Gloucester and Cheltenham, Greater London, Tyne and Wear, Durham and Hexham, Merseyside and Greater Manchester, Nottingham and Derby, Oxford, South and West Yorkshire, Dorset, Bournemouth and Poole, Stoke-on-Trent, West Midlands, and York.
3. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464783/Annex_1_-_Green_Belt_Statistics_2014-15_Tables.xlsx
4. National Planning Policy Framework, 2012 Paragraph 80.
5. <http://www.cpre.org.uk/resources/housing-and-planning/green-belts/item/1955-green-belts-a-greener-future-summary>. This report summarises research on the benefits of land protection policy.
6. For more information on the benefits of Green Belt: <http://www.eea.europa.eu/publications/urban-sprawl-in-europe> and http://www.eea.europa.eu/publications/eea_report_2006_10
7. www.londongreenbeltcouncil.org.uk
8. https://www.broxbourne.gov.uk/sites/default/files/Documents/Planning/151012LocalPlanDocOct15_NEW.pdf
9. <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5365&p=0>
10. <http://www.telegraph.co.uk/news/general-election-2015/11528903/Green-Belt-is-safe-under-us-until-2020-Conservative-manifesto-will-say.html>
11. <http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>
12. <http://www.insidehousing.co.uk/new-dclg-ministers-pledge-to-protect-green-belt/7016128.article>
13. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
14. Planning Policy Guidance, DCLG. <http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/>
15. Letter from DCLG to Central Bedfordshire Council 30.1.14 (available on request)
16. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507019/160310_planning_consultation.pdf
17. <http://www.legislation.gov.uk/ukpga/2016/22/section/146/enacted>
18. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488276/151207_Consultation_document.pdf
19. "Evaluation of the New Homes Bonus, Dec 2014, DCLG, p 6. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387152/NHB_Evaluation_FINAL_report.pdf
20. "Evaluation of the New Homes Bonus, Dec 2014, DCLG, p 2. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387152/NHB_Evaluation_FINAL_report.pdf
21. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387152/NHB_Evaluation_FINAL_report.pdf
22. *ibid.*
23. See for example <http://www.neweconomics.org/press/entry/gdp-boosted-by-158bn-of-phantom-rent-nef-research-reveals>
24. <http://www.legislation.gov.uk/ukpga/2016/22/section/155/enacted>
25. <http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-development-needs-assessments/methodology-assessing-housing-need/>
26. <http://www.cpre.org.uk/resources/housing-and-planning/housing/item/4158-set-up-to-fail-why-housing-targets-based-on-flawed-numbers-threaten-our-countryside>
27. Government planning policy guidance states that "The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. For example, formation rates may have been suppressed historically by under-supply and worsening affordability of housing. The assessment will therefore need to reflect the consequences of past under delivery of housing. As household projections do not reflect unmet housing need, local planning authorities should take a view based on available evidence of the extent to which household formation rates are or have been constrained by supply."
28. <http://www.pas.gov.uk/documents/332612/6549918/OANupdatedadvicenote/f1bfb748-11fc-4d93-834c-a32c0d2c984d>
29. "Set Up to Fail", CPRE Nov 2015.
30. http://www.local.gov.uk/media-releases/-/journal_content/56/10180/7632945/NEWS
31. <http://www.cpre.org.uk/resources/housing-and-planning/housing/item/4158-set-up-to-fail-why-housing-targets-based-on-flawed-numbers-threaten-our-countryside>
32. Normandy/Flexford Parcels H12 H16 J16 (1,100 proposed dwellings) scored 3 of 4. Send Marsh / Garlicks Arch Parcel B14 (400 dwellings) – this site was put in pre submission draft very late. Source available on request.
33. https://www.sutton.gov.uk/info/200464/planning_policy/1521/sutton_2031/2
34. Enfield RoadWatch – contact available on request
35. <https://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/CIL/Evidence/Newcastle-Gateshead-CSUCP-Inspectors-Report-Final.pdf>
36. <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5365&p=0>
37. https://www.broxbourne.gov.uk/sites/default/files/Documents/Planning/151012LocalPlanDocOct15_NEW.pdf
38. <http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/stage-5-final-evidence-base/>
39. http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/plan-making/#paragraph_182
40. <https://www.gov.uk/government/organisations/planning-inspectorate/about#priorities>
41. <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/ID-21%20Letter%20to%20council%20Dec%202013.pdf>
42. <http://www.pas.gov.uk/documents/332612/6289673/Runnymede+May+2014.pdf/afd18a57-da22-4895-9908-2e134d8b6a8b>
43. <https://www.runnymede.gov.uk/CHttpHandler.ashx?id=15399&p=0>
44. <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=4461&p=0>
45. <http://www.colchester.gov.uk/CHttpHandler.ashx?id=17782&p=0>
46. https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/planning-and-buildings/planning-policy/inspectors_report_on_the_examination_in_public_into_planning_for_the_future.pdf
47. <http://www.basildon.gov.uk/CHttpHandler.ashx?id=319&p=0>
48. http://www.tgessex.co.uk/index.php/tgse_sections/housing
49. http://www.tgessex.co.uk/downloads/South_Essex_Strategic_Housing_Market_Assessment_No_Appendices.pdf
50. <https://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>
51. <https://www.dacorum.gov.uk/docs/default-source/strategic-planning/faqs-re-early-partial-review-december-2013.pdf?sfvrsn=4>
52. <https://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/new-single-local-plan>
53. Letter from Luton Borough Council to Central Beds Borough Council (available on request)
54. <http://www.colchester.gov.uk/CHttpHandler.ashx?id=17782&p=0>
55. para 48 *ibid*
56. <https://www.whatdotheyknow.com/request/255068/response/622036/attach/html/9/DTC%20Letter%20Brentwood%20Strategic%20Growth%20Options%2016022015v1.pdf.html>
57. Ed Cowen – local resident. Contact on request
58. See for example Louise McKinlay's comments "...we have a number of villages in Brentwood, we want to protect them. We need to strike that balance between growth and sustainability and make sure the infrastructure is there, whilst respecting what it is that makes the borough of Brentwood." Published in Brentwood Gazette. Source available on request.
59. <http://chigwellparishcouncil.gov.uk/wp-content/uploads/2015/07/EFDC-Green-Belt-Review-Stage1.pdf>

GLOSSARY

- CPRE** Campaign to Protect Rural England
- DCLG** Department of Communities and Local Government
- GLA** Greater London Authority
- LGA** Local Government Association
- LGBC** London Green Belt Council
- LPA** Local Planning Authority
- NHB** New Homes Bonus
- NPPF** National Planning Policy Framework 2012
- OAN** Objectively Assessed Need
- PI** Planning Inspectorate
- PPG** Planning Policy Guidance
- SHMA** Strategic Housing Market Assessment



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