

Newcastle-under-Lyme Borough
Council and Stoke-on-Trent City
Council

Green Belt Part 2 Study

Exceptional Circumstances Review

Final | 05 November 2019

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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Good Practice Review of Exceptional Circumstances from Local Plan Examinations

1 Introduction

1.1 Overview

The Newcastle-under-Lyme and Stoke-on-Trent ('the Councils') Joint Local Plan Preferred Options consultation document (February 2018) sets out the Councils' justification for proposing to amend the Green Belt boundary in Newcastle-under-Lyme in order to meet the full housing and employment needs of the borough. It is noted that the Councils are still in the process of developing their evidence to feed into the exceptional circumstances case however this report provides a critical friend review of the current exceptional circumstances case when considered against national policy, case law and good practice. The review focuses on whether sufficient information is likely to have been provided to build the exceptional circumstances case; it does not question the validity or the accuracy of the information from the Councils on housing and employment need.

1.2 Structure

This report is structured as follows:

- Section 2 provides a review of current national policy and legal case law in relation to exceptional circumstances. It also provides a good practice review of the Inspectors' Reports from recently adopted Local Plans in order to understand what the Inspectors have considered to be relevant factors forming part of the exceptional circumstances cases as well as drawing on Arup's experience at the Durham Local Plan Examination hearing sessions (October 2019).
- Section 3 provides a critical friend review of the Councils current evidence forming part of their exceptional circumstances case and provides recommendations for taking this forward.
- Section 4 provides a summary of the recommendations and the next steps to be undertaken.

2 National Policy and Guidance

2.1 National Planning Policy Framework (2019)

Paragraph 136 states that: *“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.”*

Paragraphs 137 provides further details on establishing exceptional circumstances stating:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

Paragraph 138 provides some further requirements which local planning authorities need to consider when reviewing Green Belt boundaries and which will need to be evidenced as part of the exceptional circumstances case:

“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities 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. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”

Paragraph 139 notes that when defining Green Belt boundaries, plan should *“...define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.”*

2.2 Case Law on Exceptional Circumstances

There is no formal definition or criteria on what constitutes exceptional circumstances however there are a number of legal challenge cases which assist in determining what may constitute an exceptional circumstance.

One of the most established cases is *Gallagher Homes Limited v Solihull Metropolitan Borough Council* [2014] EWHC 1283 which made the following points clear:

- Planning guidance is a material consideration for plan-making and decision taking. However, it does not have statutory force: the only statutory obligation is to have regard to relevant policies;
- The test for redefining a Green Belt boundary has not been changed by the NPPF. However, it is not arguable that the mere process of preparing a new local plan could itself be regarded as an exceptional circumstance justifying an alteration to a Green Belt boundary. National guidance has always dealt with revisions of the Green Belt in the context of reviews of local plans and has always required exceptional circumstances to do this;
- Exceptional circumstances are required for any revision to a Green Belt boundary, whether it is considering extending or diminishing the Green Belt; and
- Whilst each case is fact-sensitive and the question of whether circumstances are exceptional requires an exercise of planning judgment, what is capable of amounting to exceptional circumstances is a matter of law. The Court can declare the adoption of a plan unlawful and quash it (or parts of it) if the plan-maker has failed to take a lawful approach to exceptional circumstances. This means that it is not enough for a local authority or inspector to assert that exceptional circumstances exist: it is not possible to convert unexceptional circumstances into exceptional circumstances simply by labelling them as such.

In addition, the *Gallagher Homes Limited* case also established that when considering whether to amend the boundary of the Green Belt, the starting point for every local authority is that this decision should only arise after all reasonable and acceptable efforts have been taken to maximise the amount of development within the urban area. Optimising densities and ensuring that all land is appropriately used must be the first response to growth. This would include a review of employment land and other areas or uses that are protected by planning policies, commensurate with ensuring the proper balance between residential, employment and other uses.

Gallagher Homes Limited established the principle that general planning merits cannot be exceptional circumstances: for example, it is not sufficient that the local authority consider that the relevant land would, or would not be, a sustainable location for development, or that they would have drawn the boundary line in a different place had they been starting from scratch. “*In other words, something must have occurred subsequent to the definition of the Green Belt boundary that justifies a change. The fact that, after the definition of the Green Belt boundary, the local authority or an inspector may form a different view on where the*

boundary should lie, however cogent that view on planning grounds, that cannot of itself constitute an exceptional circumstance which necessitates and therefore justifies a change and so the inclusion of the land in the Green Belt.” (paragraph 130, Gallagher Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283)

The approach in *Gallagher Homes Limited* was followed by the case of *Calverton Parish Council v Nottingham City Council [2015] EWHC 1078*. This set out factors that ideally would be considered in identifying exceptional circumstances. These factors are as follows:

- i. the acuteness/intensity of the objectively assessed need
- ii. the inherent constraints on supply/availability of land prima facie suitable for sustainable development
- iii. the consequent difficulties in achieving sustainable development without impinging on the Green Belt
- iv. the nature and extent of the harm to this Green Belt
- v. the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent

It is noted that factors (i)-(iii) are more strategic in nature whilst (iv) and (v) are more site-specific considerations, albeit their cumulative impact is also relevant. At paragraph 54, the Judge notes that the Greater Nottingham Inspector considered the need for additional housing was acute, both generally and in this particular area, referring to paragraph 40 and 41 of the Inspector’s Report. At paragraph 40 of the Greater Nottingham Inspector’s Report (2014), the Inspector provides some general commentary about the Government’s commitment to housebuilding and the requirements set out in the NPPF. At paragraph 41, she comments on the mismatch between housing supply and demand in Greater Nottingham.

2.3 Good Practice Review of Exceptional Circumstances from Local Plan Examinations

A review of the Inspectors’ Reports from recently adopted Local Plans has been undertaken in order to understand what the Inspectors have considered to be relevant factors forming part of the exceptional circumstances cases. The full review is provided at Appendix A however it is clear that the following factors when considered together were key to forming the exceptional circumstances case:

- The housing or employment need;
- Consideration as to whether development needs could be met without amending Green Belt boundaries – this takes into account a number of factors:
 - Context of the Green Belt

- Exporting need
- Reasonable alternatives
- Consequences for sustainable development
- The relative performance of the site against Green Belt purposes and/or the impact of removing the site on the overall function and integrity of the Green Belt
- The presence/creation of a strong and defensible boundary

Arup's experience at the Durham Local Plan Examination hearing sessions on Green Belt matters (October 2019) reinforces the above list. The Inspector's line of questioning provides a useful indication of how exceptional circumstances are considered within the context of the revised NPPF.

The above factors are considered in turn below.

2.4 The housing or employment need

The review demonstrates that unmet need on its own is not sufficient to justify exceptional circumstances. In considering unmet housing need, factors such as a severe shortage of affordable homes, and deteriorating housing affordability were accepted by the Inspectors, taking into account the spatial strategy for growth and the most appropriate and sustainable locations to meet unmet needs. The severity of the housing need was highlighted by the Inspectors in terms of the numerical discrepancies between supply and demand combined with other qualitative considerations. For example, the Inspector for the Guildford Local Plan recognised that different assumptions (for example about economic activity rates, unemployment levels, net commuting etc) produced lower figures for housing need whilst other assumptions might produce higher figures. In concluding that there was a compelling case for the housing need figure to be significantly higher than historic rates, the Inspector considered the wider context of Guildford¹, combined with the seriously poor and deteriorating housing affordability and the very high level of needs for affordable housing. He also compared the housing requirement to that of the other authorities in the Housing Market Area taking into account their characteristics. In contrast, the Inspector for the Coventry Local Plan referred to the proportion of unmet need as being exceptional stating: *“Unless some of the Green Belt is released, a substantial level of new dwellings - amounting to nearly one third of the planned supply - would not be delivered. The scale of potentially unmet need in the City is exceptional.”* (paragraph 108, Inspector's Report).

¹ *“Guildford is an important employment centre within easy reach of London, with a big university, other significant higher education establishments, a successful science park, economic strength in growing sectors and a long record of economic growth. It is the largest town within the housing market area, one of four growth towns in the LEP's Strategic Economic Plan and continues to benefit from the EM3 LEP Growth Deals. The university is expanding and students have made a significant incursion into the housing market.”* (paragraph 33, Inspector's Report)

2.5 Context of the Green Belt

A number of Inspectors commented on the original aims and purpose, or the scope and nature of the Green Belt in the authority given that this was relevant to the exceptional circumstances case. For example, the Stevenage Local Plan Inspector highlighted the tightly drawn Green Belt boundary and noted that the town itself was relatively new thus providing limited opportunities for redevelopment within the urban area. The Barnsley Local Plan Inspector also noted the tightly drawn Green Belt boundary. The Inspector for the Nuneaton and Bedworth Local Plan noted the original aim and purpose of the Green Belt in serving purposes 1-3 and referred back to these in considering whether the proposed allocations compromised these purposes.

2.6 Exporting need

Most of the LPAs had considered whether there was scope to export the housing need to a neighbouring authority. For example, the Inspector for the Stevenage Local Plan noted that neighbouring authorities were also reviewing their Green Belt boundaries to meet their own needs and would be unlikely to accommodate Stevenage's needs. The Guildford Local Plan Inspector stated that the neighbouring authorities were significantly constrained in terms of Green Belt and other designations and had their own significant development needs. The Kirklees Local Plan Inspector stated that neighbouring authorities were seeking to meet their own housing requirements, and many also contained land in the Green Belt or the Peak District National Park therefore she was satisfied that exporting need was not an option for Kirklees.

In the case of the Telford and Wrekin Local Plan, the authorities within the Greater Birmingham and Black Country Housing Marked Area (GBBC HMA)² tried to argue that the excess housing provision in the Telford and Wrekin Local Plan would contribute towards meeting the shortfall from the GBBC HMA. They also argued that if the remaining GBBC HMA shortfall could not be met within its boundaries, then the Telford and Wrekin Local Plan should be reviewed to test whether any additional growth could be accommodated and delivered. The Inspector considered this issue at paragraph 63-70 of the Inspector's Report (November 2017). He concludes at paragraph 70:

"I consider that neither the principle of meeting some of the GBBC HMA's shortfall in the Telford & Wrekin Local Plan, nor the scale of any such contribution, have been fully justified. Having said that, the evidence suggests that, in practice, at least some of the in-migration that the Local Plan is making provision for is likely to originate from the GBBC HMA. It can be anticipated that further work will be undertaken to apportion the shortfall arising from the GBBC HMA and that, if this is done, a stronger evidence base may become available to determine the potential contribution from 'out of HMA authorities' such as Telford & Wrekin. As such, it would be wrong for the Plan to exclude this

² The Association of Black Country Authorities, Birmingham City Council and South Staffordshire District Council.

possibility at the present stage: I therefore also reject the Council's suggested deletion of text from Chapter 1 of the Plan in that context."

In coming to this conclusion, the Inspector considered evidence on existing migration patterns noting that the main source of internal migration into Telford and Wrekin was Shropshire, with a somewhat lower figure from the Greater Birmingham area. He found no evidence to support the view of the GBBC HMA authorities that they were the most likely source of in-migration into the borough. He felt that such a course of action would over-estimate the contribution that Telford and Wrekin could make to the GBBC HMA's shortfall.

The Inspector noted that Telford and Wrekin occupies a separate HMA outside the GBBC HMA and reiterated the NPPF 2012 at paragraph 47 which specifically refers to local planning authorities meeting objectively assessed needs for market and affordable housing 'in the housing market area'. At paragraph 67 he states: *"It seems to me that the duty for the GBBC HMA authorities is therefore, first, to assess whether the relevant need can be met within that HMA and only then to consider the potential for such a need to be met within other HMAs."* He could not find evidence from the GBBC HMA authorities to show that they had agreed how to deal with their shortfall within the HMA and the option of exporting outside the HMA had not been considered in detail in their Strategic Housing Needs Study. Furthermore, the Study acknowledged that there would be economic implications from taking unmet need from outside the HMA.

The Telford and Wrekin example demonstrates that when exporting need, clear evidence in the form of existing migration patterns needs to be provided and authorities within the same HMA should be considered in the first instance and only after this has been fully explored should other HMAs be considered. It is however noted that the revised NPPF no longer makes reference to HMAs. Paragraph 60 states: *"...In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."* However, paragraph 35(a) NPPF still maintains that to be positively prepared, Local Plan should be: *"...providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development."* Paragraph 137 of the NPPF now requires discussions on exporting need to be evidenced in Statements of Common Ground with the neighbouring authorities.

A different example of exporting need is the case of Slough Borough Council (SBC) which has a very small area of Green Belt in the north but is surrounded by the Green Belt of neighbouring authorities to the west and north (South Bucks), to the south (Windsor and Maidenhead) and to the east (London Borough of Hillingdon). SBC submitted representations to the Chiltern and South Bucks Local Plan Regulation 18 consultation and through Duty to Co-operate engagement for a northern expansion of Slough in the South Bucks Green Belt in order to accommodate part of SBC's anticipated unmet housing needs. Due to the scale of housing need in Slough combined with the limited opportunities for accommodating this within the existing built up area, the Council's view is that an urban extension remains a realistic and sustainable option. Chiltern and South Bucks Councils have continually opposed the proposal. The Chiltern and South

Bucks Local Plan was submitted for Examination on 26 September 2019. As part of the Examination documents, the Buckinghamshire Local Planning Authorities and Bucks Thames Valley LEP Duty to Co-operate Position Statement in relation to the SBC Emerging Slough Local Plan (June 2017) sets out their position. At paragraph 1.4 it notes that SBC proposes to meet all of its employment needs within the borough boundaries despite not being able to meet all of its Objectively Assessment Housing Need. Chiltern and South Bucks Council did consider Slough's proposal however did not take this forward in its preferred Green Belt options due to it having an unacceptable impact on the Green Belt as evidenced by their Green Belt Assessment Part 1 and Part 2 studies (paragraph 1.9). Chiltern and South Bucks Councils consider that Slough's preparation of a masterplan for their proposed northern expansion to be premature given that the principle of development has not been established and the masterplan ignores Green Belt considerations. The Position Statement also notes that the Berkshire HMAs functional areas are not defined and the Bucks authorities and Bucks LEP are concerned as this represents a fundamental platform for sound plan-making and is currently flawed (paragraph 2.1).

The Position Statement states that the following are considered essential to test the principle of the northern expansion of Slough:

- a) *“clear and robust assessments of housing and employment need and supply in Slough - this has not been provided by SBC to-date*
- b) *evidenced testing of a full range of options taking a sequential approach namely;*
 - i. *options within Slough Borough, including the scope for employment conversion to residential in Slough and estate renewal*
 - ii. *meaningful and on-going Duty to Co-operate discussions with all local planning authorities within an appropriately defined HMA with Slough*
 - iii. *meaningful and on-going Duty to Co-operate discussions with all other local planning authorities where there is a clearly defined and strong functional housing relationship*
 - iv. *meaningful and on-going discussions with all other local planning authorities that have a duty to co-operate relationship with Slough*
- *points b) i) to iv) have not been demonstrated by SBC to-date.*
- c) *a Green Belt assessment with relevant local planning authorities for all options requiring release of land from the Green Belt – SBC has specifically excluded Green Belt considerations from the NES Master Plan commission with Atkins.*
- d) *a Sustainability Appraisal and Habitat Regulations Screening Assessment to assess all options – the scope for this has not been made clear by SBC. ”*

Hearing sessions for the Chiltern and South Bucks Local Plan have not yet commenced.

2.7 Reasonable alternatives

The LPAs had considered all other reasonable alternative urban area or non-Green Belt sites. For example, the Guildford Local Plan Inspector stated that all development opportunities within the urban areas had been thoroughly investigated as part of the Land Availability Assessment process. The Inspector was also satisfied with the approach to inset a number of existing washed over villages and allocating sites for growth within some of these villages. He was satisfied that exceptional circumstances existed to inset these villages and the allocations were proportionate extensions to medium-sized villages with access to village and transport facilities and the scale of additional growth proposed would not harm the character. The Inspector also commented that the approach adopted by the Council in inseting major previously developed sites in the Green Belt was sound. The Guildford Local Plan also allocated a number of sites on land currently designated as 'Countryside Beyond the Green Belt'. In the first instance the Local Plan had considered the most sustainable locations of the town centre and urban areas, inset villages, and certain Green Belt villages proposed to be inset. As these locations were unable to meet Guildford's development needs, the Council applied the following spatial hierarchy to find further land to meet their development needs: countryside beyond the Green Belt, urban extensions, new settlements at the former Wisley airfield, extensions to villages.

The Nuneaton and Bedworth Local Plan Inspector concluded that the Council had demonstrated through the Joint Green Belt Study, SHLAA, ELR, SA and Housing Topic Paper that all reasonable non-Green Belt options had been examined. On the other hand, the Warwick Local Plan Inspector concluded that exceptional circumstances did not exist for sites around Leamington Spa, Warwick and Whitnash given the significant scale of committed and proposed housing sites within the urban areas, however Kenilworth represented a sustainable location for housing growth and given the scale of housing requirements and the limited opportunities to accommodate development elsewhere, there were exceptional circumstances to justify amending the Green Belt boundary in this location.

At the Durham Local Plan Examination hearing session on Green Belt matters (October 2019), the Inspector followed paragraph 137 of the NPPF requiring the Council to justify that they had made as much use as possible of suitable brownfield sites and underutilised land, optimised the density of development, and had discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. The Inspector particularly questioned the Council on their approach to considering options for locating growth in the towns and villages beyond the Durham City Green Belt and why they had concluded that this dispersed approach to development was not deemed to be sustainable. The Council had produced various evidence base documents including a Settlement Study and had assessed these options through a SHLAA criteria assessment, a high-level viability study and a sustainability appraisal. In relation to optimising density, the Inspector questioned whether the Council's proposed 30dph minimum was sufficiently ambitious to get the most out of the Local Plan allocations. The Council explained that they had explored 40dph and directed the Inspector as to where they had evidenced this.

2.8 Consequences for sustainable development

The adverse consequences for sustainable development of not allocating sufficient land was cited by the Inspector in Cheshire East Local Plan Examination. In particular, the Inspector considered the Council's Spatial Distribution Update Report (SDUR) which assessed all the towns and settlements in the borough and explored options for the spatial distribution of development. The SDUR considered the implications of channelling too much development beyond the North Cheshire Green Belt to the south of the borough and found that "...*this would result in unsustainable patterns of development and commuting, and would not address the development needs of the northern settlements*". The Inspector agreed and concluded: "*There is a need for a reasonable balance of development throughout the borough, and the allocation of more development to the northern settlements would almost inevitably result in the loss of some Green Belt land.*" (paragraph 68, Cheshire East Local Plan Examination, Inspector's Further Interim Views (December 2015)).

The Nuneaton and Bedworth Local Plan Inspector noted that whilst all 'low' performing Green Belt sites should be considered for development potential, this was only one consideration and securing a sustainable pattern of development was also critical.

2.9 Green Belt Purposes

Most of the Inspectors commented on the Councils' Green Belt Reviews and at a site-specific level commented on the relative performance of the site in Green Belt purpose terms. For example, the Stevenage Local Plan when considering the exceptional circumstances for specific sites noted the sites' contribution to Green Belt purposes and whether removal of the site from the Green Belt would impact upon the overall function of the Green Belt. The Kirklees Local Plan Inspector concluded that the exceptional circumstances case was supported by the Council's Green Belt review and site assessment work which demonstrated that the release of Green Belt land would not harm the overall integrity of the Green Belt. The Nuneaton and Bedworth Local Plan Inspector noted that the Council's approach of considering low-medium performing sites and not considering high performing sites was an appropriate approach.

At the Durham Local Plan Examination hearing session on Green Belt matters (October 2019), the Inspector required the Council to consider the following matters on a site by site basis:

- Consider the impact that development would have on Green Belt purposes;
- The proposed Green Belt boundaries;
- Proposed compensatory improvements to the remaining Green Belt; and
- The effect on sustainable patterns of development.

The consideration of compensatory improvements reflects the revised NPPF at paragraph 138 which states that: "[Strategic policy-making authorities] *should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and*

accessibility of remaining Green Belt land.” This was not a requirement of the NPPF 2012 and therefore there are no examples of this in the good practice review.

2.10 The presence/creation of a strong and defensible boundary

The Barnsley Local Plan Inspector recommended reducing the site area for one of the allocations due to the impact on a designated heritage asset and the presence of a strong and defensible boundary. On the other hand, in relation to a number of proposed allocations, the Rugby Local Plan Inspector stated that due to the presence of an existing strong and clearly defined boundary (the A46), amending the Green Belt boundary in this location would cause significant harm to the purposes of the Green Belt.

2.11 Strategic and Local Exceptional Circumstances Case

It is notable from the good practice review that a number of Inspectors reviewed the ‘strategic-level’ exceptional circumstances case before going on to consider the ‘local-level’ exceptional circumstances case on a site by site basis, whilst some Inspectors considered both together. In the case of the Durham Local Plan Examination hearing sessions, the Inspector took a more fluid approach. The Inspector considered the strategic level exceptional circumstances before going on to consider the local level exceptional circumstances for the three non-strategic Green Belt release sites. He acknowledged that the hearing session on the three strategic Green Belt allocations would likely reopen the discussion on the strategic level exceptional circumstances case and therefore left this discussion open ended.

It should be noted that whilst some of the Inspector’s Reports reviewed as part of the good practice review were published post February 2019 after the publication of the revised NPPF, all of the plans were considered under transitional arrangements using the 2012 NPPF. Despite this it is still evident that the Inspectors have reiterated the requirements listed in paragraph 137 of the NPPF which also correspond with the requirements set out in case law. The Durham Local Plan Examination hearing sessions demonstrate that the revised NPPF has introduced further requirements which the Council will be required to evidence.

3 Critical Friend Review of Exceptional Circumstances Case for Newcastle-under-Lyme and Stoke-on-Trent

3.1 Exceptional Circumstances Case

The Joint Local Plan Preferred Options document (February 2018) at paragraph 4.4 summarises the exceptional circumstances for Newcastle-under-Lyme, as follows:

“...it is considered to be a strong case for amending the Green Belt boundary to ensure the objectives of the Joint Local Plan can be achieved. While not an exhaustive list, the principal factors that the Borough Council consider capable of amounting to “exceptional circumstances” and would therefore justify amendment to the Green Belt boundary are:

- *Newcastle-under-Lyme’s Housing Need.*
- *Newcastle-under-Lyme’s House Prices & Affordability Issues.*
- *Newcastle-under-Lyme’s Affordable Housing Need.*
- *Establishing a demographic balance to support identified employment growth.*
- *Providing higher value jobs within the Plan area and taking advantage of the socio-economic benefits of the success of Keele, whilst seeking to retain and attract graduates and encouraging greater embryonic business creation.”*

The evidence underpinning the exceptional circumstances case is provided in the accompanying Green Belt, Housing and Employment Technical Papers as well as the SHLAA (2017), SHMA (2017), and ELR (2015).

Section 6 of the Green Belt Technical Paper focuses specifically on exceptional circumstances. Paragraph 6.4 summarises the need to release land in the Green Belt:

“As a result of the paper having assessed alternatives, sustainability implications, and material planning considerations there is considered to be a strong case for amending Newcastle-under-Lyme’s Green Belt boundary in order to provide additional land to meet development need. This view is reached having taken into account the Borough’s 44% shortfall against its total housing need (586 dwellings per annum), housing affordability issues (demand exceeding supply), an affordable housing need which equates to 41% of the Borough’s total housing need for a five year period, and 34% thereafter, and an identified economic development need for a range of B class employment land (see 4.10 to 4.13 and the Employment Technical Paper). Furthermore, the SHMA Review also indicates that without intervention (increased housing supply in line with supporting economic growth) the demographic structure of the plan area will increasingly

consist of residents who are aged 65+ which is likely to have implications for the mid to long term sustainability of the Borough and plan area.”

The Joint Local Plan Preferred Options document at p27 sets out the case for exceptional circumstances at Keele University.

3.2 Critical Friend Review

The unmet housing and employment need and business need does form a central element of the exceptional circumstances case however the good practice review demonstrates that on its own it is not sufficient. The other key elements as identified in the above section are as follows:

- Consideration as to whether development needs could be met without amending Green Belt boundaries, taking into account:
 - Context of the Green Belt
 - Exporting need
 - Reasonable alternatives
 - Adverse consequences for sustainable development of not allocating sufficient land.
- The relative performance of the site/area against Green Belt purposes and/or the impact of removing the site/area on the overall function and integrity of the Green Belt
- The presence/creation of a strong and defensible boundary.

Table 1 below considers each of these factors and whether they have been evidenced by the Councils, taking into account national policy, case law and the findings from the good practice review. It is acknowledged that the Councils are still in the process of developing their evidence at this stage and this table only considers the information that has already been published.

Table 1. Review of Evidence forming the Exceptional Circumstances Case

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Has the housing or employment need been demonstrated?		
<ul style="list-style-type: none"> • Newcastle-under-Lyme’s Housing Need. • Newcastle-under-Lyme’s House Prices & Affordability Issues. • Newcastle-under-Lyme’s Affordable Housing Need. • Establishing a demographic balance to support identified employment growth. • Providing higher value jobs within the Plan area and taking advantage of the socio-economic benefits of the success of Keele, whilst seeking to retain and attract graduates and encouraging greater embryonic business creation 	<p>SHMA (2017) and ELR (2015) - The SHMA and ELR set out the housing and employment need and considers house price and affordability issues, demographic projections, market signals, likely job growth and sets out how this has been considered in developing the OAN. The Preferred Option Document explains that the OAN is the preferred growth option. The Preferred Option Document was published prior to the publication of the revised NPPF however paragraph 1.11-1.16 considers the implications of the Government’s standardised approach to assessing local housing need. If the Council do not apply the standard method in identifying local housing need, they will need to demonstrate the exceptional circumstances which justify using an alternative approach as required by paragraph 60 NPPF. Planning Practice Guidance (PPG) makes clear that the standard method identifies a minimum figure and it does not produce a housing requirement figure. Furthermore, it confirms that the standard method is not mandatory, <i>"...if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances."</i> (Paragraph: 003 Reference ID: 2a-003-20190220)</p> <p>The term 'exceptional circumstances' was considered in a recent appeal albeit in the context of a Section 78 appeal. At paragraph 51 the Inspector states: <i>"Overall, the standard methodology was introduced to provide clarity and consistency, and with this background circumstances to justify departing from the new methodology would have to be truly exceptional. It is highly unlikely that this is the only instance where the determination of an appeal will occur around the time of a local plan examination, which will be considering the wider picture on a different basis. This does not represent a circumstance so exceptional as to justify a departure from the standard methodology."</i> (Appeal Ref APP/R1038/W/17/3192255, Land at Deerlands Road, Wingerworth). The appellant had put forward a number of matters as exceptional circumstances which they contended led to the conclusion that the standard method should not be used in this case. The appellant argued that the new household projections cast doubt on the standard methodology however the Inspector stated that the Government clearly appreciated that a review would be required when the new methodology was introduced. In addition, they tried to argue that it was perverse that the recently submitted North East Derbyshire Local Plan would be examined applying transitional arrangements relying on the OAN however the Section 78 appeal was being considered according to the</p>	<p>Depending on whether the Council utilise the OAN or Local Housing Need figure, an explanation of the exceptional circumstances justifying a departure from the standard method.</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	revised NPPF (as transitional arrangements to not apply to Section 78 appeals). The Inspector considered that this eventuality would have been foreseen when the new Framework was being produced.	
Is the context of the Green Belt relevant to the exceptional circumstances case?		
Is the context of the Green Belt relevant to the exceptional circumstances case?	No evidence required - Compared to some of the authorities in the good practice review where the Green Belt was very tightly drawn around existing settlements, the form of the Green Belt in Stoke and Newcastle is not a key factor in the exceptional circumstances case. The history and evolution of the Green Belt designation is however relevant and should be considered on a site-by-site basis when considering the implications of removal of sites from the Green Belt. The Green Belt Assessment (2017) notes that the original aim of the North Staffordshire Green Belt was to prevent the merging of towns and villages. Purpose 2 is therefore particularly important. It is recommended that at the site selection stage the resulting Green Belt implications for purpose 2 should be carefully considered, alongside the other purposes.	Historic context of the Green Belt to be a relevant consideration on a site by site basis as part of the Green Belt site selection work.
Exporting Need		
Has Newcastle-under-Lyme Council considered the option of exporting need?	<p>Not yet evidenced - Both the Green Belt Technical Paper and the Housing Technical Paper at paragraphs 6.2 and 4.6 respectively note that every effort is being made to accommodate Newcastle's development needs within the borough in advance of exporting need. Paragraph 4.9 of the Green Belt Technical Paper notes that in the interests of promoting sustainable patterns of development, this approach: <i>"...has the potential to result in a less dispersed development pattern compared with the alternatives of exporting need to Stoke-on-Trent or another neighbouring local authority. If possible, accommodating development needs locally, or as much as it is sustainable to do so, would provide existing and future Newcastle-under-Lyme residents with the opportunity to live near to existing and future employment opportunities and services within the Borough."</i></p> <p>The Telford and Wrekin Council case study demonstrates that existing migrations patterns should form a key part of the evidence in demonstrating whether it is appropriate (or not) to export need to a neighbouring authority. Whilst the NPPF no longer makes explicit reference to HMAs, this should also be a relevant consideration.</p> <p>Newcastle-under-Lyme Council will need to evidence that it has considered the option of exporting need taking into account existing migration patterns and subject to discussions with neighbouring authorities.</p>	Evidence that Newcastle-under-Lyme Council has considered the option of exporting need taking into account existing migration patterns and subject to discussions with neighbouring authorities.

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Have discussions with neighbouring authorities been evidenced?	Not yet evidenced - The Technical Papers make clear that the Councils are working closely with their Duty to Cooperate partners. The Councils will need to evidence the outcome of these discussions in the form of Statements of Common Ground.	Statements of Common Ground with Duty to Cooperate partners
Have all reasonable alternatives been explored?		
Could capacity or density of existing sites be increased?	Not yet evidenced - The Councils SHLAA Methodology (2017) sets out the different density assumptions for each ward. The Housing Technical Paper at paragraph 2.11 notes that the SHLAA process looked at increasing densities where appropriate and Appendix 2 notes that increased density would impact on infrastructure capacity. It is unclear what densities were tested and where this is evidenced. The NPPF at paragraph 137(b) makes clear that strategies should " <i>optimise the density of development</i> ".	Further detail on what densities were tested and why these were not deemed appropriate.
Alternative urban area sites	Evidenced by the SHLAA and Green Belt and Housing Technical Papers - The Councils SHLAAs represent the evidence base looking at all available sites. A Call for Site exercise was undertaken in June 2019 and also in August 2018 and these sites have been considered in the SHLAA. The Green Belt Technical Paper also notes that the Newcastle-under-Lyme Open Space Strategy and the Green Infrastructure Strategy have considered whether there is any surplus open space with the potential to accommodate development needs and this land has been included within the supply (paragraph 5.3). Paragraph 5.4 of the Green Belt Technical Paper also notes that the borough Council and County Council asset management and estates teams have been consulted to ensure that all land available has been considered.	No further evidence required, unless any new sites have come forward.

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Alternative sites in Newcastle's rural settlements	Not yet evidenced - Paragraph 4.5 of the Housing Technical Paper notes that further evidence will be obtained to ascertain what additional capacity there might be within and surrounding the borough's rural settlements (it is assumed that this refers to both inset villages but also those settlements surrounded by open countryside). Paragraph 5.2 notes that a Rural Settlement Capacity Study may be undertaken. At the Durham Local Plan Examination hearing session on Green Belt matters (October 2019), the Inspector particularly questioned the Council on their approach to considering options for locating growth in the towns and villages beyond the Durham City Green Belt and why they had concluded that this dispersed approach to development was not deemed to be sustainable. The Council was able to refer the Inspector to their evidence on this consisting of a Settlement Study and options assessment via SHLAA criteria assessment, a high-level viability study and a sustainability appraisal. Similarly, Cheshire East Council prepared a Spatial Distribution Update Report which explored options for the spatial distribution of development and which included consideration of the boroughs villages and rural settlements. In light of this, it is recommended that Newcastle prepare a Rural Settlement Capacity Study.	Rural Settlement Capacity Study - This could consider whether any of the rural settlements (both inset villages and settlements surrounded by open countryside) can accommodate further development, which settlements represent the most sustainable locations for development, and the consequences for sustainable development of not accommodating any growth within these rural settlements.
Alternative sites in the open countryside	Not yet evidenced - Paragraph 5.5-5.9 of the Green Belt Technical Paper considers 'Open Countryside Beyond the Green Belt'. Paragraph 5.9 concludes that this option is not considered to represent a realistic or sustainable spatial distribution option, particularly for significant levels of growth however paragraph 5.8 notes that the Preferred Option does propose 6 housing sites within this area (with capacity for 437 dwellings). Paragraph 5.9 does not rule out the possibility of finding further sites with the open countryside, stating: " <i>...the potential for the area to make a further limited contribution towards the Borough's development need will continue to be investigated and appraised as further evidence becomes available.</i> " Given that the NPPF makes clear that before considering Green Belt land, the local planning authority should be able to demonstrate that it has 'examined fully all other reasonable options' (paragraph 137), it is recommended that Newcastle either demonstrate that such locations are not sustainable (as required by paragraph 138 NPPF) or consider whether further sites can be found in this area. If the Rural Settlement Capacity Study includes those settlements surrounded by open countryside, this will cover the sustainability point.	

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
Based on the Green Belt Village Study, could any washed over villages be inset and if so could sites be allocated within these villages?	Not yet evidenced - This has not yet been evidenced as the Green Belt Village Study was completed after the Preferred Options Document. The Guildford Local Plan is an example of where the Inspector was satisfied that the Council had demonstrated exceptional circumstances to inset some of their washed over villages and had allocated sites for growth within some of these villages which were proportionate extensions which would not harm their character. The Green Belt Village Study provides further information on the Guildford approach. This could be an option for Newcastle to consider.	Consideration as to whether it is an option for Newcastle-under-Lyme to inset any of the Green Belt villages and allocate sites within the village.
Are there any major previously developed sites in the Green Belt would could be inset which do not possess an open character?	This may not be relevant but could be a consideration. The Guildford Local Plan applied this and the Inspector considered their approach was sound.	This may not be relevant but could be a consideration.
Consequences for sustainable development	<p>Evidenced in part by the SHMA (2017) – this provides evidence that without intervention the demographic structure of the plan area will increasingly consist of residents who are aged 65+ which is likely to have implications for the mid to long term sustainability of the Borough and plan area in terms of providing a local skilled workforce capable of retaining employers, reduced ability to support the area's economy, and reduced ability for development to fund infrastructure provision and services. Furthermore the Councils have undertaken sustainability appraisals of the various spatial options and have considered the consequences for sustainable development throughout the Technical Papers.</p> <p>Newcastle-under-Lyme has not yet evidenced consideration of the rural settlements although as noted above, a Rural Settlement Capacity Study may be undertaken. This could consider whether any of the rural settlements can accommodate further development, which settlements represent the most sustainable locations for development, and the consequences for sustainable development of not accommodating any growth within these rural settlements.</p>	Already evidenced in part. Further evidence would be provided by the Rural Settlement Capacity Study.
Green Belt Purposes		

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
<p>The relative performance of the site against Green Belt purposes and/or the impact of removing the site on the overall function and integrity of the Green Belt</p>	<p>Relative performance of the site evidenced by the Green Belt Assessment.</p> <p>Resultant impact on the Green Belt evidenced at a strategic level in the Green Belt Technical Paper. To be evidenced at a local level as part of the Green Belt site selection work - At a strategic level, the Green Belt Technical Paper does recognise that the importance of protecting the overall integrity of the Green Belt. Paragraph 5.19 recognises that a strategic urban extension could result in an overall lesser degree of harm compared to a more dispersed approach which could have the potential to undermine the integrity of the Green Belt. Paragraph 6.11 emphasises that as the Local Plan progresses the mitigation of harm will be an important consideration.</p> <p>Most of the Councils in the good practice review commented at a site-specific level as to whether removal of the site from the Green Belt would impact upon the overall function and integrity of the Green Belt. At the Durham Local Plan Examination hearing sessions on Green Belt, the Inspector asked the Council to consider the impact that development would have on Green Belt purposes on a site by site basis. It will therefore be necessary to consider the impact of removing sites on the function and integrity of the Green Belt as well as any cumulative impacts as part of the Green Belt site selection work. The Green Belt site selection work also considers the relative performance of the Green Belt by assessing only weak and moderate performing sites in the first instance. It is noted that the Housing and Employment Assessment Criteria set out in the Green Belt Technical Paper includes consideration of the Green Belt parcel assessment outcome (only weak and moderate parcels had been considered).</p>	<p>To be evidenced as part of the Green Belt site selection work</p>
<p>The presence/creation of a strong and defensible boundary</p>	<p>This will be evidenced as part of the Green Belt site selection work - It is noted that the Housing and Employment Assessment Criteria set out in the Green Belt Technical Paper includes consideration of the presence of a durable boundary if the site were to be released from the Green Belt. At the Durham Local Plan Examination hearing sessions on Green Belt, the Inspector asked the Council to explain the revised boundaries for each of the sites proposed to be released from the Green Belt. It is therefore important this is considered on a site-by-site basis as part of the Green Belt site selection work.</p>	<p>To be evidenced as part of the Green Belt site selection work</p>
<p>Proposed compensatory improvements to the remaining Green Belt</p>	<p>To be considered at a later stage - This is a requirement set out at paragraph 138 of the NPPF and the Inspector at the recent Local Plan Examination hearing sessions on Green Belt specifically asked the Council whether they had proposed any compensatory improvements in relation to each of the Green Belt sites proposed to be released.</p>	<p>To be considered at a later stage once the Councils have determined which sites</p>

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
		are proposed to be released.
Local Level Exceptional Circumstances		
Newcastle Western Urban Extension (including Keele University)	<p>Evidenced in the Preferred Options consultation document, Green Belt Technical Paper, and Keele University Growth Corridor Masterplan - In relation to the exceptional circumstances for Keele, paragraphs 3.13-3.26 of the Preferred Options consultation documents and paragraph 6.5-6.10 of the Green Belt Technical Paper set out the business need and benefits to sustainable development of employment and housing growth in this location. Given the very specific set of circumstances which apply to Keele, the Council has considered reasonable alternatives but concluded that it would not be possible to reproduce this form of development elsewhere.</p> <p>The Inspector for the Warwick Council Local Plan Examination (July 2017) found that exceptional circumstances did exist to remove land (central campus west) at the University of Warwick from the Green Belt. In reaching this conclusion, the Inspector considered a number of factors: the fact that the area was subject to an agreed masterplan, there had been a series of planning permissions and substantial areas were predominantly developed with limited areas of openness, the Council’s Joint Green Belt study demonstrated that the site no longer served its Green Belt function, the University is a major asset which makes a very significant contribution to the economy of the local area and sub-region, and removing land from the Green Belt would facilitate further growth within the existing boundaries of the campus (paragraph 554, Inspector’s Report, July 2017). During the Examination, the Inspector requested clarity as to what would be permitted on site, the potential adverse impacts of development and how they would be addressed and the proposed site boundary. Whilst the Warwick example is slightly different from the current context, a key argument put forward by the Council was the University’s importance and role within the sub-region, both in terms of links with industry and its significant economic contribution. The co-location of Universities and Science Parks is a commonplace model throughout the UK, as evidenced by Warwick University and the Venture Centre Science Park and the University of Surrey and Surry Research Park (albeit these did not have Green Belt implications).</p> <p>As the Keele University Growth Corridor Masterplan progresses, the Councils will need to further evidence the potential adverse impacts of development and how they will be addressed building on the findings from the Sustainability Appraisal (noted at paragraph 3.26 of the Preferred Options Consultation Document). Further evidence will also be required on the resultant harm to the Green Belt, the proposed</p>	As the masterplan progresses, the Council will need further evidence on the potential adverse impacts of development and how they will be addressed, the resultant harm to the Green Belt, the proposed Green Belt boundaries, and proposed compensatory improvements to the Green Belt.

Elements of the Exceptional Circumstances Case	Has this been evidenced?	Evidence Required
	Green Belt boundaries and proposed compensatory improvements to the remaining Green Belt, building on paragraph 6.11 of the Green Belt Technical Paper.	

4 Summary and Next Steps

The review of evidence on the exceptional circumstances case demonstrates that whilst the Councils do consider most of the factors forming the exceptional circumstances case, further detailed evidence will be required to ensure that an Inspector would be sufficiently satisfied that development needs cannot be met without amending Green Belt boundaries. It is acknowledged that the Councils are still in the process of developing their evidence at this stage.

In relation to housing and employment need, the SHMA (2017) and ELR (2015) set out the evidence on the OAN. As the Preferred Option document was published prior to the revised NPPF, the Councils will need to decide whether to continue using the OAN or use the Local Housing Need figure. If the Councils continue to use the OAN they will need to explain the exceptional circumstances justifying a departure from the standard method.

In terms of exporting need, Newcastle-under-Lyme Council will need to demonstrate that it has considered the option of exporting need taking into account existing migration patterns and subject to discussions with neighbouring authorities, which will need to be evidenced via Statements of Common Ground with the Duty to Cooperate partners.

In terms of demonstrating that all reasonable alternatives have been explored, the Councils existing evidence does demonstrate that all alternative urban area sites have been considered however further detail on the Councils' approach to optimising the density of development is required to satisfy paragraph 137(b) NPPF. Evidence on alternative sites in Newcastle's rural settlement and in the open countryside is not currently available and it is recommended that the Council produce a Rural Settlement Capacity Study to consider whether any of the rural settlements (both inset villages and settlements surrounded by open countryside) can accommodate further development, which settlements represent the most sustainable locations for development, and the consequences for sustainable development of not accommodating any growth within these rural settlements. A further option for the Council to consider may be to inset the washed over village recommended for inset in the Green Belt Village Study and to allocate sites within this village. This would of course require exceptional circumstances to be demonstrated to inset the washed over village.

In terms of Green Belt considerations, Arup's Green Belt Assessment considers the relative performance in Green Belt terms of each of the submitted sites and the Green Belt Site Selection work assesses weak and moderate performing sites in the first instance. For those sites which the Green Belt Site Selection work recommends for further consideration, the impact of removing the site on the function and integrity of the Green Belt is considered as well as the presence or required creation of a strong and defensible boundary. The Councils will need to consider whether any compensatory improvements can be provided for those sites which are proposed to be released.

In relation to the Newcastle Western Urban Extension (including Keele University), the Councils have evidenced the business need and benefits to sustainable development of employment and housing growth in this location. It is recommended that as the masterplan for this area progresses, the Council will need further evidence on the potential adverse impacts of development and how they will be addressed, the resultant harm to the Green Belt, the proposed Green Belt boundaries, and proposed compensatory improvements to the Green Belt.

Appendix A

Good Practice Review of Exceptional Circumstances from Local Plan Examinations

A1 Good Practice Review of Exceptional Circumstances from Local Plan Examinations

Local Plan Inspector's Report	Extracts from Inspector's Report	Arup Commentary
<p>Cheshire East Local Plan Strategy Inspector's Report (20 June 2017)</p>	<p>94. CEC's proposals for releasing land from the Green Belt for development or Safeguarded Land around the main towns is very contentious, especially for many local communities. However, in my earlier Interim Views, I considered that CEC has provided sufficient evidence to establish the exceptional circumstances needed to justify altering Green Belt boundaries; this is essentially based on the need to allocate sufficient land for market and affordable housing and employment development, combined with the adverse consequences for patterns of sustainable development of not doing so, since it is not practicable to fully meet the assessed development needs of the area without amending Green Belt boundaries.</p> <p>96. In my Further Interim Views (Appendix 2), I considered that the approach and content of CEC's updated Site-Selection Methodology and Green Belt Assessment (GBAU) [RE/F010; PS/E034] reflected national policy and other guidance in the NPPF & PPG; it provided a set of objective, comprehensive and proportionate evidence to inform CEC's selection of Green Belt land, which addressed most of the earlier shortcomings of the previous Green Belt assessment without "retro-fitting" the evidence. It not only addressed the need to demonstrate exceptional circumstances, but also considered alternative options to releasing Green Belt land, assessed sites against the purposes of the Green Belt, and considered the selection of sites in a sequential manner, prioritising non-Green Belt sites before considering Green Belt sites based on their contribution to Green Belt purposes; this included assessing their contribution to urban regeneration and took account of the assessment of the potential of brownfield/windfall sites likely to come forward within the urban areas [PS/E039].</p> <p>165. There is considerable local concern about the loss of Green Belt, not only for development, but also for Safeguarded Land, particularly since several of the identified sites make a significant or, in a few cases, a major contribution to Green Belt purposes. National policy confirms that Green Belt land should only be released in exceptional circumstances; on its own, unmet housing need does not necessarily justify the use of Green Belt land. For Cheshire East, CEC has demonstrated the exceptional circumstances to justify using Green Belt, not only in overall terms [PS/E034],</p>	<p>The Inspector concluded that CEC had established exceptional circumstances based on the need to allocate sufficient land for housing and employment taking into account the adverse consequences for sustainable development of not doing so and the fact that development needs could not be met without amending Green Belt boundaries.</p> <p>The Inspector emphasised that on its own unmet housing need does not justify the use of Green Belt land. The combination of the following factors amounted to exceptional circumstances: inability to meet housing and employment needs, the lack of other suitable existing urban and non-Green Belt sites (due to these sites having development constraints), and unsustainable development</p>

	<p>but also the inability of Macclesfield and the northern towns to meet their housing and employment needs without going into the Green Belt. This is due to the lack of other suitable alternatives, including existing urban and non-Green Belt sites, most of which have other development constraints; failure to meet these needs would result in unsustainable development and would not fully meet the identified overall need for new housing and employment land. In total, the loss of sites in the Green Belt in the CELPS-PC amounts to some 1.55% of the existing Green Belt in Cheshire East.</p>	<p>resulting from failure to meet the identified housing and employment need.</p>
<p>Warwick Council Local Plan Inspector's Report (28 July 2017)</p>	<p>92. I return to the issue of specific site allocations and exceptional circumstances for altering the Green Belt in more detail later in my report. However, given the significant scale of committed and proposed housing sites within the urban areas of Leamington Spa, Warwick and Whitnash and to the south of the urban areas outside of the Green Belt, along with the constraints identified above, I do not consider that it is appropriate or indeed necessary to allocate housing sites on land which is currently in the Green Belt around these urban areas. Exceptional circumstances for altering the Green Belt in this part of the District do not exist.</p> <p>206. Although Kenilworth is smaller than the combined urban area of Leamington Spa, Warwick and Whitnash it provides employment opportunities and a range of retail and other main town centre uses and social and community facilities. It is well connected to the wider road network, has good public transport links and is well related to Coventry in terms of accessibility and functional links.</p> <p>207. Kenilworth therefore provides an appropriate and sustainable location for significant housing growth within the District including meeting some of Coventry's unmet housing needs.</p> <p>208. There are very limited opportunities for housing development on any scale within the built up area. Other than one area of land at Crackley (see below), there is no potential to allocate housing sites on the edge of the urban area without altering the boundary of the Green Belt.</p> <p>209. These factors, along with the scale of housing requirements and limited opportunities outside of the Green Belt elsewhere in the District, amount to exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth.</p>	<p>The Inspector concluded that exceptional circumstances did not exist for sites around Leamington Spa, Warwick and Whitnash given the significant scale of committed and proposed housing sites within the urban areas.</p> <p>The Inspector concluded that Kenilworth represented a sustainable location for housing growth. This factor combined with the scale of housing requirements and the limited opportunities to accommodate development elsewhere amounted to exceptional circumstances.</p>
<p>Stevenage Council Local Plan Inspector's Report (18 October 2017)</p>	<p>75. The Plan removes five areas of land from the Green Belt for different types of development, a total of around 90ha. Dealing first with housing sites, these are land to the North of Stevenage (HO3); land to the South East of Stevenage (HO4); and land to the north of Graveley Road for a traveller site (HO12). In terms of sites for other uses, a site for employment use close to</p>	<p>The Inspector considered the history and nature of the Green Belt in Stevenage commenting that it was constrained</p>

	<p>Junction 8 of the A1 (EC1/7) would be removed and also an existing garden centre site in the Green Belt is allocated for a major new food store of up to 7,900m² (gross), post-2023 (TC11). A small site at Norton Green is put into the Green Belt.</p> <p>76. Stevenage is a very small Borough. In places, the town is built right up to the Borough boundary, and to the north-east already spreads across it into the neighbouring North Hertfordshire district. The Green Belt boundary is, with the exception of the west of the A1(M), drawn tightly around the edge of the urban area which is also, for much of its length, the administrative boundary with neighbouring districts. Previous releases from the inner Green Belt boundary have been made to allow for the development of Great Ashby/Burleigh Park and Stevenage West.</p> <p>77. The Council's Green Belt review provides an assessment of the extent to which the land around the urban edge of Stevenage still fulfils the five purposes of Green Belt policy, as defined in the NPPF. It then evaluates the sensitivity of the land to any development and/or change and identifies broad areas for potential compensatory Green Belt provision, in the event that Green Belt releases are required around Stevenage. Finally it considers these broad areas in more detail as to their potential for release in light of their contribution to Green Belt purposes and recommends sites which could be released from the Green Belt or safeguarded for future development beyond the Plan period.</p> <p>78. For the reasons I have already set out, accommodating future development needs within Stevenage Borough is far more difficult than in other areas where land is more readily available. It is also the case that because the town is relatively new (built post-war) there are few opportunities for redevelopment, other than on a small scale. Consequently the capacity of Stevenage is extremely limited. Moreover neighbouring authorities are also reviewing their Green Belt boundaries to meet their own needs. Therefore, it would be unlikely that Stevenage's needs could reasonably be met in neighbouring authorities on land outside the Green Belt.</p> <p>81. The only way that Stevenage can meet its current identified housing need is to release any suitable land from the Green Belt. Through their extensive and thorough Green Belt review the Council have identified site HO3 (north of Stevenage), in the Plan as being suitable for housing development. In the assessment of defined areas of land against Green Belt purposes this site is considered (as part of a larger parcel of land – N4) to make a limited contribution to Green Belt purposes in all regards, with the exception of preventing merger</p>	<p>due to the Green Belt boundary being tightly drawn around the edge of the urban area and also given that the town is relatively new (post war) meaning there are limited opportunities for redevelopment. She noted that as neighbouring authorities were also reviewing their Green Belt boundaries to meet their own needs, they would be unlikely to accommodate Stevenage's needs.</p> <p>She concludes that the only way Stevenage can meet its identified housing need is to release suitable land from the Green Belt.</p> <p>On a site by site basis she considers the outcomes from the Council's Green Belt Review and the relative performance of the sites proposed to be allocated noting the impact of the removal of the site on the overall function of the Green Belt.</p> <p>She concludes that in the context of the Council's housing need which cannot be met outside of the Green Belt and taking into account the thorough Green Belt site assessments and the resultant impact on</p>
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	<p>where it is identified as making a significant contribution.</p> <p>82. That said this site is only part of the area of land that was categorised in this way and importantly open land would remain beyond HO3 that would maintain separation from the nearest large settlement. I realise that some of this land is identified in North Hertfordshire’s emerging Plan as housing land, but that will be examined separately. While that site would join with site HO3, along the border between Stevenage and North Hertfordshire, there is a gap between the allocated site in North Hertfordshire’s emerging Plan and the nearest village of Graveley such that it would prevent the coalescence of this village with Stevenage or indeed any other settlement.</p> <p>83. Part 2 of the Council’s Green Belt review identifies site HO3 as parcel N4(iii) and says that “notwithstanding its open aspect, this parcel could be released within the local plan period given its current containment by strong boundaries and opportunities to substantiate these through further landscaping” and I agree.</p> <p>84. In summary, there is a pressing need for housing within the Borough that cannot be met outside of the Green Belt. The value of the Green Belt has been thoroughly assessed by the Council and although it found that here a significant contribution comes from preventing the merging of settlements, there would still be a gap between settlements, even if the site in North Hertfordshire is allocated in their Plan and subsequently developed. Taking into account all of these factors I find that this site would be the most suitable, along with others, to meet the housing need in Stevenage. As such, exceptional circumstances exist to justify the release of this site from the Green Belt.</p> <p>85. Turning to consider site HO4 (south east Stevenage), this is part of the large parcel identified as E7 in the Council’s Green Belt review. It is identified as making a contribution to Green Belt purposes in all regards, except for the purpose of preserving the setting and special character of historic towns. Part 2 of the review identifies the specific site HO4 as E7(i) and E7(ii). These parcels are described as well contained land that currently helps to contain the south eastern edge of Stevenage, but their release would not damage the overall function of the Green Belt in this location. I concur with this assessment.</p> <p>86. As set out above the review that has taken place is robust and I agree with the results which indicate that these sites are best placed to accommodate some of the housing identified as being required in Stevenage.</p>	<p>the overall function of the Green Belt, exceptional circumstances exist to release the proposed sites.</p>
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	<p>87. Overall, in terms of site HO4, again there is a need for housing that cannot be met outside of the Green Belt. The value of the Green Belt has been thoroughly assessed by the Council, as set out above. So having regard to these matters I find that this site would be the most suitable, along with others, to meet the housing need in Stevenage. As such, exceptional circumstances exist to justify the release of this site from the Green Belt.</p>	
<p>Barnsley Local Plan Inspector's Report (14 December 2018)</p>	<p>91. Currently, approximately 77% of the Borough is within the South Yorkshire Green Belt. Its functions include maintaining the separation between settlements within Urban Barnsley and between the town and surrounding Principal Towns, protecting the Borough's wider countryside and focusing development within more sustainable locations. However, the current boundary is tightly drawn around the existing settlements which are identified as a priority for development in Policy LG2. Together with the overall extent of the Green Belt within the Borough, this means that the supply and suitability of land to meet longer term development needs outside the Green Belt is restricted.</p> <p>126. Site UB7 – The site is a resultant parcel within General Area DOD3 which the Green Belt review concluded was moderately fulfilling Green Belt purposes. I concur with its findings that Higham Lane, the M1 and existing built form of Capitol Park would form permanent and defensible boundaries to the Green Belt and would check the unrestricted sprawl of Dodworth. Development would be viewed in conjunction with the existing buildings at Capitol Park. Representations from the site promoter indicate good prospects for delivery.</p> <p>127. Alternative sites have been assessed and discounted. The employment OAN cannot be accommodated without release of land from the Green Belt and the exceptional circumstances exist to justify an alteration to the Green Belt boundary to remove the site for development.</p> <p>182. Site H73 – The submitted plan proposed 154 dwellings on this site which comprises small field parcels between Mount Vernon Road and Upper Sheffield Road. When viewed from the PROW which runs through the site, the ongoing agricultural use creates a striking and attractive contrast with the built up areas around it. Whilst a 'buffer' area was identified on the Policies Map to safeguard the designated heritage assets of Elmhirst Farmhouse and Darley Hall, due to the extent of the site area the proposed development would still encroach upon their setting and would be harmful to their significance as designated heritage assets.</p>	<p>The Inspector notes that the current Green Belt boundary is tightly drawn around the existing settlements meaning that the supply and suitability of land to meet development needs outside the Green Belt is restricted.</p> <p>The Inspector considers the allocations on a site by site basis. In considering whether exceptional circumstances exist she notes that alternative sites have been assessed and discounted and she considers the findings from the Green Belt Review and the site's fulfilment of Green Belt purposes. For one of the proposed allocations she recommends reducing the site area due to the impact on a designated heritage asset and the presence of a strong and defensible boundary.</p>

	<p>183. I conclude that the exceptional circumstances do not exist to justify altering the Green Belt boundary to remove the whole of the site from the Green Belt as shown on the submitted Policies Map. However, the boundary to the south of Mount Vernon Crescent would create a strong and defensible Green Belt boundary to check any further encroachment of the built up area to the south and safeguard the setting of designated heritage assets and would enable a smaller area to be removed for development.</p> <p>184. For consistency with national policy and deliverability, MM41 is necessary to allocate a reduced site area for approximately 42 dwellings and to include reference within the site policy for the need to safeguard all nearby designated heritage assets together with retention of the distinctive roadside wall. Whilst representations support the retention of the site within the Green Belt, exceptional circumstances have been demonstrated to alter the boundary and the reduced site allocation is soundly based. Modification of the Policies Map has been prepared and consulted on by the Council (Map Change 23).</p> <p>239. The plan's site allocations are based on a logical and appropriate set of criteria and assessment methodology, SA and HRA. Subject to the MMs, the employment, mixed use and housing allocations are soundly based. Where necessary, exceptional circumstances have been demonstrated to justify alterations to the Green Belt boundary and the removal of land from the Green Belt to meet the objectively assessed need for employment, housing and identify areas of safeguarded land.</p>	
<p>Kirklees Council Local Plan Inspector's Report (30 January 2019)</p>	<p>47. The assessment work shows that, although there are a range of potential housing sites within towns and villages, there is insufficient capacity to deliver the identified housing requirement on non-Green Belt land. The Council's Green Belt Review Supporting Document indicates that the shortfall amounts to some 11,500 dwellings.</p> <p>48. The NPPF states that alterations to Green Belt boundaries should only be made in exceptional circumstances. The delivery of OAN within Kirklees would help to provide sufficient homes to meet local needs, and facilitate the delivery of additional affordable housing. The provision of much needed additional housing would bring related social benefits. Population growth coupled with new housebuilding could also help to boost the local economy and support the Council's aspirations for economic growth and jobs delivery. It would also make an important contribution to the wider LCR economy and support aims in the LCR SEP. As identified in the SA work, additional housing growth could potentially have a greater impact on the environment than lower levels of provision, and create demands for services and infrastructure. However, as set out elsewhere in this report I am satisfied that suitable</p>	<p>At the strategic level the Inspector concludes that without release of Green Belt land, approximately one third of the identified housing need would not be delivered. She states that there are no reasonable alternatives and other neighbouring authorities are seeking to meet their own requirements and also contain Green Belt or national park. In light of this and the benefits associated with housing and economic growth</p>

	<p>mitigation and support measures could be put in place and sustainable growth could be achieved. The DtC work indicates that other nearby authorities are seeking to meet their own housing requirements, and many of these areas also contain land in the Green Belt or the Peak District National Park.</p> <p>49. Without the release of Green Belt land in Kirklees a substantial level of new dwellings, potentially amounting to about one third of identified need, would not be delivered. Therefore, in the absence of reasonable alternatives, and given the benefits associated with local housing and economic growth, I conclude that exceptional circumstances exist in principle to justify the release of land from the Green Belt to deliver OAN for housing in Kirklees. This is supported by the Council’s Green Belt review and site assessment work, as detailed in Issue 7 below, which illustrates that the release of land to meet OAN needs could be accommodated without significantly harming the overall integrity of the Green Belt in Kirklees. However, it is subject to an assessment of environmental capacity and demonstration of exceptional circumstances on a site by site basis, as covered later in this report.</p> <p>Huddersfield Green Belt sites</p> <p>170. H31, north-west of Woodsome Drive, Fenay Bridge – The site is identified in the Council’s Green Belt Review and site assessment work as having a less important Green Belt role and where development would have limited impact on Green Belt function. Having regard to its containment I concur with these findings, and recognise that adjacent roads would provide a strong and defensible new Green Belt boundary. As such, and in the context of the need for additional housing identified in Issue 2, I conclude that exceptional circumstances exist to justify removing the site from the Green Belt.</p> <p>180. H1679, north of Fenay Lane, Almondbury – This site is identified in the Council’s Green Belt Review and site assessment work as performing a moderately important Green Belt role and where development may potentially have a detrimental impact on Green Belt function. However, the site is well contained by built development, treed areas and roads, and its links to the wider Green Belt are constrained by the presence of Fenay Lane. Development on the site would not extend south of Fenay Lane, and would not result in significant encroachment into the countryside. Strong new defensible Green Belt boundaries would be provided by Fenay Lane and Penistone Road. Although the site is sloping, development would be seen from the south and east against an urban backdrop, and suitable landscaping and layout would help to mitigate visual impacts.</p> <p>181. Areas of Flood Zone 3 and BAP Priority Habitat have been removed from the developable area. Further ecological investigation is necessary, and the policy</p>	<p>she concludes that exceptional circumstances exist. This is supported by the Council’s Green Belt review and site assessment work which demonstrate that the release of Green Belt land would not harm the overall integrity of the Green Belt.</p> <p>In considering whether local level exceptional circumstances exist, the Inspector considers the findings the Council’s Green Belt Review and the impact on Green Belt function and whether there is a strong defensible boundary. Other factors and constraints to development from the site assessment work are also considered. The Inspector comes to her conclusion using this information and in the context of the identified housing need and the potential harm caused by removal from the Green Belt.</p>
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	<p>should be amended to refer to this requirement in order to be effective (SD2-MM50). Overall, in the context of identified housing needs and limited harm to the Green Belt, I conclude that exceptional circumstances exist to justify the removal of the site from the Green Belt. Defensible boundaries can be achieved, and there are no exceptional circumstances to make further Green Belt boundary adjustments in this vicinity.</p>	
<p>Guildford Council Local Plan: Strategy and Sites Inspector's Report (27 March 2019)</p>	<p>78. The submitted Plan alters Green Belt boundaries to accommodate development around the Guildford urban area, at certain villages and at the former Wisley airfield. It also proposes new Green Belt between Ash Green village and the Ash and Tongham urban area. Exceptional circumstances are required to alter Green Belt boundaries. The issue brings up several important considerations, as follows.</p> <p>The need for housing 79. This has already been discussed under Issues 1 and 2. Guildford has a pressing housing need, severe and deteriorating housing affordability and a very serious shortfall in the provision of affordable homes. There is additional unmet housing need from Woking. There is no scope to export Guildford's housing need to another district; the neighbouring authorities in the housing market area are significantly constrained in terms of Green Belt and other designations and both have their own significant development needs. The overall level of provision will address serious and deteriorating housing affordability and will provide more affordable homes. The headroom can also accommodate the likely residual level of unmet need from Woking.</p> <p>Business needs 80. The NPPF states that the planning system should do everything it can to support sustainable economic growth and should plan proactively to meet the development needs of business. The land available for additional business development in Guildford town centre and the urban area is very limited. It is unrealistic to suppose that much extra capacity can be gained on existing sites, such as the existing Surrey Research Park, which has an environment specifically designed for particular kinds of business and where any rationalisation of space, such as parking, would be carried out for internal operational reasons. The ability to meet the identified business needs therefore depends on making suitable new land available and there is no realistic alternative to releasing land from the Green Belt. Exceptional circumstances therefore arise at the strategic level to alter Green Belt boundaries to accommodate business and employment needs.</p> <p>Land availability in the urban areas 81. It is not possible to rely on increasing the supply of housing within the urban areas to obviate alterations to the Green Belt boundary. Development opportunities within the urban areas have been thoroughly investigated. All available sites have been assessed for</p>	<p>The Inspector firstly considers whether strategic-level exceptional circumstances exist considering a number of factors: the need for housing, business needs, land availability in the urban areas, and whether the quantity of development should be restricted having regard to footnote 9 of the NPPF (2012).</p> <p>The Inspector notes that Guildford has a pressing housing needs with no scope for neighbouring authorities to accommodate any development due to them being significantly constrained. Woking has additional unmet housing need.</p> <p>In terms of business needs he states that the land available for additional business development in the urban area is very limited and there is no realistic alternative to releasing Green Belt land.</p> <p>In terms of housing,</p>

	<p>their suitability as part of the Land Availability Assessment process which considered approximately 1,000 sites. In accordance with the NPPF, the Plan relies only on sites that are either deliverable or developable, which means that about 30 sites have been discounted within Guildford town centre and 90 within the urban area. In Guildford town centre there are constraints that influence its capacity to accommodate more homes, including conservation and flood risk issues. The issue of flood risk is dealt with later.</p> <p>82. Although further sites have been identified in other documents such as the Town Centre Masterplan, and in work undertaken by the Guildford Vision Group, they cannot be relied upon to deliver homes or meet business needs within the plan period and it would therefore be unsound to assume that they can contribute towards meeting the Plan’s housing requirement. Woodbridge Meadows contains existing businesses and is not deliverable for housing during the plan period. Any space at the University is likely to be retained for its own needs. Some town centre sites may have greater capacity than that anticipated by the Plan; the additional potential at Guildford Station has already been recognised, and there may be opportunities for more housing at Walnut Tree Close and the North Street redevelopment. But any extra yield from these sites would fall a long way short of making the scale of contribution towards meeting overall development needs that would enable the allocated sites in the Green Belt to be taken out of the Plan.</p> <p>Whether the quantity of development should be restricted having regard to Footnote 9 of the NPPF</p> <p>86. Subject to the proposed Green Belt alterations, the Plan is capable of meeting objectively assessed needs with adequate flexibility. The alterations to the Green Belt boundary would have relatively limited impacts on openness as discussed in Issues 10 and 11, and would not cause severe or widespread harm to the purposes of the Green Belt. The allocations at A25 Gosden Hill Farm and A26 Blackwell Farm would be planned urban extensions rather than sprawl. Site A25 together with the allocations at Send and Burnt Common/Send Marsh would be visually and physically separate, as discussed in Issue 7 and would not add to sprawl or coalescence. A35 Former Wisley airfield would include a substantial amount of previously developed land and is separate in character from its wider Green Belt surroundings. The other Green Belt sites would be adjacent to settlements and would have very localised effects on openness. There is therefore no justification for applying a restriction on the quantity of development. Considerations in respect of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Thames Basin Heaths Special Protection Area (SPA) do not alter this conclusion: see issue 7.</p> <p>Conclusion</p>	<p>development opportunities within the urban areas have been thoroughly investigated as part of the Land Availability Assessment process. Guildford town centre is constrained due to conservation and flood risk issues.</p> <p>He states that there is no justification to restrict development based on footnote 9 commenting that the alternations to the Green Belt boundary would have a relatively limited impact on openness and would not cause severe or widespread harm to the purposes of the Green Belt.</p> <p>After concluding that strategic-level exceptional circumstances exist, the Inspector considers whether local-level exceptional circumstances exist on a site by site basis taking into account the findings from the Council’s Green Belt and Countryside Study relating to the sensitivity of the site against the NPPF Green Belt purposes as well as the size of the site and its ability to contribute to the Borough’s housing requirement.</p>
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<p>Rugby Council Local Plan Inspector's Report (27 March 2019)</p>	<p>72. In reaching this conclusion, I have considered the merits of potential locations on the eastern edge of Coventry, including the site at Walsgrave Hill Farm (WHF), which was identified for development in the Preferred Option draft of the Plan, but not taken forward in the Publication draft Plan. The advantage of these sites is that they would serve to meet Coventry's unmet needs in locations which afford easier access to the city's employment opportunities and facilities. However, land on the edge of Coventry within Rugby borough lies within the Green Belt. The NPPF establishes that Green Belt boundaries should only altered in exceptional circumstances and that regard should be had to their permanence in the long term, using physical features likely to be permanent. The A46 on the east side of the city represents a strong, clearly defined boundary. The sites promoted on the edge of Coventry, including WHF, would breach this boundary extending Coventry into the countryside on the eastern side of the A46, causing significant harm to the purposes of the Green Belt in this location in checking the unrestricted sprawl of Coventry and safeguarding the countryside from encroachment. The fact is that Rugby's apportionment of the unmet housing needs of Coventry can be met in sustainable locations outside the Green Belt and on smaller scale sites at the MRSs, which I conclude under Issue 5 would not lead to unacceptable harm to the purposes of the Green Belt. This does not support the case for exceptional circumstances for the alteration of Green Belt boundaries on the edge of Coventry within this Plan.</p> <p>75. The need for a dedicated emergency access to the University hospital is clearly an important piece of infrastructure for Coventry City and the sub-region, to provide a less congested 'blue light' connection to the strategic road network. The site through which this would be constructed from the Walsgrave junction lies within the Coventry City boundary on the western side of the A46 at WHF and is allocated for 900 homes in the Coventry Local Plan. Whilst the emergency access is dependent on the DfT scheme for the Walsgrave junction, a scheme is being brought forward through the RIS. The housing allocation in the Coventry Local Plan states that the site will incorporate the 'blue light' access and the City Council will facilitate and work with Highways England on the A46 junction. Evidence from Coventry City Council for the examination of the Coventry Local Plan⁵³ states that the delivery of this site is not dependent on land within Rugby borough at WHF being allocated for development. The fact that a grade separated scheme and the emergency access could</p>	<p>The Inspector concluded that exceptional circumstances to justify amending the Green Belt boundary did exist on a number of sites however also found that exceptional circumstances could not be justified on some sites. In particular he stated that some of the proposed sites breached the existing strong, clearly defined Green Belt boundary of the A46 which would cause significant harm to the purposes of the Green Belt in this location. He noted that the Council's apportionment of Coventry's unmet housing needs could be met in sustainable locations outside the Green Belt without harm to the Green Belt purposes. In relation to another site the Inspector concluded that the fact that a grade separated scheme and the emergency access could be delivered earlier did not constitute exceptional circumstances to justify the release of a significant area</p>

	<p>be delivered earlier as part of a development of 1,500 homes and 55 ha of employment land at Walsgrave Hill Farm, does not constitute exceptional circumstances to justify the release of a significant area of GB land for a development which is not required to meet the agreed local or sub-regional employment or housing needs.</p>	<p>of GB land for a development which is not required to meet the agreed local or sub-regional employment or housing needs.</p>
<p>Nuneaton and Bedworth Council Borough Plan Inspector's Report (09 April 2019)</p>	<p>47. The Green Belt to the south of Nuneaton largely comprises open countryside albeit with elements of quarrying and strands of linear development. The Green Belt separates Nuneaton from Bedworth and Bulkington, it also serves as a break between the Attleborough and Whitestone parts of Nuneaton and Hinckley and Bramcote. The Joint Green Belt Study 2015 generally presents a mixed assessment of the performance of Green Belt to the south of Nuneaton against the five purposes in the NPPF.</p> <p>48. From the evidence before me, including my observations, the principal purposes of Green Belt here are to prevent neighbouring towns merging into one another (mainly Nuneaton and Bedworth), check unrestricted sprawl and safeguard the countryside from encroachment. That said, the urban edge of Nuneaton already has a marked influence on many fringe parcels of Green Belt, including the immediately adjoining countryside character. Carefully located development would not result in neighbouring towns merging and only have a moderate effect on the two other principal purposes of Green Belt. Overall, Green Belt does not preclude the consideration of alterations to boundaries, particularly for well-contained parcels of land at the existing urban edge south of Nuneaton.</p> <p>49. Consequently, in strategic terms, exceptional circumstances do exist to alter the Green Belt at Nuneaton as part of the most appropriate strategy for the Plan to secure the most sustainable pattern of development.</p> <p>50. In bringing this altogether, Policy DS2 is justified in identifying Nuneaton at the top tier in the settlement hierarchy and assigning it a primary role in meeting development needs. Reasonable choices have been made in considering the capacity of non-Green Belt options in and around Nuneaton, but this does not remove the need to consider Green Belt locations to the south of Nuneaton if development needs are to be met sustainably.</p> <p>General Approach to Green Belt</p> <p>64. As set out elsewhere, the Council has been party to the preparation of a Joint Green Belt Study 2015 [P2.1] prepared for the Coventry and the Warwickshire authorities. The study has thoroughly and systematically appraised individual parcels of Green Belt land. Table 3.2 of the Study presents a clear audit line of how the</p>	<p>The Inspector considered the original purpose and context of the Green Belt which put particular emphasis on purposes 1-3. He considered the Joint Green Belt Study and concluded that development to the south of Nuneaton would not compromise the purpose and function of the Green Belt. He considered that the Councils were justified in considering Nuneaton as the primary location to meet development needs. Overall he concludes that strategic-level exceptional circumstances exist taking into account these factors and the fact that non-Green Belt options in and around Nuneaton had been reasonably considered.</p> <p>The Inspector notes that the Council considered all low performing Green Belt sites however there were an insufficient number of these to meet the Borough's needs therefore the Council were justified in also</p>

	<p>review criteria stem from the five Green Belt purposes in the NPPF and how those criteria translate into a transparent scoring system. The methodology has been found sound elsewhere in the HMA and overall, I too find the Study to be a robust and proportionate piece of evidence that informs the demonstration of exceptional circumstances.</p> <p>65. In considering the study and the Council’s position as summarised at paragraph 2.97 of the Housing Topic Paper [NBBC/33] it is reasonable given the scale of need for housing and employment, that all deliverable “low” performing Green Belt sites should be considered for their development potential. Clearly the individual qualities of a particular Green Belt parcel is only one consideration and alignment to the most appropriate strategy to secure a sustainable pattern of development is also critical in determining whether exceptional circumstances exist as per paragraph 84 of the NPPF.</p> <p>66. The scale of need is such in the Borough (factoring in Coventry’s unmet need) that there are not enough low performing parcels. Accordingly, the Council has been justified in considering low-to-medium performing parcels and within those areas where the purpose and function of the wider Green Belt parcel was not unduly compromised, particularly in relation to preventing neighbouring towns merging into one another and checking unrestricted sprawl. I consider this an appropriate approach in establishing exceptional circumstances. Furthermore, it is important not to lose sight that high performing parcels of Green Belt are not being contemplated as part of this Plan. As a consequence of the Plan’s proposals 41% of the Borough (3,275 ha) would remain Green Belt.</p> <p>67. The permanence of Green Belt must be given great importance. However, similar substantial weight applies to meeting the needs for homes and jobs in a way which addresses climate change through sustainable patterns of development. It is a balance which can be tested as part of preparing Local Plans. It is not the case that Green Belt boundaries are immutable. As demonstrated through the Joint Green Belt Study, SHLAA, ELR, SA and Housing Topic Paper, the Council has examined all reasonable non-Green Belt options and demonstrated these would be insufficient to meet the need identified. Other recent Local Plans in the same HMA have found exceptional circumstances to alter the boundaries of the West Midlands Green Belt. The submitted NBBP is not out of step with neighbouring authorities.</p>	<p>considering low-medium sites whilst ensuring that the purpose and function of the Green Belt (particularly purpose 1 and 2) would not be unduly compromised. He noted that the performance of a Green Belt site is only one consideration and securing a sustainable pattern of development is also critical. High performing sites were not considered.</p> <p>The Inspector concludes that the Council has demonstrated through the Joint Green Belt Study, SHLAA, ELR, SA and Housing Topic Paper that all reasonable non-Green Belt options have been examined and these would be insufficient to meet the need identified. He notes that other recent Local Plans in the same HMA have found exceptional circumstances to alter the boundaries of the West Midlands Green Belt therefore the submitted plan is not out of step with neighbouring authorities.</p>
<p>Coventry City Council Local Plan Inspector’s Report (13</p>	<p>106. Policy GB1 sets out the approach to Green Belt land including areas that would be removed from the Green Belt to accommodate development. NPPF paragraph 83 says that alterations to Green Belt boundaries should only be made in exceptional</p>	<p>The Inspector considered that the context of the Green Belt, combined with the</p>

<p>October 2017)</p>	<p>circumstances. The Plan sets out why it is considered that exceptional circumstances exist to justify the release of land from the Green Belt. As outlined above, the evidence shows that significant growth is anticipated for the area. The City’s tight administrative boundaries together with the shortage of available land and diminishing opportunities to develop brownfield sites means that there is a lack of reasonable and appropriate alternatives. There is a need to diversify the housing stock and to meet identified needs for market and affordable housing. Furthermore, there is a need to provide employment land to support planned economic growth.</p> <p>107. Alternative approaches were considered including increasing density of development on brownfield land and locating development beyond the Green Belt outside of Coventry. However, increasing densities would not provide sufficient capacity to deliver the required housing at the accelerated pace required nor provide adequate opportunities to diversify the housing supply. The Coventry and Warwickshire Housing Requirements MOU highlights the importance of locating development either adjacent to the City’s boundary or along key transport corridors to facilitate accessibility to the City. Seeking to deliver the growth beyond the Green Belt would lead to development located in areas detached from Coventry and increase unsustainable patterns of commuting. It would also have implications in terms of being able to meet the HMA’s housing needs, in particular affordable housing.</p> <p>108. Unless some of the Green Belt is released, a substantial level of new dwellings -amounting to nearly one third of the planned supply - would not be delivered. The scale of potentially unmet need in the City is exceptional. The selective release of parcels of Green Belt to provide in the region of an additional 7,000 dwellings would make a very substantial contribution towards meeting the shortfall. However, even with the release of the Green Belt and greenfield sites the Plan will leave a shortfall of nearly 18,000 dwellings that will need to be met elsewhere in the wider HMA. The DtC requires neighbouring authorities in the HMA to help meet the shortfall, in line with the MOU. It also requires that Coventry City Council should seek to maximise housing land provision within its own administrative boundary to meet the identified need. The release of Green Belt sites is necessary to do this.</p>	<p>shortage of available non-Green Belt land, and the need for market and affordable housing meant that exceptional circumstances did exist.</p> <p>The Inspector also specifically referred to the proportion of unmet need as being exceptional.</p>
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