

**HEARING STATEMENT SBC LOCAL PLAN 2011 – 2031**  
**Stage 2, The Green Belt**  
**By R F Norgan, 4 High St, Graveley**  
**19 Jan 2017**

I expressed my opinion in the Stage 1 hearing that paragraphs 158 and 159 of the NPPF, 158 were being ignored in the SBC Plan and replaced by entirely different requirements and instructions. If objectors cannot base their arguments with confidence on the content of the NPPF, and Local Authorities and the CLG can choose which paragraphs are planning law and which are not, then the result is planning anarchy.

I strongly repeat my verbal complaint that a diktat to employ the CLG household projections used in the SBC as the base for the calculation of Objectively Assessed Need rather than paras 158 and 159 of the NPPF and maintain that it is not legal. I refer the Inspector to Gladman Developments Ltd v Wokingham BC [2014] EWHC 2320 (Admin), Lewis J.

I have repeated my complaint here as I am uncertain which paras of the NPPF are now considered valid. This uncertainty undermines the production of this and future submissions.

The SBC contend that their OAN is acute when calculated on CLG figures and therefore represents an exceptional circumstance applicable to para 83 of the NPPF. Whereas if calculated on an evidence basis as required by the NPPF the OAN figure is much lower, as a consequence of taking into account current Government policy (Robert Goodwill's letter of the 8<sup>th</sup> Nov 2016), and cannot possibly be considered acute.

## THE NPPF on GREEN BELT

I refer the Inspector to para 79 of the NPPF where the essence of the Green Belt is described. The two essences are given as permanence and openness.

I call the Inspectors attention to the over-riding importance of this initial paragraph over following paragraphs.

Hence any piece of land designated Green Belt, however large or small, cannot be taken out of Green Belt status or it will have lost its permanence.

Similarly it cannot be built upon or it would lose its openness.

Para 83 states that, in constructing Local Plans, local authorities can alter Green Belt boundaries only in exceptional circumstances.

Thus, should an exceptional circumstance be proven then the Local Authority may alter the boundaries of a Green Belt area. It should be noted that the operative word here is '**alter**'.

Now in which way can a Green Belt boundary be altered?

To answer that question we must refer back to para 79.

If the boundary were altered in such a way that it removed land from the Green Belt that would then contravene para 79 which determines the permanence of Green Belt.

Thus the only boundary altering that may be done is the extension of an area of Green Belt by moving its boundary outward.

Thus the SBC Local Plan contravenes the NPPF wherever it attempts to take land out of Green Belt status. Examples are HO2: Stevenage West, HO3: North of Stevenage and HO4: South East of Stevenage, HO12/1: Travellers site in north.

### **SBC EXCEPTIONAL CIRCUMSTANCES**

SBC give an acute need for houses as an exceptional circumstance.

However Mr Justice Jay in the **Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 1078** stated that:-

*“it would be illogical, and circular, to conclude that the existence of an objectively assessed [housing] need could, without more, be sufficient to amount to “exceptional circumstances” within the meaning of paragraph 83 of the NPPF”.*

In a ministerial statement dated 17<sup>th</sup> Jan 2014 CLG Minister Brandon Lewis stated that *unmet need for traveller sites was unlikely to justify development in the Green Belt.*

The SBC OAN is inflated particularly by the fact that they employ the CLG Household Projection figures rather than on primary evidence as required by the NPPF.

**Objectively Assessed Need on the basis of Paras 158 and 159 of the NPPF**

**SBC LOCAL PLAN 2011 – 2031**

- The requirement for determining the housing needs of the Plan are described in paras 158 and 159 of the NPPF. This requirement is for adequate, up to date and relevant evidence for the area and neighbouring areas.
- The SBC have based their Objectively Assessed Need, after minor adjustments through the SHMA system, on the CLG Household Projections. In my opinion this fails as the CLG data is not primary evidence. The CLG Household Projections are neither transparent, adequate, up to date or relevant. This is my first main point.
- The primary evidence to support the OAN figure must be the Office of National Statistics sub-national population projections 2014 to 2024 for the East of England.
- But even that document is no longer up-to date or adequate. In particular it does not take into account current government policy on migration.
- I have a recent letter dated 8 Nov. last year from Robert Goodwill, the Minister of State for Immigration, who states that the Government is committed to bringing down net immigration to 'tens of thousands'. Furthermore the Government now has the Brexit tool to deliver on this commitment. The timing of this happening is not yet clear but it is not adequate for the SBC to employ a prediction of the future in their Plan which is at odds with Government policy. This is my second main point. This policy seriously modifies

the 2014 ONS sub-national population predictions and brings them up to date.

- The ONS paper referred to, splits population projections into three categories:- Natural growth of the area; International migration and Inter UK migration. The ten year growths of the ONS paper should then be doubled for the 20 year period of the Plan and then applied to the starting stock of 34000 houses in Stevenage.
- The ONS Natural growth of the population over the course of the Plan is given as 6.4%. I do not think this figure can be questioned. It gives a need of 2176 houses. That number implies that 71% of the SBC proposed build in their Plan is to house people from outside of Stevenage.
- The ONS International Migration figure for the course of the Plan is 5%. But that was based on an annual migration figure of over 300,000 in 2014 (Migration Watch figure). Assuming a future maximum migration of 90,000 due to the commitment of the Government mentioned before, gives a requirement of 510 houses.
- The ONS Inter UK migration figure, presumably coming from a rapidly expanding London, is 6.2%, giving 2108 houses needed. I question this figure later on.
- Combining these three figures gives a need of 4794 houses in total, which compares to the SBC Objectively Assessed Need of 7600. ie 2806 more. So for whom are these extra

houses intended? They can only be for inter UK migration, presumably from London.

- Adding back the ONS Inter UK migration to the 2806 just mentioned gives a total of 4914 houses for London migration. Yet, in the SBC Green Belt Technical Paper, section 2.1, the SBC admit that they have limited potential development land available and have less than many other areas. It is wrong for the SBC to attract migration from London into an already over-crowded borough by building 4914 houses (many on Green Belt land) for that purpose when other areas would be much more suitable to accommodate this requirement. This is my third main point.
- The SBC Plan provides no evidence to support the numbers of London residents moving out of London in the future. These numbers anyway will be reduced by Government policy on migration previously mentioned. There is no evidence supplied in the Plan to show that they will head for Stevenage in the numbers allowed for in the Plan. The traffic congestion on the A1M and in the Stevenage streets at rush hour is likely to seriously deter Londoners from moving here.
- The SBC allocates almost 65% of its proposed house building to migration from London and only 29% to the natural growth of the Stevenage population. This ratio of migrants to natural growth is surely excessive. Thus the SBC strategy, in this regard, is neither integrated nor relevant as required by para 158 of the NPPF and, furthermore, contravenes the purpose of the Green Belt.

- It should be recognised that however many houses the SBC build for London migrants it is never a need, rather it is a choice, for these migrants have the option to move to less congested areas around London. Or even, indeed, to further afield.
- If much London migration is attracted to more suitable areas then the housing need for Stevenage could be as low as 2618.