New Forest District Council’s Local Plan Review 2016-2036

LUC response to Terence O’Rourke’s review of Green Belt sites to the north of Lymington

Introduction

1.1 In July 2016 Pennyfarthing commissioned Terence O’Rourke Ltd to review LUC’s New Forest District Green Belt Study, specifically the assessment of Green Belt land north of Lymington, referred to as ‘North Lymington’.

1.2 The Green Belt parcels in question include the broad area parcel BA10 and the inner Green Belt Parcels LY07, LY08, LY10, LY11, LY12, and LY13.

1.3 Terence O’Rourke’s review is in the context of Pennyfarthing’s proposed development Site to support 870 homes under consideration in the Lymington and Pennington Neighbourhood Plan consultation. The Site out for consultation incorporates BA10 Part A (as named by Terence O’Rourke), LY07, LY08, LY10, LY11, LY12 and LY13.

1.4 Terence O’Rourke recognise that some areas are more sensitive to development than other areas. They note that within the Development Framework submitted to the Council in 2017, “more sensitive areas such as LY13 were identified for informal open space and Suitable Alternative Natural Greenspace (SANG) and Green Belt parcel LY12 was excluded due to the potential impact on nearby heritage assets.”

1.5 This document outlines Terence O’Rourke’s concerns and provides LUC’s initial response.

Key points raised by Terence O’Rourke

Method of defining parcels

1.6 Terence O’Rourke suggest that LUC’s two-phased approach to defining parcels was flawed.

1.7 In phase 1 the inner parcels were assessed in terms of contribution to Green Belt purposes, and the results of this assessment informed the second phase, in which the remaining Green Belt land was assessed. In cases where an inner parcel was not judged to make a strong contribution to one or more Green Belt purpose, an ‘outer’ parcel was defined beyond it (using the NFDC Sustainability Appraisal Sites Assessment parcels as a start point). However, where an inner parcel was judged to make a strong contribution to Green Belt purposes, it follows that the cumulative contribution of the inner parcel and land beyond it would be at least as strong. In such circumstances there is deemed to be no requirement to define further small assessment parcels.

1.8 Terence O’Rourke suggest the flaw in the methodology above is that if an inner parcel is rated incorrectly, which in their view is the case at north Lymington, it rules out a more detailed assessment of smaller parcels further from the settlement edge. They state that “Broad area BA10 should have been sub-divided into smaller assessment parcels based on NFDC’s Sustainability Appraisal Sites Assessment.”

1.9 We feel Terence O’Rourke’s comment is not an extensive critique of the methodology but rather a criticism of the assessment ratings of inner parcels, which if scored lower would have lead to the subdivision of the outer parcel. Indeed, they state in para 2.31 that they are “broadly content

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with the methodology and have followed it as part of our review." However, in response to their suggestion that BA10 should have been subdivided, we would argue it is very common GB review practice to have smaller parcels adjacent to inset settlements but have larger ones further away, rather than subdivide the whole area into small parcels. Furthermore, the adopted two-phased approach does at least create the opportunity for parcels more distant from settlement edges to be assessed at a higher level of detail. Many GB methodologies would have assessed the area as a larger parcel without any scope for potentially subdividing it. Had we felt, when assessing a parcel, that there was a significant distinction between parts of a parcel we would have identified this. Whether or not the ratings of the inner parcels are incorrect is a matter of professional judgement.

Landscape characteristics applied to purpose 4

1.10 Terence O'Rourke suggest that the landscape characteristics identified by LUC and applied in the assessment of purpose 4 (i.e. those identified in the Local Distinctiveness SPD) are invalid as "they refer to an extensive area and in some instances are not relevant to the immediate setting of Lymington". They suggest instead that the analytical plan (Figure 1 of the SPD) could have been referred to instead.

1.11 In response to the above, we would stress that the use of the SPD's landscape characteristics in the assessment criteria is not an issue as our assessments have only rated relatively highly for purpose 4 where characteristics contributing to the historic character are identified as being relevant to the parcel in question.

Comments on Terence O'Rourke’s assessment of Green Belt parcels

Differing judgement on purpose 3

1.12 The Terence O'Rourke scores for purpose 3 differ from LUC for parcels BA10, LY07, LY08, LY10, LY11 and LY13. LUC rated these parcels as making a strong contribution to purpose 3 but Terence O'Rourke suggest reducing the purpose 3 scores for these parcels accordingly in their reassessment.

Urbanising influences

1.13 The difference in purpose 3 scores stems largely from what is considered to be an 'urbanising influence' on a given parcel, which is a key factor that informs whether a parcel has a stronger relationship with the countryside or the urban area.

1.14 For example, in relation to BA10 Terrence O Rourke cite features such as pubs, glasshouses and pylons as urbanising which they use as justification for scoring the southern part of BA10 (referred to as Part A) as moderate. Terence O'Rourke also make reference to the parcel having a visual connection to the urban edge. In response, we argue that they differ in their judgement of what is 'urbanising' as such features are in fact common countryside features (and agricultural buildings are specifically excluded by NPPF from having impact on GB openness). We would contend that development within a Site does not necessarily mean that urbanising influence is strong.

1.15 Additionally a visual connection with the urban edge does not necessarily mean it has a significant urbanising influence. For example, in relation to their review of LY07 they contend that the housing development south of the Site will have a significant urbanising influence. In response, we would argue that being simply adjacent to the urban edge is not enough to suggest that land relates more strongly to the urban edge than the countryside. If this were the case, in theory settlements would go on expanding without significant GB impact until they start to impact on settlement gaps.

Openness

1.16 Terence O'Rourke also differ from LUC in their judgment on what features compromise openness. For example, for BA10 Terence O'Rourke argue that openness to the north of this parcel would be compromised by the planning permission for the golf course. We would argue a golf course does
not necessarily compromise openness, and just having planning permission does not mean it should be considered, as indeed it may not be built.

**Alternative Green Belt Boundaries**

1.17 Terence O'Rourke make objection to the scoring of parcels on LUC's assessment of 'alternative Green Belt Boundaries. For example, in their reassessment of LY07 para 4.8 makes reference to LUC's judgement that "the parcel's northern boundary along the two fields in the west of the parcel would form a similar strength boundary to the existing Green Belt boundary along the low hedgerow". Terence O'Rourke state "it is in their opinion that moving the Green Belt further north would not significantly affect the purposes of Green Belt".

1.18 We would suggest that an alternative boundary of similar strength does not imply that the parcel does not contribute significantly to GB purposes. Consideration of the extent to which release of any particular area of land would affect contribution of remaining Green Belt to the purposes of Green Belt was outside of the scope of LUC's study.

"Impact on purposes"

1.19 Terence O'Rourke make a number of claims that release of specific sites e.g. LY08 and LY09 could be released without adversely affecting Green Belt purposes. However, this is despite the fact that their reassessment gives the sites a moderate score against some purposes. We suggest that, where a parcel makes a moderate contribution to any purpose, it does not equate to no impact on Green Belt purposes if the site were released.

**Consideration of Sites for development**

1.20 Terence O'Rourke in their conclusion argue that "had the parcels been assessed correctly they would have had a summary rating of moderate and therefore NFDC should have determined that parts of these areas could be considered for release from the Green Belt as locations for housing development". LUC stand by the judgements that resulted in some of the Sites being rated as making a strong contribution to Green Belt purposes. LUC's brief did not include providing advice on potential site release; decisions in this regard were made by NFDC, informed by the Green Belt Study.

**Mitigation**

1.21 Terence O'Rourke argue their "assessment shows that all the inner parcels and the southern part of BA10 (part A indicated on figure 1) have the potential to be released from the Green Belt without compromising its defined purposes. Making reference to the PAS guidance our assessment determines that a strong boundary could be created with a clear distinction between 'town' and 'country' along the wooded stream corridor".

1.22 LUC disagrees with the statement that release of this area would not compromise the Green Belt purposes. Consideration of whether there is scope for mitigation to assist in reducing harm to the wider Green Belt was outside of the scope of LUC's study.

**LUC**

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