LUC comments in response to methodological points raised in the PaLLS assessment of LY03

1.1 As requested we have limited this response to methodological points, rather than comment in detail on the comparative findings for LY03 and other sites around Lymington that are presented in the report commissioned by the Pennington and Lymington Lanes Society. The report – ‘Comparative Assessment of Green Belt Land East of Lower Pennington Lane, Lymington’ by The terra firma Consultancy (3/8/2018) – identifies (at Paragraph 4.17) three ways in which the New Forest District Green Belt Study (2016) is considered to be lacking in terms of its methodological criteria. These are addressed in turn in the following paragraphs (the issues raised are in italics).

Firstly, when assessing a parcel’s connection with the wider landscape (purpose 3), too much weight has been placed on visual links between a parcel and the wider landscape. Our view is that the continuity of character should be given equal weight, whether or not open views are available.

1.2 It is recognised that there is a distinction between visual openness and openness in a Green Belt sense, in that visual enclosure by landscape or vegetation does not reduce Green Belt openness – i.e. the latter relates to the extent of built development - however this does not mean that views can be discounted as a factor when considering contribution to Green Belt purposes.

1.3 This was considered in the case of Turner v Secretary of State for Communities and Local Government [2016] ECWA Civ 466, in which the Inspector stated (at paragraph 15) that:

‘The question of visual impact is implicitly part of the concept of “openness of the Green Belt” as a matter of the natural meaning of the language used in para.89 of the NPPF. I consider that this interpretation is also reinforced by the general guidance in paras. 79-81 of the NPPF, which introduce section 9 on the protection of Green Belt Land. There is an important visual dimension to checking “the unrestricted sprawl of large built-up areas” and the merging of neighbouring towns, as indeed the name “Green Belt” itself implies. Greenness is a visual quality: part of the idea of the Green Belt is that the eye and the spirit should be relieved from the prospect of unrelenting urban sprawl. Openness of aspect is a characteristic quality of the countryside, and “safeguarding the countryside from encroachment” includes preservation of that quality of openness. The preservation of “the setting ... of historic towns” obviously refers in a material way to their visual setting, for instance when seen from a distance across open fields. Again, the reference in para.81 to planning positively “to retain and enhance landscapes, visual amenity and biodiversity” in the Green Belt makes it clear that the visual dimension of the Green Belt is an important part of the point of designating land as Green Belt.’
1.4 We therefore consider that it is appropriate when assessing the extent to which land relates to settlements and to the wider countryside to take into consideration the visual relationships between these elements. We recognise that the permanence of features needs to be taken into consideration, but when considering the perception of an area as countryside, urban fringe etc we need to look at the landscape as it exists now. We do not consider it appropriate to exclude natural landscape elements from consideration as ‘separating features’ on the grounds that they will not always be there.

1.5 Our assessment of LY03 recognises that the landscape in the parcel is similar to that in the National Park, but also identifies that proximity to the urban edge and the role of existing development and of vegetation creates some distinction between the two. When considering the harm to Green Belt purposes that could result from release of land it is also relevant to note, as stated under the Green Belt Boundary Strength section of our LY03 assessment, that the constraint provided by the National Park designation, rather than just the boundary vegetation, would be a key factor in preventing encroachment beyond the parcel. Issues relating to the impact that development might have on the qualities of the National Park are not a consideration when assessing contribution or harm to the Green Belt purposes as set out in the NPPF (see also comments below in response to the third methodological point).

Secondly, in assessing purpose 4, the NFGBS does not take account of the character of the landscape and the extent to which land within the Green Belt contributes to the town’s historic setting.

1.6 The methodology identifies two settlements, Ringwood and Lymington, as constituting ‘historic towns’ and, as set out at Paragraphs 4.26-4.32, uses key characteristics identified in the Local Distinctiveness Supplementary Planning Document for each town to inform judgements regarding the contribution to this Green Belt purpose. The rating definitions set out in Table 5.1 show that the extent of relationship between the historic settlement and the identified key characteristics determines the rating given.

1.7 In the case of parcel LY03, a moderate contribution rating was given for Purpose 4, with commentary noting the contribution of the historic field pattern to Lymington’s setting but indicating that this was not significant enough in terms of the town’s special character or historic setting to warrant a higher rating. Given that this parcel abuts mostly 20th century development, the conclusion is deemed to be sound and does not reflect a methodological deficiency.

Lastly, weight should also be given to the contribution that the site makes to protecting the New Forest by restricting urban pressures in the adjacent coastal zone ie from the pressure for development at Lymington on the narrow coastal belt between the town and the sea.

1.8 The PaLLS report notes (at Paragraph 4.4) the role of the Green Belt, as set out in the 1982 ‘South West Hampshire Structure Plan’ in protecting the New Forest by restricting urban pressures. We consider this intention to fall within the scope of the national purposes of Green Belt as set out in the National Planning Policy Framework, with its fundamental aim of preventing urban sprawl and in the specific purpose of assisting in safeguarding the countryside from encroachment.

1.9 When the South West Coast Green Belt was first approved, in the 1982 Structure Plan, it included the New Forest area. However the Hampshire Structure Plan Review (adopted in 2000) removed the Green Belt designation from the New Forest Heritage Area on the basis that it had already
been given 'equivalent status' to a National Park for planning purposes, pending formal designation as a National Park. Structure Plan policy NF1 was considered to provide stronger protection to the New Forest than the previous Green Belt policies. This protection is reflected locally in Sustainability Appraisal Objective 7 “Protecting landscape and townscape”, for which criterion 7B specifically considers the need to “Safeguard the setting and purposes of the New Forest National Park and the setting of the Cranborne Chase AONB”, and in Policy 2 in the Local Plan Review 2016-2036 Planning Strategy Submission Document, which states that:

'Development should not have an unacceptable impact on the special qualities and purposes of the Cranborne Chase Area of Outstanding Natural Beauty, or on the adjoining New Forest National Park. In the determination and implementation of development proposals including planned growth, very significant weight will be given to ensuring that the character, quality and scenic beauty of the landscape and coastline of the Plan Area and adjoining New Forest National Park is protected and enhanced.’

1.10 We therefore consider that assessment of sites against the Green Belt purposes as set out in the NPPF is an adequate scope for the study, and that inclusion of an additional ‘local purpose’ of assessing impact on the adjacent National Park would constitute double-counting with considerations that have already been taken into account when addressing environmental considerations in relation to Strategic Site Allocations, and which will likewise be considered when assessing development proposals.

1.11 LUC recently assisted Welwyn Hatfield Borough Council at Local Plan Examination, at which the Inspector voiced his concern regarding the Council’s inclusion of a ‘local purpose’ – in this instance the protection of the local settlement pattern - in the Green Belt assessments that they had commissioned. In a letter to the Head of Planning (Examination document ref EX91B – 24/10/2018) the Inspector said the following:

'However, the protection of the settlement pattern is not a statutory purpose of the Green Belt and this analysis should be kept totally separate from any findings about the future of the Green Belt, even if for convenience you decide to retain Green Belt designation, for all such land, regardless of its actual contribution to the Green Belt itself.'

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