

## Examination of Hyndburn's Development Management Development Plan Document (DM DPD)

# Council's Response to Inspector's Matters, Issues and Questions (MIQs)

### Matter 9: Green Belt

Issue 9a: Are the types of development that will be permitted within the Green Belt consistent with national policy?

51. **Policy DM34 lists circumstances where the erection of new buildings will be permitted. Are the types of development listed consistent with national policy? For example, does the scope of the policy permit limited infilling outside of villages to take place and is this justified? Other types of exceptions referred to in national policy, such as engineering operations, are not specifically referred to. Is this justified and effective?**

The Council has written Policy DM34 to provide the local policy context on Green Belt matters in Hyndburn. It is not intended to simply repeat what is set out in national policy (paragraphs 79-92 of the NPPF) which is why other types of exceptions, such as engineering operations, are not specifically referred to. Where Policy DM34 is silent on any specific matter, the NPPF alone will provide the policy framework for decision making.

The first section of Policy DM34 deals with 'new buildings' only. Paragraph 1 lists a number of circumstances where new buildings will be permitted in the Green Belt. Paragraph 2 lists the criteria that will be considered for new buildings proposed in either the Green Belt or Countryside Area. The Council's view is that points 1a-1d of DM34 are consistent with national policy on Green Belt (specifically paragraph 89 of the NPPF), but they provide an appropriate local interpretation of these matters.

The Council can confirm that the reference to 'limited infilling' in paragraph 1b is intended to cover any location in Hyndburn and not just those in village locations. Paragraph 89 of the NPPF refers to 'limited infilling' in both a village context and in relation to other locations on brownfield land. Policy DM34 as worded would go further in potentially allowing proposals meeting the definition of 'limited infilling' in other locations on greenfield sites to be permitted. The Council will assess any proposal in line with paragraph 88 of the NPPF which clearly states '*when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt*'. Paragraph 80 of the NPPF sets out the five purposes of green belt against which harm can be assessed. For this reason the Council considers that

Policy DM34 as drafted remains consistent with national policy as these considerations will still apply.

The Council intends to undertake a comprehensive Green Belt assessment as part of the evidence base for preparation of its Site Allocations DPD. A full review of the urban boundary will also take place across the Borough as part of the Site Allocations DPD process. As such potential infill sites may be identified during this process. Equally the Council may choose to designate sensitive areas where infill development would be resisted or subject to special control. As a result of this detailed site specific work the Council may also choose to provide a specific definition of what it considers to constitute 'limited infilling' within the local context.

In the absence of any definition it is proposed that decisions will be considered on a site by site basis using relevant case law where appropriate. The Council considers that in the interim the term itself provides sufficient guidance. The word 'limited' references the scale of development that will be considered appropriate (i.e. small scale housing development appropriate to the scale of the settlement). The term 'infilling' references land substantially surrounded by existing development.