

## **Pepper Street - Detailed Planning Comments to be read in conjunction with Keele Parish Council's Summary of objections.**

### **1. Description of Development**

The description of the development is seriously flawed and unacceptable in planning terms. The form clearly indicates that the application is **not** for a certain number of houses, layout or density only access to the site. The description is misleading and not legal in our opinion and in no circumstances should the Borough Council award consent for **any** number of houses. It is the principle of development that is to be discussed not anything else. Should the Council see fit to grant this application a condition should be attached to the consent that makes it clear that assumptions with regard to parameters have been based on this figure and any departure from that will require a resubmission of supporting evidence as the officers require. The Borough Council should not give "in principle" consent without much better supporting information in the D&A statement as required by Urban Vision. The Council should review these supporting documents and request them to be redrafted as part of any reserved matters.

We believe any commitment to numbers may undermine the principle of "openness" in the greenbelt because the Council would have to determine the impact of the design without any information to support that decision. This would be against the principles set out in the NPPF that seek to preserve openness..

### **2. Reasons for "very special circumstances"**

There is a presumption against building in the greenbelt unless there "very special circumstances".

The applicant makes the case that there are three elements within the application that meet this criterion:

#### **a) Unmet need**

We are aware that a recent review of the joint Core strategy has revealed the need for a revised Local Plan for Newcastle and Stoke. Our main guidance at this time has to be therefore the NPPF and associated ministerial statements. We are also aware that the Greenbelt is a contentious issue and some appeals by PINS have contradicted themselves with regard to building in the greenbelt. We are therefore guided by the most recent statement made by Local Government Minister Brandon Lewis, reported on 23 January 2014 as the most relevant and up-to-date information on this issue. This is taken from the planning portal at:

[http://www.planningportal.gov.uk/general/news/stories/2014/jan14/230114/230114\\_1](http://www.planningportal.gov.uk/general/news/stories/2014/jan14/230114/230114_1)

*"He reminded Parliament that the Secretary of State's policy position on unmet need, whether for Traveller sites or for conventional housing, was that this was "unlikely to outweigh harm to the green belt and other harm" and would not constitute the "very special circumstances" justifying inappropriate development in the Green Belt."*

*The minister re-emphasised that point for both local planning authorities and planning inspectors as a material consideration in their planning decisions.*

It is our opinion that this clearly and emphatically removes this argument from the applicant's case for development and that this should not be considered by the Council in any way.

#### **b) Gift of Open Space**

As stated above, the Core Strategy was written at a very different stage in the economic cycle, when there was access to regional funding that simply does not exist any longer. The cuts to public services have been severe and the gift of the open space may not be seen in the same light as it was before. Open Space needs funding and we are of the opinion that any site requires a dowry for maintenance and improvement, or risks becoming a burden rather than a "Gift".

The Local Authority is no longer in a good financial position to accept a greater liability for upkeep and must not see this as a positive step. This is not virgin pastureland and contains many potential risks outlined elsewhere in this consultation response. The land may be identified as requiring environmental enhancement within existing policies but this need is not identified as one that would justify development. This is not a development site.

There is no sound planning case or costed viability report from Groundwork or other third party to support the view that this proposal is at all possible or indeed, probable. This proposal in our view is unviable and premature. It cannot be considered as relevant.

In this parish we are blessed with a great deal of public open space and private open space that is accessible to the public such as the beautiful Keele University Campus or adjacent Country Park. There is no demonstrable demand for more open space as there is no deficit to fill. We conclude there is no public benefit from accepting this land into public ownership.

**c) Removal of threat, namely the underground fire.**

The technical reasons why or how this may be managed are discussed elsewhere. From a planning perspective, the Parish Council remains unclear concerning the planning reason that supports the removal of the fire. To be clear, it is our view that the fire is the responsibility of the owner of the land and is not primarily the concern of the Local Authority. Indeed, the view of the Local Authority was made clear to the residents in the past; namely, that the present situation presented no threat to human health, and would gradually improve, as the risk naturally reduced. We have not received any contrary views from officers at the Council and are therefore at a loss to understand how the proposal in planning terms can be considered an improvement. Either the current situation is not acceptable and the Council has radically changed its opinion on the matter without consultation, or, the situation is stable, and needs no remedy for which the introduction of up to 100 new houses is a reasonable and justifiable solution. There is no public benefit in altering a situation that the Council has concluded presents no existing risk.

To conclude, for all the reasons given above we believe that the proposal remains contrary to the NPPF and the application should be refused.