

Dear Robert Jenrick,

I have witnessed first hand how the application of planning rules by local authorities can go horribly wrong resulting in the loss of some of Britain's most beautiful and protected landscapes. After attending both the public examination of Guildford's Local Plan and the subsequent High Court challenge of this Plan, I have also seen that there is no opportunity to redress this in law. Current guidance in the NPPF provides too much wiggle room for planning authorities to push forward unsuitable development and it is imperative that you, as SoS, act now to clarify the Government's intentions with regard to 'exceptional circumstances' in the green belt and in the AONB and to clarify what constitutes 'major development'.

Guildford's Local Plan provided a housing buffer of 40% above the Objectively Assessed Need (4,000 homes above the 10,000 needed), and the Council argued that this contributed to the 'exceptional circumstance' for building on the green belt and for including a green-belt site (Blackwell Farm), which required an access road through the Surrey Hills AONB. The Inspector upheld the Council's decision, and the Judge in turn decided that the Inspector had acted lawfully. By the time the High Court Hearing came around, Guildford's housing supply figure had increased to 16,000 homes (60% above the OAN).

Bizarrely, at the Court Hearing, the defendants argued that there were no single exceptional circumstances for building at Blackwell Farm, but that collectively all the non-exceptional circumstances became exceptional. This to me is a nonsense.

Equally bizarrely, the Council argued that its proposed £25m access road to the Blackwell Farm site, which traversed the northern flank of the Hog's Back chalk ridge, was unlikely to constitute a 'major development' in the AONB (see image below). This was without knowledge of the road design or engineering required and without any detailed landscape visual impact assessment having been carried out. The Inspector and the Judge accepted the Council's argument that the decision as to whether the road constituted a major development could be deferred until the planning application stage. Given that it is up to the local authority to determine what constitutes major development, this means that planning law gives no protection to the AONB whatsoever. If a road of significant length up the side of one of England's iconic hillsides in the AONB is not deemed likely to be a 'major' development then what is?

The outcome of this particular court case is terrible for the environment: it means that Inspectors everywhere can release land from the green belt and from the AONB almost as if that land had no designation on it at all, and can do so in spades (wherever they feel it's ok in planning terms and on a scale far in excess of Objectively Assessed Need (itself often a figure far in excess of demographic projections – and which builders have no intention of providing anyway).

Blackwell Farm is an excellent example of how planning law has failed to protect an AONB and its setting. In Guildford's case there was alternative land for housing available that did not impact on the AONB, but the Council (possibly under pressure from the landowner) after

the examination hearing, presented the Blackwell Farm land allocation for housing (in the AONB setting) as a separate policy to the land allocation for the site's access road (in the AONB itself) in order to remove the site's high landscape status and to overcome the AONB hurdle.

I would ask that you clarify the Government's intentions regarding the protection of our landscape within the NPPF and whilst doing so remove Policy 26 and Policy A27 from Guildford's Local Plan. This must be done before Blackwell Farm on the Hog's Back and other nationally important landscapes are lost forever to unexceptional and unnecessary development.

Yours sincerely,

Karen Stevens