

Statement on behalf of Dacorum Environmental Forum for the Examination of the Dacorum Development Plan Document October 2016.

Matter 1 – Legal compliance, including duty to co-operate

3. Having regard to the scope of the adopted Core Strategy (CS) and the Council's intentions, as set out in the Local Development Scheme, are there any obvious omissions, in terms policy guidance, from the submitted Plan?

Yes, the scheme and Core Strategy upon which it is based take no heed of, or commitment to the continuing clarifications of National Policy Practice Guidance.

(From Development Plan Document Jan 2016)

1.18 The Site Allocations document has also had regard to national planning guidance contained within the National Planning Policy Framework (NPPF), National Policy Practice Guidance (NPPG), other policy statements and good practice guidance.

Clarification of the National Planning Policy Framework (NPPF) is an ongoing process, as evidenced by the latest Ministerial advice (see the reference under our Statement under "Matter 2"), therefore its interaction with the Site Allocations document is ongoing, and should be described as such, and not just in a past tense. We suggest adding "Site allocations will continue to be in accordance with evolving National Policy Practice Guidance".

4. (1) Is the Plan based on a sound process of sustainability appraisal? Does it test reasonable alternatives? Does it represent the most appropriate strategy in the circumstances? (4) Does the final report set out the reasons for rejecting earlier options?

No (specifically to questions 1 and 4). A sound process of sustainability appraisal should acknowledge where it departs from earlier long-standing appraisals of the same sites, and explain any departures from them.

Re Question 1:

(From Development Plan Document Jan 2016)

1.16 The Site Allocations has been based on a thorough understanding of the issues and challenges faced: a wide range of information and studies, collectively known as the 'evidence base', has been prepared. This evidence base includes a number background topic reports relating to each subject area covered by the Site Allocations and Schedules of Site Appraisals, which summarise and assess the suitability of development opportunities being promoted for allocation for housing and other uses.

(From Development Plan Document Jan 2016)

1.21 A separate Sustainability Appraisal Report accompanies the Pre-Submission Site Allocations. It explains how sustainability considerations have been taken into account and incorporated into the document. It also outlines how significant sustainability effects due to the implementation of the plan will be monitored. The Sustainability Appraisal Report is available online at www.dacorum.gov.uk.

These two paragraphs omit to mention the history of planning principles and decisions affecting Green Belt/Local Allocations, and should acknowledge the need for an explanation the differences between past and current judgments.

Examples of such differences are:

(from the Dacorum Borough Council Local Plan 1995)

"The existing Green belt boundary is generally appropriate for the long term"

(from the Deposit version of the Dacorum Borough Council Structure Plan 1996)

there should be "no room for urban sprawl and other development on the edge of towns which take up green fields but do nothing to improve the town"

(1996 Technical Report 3 of the Dacorum Borough Plan first review to 2011)

This assessed five parcels of land, A to E, which approximately correspond to LA3 in the current round, and which were collectively termed "West Hemel Hempstead", of which only parcel A (400 Houses) was selected for the then-proposed development strategy .

Parcel B was seen as "a natural area for open space linking with Shrub Hill Common", while Parcels C, D and E were "considerably more prominent" (than Parcel A) "and should remain undeveloped". See Appendix B of our submission under Matter 9 for the map.

(Pre-Submission Core Strategy 2011)

In Section 1.4, Hemel Hempstead Local Allocation Assessment, of Appendix F of the accompanying Sustainability Appraisal Report "West Hemel Hempstead" achieved only three ticks out of 20 sustainability appraisal objectives, and of these three, one was because the development would provide social housing and the other two were little more than aspirations that, because of its size, it would attract new local facilities.

Re Question 4:

The options for annual averages given in the consultation on the Core Strategy of DBC's Local Development Framework in November 2010 were Option 1 (no Green Belt land take): 370 and Option 2: 430. The majority of respondees to the consultation favoured the lower growth figure of "Option 1" . The Council Leader, in justifying the Council's subsequent choice of Option 2 reportedly said that he didn't believe that "Option 1 is something we could defend", implying that the Council would have preferred Option 1 were it not for the fear of legal or challenges, which might argue that it was inconsistent with Government Policy. Revision of 1.18 as we suggest above would undermine any claim to have set out the reasons for rejecting the earlier Option 1.

**Statement on behalf of Dacorum Environmental Forum for the Examination of the Dacorum
Development Plan Document October 2016.**

Matter 2 – General matters

11. Has the principle of removing land from the Green Belt already been established in the CS? If so, does this Plan deviate from principles set out in the CS in this regard?

(From Development Plan Document Jan 2016)

6.24 Policies LA1-LA6 set out in more detail how the Local Allocations will be brought forward, identify key planning requirements, and establish new, defensible Green Belt boundaries. These policies are supported by site master plans which will help guide the form, timing and principles of development in each case. Requirements in the Site Allocations document will take precedence if there are variations between this and the corresponding requirements in the Core Strategy.

14. Are there any policies in the Plan that do not accord with the Framework or advice in Planning Practice Guidance?

The principle of removing land from the Green Belt must continue to be informed by clarification of the National Planning Policy Framework (NPPF), and this must be acknowledged in Para. 6.24. An example of such clarification is provided in the letter from Brandon Lewis MP Minister of State for Housing and Planning 7th June 2016 to colleagues, which was cited in the letter of 24th June 2016 from CPRE Herts. to the Chief Executives of Hertfordshire Local Planning Authorities. The following paragraph is an extract from Mr. Lewis's letter.

"The Framework makes it clear that inappropriate development may be allowed only where very special circumstances exist, and that Green Belt boundaries should be adjusted only in exceptional circumstances, through the Local Plan process and with the support of local people. We have been repeatedly clear that demand for housing alone will not change Green Belt boundaries. "

With reference to Mr. Lewis's phrase "and with the support of local people", any claim to have this support in the case of LA3 has not taken into account the 1500-strong petition, organised by the Friends of Shrubhill Common and signed by over a thousand Chaulden and Warners End residents, opposing the loss of Green Belt status from the area referred to in the Dacorum Borough Local Plan (1991-2011) as West Hemel Hempstead. This was presented to the chairman of the Borough Plan Subcommittee of the Council on 30th September 1998, and officially received at the full Council meeting of 18th November.

Also in a letter from Brandon Lewis of July 11th forwarded to DEF Chair Gruff Edwards by Dacorum MP Mike Penning:

"We have made clear that constraints such as Green Belt may limit the ability of an authority to meet its housing needs in full. Indeed there have been instances when the Planning Inspectorate found a Local Plan sound even though not all local housing need would be addressed because of these constraints."

In 6.24 the phrase "new, defensible Green Belt boundaries" adds insult to injury to those who have campaigned over decades to defend the Green Belt against successive waves of encroachment, and to those planners and inspectors who have supported them, as the examples from earlier planning decisions quoted above demonstrate. We suggest something more honest such as "where exceptional circumstances have been proved, remove Green Belt status".

**Statement on behalf of Dacorum Environmental Forum for the Examination of the Dacorum
Development Plan Document October 2016.**

Matter 4 - Housing

1. Is the overall amount of housing provision and its distribution in the Plan consistent with the CS? How has the actual number of dwellings allocated been arrived at? Why the buffer? Should it be greater as suggested by some representors?

(From Development Plan Document Jan 2016)

6.2 The Core Strategy identifies the need to deliver a target of 10,750 dwellings (at an average rate of 430 dwellings per annum) over the period 2006 to 2031. A higher level could be achieved (estimated at around 11,320 homes) if full account is taken of all available sources (i.e. windfalls) (see Table 8 in the Core Strategy). This is reflected in the indicative level of homes in the Place Strategies for each settlement and the countryside.

(From Development Plan Document Jan 2016)

6.17 The housing programme demonstrates that the Core Strategy target can be met and exceeded. The housing trajectory sets out projected completions during the plan period (Appendix 2). If full account is taken of all potential future sources of housing land (e.g. small windfalls on garden land and larger windfall potential) this provides for a reasonable margin to allow some flexibility over housing supply.

Choosing a growth rate of 430 new homes within the Borough each year, for the plan period (2006-2031) has led to a Plan that runs contrary to other elements of the Core Strategy. If the Core Strategy contradicts itself it cannot be regarded as "sound", and neither can the Development Plan Document that depends upon it. The contradicting elements include:

**1.17 "maintain the openness of the areas of the borough designated as Green Belt or Rural Area;"
(Also 1.18, 6.2, 8.29, Policies CS2, CS5)**

Instead of a "Target", 6.2 should refer to a "demand", and should make clear that the demand can only be satisfied within the constraints of the above-quoted sections of the Core Strategy. It should also call for Option 1 to be revisited in the light of the latest Ministerial advice (see the reference under our Statement under "Matter 2"),

Similarly, reference to a "target" should be removed from 6.17, and the "potential future sources of housing land" referred to should be re-allocated to saving Green Belt rather than to maintaining or exceeding a target.

Statement on behalf of Dacorum Environmental Forum for the Examination of the Dacorum Development Plan Document October 2016.

Matter 9 - Policy LA3: West Hemel Hempstead

1. Is the policy wording in relation to the submission of an outline planning application sufficiently flexible?
2. Should the policy reflect the developer of the site will only be required to carry out upgrading of the drainage infrastructure directly related to the site?
3. Has full consideration been given to the increase in traffic associated with the development and the pressure on existing schools and healthcare facilities?
4. Should the site come forward prior to 2021 if it is available?
5. Is a reference needed in the policy to ecology and the link to Shrub Hill Common Local Nature Reserve?

(2) No, the Developer also needs to consider the wider effects of drainage, for instance on Shrubhill Common and the Bulbourne.

(3) No

(4) No

(5) Yes

(From Development Plan Document Jan 2016)

Policy LA3: West Hemel Hempstead

Key Development Principles

The following principles will be used to guide site master plan and to assess the subsequent planning application:

* **extension of Shrubhill Common Nature Reserve and the creation of wider green infrastructure links.**

The key development principles for the site are set out below. Further detail is in a site Master Plan.

West Hemel Hempstead Vision

.... Development will be spacious and will allow views of the countryside across the valley. Open space will permeate the neighbourhood, providing links between Shrubhill Common, the town and the wider countryside....

(c) Design

* Optimise the potential for views across the Bulbourne valley.

(h) Countryside

* Soften views of housing from the countryside by use of tree planting, by retaining appropriate tree belts and by the siting open space carefully (particularly in views from Little Heath and Westbrook Hay).

* Provide a soft edge to the countryside and ensure visual and physical separation from Potten End and Winkwell.

* New strategic landscaping to mitigate the impact on the Bulbourne Valley.

(From Development Plan Document Jan 2016)

8.4 The NPPF requires the planning system to contribute to and enhance the natural and local environment by '*protecting and enhancing valued landscapes...*' (Paragraph 109).

The policy should include or justify the deviation from the "Development Requirements" in Dacorum's 1996 Borough Plan Pre-deposit Consultation proposals which state the need for a "Substantial open space link between Shrub Hill Common and countryside" by leaving a strip some hundred yards wide between the new development and the existing Fields End estate. This was described in the 1996 Technical Report 3 of the Dacorum Borough Plan first review to 2011) as "Parcel B" , "a natural area for open space linking with Shrub Hill Common". See Appendix B for map.

With regard to the proposed substitute of a south-west route for a wildlife corridor, we support Martin Hicks of Hertfordshire Ecology (Herts. County Council) in his response to Site Allocations Pre Submission Focused Changes Consultation 2015, who wrote:

"... the LPA explain that the ecological interest of the proposed south-west route and its subsequent management can be secured as the proposals develop. Objectively I have acknowledged this would still provide an acceptable ecological corridor. Unfortunately I also remain of the opinion that whilst this is the stated aim of the LPA, this intention is not robust enough to ensure this will happen. "

Our particular concern is that the draft Master Plan does not appear to distinguish between urban green space and wildlife corridor, therefore the requirement for the latter needs to be spelt out more robustly in the Key Development Principles. More detail on this point, together with detail highlighting the still unknown consequences of LA3 for Hydrology and Traffic are contained in DEF's responses to the draft LA3 Master Plan of October 2014, an edited form of which appears in Appendix A. Such unknowns, and the need for further investigation should appear as caveats in the Design Principles.

The design principles "Development will be spacious and will allow views of the countryside across the valley" and "Optimise the potential for views across the Bulbourne valley." should be removed, and are in any case clearly at odds with "Soften views of housing from the countryside". This is illustrated (Appendix C) by this photograph of a view of the LA3 taken across the Bulbourne Valley from the Boxmoor Trust Old Barn, which is primarily used as a field classroom for school visits and a base for wildlife explorer groups. The picture, with points around LA3 marked up with red circles, also demonstrates how the proposed new Green Belt boundary cannot be described - as it is elsewhere in the supporting documentation - as "rounding-off" or "defensible in the long term", and how mis-judged the "Purposes Assessment" prepared for Dacorum, St Albans and Welwyn/Hatfield in November 2013 was to categorise it under "Small-scale sub-areas contributing least to Green Belt Purposes". If ever there was a scheme meriting the term "blot on the landscape", this is it.

Specifically in response to Point 4 of Matter 9, since there are obvious and exceptional environmental disadvantages to LA3 the site should not "come forward" until after a review of the Core Strategy and preparation of the new Local Plan, when the allocation could in theory be removed and the site retained in the Green Belt.