

Complaint by Dacorum Environmental Forum re planning application reference 4/03266/18/MFA for proposed development at West Hemel Hempstead (LA3)

Dacorum Environmental Forum (DEF) hereby complains formally about the strategy adopted by Dacorum Borough Council (DBC) preceding and during the Council meeting on 28th November 2019, in which planning permission was granted for the hybrid application to build on land in West Hemel (LA3). Although the application was brought to the meeting by the developers, it was endorsed by DBC in the opening remarks by planning officers James Doe and Ross Herbert, and was the product of many months of discussion between the Council and the Developers. Our complaint is that a number of features in the proposal are in direct conflict with the Council’s own policies, mainly as set out in its Core Strategy.

These conflicts are set out by topic in the following table.

Topic	Core Strategy	Adopted Master Plan for LA3: (page references)	Other relevant reports or documents
<p>1. The requirement for an extension to Shrubhill Common Local Nature Reserve (SCLNR) and a Wildlife Corridor to link SCLNR with the wider countryside is omitted. Any putative area shown on the plans to be “a wildlife corridor” does not satisfy the ecological requirements of a wildlife corridor.</p>	<p>CS5, CS10, and CS26</p>	<p><i>“Extend Shrubhill Common Nature Reserve and create wider green infrastructure links.” P3</i> <i>“Establish a central swathe of open space across the land as a green link to Shrubhill Common with a wide tree belt which will assist in retaining a treed skyline when viewed from the south and south east. Protect a wildlife corridor along the eastern side of the development adjoining Fields End.” P26</i> <i>“The advice from the County Council’s Ecology advisor is that it is important to adopt a sound approach to the planning and management of the green spaces if they are to be of genuine ecological value. There should be a clear understanding of their leisure and wildlife roles and ongoing management, particularly in respect of the Shrubhill Common extension corridor which needs to be managed primarily for ecology. Any new development should maintain a sensitive relationship to the existing north-south green corridor, including maintaining an appropriate</i></p>	

		<i>open buffer adjacent to the existing Green Lane. This would also need to be managed largely for ecology” p27</i>	
2. The proposals ignore Sections 18, 28, and 29 of the core strategy for housing to be “sustainable” or “zero carbon”. The buildings planned are not “future proof”	CS 18, CS28 and CS29		The proposals are not consistent with DBC's previously declared “ Climate Emergency ”
3. There are inadequate plans to prevent consequential traffic congestion throughout Hemel Hempstead.	CS8		Jacobs report See note 2
4. The proposals for new bus services are inadequate (If the current service is diverted as shown on the plan, parts of Chaulden will not be within the obligatory 400m from a bus stop)	CS8		
5. The proposals have not satisfied the burden of proof that the supply of the extra water will not be to the detriment of flows in either the Gade or Bulbourne Valleys	CS31 See note 1		
6. CS5 limits developments in the Green Belt to small scale schemes, and the Core Strategy for LA3 (page154) specifically limit the development to 900 homes.	CS5		Planning Inspectors report. See note 3.
7. Strategic landscaping to mitigate the impact on the Bulbourne Valley, an extension to Shrubhill Common Nature Reserve, and wider green infrastructure links are all proposed by the CS for LA3 (page154), but not included in the Master Plan.	CS5		

Notes:

1 Core Strategy CS31 (e) requires developers to “**avoid damage to Groundwater Source Protection Zones**”.

2 Jacobs report: “...*that the current road network would be unable to cope with the full level of proposed development. Further assessment is required to understand whether the proposed additional mitigation measures are sufficient to accommodate the proposed development growth.*”

<https://www.dacorum.gov.uk/docs/default-source/strategic-planning/tr1-hemel-transport-model-update---scenario-testing---july-2015.pdf?sfvrsn=0>

3 The Planning Inspector for the Development Plan Document, which includes the Core Strategy, reported (Report to Dacorum Borough Council by Inspector Louise Crosby 06 April 2017) that “final dwelling numbers will be assessed through the planning application process.” However the Inspector did not strike out the Core Strategy Policies that we quote. By ignoring these policies, the Council has enabled the developers to plan extra houses, thus overriding the requirement to provide a wildlife corridor and extension to Shrubhill Common nature reserve.

Regarding these breaches of Core Strategy, we complain that:

1. The Council has spent considerable time (and Council Tax payers’ money) in drafting policies that embrace high ideals and exemplary targets, but seems to disregard these at the behest of the developers. All of the ignored features listed above could have been included in the developers’ plans with very little alteration to the overall vision that they have advocated in the application.
2. The officers’ report at the meeting was misleading by failing to address the many discrepancies between the planning application and the Council’s own policies.
3. When councillors approve policies, these should be binding on the Council, which in these cases has not happened.

We note that at the meeting it was resolved “That planning permission be delegated to the group manager of development management with a view to approval, subject to the completion of a S106 Agreement and agreement of final planning conditions”.

To satisfy our concern we request that during this process the Council will discuss with the developers how conformance with the relevant Core Strategy policies is to be ensured before approving planning permission.

GWE

12/2/20