



Response to DBC New Local Plan Consultation

Executive Summary

Dacorum Environmental Forum (DEF) welcomes the considerable effort put into to drafting a detailed plan, and applauds the emphasis given to combating climate change, enhancement of biodiversity and preserving the unique character of the countryside and the built environment. However, DEF has **grave concerns about the general outline and details:**

(Number references are to the numbered sections in the following "Detailed Comments" section.)

1 In significant areas it is, in its current form, **not fit for purpose as a public consultation document**, because:

- The plan refers to various Supplementary Planning Documents, Action Plans, and Site Allocations that are still in the process of being formulated. The public should not be consulted until these documents are included in the plan. **(1, 12, 15, 22)**
- The plan includes details of site developments for which planning permission has already been given, but the details given by the developers in order to secure that permission do not comply with the criteria laid out in this draft NLP **(1, 7)**
- The documents and algorithms used to calculate Local Housing Need are out of date, and likely to be revised, so the public are asked to comment on proposals that are no longer justified. **(25)**
- DEF has sight of a letter from Christopher Pincher MP to Cllr. Andrew Williams that Councils do indeed have “wriggle room” adopt lower housing numbers, but DBC do not seem to have availed themselves of this option, or shown any intention to do so. To quote “Authorities should make a realistic assessment of the **number of homes their communities need** as the starting point in the process. Once this has been established, planning to meet that need will require consideration of land availability and relevant constraints such as **Green Belt**. It is expected that where the need cannot be met through **brownfield land and land in sustainable locations near to transport interchanges then the authority should seek opportunities within neighbouring areas.**” The public should not be consulted until DBC has explored this option, particularly as Cllr Williams has already raised the issue that the housing numbers are too high for this Borough.
- At the adoption of the Draft plan in November 2020, it was agreed that there would be a list of all nature reserves, local wildlife sites and SSSIs, but this does not appear to have been added. There are references in the plan to enhancements to wildlife sites that are not specified by precise locations on a map. **(8)**

2 The DEF submit that even under the criteria of the now outdated algorithm the **total of new dwellings needed by 2036 is grossly over-estimated**, and has not been informed by

the guidelines in the NPPF for taking into account local constraints, in particular the Green Belt. (24, 25)

3 The plan fails to take into consideration the overwhelming public opinion, and also recommendations by Government-appointed Inspectors, to **retain the Green Belt.** (26)

4 DEF is particularly opposed to the Hemel Garden Communities and the developments in North Hemel. In particular, the development on the West side, from Piccotts End to Lovetts End would be a tragic loss of visual and recreational amenity, especially when viewed from North Gadebridge (Halsey Field), and when walking /running from Grove Hill to Gaddesden Row. (5)

5 While there are many positive features in the plan, particularly in regard to enhancing biodiversity, reducing carbon emissions, and preserving the visual amenities of the countryside, these are largely **aspirational rather than mandatory**, or fail to recommend the immediate adoption of current technology. In significant ways **major proposals in the plan are directly contrary to these aspirations.** (2, 3, 4, 11, 13, 14, 16, 17, 20, 21)

We note that HM Government are bringing forward proposals that will require all new builds to be **carbon neutral by 2025**

Quote “The government has set out its plans and timeframe for its new Future Homes Standard which aims to 'radically improve' the energy performance of new homes, making them 'zero carbon ready' by 2025” (Architects Journal 20th January 2021) In the light of these proposals, the NLP must have **much stricter criteria** for planning consent, which must be **adopted at a much earlier deadline**

6 The consultation is taking place at a time when we move beyond Brexit and the Covid pandemic, and there is likely to be a societal change in the geographical demands for housing, retail, commercial and industrial properties. **This will render the proposals incompatible with the new conditions of “The New Normal”** Consequently the most contentious and undesirable site allocations should be deleted from the current plan.

7 Currently, since the demise of the printed version of “Dacorum Digest” the plan has not been widely advertised to residents, and the local paper is not now widely purchased. Consequently many residents are unaware of the proposals or the consultation, and some residents do not have access to facilities for completing the consultation on line, and libraries are inaccessible due to Covid restrictions. **The deadline for consultation should be postponed until**

1. after the plan has been more widely advertised, and
2. after lockdown has been lifted sufficiently to enable residents to access paper copies and to be able to consult between themselves independently of social media, and
3. the omitted documents referred to below have been published.

8 The plan deals specifically with designating the future use of most of the land in the Borough, **but has little vision for the cultural and social development of the Borough.** With the likely contraction of the retail sector of the economy, and the absence of a focal Arts and Entertainment centre, the future of Marlowes pedestrianised area is bleak, and more creative and imaginative proposals need to be put forward. DBC seem to have reneged on their promise to encourage a “Leisure Quarter” to be built on the former Market Square and bus station. (6)


9 The local chalk streams are of recognised global ecological importance, but there are no proposals to ameliorate the deleterious effect that extra housing will have on the streams, due to increased abstraction of water from local aquifers. Furthermore, there are no

proposals to improve the water quality by rectifying the pollution from existing storm drains and culverts. (27)

10 DEF have identified the following clauses and policies in support of these grave concerns; additional concerns are also included in these details. (8, 9, 10, 20, 23)

Detailed Comments:

1	<p>• <i>Introduction to Proposals and Sites</i></p> <p><i>“24.1 The work on allocations is still evolving and we have reflected as much detail as we possibly can at this stage in the Plan. In particular, we have not been able to include all forms of proposals that might emerge in the settlements. We set out our current understanding of allocations in more detail in this 'Proposals and Sites' section of the plan</i></p> <p><i>24.2 We are working towards incorporating a full list of allocations for the next stage of the Plan (Regulation 19). We will undertake this work in progressing discussions on individual development proposals with landowners and developers, our partners and other key stakeholders and through taking forward linked work on infrastructure requirements in the Infrastructure Delivery Plan.”</i></p> <p>In other words, more sites could be added after close of consultation, and residents and concerned groups will not have had an opportunity to comment on these.</p>
	<p>• <u>Comments appertaining to Biodiversity</u></p>
2	<p><i>“Policy DM22 5. Sustainability statements will be assessed on their merits but with an expectation that all measures should be satisfactorily met unless there is clear and convincing evidence as to why any measure(s) cannot be implemented, and if so, that alternative sustainability measures should be proposed.”</i></p> <p>In parts 1 to 4, Biodiversity is frequently referred to in various contexts, including mitigating biodiversity loss, encouraging net biodiversity gain by developers, etc., but there is not enough emphasis on these policies being mandatory rather than aspirational, or any specification of the grounds on which the policies could be circumvented, implying that it will be up to planning officers to be swayed by representations from developers.</p>
3	<p><i>“All major development will be required to deliver an overall net gain in biodiversity of 10%, determined by applying the Natural England Biodiversity Metric 2.0 Calculator”.</i></p> <p>Achievement of this laudable aspiration would require as a baseline a comprehensive biodiversity register in order to quantify the value of all our existing natural habitats before one could begin to assess how they would be affected by development.</p> <p>The Natural England Biodiversity Metric 2.0 Calculator is not scheduled to be published until spring 2021. Furthermore, replacing fields with houses, gardens and parks cannot provide a home for displaced farmland birds such as Linnets, Yellowhammer, and Skylarks, (which are on the RSPB Red list), and farmland creatures such as Brown Hare. All these are regularly seen in the Borough by keen naturalists. Where will the additional farmland be created for displaced farmland fauna?</p>
4	<p>23.215 (Countryside Delivery Strategy) <i>“The Plan does not seek any fundamental change to the development strategy for the countryside. It will remain an area of development restraint in order to safeguard its intrinsic character, biodiversity and</i></p>

	<p><i>heritage assets, and key landscape features in accordance with its zoning as a Protected Area. The countryside is covered by the Green Belt and Rural Area policies which seek to limit the scope and scale of new development and use of land."</i></p> <p>There is a contradiction here, in that any countryside areas in which DBC plan to drastically alter the intrinsic character, biodiversity, heritage assets or key landscape features will first be removed from the area considered to be 'countryside'. It is unquestionably the case that development sites in the Green Belt, (for instance HH01, Hemel Garden Community) are counter to policy 23.215.</p>
	<p>• <u>Comments appertaining to site allocations</u></p>
5	<p>HH01 and HH02 HH02 is reserved for future possible development of the Garden Communities project, with priority given to HH01. This flies in the face of the Schedule of Site Appraisals of October 2017 whose recommendation was <i>"Exclude from further assessment and retain as Green Belt."</i></p> <p>The view across The Gade Valley from North Gadebridge is one of the gems of Hemel Hempstead, the impact on the views by building on HH01 would be tragic.</p>  <p>Goodbye to all this?</p>
6	<p><i>"HH05 - Market Square Town Centre Retail and other town centre uses at ground floor level; and around 130 dwellings"</i></p> <p>The NLP seeks to enhance the Borough as a lively, vibrant and creative community. An iconic arts and entertainment venue befitting the residents of the whole Borough and drawing in visitors from further afield would significantly contribute to this aim. Market Square is about the only viable location for a vibrant arts centre worthy of the aspirations inherent in the thinking behind the NLP.</p>
7	<p>Growth area HH21 West Hemel Hempstead (aka LA3) has under <i>Delivery Strategies "Principally allocated for:"</i> <i>Extension of Shrubhill Common Nature Reserve.</i></p> <p>However, in the <i>Proposals and Sites</i> section, although under <i>"Urban Design Principles:"</i> there is <i>"Design the development to the highest sustainability standards possible."</i>, under <i>"Biodiversity and Green Infrastructure"</i> there is no reference Shrubhill Common LNR or to a wildlife corridor in the development. Taken together, these are in contradiction to the planning application already approved in November 2019:</p> <p>The developers have not planned a wildlife corridor as indicated, or an extension to Shrubhill Common, and at meetings with DEF the developers refused to commit to the highest possible sustainability standards. None of these principles were</p>

	<p>included in the planning application that was approved.</p> <p>We object that DCC seeks approval for the Local Plan which contains clauses that DBC have already agreed to ignore. We are very concerned that the admirable aspirations of the proposed Local Plan have been categorically ignored by DBC even before its adoption.</p> <p>Furthermore, this issue was the subject of a complaint by DEF to DBC following the November 2019 council meeting on the grounds that the planning application was contrary to the Core Strategy. The new Local Plan should promote confidence by the public that the Climate and Biodiversity emergencies will be tackled, but unfortunately this precedent does not inspire confidence.</p>
8	<p>BK08 (and other sites in Berkhamsted.) Frequent reference is made to “increasing” or creating new or linking to various wildlife sites or wildlife corridors. These are not marked on the maps, and are difficult to locate.</p>
9	<p>CY04</p> <p><i>The provision of sports facilities must be of equivalent or better quantity and quality to those which are being replaced at Growth Area Bk03 - Haslam Playing Fields.</i> The relocation of recreational facilities to this “out of town” location is a retrograde proposal on account of the extra travelling.</p>
10	<p>Renewal Area CY06: <i>Bovingdon Airfield</i></p> <p>This area is an ideal site for housing development, but not allocated as such. Who is pulling the strings here? If it is considered to have too large an impact on the lifestyle of residents of Bovingdon, what about the impact of the loss of other green field sites on life styles throughout the Borough?</p>
	<p>• <u>Comments appertaining to Carbon reductions, emission reductions etc</u></p>
11	<p>All references to low carbon or carbon emission reductions are aspirational and vague, with no concrete commitments or specific proposals , except:</p> <p>17.1 <i>The declaration also places key responsibilities on the Local Plan to include all available measures to cut carbon emissions and reduce the impact on the environment.</i></p> <p>We note and commend the use of “all available measures”.</p> <p>The UK Green Building Council says that around 10% of the UK’s carbon dioxide emissions are directly associated with construction. This includes the CO₂ generated through the entire building process of Extraction, Manufacturing (including the energy to manufacture capital equipment, heating and lighting of factories), Transportation, Construction, Maintenance and Disposal. While the Policy DM22 “Emerging Strategy For Growth”, and “Sustainable Design and Construction and Policy” and Policy DM23 – “Energy and Carbon Emissions Reductions in New Development” all seek to "mitigate" the climate implications of the massive levels of construction it proposes, DEF strongly suggests that it should at the same time "seek to" revise the volume of construction downwards, since CO₂ emissions are directly proportional to the housing numbers.</p>
12	<p>17.12 <i>We are preparing a Climate Change Strategy and Action Plan to help meet our pledge for the impact of our services and assets to be carbon neutral by 2030 and also to contribute towards the whole UK targets. The Action Plan looks at how services throughout the Council can support our ambition and identifies the Plan as key to achieving change across the whole of the Borough.</i></p> <p>Without this action plan the local plan will be incomplete and should not be adopted until the action plan has been included in the consultation.</p>

13	<p>“Policy SP10 <i>up until 2030, all new development will be required to accord with Policy DM23 - Energy and Carbon Emissions Reductions in New Development; and from 2030 onwards, all new development will be net zero.</i>”</p> <p>Net zero is achievable without additional technical innovation, so net zero should be set as a requirement for all new builds after the date of the adoption of the Local Plan.</p> <p>The strategies outlined in this policy are to be supported, but we re-emphasize that they appear to be aspirational, rather than meeting quantifiable targets. When the policy states “requiring.....” there is no quantifiable target that should be achieved. Given that a variety of strategies have been proposed, there is no strategy for assessing relative contributions of each.</p> <p>More specifically, for approval any development plan should be accompanied by an explanation of how it will achieve a net carbon gain over its lifecycle, taking into account the loss of existing natural CO2 absorbers, the embodied energy of the construction materials used and ongoing emissions due to the heating, maintenance etc. of the properties in the development.</p>
14	<p><i>“1 All development is required to mitigate and adapt to climate change and to actively pursue the reduction of carbon dioxide emissions.”</i></p> <p>It should be pointed out that this highlights a fundamental misunderstanding in the Plan, as no development can ever reduce carbon dioxide emissions in an absolute sense. To do so would require the old properties vacated by the new occupants of the development (either residents or businesses) to be demolished, or retrofitted with highly effective carbon reducing technologies.</p>
15	<p><i>“To be produced: Detailed Design Guide SPD Climate Change Strategy and Action Plan”</i></p> <p>Until these documents are produced and made available for public comment, the NLP should be considered incomplete.</p>
16	<p>“17.19 <i>Proposals should be designed to enable future retrofitting to meet higher energy efficiency standards and lower GHG emissions by connecting to an air source heat pump, community heat networks or other low or zero carbon sources.”</i></p> <p>Why enable retrofitting? The technology exists to implement these technologies now, and should be a requirement built into planning consent.</p>
17	<p>“17.24 <i>While the Government has signalled its intent to introduce a 'roadmap' to reducing greenhouse gas emissions to net-zero by 2050 - to include the Future Homes Standard in 2020 and further measures from 2025 for new homes to produce 75-80% lower CO2 emissions and be 'zero carbon ready' - our Plan accelerates this change. Our initial energy efficiency standards for new residential development are set at exceeding the Building Regulations Part L 2013 by a further 19% in terms of CO2 reductions on the Target Emission Rate (TER). This is the equivalent of the withdrawn Code for Sustainable Homes Level 4and complies with the provisions of the Planning and Energy Act 2008. In addition we will seek contributions towards a further 20% reduction, leading to all new development being carbon neutral from 2030”.</i></p> <p>In view of the severity of the climate emergency, developments should comply with the withdrawn code 6, and be carbon neutral much sooner than 2030. As commented elsewhere, the technology for this already exists, and bearing in mind the energy costs saving to the consumer, will be a price that the consumer will be</p>

	prepared to pay.
18	<p>“Policy DM22 3C. Incorporate green infrastructure to sequest carbon, to include two or more new trees (a tree shall be considered to count if it ordinarily reaches a mature height of 6 metres or more) per dwelling or per 100 sq m floor space (for non-residential developments) on-site.”</p> <p>We note and approve this quantifiable target in the policy.</p>
19	<p>“Policy DM23 – “Energy and Carbon Emissions Reductions in New Development a. For all new major residential development, an energy performance standard equivalent to at least 19% carbon emissions reduction on the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on Part L of the Building Regulations (2013) whilst meeting the Target Emission Rate (TER) solely from energy efficiency measures as defined within the SAP calculation model.”</p> <p>Notwithstanding our comments in the previous sections, these are laudable quantifiable targets.</p>
20	<p>“ii. contribute to a further 20% reduction in residual carbon emissions through the provision of on-site renewable energy generation, or provision and connection to decentralised low carbon energy sources.”</p> <p>To be viable, decentralised low carbon energy sources need to be grid connected, thus giving consumers, a choice as to which energy supplier to use. DBC does not have the power to do so, making this an undeliverable promise.</p>
21	<p>“2. In meeting these requirements developments are expected to: a. be developed in accordance with the sequencing of the energy hierarchy set out in Figure 5(i.e. design, fabric first approach and energy efficiency measures before considering decentralised renewable or low carbon energy sources”</p> <p>Given the severity of the climate emergency, developers must consider both fabric and energy efficient measures as an alternative to renewable or low carbon energy sources with equal priority</p>
22	<p>“To be produced: Climate Change and Sustainability SPD”</p> <p>Until this document is produced and made available for public comment, the consultation should be considered incomplete.</p>
23	<p>Carbon Offsetting 17.43 et seq</p> <p>While carbon offsetting can result in implementation of carbon reducing technologies, the concept of carbon offsetting has been criticised by environment groups, on the grounds that these technologies should be implemented anyway, without being linked to further increases in carbon emissions elsewhere. DBC should require a strict and rigorous audit to demonstrate that the offset fund does achieve meaningful reductions. Only carbon capture and sequestration technologies can achieve lasting carbon reductions. This does include tree planting and any habitat management that includes enhancement of soil quality.</p>
24	<p>“17.3 et seq Local planning authorities are bound by the legal duty set out in the 2008 Planning Act to ensure that, taken as whole, plan policy contributes to the mitigation of and adaptation to climate change. The NPPF expands on this duty, stating that: “local planning authorities should adopt proactive strategies to</p>

	<p><i>mitigate and adapt to climate change (paragraph 149) (in line with the objectives and provisions of the Climate Change Act 2008). ”</i></p> <p>Not only should the final version of the NLP reflect all the requirements of the NPPF, (which DEF asserts is not the case) but be compliant with currently available updates to government legislation, and changes to algorithms for Local Housing Demand. We note that it was reported on 16/12/2020 that Robert Jenrick had withdrawn the algorithm on which the calculation in the NLP has been based.</p>
--	---

DEF has serious concerns regarding the calculation of **Housing Need**, The loss of **Green Belt**, and the effects of development on **Chalk Streams and Water quality**. These concerns are dealt in further length in the following sections:

25	<ul style="list-style-type: none"> • <u>Comments on Housing need</u> <p>DEF has received representations from various groups, and is itself of the opinion, that the intended housing supply in the NLP is both greatly in excess of what is required, is totally incompatible with the character and resources of the Borough, and does not comply with the NPPF.</p> <p>This is a summary of DEF’s analysis of the issue:</p> <p>DEF Comments on Dacorum NLP 2020: Housing Demand <i>(Quotations in italics, our comments in plain text)</i></p> <p>The target figure of 922 dwellings per year entails significant loss of Green Belt, despite considerable opposition from “<i>key stakeholders, Town and Parish Councils, individuals, resident action groups and other organisations</i>” (Issues and Options 2017 Consultation, para 5.11) In the NLP it is presented as inevitable that even more Green Belt than has been lost in recent years must be sacrificed.</p> <p>DEF asserts that there are considerable flexibilities available to reduce this target, namely</p> <ul style="list-style-type: none"> • (From the Executive Summary of the SW Hertfordshire SHMA) <i>"1.4 The SHMA does not set housing targets. In effect, national policy sets out that development needs should be assessed leaving aside constraints (Stage 1), which is what the SHMA does. This is then brought together with evidence related to land availability, environmental and policy constraints (including Green Belt)"</i> • (From the Housing Policy (Supply and Delivery) Topic Paper) <i>"2.21 The Government ... recognised that Local authorities may not be able to meet their identified housing need in full, for example because of land constraints in their area ... "</i> <i>"6.23 and 6.28 The Government ... in its recent consultations on the Planning Reform White Paper and related changes to the planning systemidentifies the following factors that will form part of these adjustments (to housing requirement numbers) the extent of land constraints in an area, including ... the Green Belt ..."</i> <p>Furthermore:</p> <ul style="list-style-type: none"> • The new revised standard method (of the White Paper) applies a prescribed adjustment ratio designed to reduce house prices and arrives at a figure of 922 pa, but <i>"19. The new standard method should ensure that all areas of the country are encouraged to build the homes their communities need."</i>, Recent analysis by estate agents Hamptons that less than 72% of properties
----	---

in Dacorum were bought by people from the local community. The tactic of flooding Dacorum with excess housing with the aim of lowering prices will only serve to accelerate the existing substantial inward flow of purchasers from outside the district.

In October 2017 ONS lowered its projections for population growth, because of a number of factors, including reduced net immigration, lower than anticipated fertility and more modest increases in longevity than previously anticipated. These uncertainties, now compounded by the possible effects of post-COVID and Brexit 'new normal', should be contrasted with the certainty and permanence of the loss of Green Belt and urban green space once the development based on these predictions has taken place. The need to significantly revise the housing figures downwards is underpinned by Housing Policy (Supply and Delivery) Topic Paper : "*10.3 Chapter 3 of the NPPF ... states that all policies: "should be underpinned by relevant **and up-to-date evidence** "* **DBC must** therefore respond to the recent Government's U-turns on the housing needs figures which clearly resulted from lobbying from Local Authorities (including DBC) and others.

Keeping the prescribed 1.4 capped adjustment ratio, but using the later (2018) ONS household projections, we would get 1.4 times 355.4 = 498pa. This is only slightly more than half the Plan's current 922pa. If adopted, it could easily spare all the Green Belt sites in the Plan, since in the Topic Paper on Housing Policy we have: "*7.10 Table 7.1 clearly identifies that urban land can make a substantial contribution (c.11,000 homes) towards our housing requirement i.e. two thirds of this comprises of such a source"*

DEF is very concerned that DBC's advocacy for Hemel Garden Communities would remove Green Belt on a massive scale, over and above Government requirements and beyond the current planning period. We note that DBC topic paper Site Selection Appendix B shades the HGC on the NE slope of the Gade Valley as "constrained land", and we infer that this will not result in building in that area. DEF, though not in any way convinced of the need for the HGC, strongly recommends that all the land SE of Wood Farm is constrained, thus preserving the outstanding views across the Gade from Gadebridge, and the southern boundary of Gadebridge Park

DEF further maintains that the post Covid and Brexit 'New Normal' will result in an increased rate of conversion office blocks in London to residential and the consequent reduction in housing demand in Dacorum.

We dispute the presentation of the Hemel Garden Communities (HGC) concept as a prerequisite within the New Local Plan. It appears that this current consultation on the NLP is the first opportunity to comment on HGC's merits or otherwise. This was indicated to the DEF at its meeting in May 2019, when James Doe, DBC Assistant Director – Planning, Development and Regeneration - told the DEF that the only opportunities for public comment would be via the New Local Plan and any subsequent Master Plans. See:

<http://dacenvforum.org.uk/wp-content/uploads/2019/06/090519-DEF-Minutes-9th-May-2019.pdf>. Indications of the way in which HGC has been promoted to date are given in Paras. 1.31, 1.33 and 23.6 of the Local Plan Emerging Strategy for Growth document. The identification (23.6) of the Crown Estate as a "significant stakeholder as a major landowner" highlights the influence of vested interests in forming a Local Plan which is shot through with advocacy on behalf of HGC.

An implied justification for virtually pre-empting the NLP by means of HGC occurs in Para. 1.31 by classifying HGC as a "cross boundary matter", since the proposal extends into St. Albans district. However this argument should be

	<p>disregarded. Clearly the removal from Green Belt of Sites HH01: North Hemel (Phase 1) 1,550 homes and HH02: North Hemel (Phase 2) around 4,000 dwellings post 2038 is highly significant for Dacorum whether or not they form part of a larger scheme.</p> <p>Reservation of, or "safeguarding" the Phase 2 land for HGC beyond 2038 is similarly unacceptable because it embeds the presumption for continuing a policy of Green Belt depredation beyond the current planning period, thereby pre-empting future planning rounds. This premature loss of Green Belt is explicitly and ominously described in Para. 1.37 of the Local Plan Emerging Strategy for Growth document as <i>"releasing additional land from the Green Belt around Hemel Hempstead (as part of the Hemel Garden Communities programme) to meet longer term development needs."</i></p>
26	<ul style="list-style-type: none"> • <u>Comments on loss of Green Belt</u> <p>DEF has received representations from various groups, and is itself of the opinion, that the proposed loss of Green Belt is neither justified by housing demand or compatible with preserving biodiversity and reducing carbon emissions.</p> <p>This is a summary of DEF's analysis of the issue: (<i>Quotations in italics</i>, our comments in plain text)</p> <p>Dacorum Environmental Forum views the Plan's proposals to remove substantial tracts of land from Dacorum's Green Belt with indignation and a sense of betrayal. In this they have the support of the majority of responses to the Issues and Options Consultation (2017) relating to Green Belt Matters, as is confirmed in the current Green Belt Topic Paper thus:</p> <p><i>"5.6. The Council had a successful engagement on the previous consultation and received a total of 22,708 responses from 2,376 individuals and organisations to the 46 questions contained in the Issues and Options consultation.</i></p> <p><i>5.7. There was significant support from key stakeholders including statutory consultees, Town and Parish Councils, individuals, resident action groups and other organisations for protecting the Green Belt from development in response to Question 9."</i></p> <p>According to Appendix 6 of the Report of Responses to the Issues and Options Consultation 94.66 % said "No" to Question 9, which was "Do you agree with the proposed approach to Green Belt and Major Developed Sites summarised above" in general because they opposed the loss of Green Belt.</p> <p>This more recent support of the Green Belt served to confirm earlier rounds of consultation. For example, when options for the rates of house building were given in the consultation on the Core Strategy of DBC's Local Development Framework in November 2010 as Option 1 (no Green Belt land take): 370pa and Option 2: 430pa. the majority of respondees favoured the lower growth figure of Option 1.</p> <p>The consequent Pre-Submission Core Strategy 2011 took this on board as expressed thus:</p> <p><i>(1.17) "... maintain the openness of the areas of the Borough designated as Green</i></p>

Belt or Rural Area;"

*(1.18) "Maintaining the countryside helps to prevent towns and villages from merging into one another and ensures that they retain their distinctive characters."
(6.2 Strategic Objective 12) "To protect and enhance Dacorum's distinctive landscape character, open spaces, biological and geological diversity and historic environment."*

The long-standing commitment of successive Governments to protect the Green Belt is much appreciated and highly valued in Hemel Hempstead, Berkhamsted and Tring, towns that have already seen their populations increase many times over within the memory of many of their present inhabitants. The constant presence of Green Belt land around the towns as a visual and recreational asset, and the support it has received from successive Secretaries of State, has provided Hemel Hempstead and the other towns and villages of Dacorum with the security of knowing that their identities will remain protected and distinct, within a much loved, valued and rare type of countryside. The proposal to destroy this protection, building outwards in many cases from what have been the town boundaries for over half a century, and the **impression being given in the Plan that it is both an obligation and a fait accompli**, is a cause of much anxiety, resentment and sense of loss throughout the Borough.

The current Plan merely pays lip service to Green Belt protection, by quoting the National Planning Policy Framework:

(19.5) "The NPPF establishes five key purposes of the Green Belt:

- 1. to check the unrestricted sprawl of large built-up areas;*
- 2. to prevent neighbouring towns merging into one another;*
- 3. to assist in safeguarding the countryside from encroachment;*
- 4. to preserve the setting and special character of historic towns";*

Inconsistently with this, many of the sites proposed for de-Green-Belting in the Plan, particularly the larger ones, are contrary to most of these key purposes.

The Plan fails to acknowledge or justify its departure from the Borough's 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): that 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"***

More recently, the 2013 Adopted Core Strategy had:

1.17 "Maintain the openness of the areas of the Borough designated as Green Belt or Rural Area;"

*1.18 "Maintaining the countryside helps to prevent towns and villages from merging into one another and ensures that they retain their distinctive characters."
6.2 (Objective 12) "To protect and enhance Dacorum's distinctive landscape character, open spaces, biological and geological diversity and historic environment."*

8.30 *"The Green Belt will be protected from inappropriate development in accordance with national policy and remain essentially open in character."*
Policy CS5: Green Belt **"The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements."**

The departure of the Plan from previous policies and judgements when it comes to the assessments of individual Sites is equally stark and unexplained. A large and flagrant example of this is North Hemel, where in the Sustainability Appraisal Report Appendix E.1 the Plan's assessment tick-list under "Landscape/Townscape", while admitting that . . .

" The northern boundary of the site is adjacent to the Chilterns AONB and development could affect the setting of the AONB. The site is within the High Gade Valley and Gaddesdon (sic) Row character areas. Development of the site would extend Hemel Hempstead into this prominent area of countryside and close the gap with Piccotts End" . . . gives it an amber cross meaning *"The option is likely to have a negative effect which is not significant"*. It is the amber cross that seals its fate for Site Selection purposes.

In contrast, the Schedule of Site Appraisals (for large greenfield sites) of October 2017 for the equivalent Site HH-h1b North Hemel Hempstead (Phases 1 and 2) had under the Technical Studies Assessment the categorical statement ***"Exclude from further assessment and retain as Green Belt."***

Even amongst the documents now under consultation there is contradiction:

The Topic Paper - Site Selection - Appendix B has a map for North Hemel , Site 74, with hatching marking "constrained land". Under "Officer recommendation" it has ***"Officers agree with the AECOM Site Assessment Study recommendation that the western part of the site is unsuitable for development due to heritage, landscape and visual and coalescence impacts on Piccotts End and the undeveloped Gade Valley."***

However, the Map in the main NLP document Part 3 calls it HH01 and does not make this distinction about the western part.

TRL, who were commissioned to produce this Sustainability Appraisal Report are similarly arbitrarily casual in giving the amber cross i.e. "not significant" to Biodiversity, another sustainability criterion despite their having found: *"The site also includes Varney's Wood wildlife site and is adjacent to Thrift Wood wildlife site, both of which contain ancient woodland, which could be affected by development. Large scale development could give rise to possible adverse effects on Chiltern Beechwood SAC."*

Alongside , for the same Site TRL award a Green Tick ("The option is likely to have a positive effect which is not significant") because: *"Development at this large site would provide the opportunity to include a Suitable Alternative Natural Greenspace (SANG) area which could deliver local biodiversity enhancements . . ."*
DEF is most concerned that no such SANG has actually been proposed, and is not guaranteed. In any case, the proposal of a SANG does not in any way guarantee complete mitigation of the loss.

In the mechanical totting up that basically drives the Site Selection process the

Green Tick is used in order to cancel out even the (understated) amber cross. However in any reasonable view one cannot offset the other. The two "coulds" are not of the same weight. A physical threat cannot be offset by the possibility of first aid.

Our doubts about "deliver local biodiversity enhancements" are based on our experience over the past two decades regarding the possibility of providing an adequate Wildlife Corridor as an extension for the Shrubhill Common LNR. During the latest phase of that process, culminating in the approval by DBC of the Master Plan for West Hemel (LA3), the number of homes increased from the 900 of the Core Strategy to 1100. That step increase could have been used instead to provide a substantial wildlife corridor, as called for by DEF and Friends of Shrubhill Common, together with advice from the Herts. Biological Records Centre, and based on guidelines issued by English Nature. Instead, while there are so-called "Green Corridors" in the LA3 Master Plan, their principal purpose is recreational, not nature conservation.

Our own observations on the **unsuitability of North Hemel** for development complement those that have been raised by the Borough's consultants and then overridden in the interests of achieving housing targets:

The area is essential in providing a visual background for Hemel's Northern fringes, and in providing a visual buffer for the Upper Gade Valley AONB to its North. It is much enjoyed by users of its footpath and bridleway network. **During the Eighties and Nineties three new hedgerows on Wood Farm were planted by volunteers with the express purpose of enhancing the landscape in response to the Council's Urban Edge Study which called for suggestions for such enhancements. The farm manager co-operated in this project, and by designating a Permissive Path link made possible a circular walk from Dodds Lane, which takes in all three hedgerows.**

The visual impact would severely detract from the amenity value of the recently established **Halsey Field Wildlife Site just to the north of Warners End Wood, one of whose glories, much appreciated by its many local visitors, is the view across the valley.**

The shift towards downgrading the strategic and visual importance of Green Belt sites occurs in other sites now recommended for withdrawal from the Green Belt.

Reverting to the previous, more objective assessments in the Schedule of Site Appraisals of October 2017 and in consequence keeping these sites as Green Belt could be achieved by a reduction in the housing demand figure, as is called for in our response on Housing Numbers.

The supporting Green Belt Topic Paper summarises the justification for the Plan's huge inroads into Green Belt:

"7.1. The Council has been considering all reasonable options for accommodation growth outside of the Green Belt from the outset of preparing the Plan and has tested these through the Sustainability Appraisal process." Around this subject, the Green Belt Topic Paper also quotes repeatedly from the National Planning Policy Framework.

	<p>Besides questioning the quality and consistency of the Sustainability Appraisal process, as we have done above, we again point to the opportunities offered by central Government to reduce housing demand figures and thereby to spare Green Belt:</p> <p>From the Housing Policy (Supply and Delivery) Topic Paper:</p> <p><i>(2.21) "The Government ... recognised that Local authorities may not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area ... "</i></p> <p>The argument for reducing the housing demand figure is set out in the Housing Demand part of our response.</p> <p>The Green Belt Topic Paper presents a case that in Dacorum there are the "exceptional circumstances" that the NPPF demands as a precondition for releasing Green Belt land. In essence this case consists of the series of prescribed steps that Dacorum has taken in order to satisfy, and in the case of North Hemel Phase 2 vastly to exceed, a housing target that is assumed without question to be fixed. It does not address the question of why Dacorum, in the National context, should be regarded as "exceptional". The presentation also quotes from case law in support of "exceptional circumstances", but ignores some of the judicial comment accompanying decisions made elsewhere, such as in Calverton Parish Council v Nottingham City Council:</p> <p><i>"...the planning judgements involved in the ascertainment of exceptional circumstances ... should grapple with the following matters.....</i></p> <p><i>iv. The nature and extent of harm to this Green Belt (or those parts of it which would have been lost if the boundaries were reviewed); "</i></p> <p>DEF submits that the loss of Green Belt is seriously deleterious to the intrinsic character of the Borough, is not justified by the needs of current residents, and very cogent reasons can be put forward under current Govt guidelines to plan for far fewer developments on the Green Belt.</p>
27	<ul style="list-style-type: none"> • <u>Comments on chalk streams and water quality</u> <p>DEF is particularly concerned that the location of water supplies for new developments has not been specified, and if taken from the local aquifers the unique quality of Chalk Streams will be seriously affected.</p> <p>This is a summary of DEF's analysis of the issue: (Quotations in <i>italics</i>)</p> <p>The crucial section of the Plan in the Main Document is the section <u>Protection and Enhancement of River Character and Water Environment</u> which starts on page 121.</p> <p>18.39 ...highlights the <u>global rarity</u> of the chalk streams in Dacorum, their relatively poor ecological status and the need to return them to good status.</p> <p>18.40 ...identifies that water resources are under <u>extreme pressure</u> from the use of groundwater for water supply and from <u>climate change</u>. The recharge of groundwater is under pressure and this threatens the retention of fragile ecosystems susceptible to the availability and flow of water.</p> <p>18.41 ...talks about restoring river flows and natural habitats along the chalk</p>

streams, retaining water in the catchment and supporting biodiversity.

All of these sections are fine and it then leads to **Policy DM33**.

This policy contains six sub-sections, the most crucial one, in our view, being: “c. ***avoid the need to abstract water from the ground, in particular from the Rivers Ver, Gade and Bulbourne catchments.***” The policy opens with the statement “*The water environment will be managed through development management (Surely a tautology?) and other action (unspecified!) in consultation with the Environment Agency and the Lead Local Flood Authority.....*”

DEF can see no real tools here to ensure that the policies are achieved. There is no time frame and there is no link to any of the suggested housing developments in the Local Plan.

Moving on to the “**Interim Sustainability Appraisal Report**”, there is much here which one assumes provides the evidence on which the policies in the main document are based/devised. The Water section starts on page 45.

B.8.1provides the key policy context including the current Key Directives, Regulations and Plans in relation to water and water resources. One of the key aims is “*to prevent deterioration and where possible improve the quality of rivers and other water bodies*”to “*good ecological and chemical status*”and for “*groundwater to reach good status*” by 2027 at the latest.

B.8.2outlines in detail the concerns about water quality and in more detail, the quantity of water for consumption. It refers to the underlying chalk aquifer as being “**over-abstracted**” and the groundwater resources being “**at or approaching full utilisation**”. It also estimates that **climate change** will result in a further 5% loss of available water by 2035.

Despite these statements, DEF can see no clear policies in the main Plan Document which address these points either in the detail or the urgency which is clearly needed.

Further into the Sustainability Report, Water is considered in relation to the assessments of each of the main development options A to E. (C.17 to C.18). The section on the generic effects for all of the options states, “*Any new housing development will put pressure on water resources. The higher the level of housing the greater the potential adverse effects will be*”. It also refers to the increasing potential for water pollution and sewer floods. At the highest level of development periodic water shortages are likely. The evaluation of the development options appears to be unable to give a value to the negative impacts (i.e. Unknown). The section on mitigation of the negative impacts, offers some ideas on actions to be taken, but these are not evaluated, and says merely that they will “**help** to mitigate the potential adverse effects on water quality and the availability of water resources that may arise from new development”. This statement clearly recognises that not all detrimental effects will be avoided and one can only assume that the present poor state of our rivers will get worse.

By way of summary, the Draft Plan does little if anything, by way of policies, to deal with the current poor state of our rivers and the current problems related to water use, let alone deal with the even greater crisis which would exist as more development takes place.