

DBC Local Plan (2024-2040) Consultation - DEF Response

(The whole of the following text is for Box 3, of the online consultation portal along with uploaded files as listed at the end. Green text will be converted to black by the portal, and the picture will not get through other than as an uploaded file. Copies of relevant sections may be put into other appropriate boxes, prefaced by “As we say in Box 3”. Probably only Box 3 comments will make it through to any analysis of responses.)

This Response is on behalf of the Dacorum Environmental Forum

Executive Summary of our response

(The numbered summary points are used to prefix the "DEF's COMMENTS ARE" headings of one or more of our detailed comments following this summary, which refer to paragraph numbers in the consultation document)

0 The New Draft Local Plan refers specifically to changes from the last consultation in the light of comments received from the public. All public comments that refer to unaltered allocations should be retained for consideration.

1 In the light of the considerable volume of public comments in previous consultations, the plan should aim for fewer new homes p.a. and this could be achieved within the terms of National Planning Policy Framework as it exists now, and certainly as it may become next year in accordance with more up to date household formation projections.

2 The level of housing growth implied by the Spatial Vision of Hemel Garden Communities should be guided by the needs of the Borough and the minimum requirements of the NPPF, whichever is the larger. The housing growth should not be determined solely by the HGC's Spatial Vision.

3 The landscape Character of Dacorum should be preserved at all costs, and urban development on the Gade Valley slopes should not be considered, particularly in the Upper Gade Valley north of Hemel Hempstead. What little, if any, development that is planned for Green Field sites should on plateau land.

4 Non-brown-field site development risks of harming biodiversity. In addition to the biodiversity net gain (BNG) provided by developers, extensive and well managed wildlife corridors should link all areas of Natural Green Space.

5 Any developments on Green Field sites North of Hemel Hempstead should be guided by Natural England's recommendations for an extension to the Chilterns AONB (since rebranded as National Landscape, which will probably give it stronger protection). Such an extension, if proposed would be welcomed by the vast majority of Dacorum residents. There is even the possibility that the Chilterns may be given National Park status.

Additional points:

- The Sustainability Appraisal that accompanies the consultation document is no more than the title implies. What the Plan needs in this regard is a strategy for achieving Net Zero, sustainable transport and much else.
- Apart from an upgrade to J9 on the M1, there are no proposals to ameliorate the existing widespread traffic congestion in the Borough, (or the poor air quality associated with this) nor to mitigate the increase that will accompany the proposed new developments.
- Despite a welcome commitment to rejuvenate Hemel Hempstead town centre, there are no proposals to do so. HH05 (Market Square) should be retained for cultural and social use. The environmental advantages would be the reduction in traffic to out-of-town entertainment venues.

- In an area which has already been identified as over-abstracted in terms of water supply, there is currently no strategy for increasing domestic water supply for future housing developments.
- Any large development on the northern side of Hemel Hempstead will further increase pressure on the Chiltern Beechwoods, particularly the Ashridge Estate. This topic has been the subject of much debate has raised doubts as to whether SANGS will prove to be an adequate mitigation strategy.

DEF's detailed comments regarding the above numbered points, preceding each of which we quote the relevant paragraphs from the consultation document:

THE CONSULTATION DOCUMENT SAYS:

1.7. The Council is now inviting you to have your say on the changes to the strategy that we consulted on in 2020. Following this the Council will consider if any further changes are required, before publishing the Local Plan in 2024 for a final round of public consultation.

1.8. Please note unless it is stated in this consultation all other aspects of the "Emerging Strategy for Growth", including the draft policies and infrastructure requirements, are currently retained. These will be reviewed after this consultation.

(0) DEF's COMMENTS ARE

To ignore the considerable volume of responses to those aspects of the "Emerging Strategy for Growth" that the current consultation document fails to address would invalidate the present consultation. Therefore please take into account now those parts of the Dacorum Environmental Forum's response in 2021 that are not mentioned now - see attached document.

In the said document please take into particular account DEF's comments about the pressure of new housing developments on chalk streams and water. Our comments accord with the UK Government's Environmental Improvement Plan of 2023 which clearly identifies the international importance of chalk streams, of which the Gade, Bulbourne, and Ver are three. Goal 3 on P.120 of the Government's Plan states, "protect Chalk Streams" and refers specifically to using the "Catchment Based Approach" to implement the "Chalk Stream Strategy". The NLP should be in accordance with this new legislation. Guidance for the conservation of chalk stream valleys was provided in DBC's 2013 Adopted Core Strategy. Also DBC's publication, "Dacorum Landscape Character Assessment" 2003, was formally adopted by DBC on 5th May 2004, as Supplementary Planning Guidance to the DBC Local Plan. The document identified Area 123, the High Gade Valley, and stated the need to conserve and strengthen the natural features of the valley. It included the guidance "to restrict further development within the valley" and to "resist developments which could lower the water table within the valley".

While the current consultation document can claim to have responded to the fully justified responses to the previous round by reducing Green Belt land take in Berkhamsted and Tring, no corresponding reprieve - in fact the opposite - is offered in respect of Hemel Hempstead, and no justification is given for this anomaly apart from an assumed prerequisite to comply with the demands of the Spatial Vision of Hemel Garden Communities, which has never been the subject of a public consultation. There is no acknowledgement of the strong opposition to the said Vision that is presented in Appendix 2e of the Responses to Emerging Strategy 2020 Consultation. Please see attached our analysis from the 423 responses under the title "Hemel Hempstead Garden Communities" based on 50 random page numbers within the corresponding range.

THE CONSULTATION DOCUMENT SAYS:

1.2. We are now proposing to make changes to the strategy we consulted on in 2020, that we hope address the key issues raised by the community during that exercise. These changes include:

a. Reducing the levels of housing growth, considering our unique constraints and pressures on infrastructure;

(1) DEF's COMMENTS ARE

The rate of growth far exceeds what is acceptable to the majority of respondents to various public consultations. Over the years there have been consultations on a succession of local plans for Dacorum. When the level of growth was put to public consultation in November 2010 the majority of respondents favoured Option 1 (no Green Belt land take): 370hpa to Option 2: 430hpa but the Council chose the higher figure.

According to the Public reports pack for the DBC Strategic Planning Environment Overview & Scrutiny Committee meeting of Oct. 4th the level of growth has been merely pared down to 900hpa from the 922 of the 2020 the Draft NLP. In response to the 2021 consultation on this draft there was a considerable body of opposition to this level of growth, driven as it continues to be, by the Spatial Vision of Hemel Garden Communities, but this opposition has clearly not yet been taken on board.

The Overview & Scrutiny pack spelt out the housing demand issue explicitly thus:

"2.15 Context: The community response stated that the Standard Method results in inflated housing targets for the Borough, and that the method did not adequately consider the Borough's constraints such as the Chilterns Area of Outstanding Natural Beauty and Green Belt.

2.16 The Council does not have any evidence at this stage to justify an alternative approach to the standard method figure."

2.16 fails to observe not only the public response, but also the NPPF which states (Paragraph 11) that "strategic policies should ... provide for objectively assessed needs for housing ... unless .. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area." Footnote 7 of this paragraph states that this includes "land designated as Green Belt".

There may also be significant changes in the Government's requirements between this consultation its next iteration in 2024. New household projections based on the 2021 census are due to be published by the Government in early 2024 – the Government currently requires the use of 2014 based household projections. According to the St. Albans NLP consultation earlier this year "This Council (i.e. St. Albans) considers the Government's approach to be an illegitimate use of out of date data, and many other councils and stakeholders agree." DEF also strongly agrees.

According to The Office for National Statistics, Table 406: "Household projections, local authorities and higher administrative areas within England, mid-2001 to mid-2043" household demand in Dacorum will increase from 66339 in 2024 to 71402 in 2040, i.e. it will increase by 316 p.a. . Applying the "Uplift" required under the Government's required Standard Method, which is capped at 40%, increases this to 443 p.a., (7088 over the plan period), still significantly less than the 900 p.a. currently adopted. The current consultation documents do not appear to provide an overall figure for Brownfield capacity over the plan period. However the topic paper on Housing Policy that accompanied the 2020 Draft NLP stated "7.10 Table 7.1 clearly identified that urban land can make a substantial contribution (c.11,000 homes) towards our housing requirement". This would more than cover the sixteen years of the plan period without requiring any loss of Green Belt.

In view of the forthcoming Governmental review of the Standard Method for calculating local housing need, the Draft Local Plan should be halted because its proposals for massive Green Belt incursions would be irreversible if adopted. This would be in line with what other Local Authorities have done. According to the consultants Planningresource (March 22) "at least ten local authorities have either withdrawn, paused, or delayed their local development plans over the past six months, research shows Observers cite uncertainty over the government's planning reforms and local political opportunism - particularly over controversial green belt release - as key reasons." The standard argument against delaying the plan, however massive and disastrous its implications, is that it will leave the planning authority defenceless against speculative applications. We maintain that this is equivalent to burning one's home in case it gets burgled.

THE CONSULTATION DOCUMENT SAYS:

(1.2 continued)

b. Ensuring growth is more proportionate for our market towns;

(2) DEF's COMMENTS ARE

This has been done at the expense of loading the extra housing onto the Green Belt at North Hemel as directed by the never-consulted-on Spatial Vision of Hemel Garden Communities, even to the extent of making firm allocations on Green Belt beyond the plan period.

THE CONSULTATION DOCUMENT SAYS:

(1.2 continued)

c. Maximising urban capacity in sustainable locations

(2) DEF's COMMENTS ARE

The topic paper on Housing Policy that accompanied the 2020 Draft NLP stated "7.10 Table 7.1 clearly identifies that urban land can make a substantial contribution (c.11,000 homes) towards our housing requirement". If the housing demand figure were to be revised as we recommend above, this would more than cover the sixteen years of the plan period without requiring any loss of Green Belt.

THE CONSULTATION DOCUMENT SAYS:

2.3 In March 2019, Hemel Hempstead was awarded "Garden Town" status.

Hemel Garden Communities

2.4 Much of our planned approach to growth and change in Hemel Hempstead will be guided by the Hemel Garden Communities (HGC) programme. It seeks to transform and grow the town. The programme provides a delivery strategy for Hemel Hempstead and the proposed locations for development across two administrative areas, our own and St Albans City and District Council (SADC), which together make up HGC.

(2) DEF's COMMENTS ARE

The Government designation of Hemel Hempstead as a Garden Town did not specify or authorise Green Belt loss. That emerged in the Hemel Garden Communities Spatial Vision. The current NLP has been driven by the Hemel Garden Communities Spatial Vision, is shot through with advocacy for it, and treats its assumptions as a *fait accompli*. This despite the fact that unlike Local Plans, the Spatial Vision has never been the subject of public consultation, although the Spatial Vision document confidently states that the end result will be as it has pre-determined, saying "These proposals include a range of sites, some of which have been allocated in the adopted Local Plan whilst others will be allocated in emerging or future Local Plans or are simply windfall."

The Spatial Vision for Hemel Garden Communities is particularly land-hungry. In the report to DBC's Cabinet on Oct. 17th Para 2.27 *et seq.* shows how the Green Belt land take figure might be reduced further by counting land within HGC as Green Belt. Lower housing density and green surroundings come with a higher house price tag, and therefore the Spatial Vision is unlikely in practice to meet any targets for providing affordable homes

When James Doe, DBC Assistant Director – Planning, Development and Regeneration, Dacorum Borough Council, presented on the Spatial Vision of Hemel Garden Communities to the Dacorum Environmental Forum on May 9th 2019 considerable concerns were expressed over the scale of the project, the loss of Green Belt and the absence of public consultation. Please see the attached minutes. The Spatial Vision flies in the face, not only of repeatedly expressed public opinion, but of the planning policies and the assessments of professional planners that have emanated from DBC over recent decades. These were summarised in DEF's response to the 2021 consultation on the Emerging Strategy for Growth (attached, see Box 26 "Comments on loss of Green Belt".) and the current consultation makes no attempt to refute this charge.

THE CONSULTATION DOCUMENT SAYS:

2.7 Overall, the project proposes a highly sustainable urban expansion to the east and north of Hemel Hempstead. The proposals will bring around 11,000 new homes in total. It is also proposed to deliver 10,000 new jobs and a range of other facilities including green spaces, shops, schools, community facilities, healthcare and improved walking, cycle and public transport routes, to be delivered up to 2050.

2.9 5,500 of the new homes (are) proposed in the neighbouring St Albans council area

2.11 Changes to the plan period and continuing progress with the Hemel Garden Communities programme means that we are now able to capture more housing delivery at North Hemel Hempstead and we propose bringing forward both phase 1 and phase 2 as a combined allocation of 2500 homes. The total number of homes that will be delivered in the area up to 2050 remains the same at 5,500 homes.

DEF's COMMENTS ARE

There should be no firm allocations on Green Belt beyond the plan period. The allocations in the Green Belt for 3,000 additional houses that are being proposed for Hemel Hempstead between 2040 and 2050 are particularly unacceptable.

THE CONSULTATION DOCUMENT SAYS:

8.2. We know that residents and interest groups value the countryside's high environmental qualities including its rich historic heritage, varied wildlife and attractive landscapes.

8.3. The countryside is subject to a number of policy and environmental constraints including the Green Belt, the Chilterns Area of Outstanding Natural Beauty, and national and local wildlife designations. These all have an impact on the scope for major change in the countryside.

(3, 4, 5) DEF's COMMENTS ARE

The plan's massive inroads into the Green Belt are in direct contradiction of these sentiments and instead are driven by the Spatial Vision of Hemel Garden Communities whose stakeholders cannot be relied on to have made an objective assessment of environmental constraints. This lack of objectivity is proved by the proposal to de-Green Belt the Eastern flank of the Upper Gade Valley:

- It is in direct contradiction with DBC's Schedule of Site Appraisals (for large greenfield sites) of October 2017 for the equivalent Site HH-h1b North Hemel Hempstead (Phases 1 and 2),

which had under the Technical Studies Assessment the categorical statement "Exclude from further assessment and retain as Green Belt."

- The Sustainability Appraisal Report that accompanied DBC's Draft Local Plan in 2020 stated under Appendix E.1: "The northern boundary of the site is adjacent to the Chilterns AONB (since rebranded as National Landscape) and development could affect the setting of the AONB/National Landscape. The site is within the High Gade Valley and Gaddesden Row character areas. Development of the site would extend Hemel Hempstead into this prominent area of countryside and close the gap with Piccotts End."
- TRL, who were commissioned to produce this Sustainability Appraisal Report 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."
- Policy CS 25 of DBC's 2013 Adopted Core Strategy on Landscape Character, stated that "Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and sensitivity and take full account of the Dacorum Landscape Character Assessment, Historic Landscape Characterisation and advice contained within the Hertfordshire Historic Environment Review.
- As stated under Point 0 above, DBC's publication, "Dacorum Landscape Character Assessment" 2003 identified Area 123, the High Gade Valley, and stated the need to conserve and strengthen the natural features of the valley. It included the guidance "to restrict further development within the valley".

The view across The Gade Valley from North Gadebridge (please see attached Picture 1 - Gade Valley Panorama) is one of the gems of Hemel Hempstead and the impact on the views by building on it would be tragic.



Picture 1: HGC North Hemel proposed building site: Across the Gade Valley from above Halsey Field Wildlife Site near North Gadebridge.

The accompanying Non Technical Summary of the Sustainability Appraisal Report states that "following the consultation in 2020 there is a renewed focus on minimising harm to the Green Belt"

However there is considerable doubt concerning the deliverability of ameliorative green measures. Similar aspirations in the past have fallen by the wayside along the way to the approval of Master Plans, and there is no indication that the current ones will be enforced any more than previous ones were. An example of such failed aspiration was the promise of an adequate Wildlife Corridor as an extension to the Shrubhill Common Local Nature Reserve in order to ameliorate the loss of Green Belt due to the LA3 (West Hemel) development. DBC's 2013 Adopted Core Strategy promised in respect of LA3 to "Extend Shrubhill Common Nature Reserve and create wider green infrastructure links". However during the latest phase of that process, culminating in 2019 in the approval by DBC of the

Master Plan for LA3, the number of homes increased from the 900 of the DBC's 2013 Adopted Core Strategy to 1100. That step increase could have been used instead to provide a substantial wildlife corridor along the route of the Chiltern Way, as called for by DEF and Friends of Shrubhill Common, together with advice from the Herts. Biological Records Centre, and would have accorded with 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. The HGC Spatial Vision document cites Shrubhill Common as an exemplar of combining wildlife with play areas and the Chiltern Way, without mentioning LA3 or the fact that that stretch of Chiltern Way will probably be tarmacked and/or lit in consequence of the development.

The Non Technical Summary appears not to mention the fact that Natural England is undertaking a review of the AONB/National Landscape boundary and there is potential for the boundary to extend so that it includes part of the Upper Gade Valley. Also, the Glover Report commissioned by DEFRA in 2019 recommended that the Chilterns AONB/National Landscape should be designated a National Park. Both of these make HGC's Spatial Vision's proposal to build right up to the existing AONB/National Landscape boundary particularly unacceptable.

UPLOAD FILES

Picture 1 - Gade Valley Panorama

Analysis of Appendix 2e Responses to Emerging Strategy 2020 Consultation point 24

DEF 2021 response to Emerging Strategy for Growth

DEF Minutes 9th May 2019