



Dacorum Environmental Forum - Draft Minutes
Full Meeting Thursday 12/9/24

Attendance (Z = by Zoom)

Name	Organisation
Gruff Edwards	Chair DEF
Steve Wilson	Vice Chair DEF
Paul Harris	DEF
Mike Ridley	DEF and Friends of Halsey Field
Chris Ridley (Z)	DEF and Friends of Halsey Field
Nick Hollinghurst	Resident
Cllr Garrick Stevens	Berkhamsted Town Council, DBC
Cllr Nigel Taylor	Berkhamsted Town Council, DBC. HCC
Brian Worrell	Resident

Meeting started at 7:30pm

1. Apologies etc.

Cllr Robin Bromham DBC Portfolio Holder for Neighbourhood Operations, Cllr Adrian England Leader, DBC, Andrew Farrow Nettleden & Potten End and Great Gaddesden PC, Cllr Robert Farrow Tring TC, Mary Arnott-Gee DEF, Victoria Collins MP Harpenden and Berkhamsted.

SW said that Victoria Collins had kindly asked to be added to the DEF circulation list: Action **GE**
NT suggested that Gagan Mohindra, the MP for South West Herts. which includes Kings Langley, should also be approached in this regard: Action **GE**

2. Minutes of DEF May 9th meeting and matters arising

GE recalled that Marc Wilcox, Biodiversity Net Gain and Local Nature Recovery Strategy (LNRS) Project Manager at HCC had given an informative presentation on the LNRS project, which is now on the DEF website.

Some matters arising had been sent out with the Agenda on August 31st.

3. DEF response to National Planning Policy Framework (NPPF) Consultation

In introducing the item, **GE** scrolled through the Table of Contents of the online consultation and displayed and read out the introductory paragraph "Topic of this consultation". The consultation contained 106 questions so it would be impractical to discuss them all at the current meeting, but he had already sent the link to the consultation to everyone on the DEF circulation list and had invited

contributions towards a DEF response, provided he received them in time for him to collate and meet the 24th September deadline. He proposed to structure the current meeting by addressing in turn four key Chapters (out of 15) in the consultation and the associated questions namely:

Chapter 3 – Planning for the homes we need

Chapter 4 – A new Standard Method for assessing housing needs

Chapter 5 – Brownfield, grey belt and the Green Belt

Chapter 9 – Supporting green energy and the environment

He would display and read out snippets from each chapter in order to initiate a discussion to be chaired by **SW**. The marked-up draft proposed version of the NPPF (84 pages) and the full text downloaded from the online consultation (67 pages) including the whole table of questions were also available for display when required. He displayed from "Topic of this consultation:" the sentence "This consultation seeks views on our proposed approach to revising the National Planning Policy Framework in order to achieve sustainable growth in our planning system." and from Chapter 1 "Today, we set out specific changes we propose to make immediately to the NPPF following this consultation.

a. make the standard method for assessing housing needs mandatory.

c. implement a new standard method and calculation to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes in this Parliament."

There was speculation as to what "Sustainability" meant in this context.

SW said that In 1987, the United Nations Brundtland Commission defined sustainability as "meeting the needs of the present without compromising the ability of future generations to meet their own needs." but that it left open the question of how categories of need (economic, environmental etc.) should be prioritised.

GE recalled that John Prescott, Secretary of State for Environment, Transport and the Regions in the late nineties, had described the expansion of Stevenage to Green Belt the other side of the A1(M) as "Sustainable" because there was a railway station within reach.

PH said that use of the word in these contexts was an example of Greenwash.

BW said that the word was meaningless without defining a benchmark for the state of the environment that was going to be sustained.

NT asked, regarding the 1.5 million figure, whether they were going to be houses or mansions.

Chapter 3 – Planning for the homes we need

NT said that re the draft NPPF's changes to para. 61 to remove the words "The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area .. There may be exceptional circumstances" this was inconsistent with retaining the wording in the same paragraph "In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for. " since neighbouring areas, like Dacorum, would be subject to the same proposed inflexibility in accommodating housing need.

NH asked what "neighbouring areas" meant for Dacorum. Would it extend to Aylesbury?

GE quoted from the consultation's justification for its proposed change that "Removing these opt outs will stop debates about the right number of homes to plan for. " and said he did not like this authoritarian tone, and that debates should remain an integral part of a democracy.

GS said that he had participated in debates on housing need figures over the years and that they were very time-consuming.

There appeared to be consensus for a "No" to Question 1 *"Do you agree that we should reverse the December 2023 changes made to paragraph 61?"*

Re the proposed deletion of NPPF Para. 130 that contains "significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. " there appeared to be consensus for a "No" to Question 4: *"Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?"*

Re the proposal in NPPF Para. 11 in the section "The presumption in favour of sustainable development", namely "d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:...." to change "which are most important for determining the application" to "for the supply of land", **SW** said that other, up-to-date plans should also continue to be taken into account, such as those for water management, AONB boundary changes and the emerging Nature Recovery Strategies. **GS** said that sites where planning permission had already been given, but where work had not yet started, which amounted to space for 1.5 million homes nationally, should also be taken into account.

There appeared to be consensus for a "No" to Question 6 "Do you agree that the presumption in favour of sustainable development should be amended as proposed?"

Re the proposals in paragraphs 19 and 20 of the consultation:

"19. In December 2023, several changes were made to 5-year housing land supply policy which weakened this as the fallback route to encourage planning permission to be granted where plan policies are not up-to-date.

20. To address this, we propose reversing these changes and re-establishing the requirement for all local planning authorities, regardless of local plan status, to continually demonstrate 5 years of specific, deliverable sites for housing. We are also proposing to remove the wording on past oversupply in paragraph 77, which was introduced to set out that previous over-supply could be set against upcoming supply. Given the chronic need for housing we see in all areas, we should celebrate strong delivery records without diluting future ambitions. "

GE also displayed Para. 76 of the NPPF in order to put Para. 77 into context. Both paragraphs were proposed to be deleted in their entirety:

"76. Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met: their adopted plan is less than five years old; and that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

77 In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed. "

GS commented that Local Authorities had no control over housing deliverability, other than via the comparatively small contribution from Council-commissioned social housing. In his experience the

dialogue between local planners and Government inspectors over compliance with the five year rule had been complex and time-consuming.

GE suggested that it would be preferable for this only to occur five-yearly rather than annually as proposed.

There appeared to be consensus for a "No" to Questions 7 and 8:

"Q7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?"

Q8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?"

Chapter 4 – A new Standard Method for assessing housing needs

GE displayed introductory paragraphs from the consultation:

"3. The use of household projections in the current standard method has attracted criticism from across the sector. Household projections are volatile, and subject to change every few years, making it difficult for local planning authorities to plan for housing over their Plan periods (10-15 years). To guard against regular shifts, the previous government opted to lock in 2014-projections, rather than updating the formula to incorporate more recent updates.", and

"7. We therefore propose a new standard method that:

- a. uses a baseline set at a percentage of existing housing stock levels, designed to provide a stable baseline that drives a level of delivery proportionate to the existing size of settlements, rebalancing the national distribution to better reflect the growth ambitions across the Midlands and North;
- b. tops up this baseline by focusing on those areas that are facing the greatest affordability pressures, using a stronger affordability multiplier to increase this baseline in proportion to price pressures"

GE said that had been unable to find any reference to this in the Draft NPPF. In its responses to the various public consultations on Dacorum's Local Plan DEF had argued for use of the lower, 2018 projections. It would still be preferable to use these, or to wait for the next version in 2025, than to abandon input from the Office of National Statistics. DEF had also argued against the affordability multiplier as a means of engineering a lowering in local house prices as if successful it would in part be cancelled purchasers from elsewhere.

GS and **NT** said that, in assessing housing stock levels, the sizes of properties should be taken into account and the total adjusted for any mismatch between this and the size and landtake of houses anticipated from outline plans. The assessment should also take into account the age of existing housing stock and the possibility of its being demolished to make way for non-housing purposes.

There appeared to be consensus for a "No" to Question 15

"Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?"

GE displayed the consultation's text under "Step 2 – Adjusting for affordability"

"17. Unlike the previous method, the new standard method does not have a cap applied to limit the level of increase for individual authorities. Under the current method, numbers are capped at 40% above either the previous local plan figure or the projection-derived baseline."

NT said that up to now the 40% cap had only been needed in some affluent London boroughs

The related questions were:

"Q16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?"

Q17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?

Q19: Do you have any additional comments on the proposed method for assessing housing needs?"

Chapter 5 – Brownfield, grey belt and the Green Belt

GE displayed introductory paragraphs from the consultation, including:

"3. We propose to make changes to the NPPF to make clear that, where a local planning authority is unable to meet housing, commercial or other needs after fully considering all opportunities to make effective and efficient use of brownfield and wider opportunities, it should undertake a Green Belt review. This review should look to release poor quality grey belt land from the Green Belt ... subject to the sustainable development principles that underpin national planning policy, and to clear 'golden rules' as set out later in this chapter. "

Under "Golden rules to ensure public benefit" the Consultation says

23. ... *"the following are required where land is released through plans or individual planning decisions:*

- a., at least 50% affordable housing, with an appropriate proportion being Social Rent, subject to viability;*
- b. necessary improvements to local or national infrastructure*
- c. the provision of new, or improvements to existing, local green spaces that are accessible to the public –*"

GE displayed proposed amendments to Para 145 of the NPPF:

to change from:

"Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.... "

to:

"Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. **Exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for housing, commercial or other development through other means.** In these circumstances authorities should review Green Belt boundaries and propose alterations to meet these needs in full, unless the review provides clear evidence that such alterations would fundamentally undermine the function of the Green Belt across the area of *the plan as a whole.....*"

GE said that classifying "where an authority cannot meet its identified need for housing, etc." as an "Exceptional circumstance" would open the door for even more incursions into the Green Belt than had already occurred. *According to CPRE's 2018 "State of the Green Belt" report huge amounts of greenfield land designated as Green Belt were released or included in councils' local plans since 2013, representing enough land for almost 460,000 housing units.*

GE displayed quotes from the consultation under the heading "Making it easier to develop Previously Developed Land ", including:

"6. The first step when reviewing Green Belt land should be Previously Developed Land (PDL): it makes no sense to provide special protections for sites that have, for example, housed petrol stations or car parks. For that reason, we propose that we relax the restrictions that are currently applied to PDL and limited infilling in the Green Belt in paragraph 154g of the current NPPF,

7. We are also interested in whether it would be beneficial to expand the definition of PDL in the NPPF to include hardstanding and glasshouses."

GE had been unable to find any reference to glasshouses in the Draft NPPF.

Paragraph 154g in the NPPF proposed changes such that "Appropriate" developments in the Green Belt under this item should be changed from:

"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

to

"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt."

BW said that the "previously developed land" provision might open the door for temporary developments, for instance solar farms, which were then abandoned in favour of more lucrative housing. Where a development was allowed on Green Belt and its original purpose came to an end, the land should be restored to its previous condition.

NT said that this would be difficult to enforce, although it was technically feasible through covenants.

The consensus of the meeting was negative regarding Question 21: "Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?"

GE displayed introductory paragraphs from the consultation under the heading "*Defining the grey belt*" including:

"For the purposes of Plan-making and decision-making, grey belt is defined as land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework) but excluding those areas or assets of particular importance listed in footnote 7 of this Framework. (other than land designated as Green Belt).

relevant parts of the NPPF were

(Para. 140). "Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

and Footnote 7

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as

Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 742); and areas at risk of flooding or coastal change."

NT commented that Grey Belt designation for previously developed land should be subject to the site under consideration having sufficient transport facilities, quoting one example near Berkhamsted.

SW said that the effect of building right up to the boundary of AONB or remaining Green Belt should also be considered

Chapter 9 – Supporting green energy and the environment

There was minimal remaining time to discuss this chapter.

NH said re solar farms that he was in favour of "Roofs before fields".

4. Any other Business

MR said that the Planning Inspectorate were conducting an Appeal Inquiry in Public commencing Tuesday 15th October into Fairfax's appeal against DBC's refusal of permission in December 2023 for their planning application for housing between Gadebridge and Piccotts End. He was co-ordinating opposition to the appeal on behalf of Friends of Halsey Field, in which they would be employing counsel and would be joined by a coalition including CPRE Herts. See <https://www.cpreherts.org.uk/news/planning-appeal-inquiry-land-west-of-leighton-buzzard-rd-hemel-hempstead/>.

Forthcoming Diary dates 2024:

Main meetings: (Thursday, Conference Room of the Box Moor Trust building in London Road) 14th Nov.

Steering Group: (Tuesday) 1st Oct.