

Hertsmere Local Plan – Regulation 18 Additional Public Consultation April 2024 CPRE Hertfordshire Comments

By Chris Berry, Planning Manager

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About CPRE Hertfordshire

CPRE Hertfordshire is a local countryside charity, part of the national CPRE network. We work to promote, enhance and protect a beautiful, thriving countryside for everyone to value and enjoy.

Founded in 1928 we are a grassroots organisation, with about 800 members and a small team of staff supported by volunteers. CPRE Hertfordshire has a long history of campaigning against inappropriate development on Hertfordshire’s green spaces. We also work with local groups around the county, providing advice on how they can best protect the countryside near them.

Our Point of View

CPRE Hertfordshire believes that Local Plans are best developed using an integrated approach that puts climate change, biodiversity, well-being and social inclusion at the centre of the plan.

CPRE Hertfordshire believes that planning is crucial to empowering local communities and making sustainable, liveable places. Ensuring everyone has an affordable home that meets their needs is essential to that, both in town and country.

Equally, it is vital that new development is planned intelligently. Our countryside is precious and finite and urgently needs better management in the face of the climate and nature emergencies. Critical to this is that land is not lost to development unnecessarily. More new homes are undeniably needed and there is plenty of scope to use previously developed urban land (i.e. “brownfield”) and take advantage of the changes taking place in town centres, working practices and elsewhere to help address this need.

We are pleased to provide the following comments, by chapter.

Chapter 1 – Foreword

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<p>CPRE Hertfordshire recognises at the outset that this is not a full re-consultation of the Hertsmere Local Plan which was widely opposed when previously published in 2021. It is sub-titled “Additional public consultation” and it is noted in the Foreword that this new public consultation primarily concerns housing and employment sites for inclusion in the Local Plan.</p>		

We note the Council’s ambitions for green, sustainable growth as being a “new approach for the Local Plan” and “allocating far fewer sites than were included in the previous Draft Local Plan”.

We recognise that the Council has reduced the amount of land proposed for release from the Green Belt for housing and employment development since the previous Regulation 18 consultation. In 2021 the total gross area of proposed Green Belt release sites was over 1000Ha compared with up to 600Ha in this additional consultation (by CPRE Hertfordshire analysis).

Chapter 2 – About this consultation

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<p>Chapter 2 notes “the unprecedented response” to the previous Hertsmere Local Plan Regulation 18 consultation in 2021 which it is recognised was largely related to local community concerns about the potential loss of Green Belt to residential and commercial development throughout the Borough. Recent Local Plan public consultations in neighbouring council areas such as Three Rivers and Dacorum have also indicated very considerable public concern about the potential loss of highly valued open countryside.</p> <p>This chapter introduces the intention to focus on “an updated vision and set of strategic objectives for the Local Plan...rather than a whole Local Plan”. We are concerned that the aspirations identified in the introductory chapters are not elaborated in any way in this consultation document. Neither is any indication given of whether there will be further consultation on the content and implications of this “updated vision”, given the extensive shortcomings we and others identified in the previous Regulation 18 consultation in 2021.</p> <p>We identified a wide range of significant omissions in the emerging Local Plan in our previous Regulation 18 submission, including environmental policies and related infrastructure such as water supply, waste disposal and specific policy approaches to climate change amelioration and the maintenance and enhancement of biodiversity. This partial re-consultation again omits any consideration of these crucial topics which should be intrinsic elements of a Local Plan.</p> <p>It is not clear if and when these topics will be addressed satisfactorily within the Local Plan preparation process. CPRE Hertfordshire requests that a programme for such consideration be published as soon as possible with a commitment to further public consultation prior to the preparation of the Submission Draft Local Plan.</p>		

Chapter 3 – Local Plan Vision and Strategic Objectives

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<p>This “Local Plan Vision and Strategic Objectives” chapter opens with the standard statement of intention to achieve a “quality and sustainable environment(sic)” comprising eight key themes</p>		

which we address below. References are made in this and the following chapter to wider environmental issues such as climate change, biodiversity, and net zero as well as encouraging an “economically viable environment which meets the needs of all our Borough’s communities”. These are stated as aspirations and objectives but no further detail is provided with regard to how these are to be achieved or promoted.

We support the apparent re-orientation of “Future Hertsmere” away from the traditional economic development model approach for the Local Plan as espoused previously, towards “delivering a healthy, sustainable, connected, high quality and economically viable environment which meets the needs of all our borough’s communities”. We recognise the locational strength of proximity to London, the importance of strong local identity and specifically that “Our precious relationship with the surroundings will be safeguarded and improved to offset the impact of any development” (page 6).

With regard to “Housing Hertsmere” a simple statistical analysis undertaken by CPRE Hertfordshire indicates that no average earning household in the County can afford to buy an average priced dwelling, based on any reasonable mortgage availability. Affordable housing is often used as a reason for allocating Green Belt for residential sites, but the private sector is widely recognised as not providing truly affordable housing and this should be reflected in Local Plan policy.

With regard to “Working Hertsmere” we note specific concerns related to developments in the film industry below, but more generally account should be taken of the changing needs for economic development in the Borough. “Working Hertsmere” should be promoting new ways of working, promoting economic activity which takes less protected land and makes better use of existing previously developed land.

We support fully the aspirations expressed in “Green Hertsmere” to incorporate combatting climate change, achieving net zero and specifically identifying that “Hertsmere’s valued natural environment will be protected and enhanced.” These however remain as statements with no further detail nor indication of the implications for specific Local Plan policy and proposals for development outcomes, other than site allocations.

“Healthy Hertsmere” should identify the wide range of health, social and mental benefits provided by the countryside, and recognise the full significance of the Green Belt as a key characteristic of the Borough. The experience of the recent pandemic provides evidence of significantly increased public awareness of the countryside and the added benefits of statutory protection should be recognised and seen as an advantage in maintaining this key characteristic of the Borough.

“Creative Hertsmere” notes Hertsmere’s “reputation as a nationally and internationally recognised centre for the creative industries” but the nature of this industry is changing with regard to both the location of work-force which is increasingly footloose, and the demands it makes for larger sites which are incompatible with the need to maintain and enhance rapidly shrinking open countryside. It is no longer either necessary or appropriate to locate studios and related installations adjacent to each other, particularly when other locations could benefit from levelling-up investment which is not critical for Hertfordshire.

“Distinctive Hertsmere” identifies correctly the characteristics of urban and rural communities with “valued individual identities” ...” within a countryside setting” and notes that the “strategic Green Belt” will be protected and “improvements made to the countryside and biodiversity to offset the impact of development.” The theme states that: “The strategic Green Belt will be protected, the close relationship or urban and rural communities with surrounding countryside safeguarded, and improvements made to the countryside and biodiversity to offset the impact of development(sic)”.

There is no such designation as “strategic Green Belt” in the National Planning Policy Framework (NPPF) and the use of the term is concerning as it may permit an interpretation which reduces the clear requirement for protection. The need to protect the Green Belt should be unequivocal and related directly to the distinctiveness of the Borough.

With regard to the Strategic Objectives generally, it is disappointing that protection for the Green Belt is only 18th of the 20 ‘Strategic Objectives’ proposed for the Local Plan when it is a key and distinctive characteristic of the Borough. Further concerns regarding the protection of the Green Belt are noted in response to Chapter 4 below.

Chapter 4 – The Proposed Spatial Strategy

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<p>This consultation, as previously, includes allocations of land for housing based on the Government’s ‘Standard Method’ algorithm for calculating housing need, as noted above. CPRE continues to campaign vigorously nationally and locally for a more appropriate formula for assessing future housing requirements than the Standard Method and specifically the use of up-to-date information, as required by Planning Practice Guidance.</p> <p>The modest reduction in the housing target from 100% to 75% of housing need according to the Standard Method is welcome but inadequate as, without an assessment of the scale of genuine housing need based on up to date data, it is not possible to determine whether the provision of 590 dwellings per year is justified. According to further research undertaken by the Council consultant Icenl, even using the Standard Method, this Local Plan target of 590 dwellings per annum could be reduced to approximately 300 to 450 dwellings per annum if 2018 household formation projections are used.</p> <p>We note that the Council appears to have taken cognisance to some extent of the National Planning Policy Framework (NPPF) in applying the policy test introduced in the NPPF paragraph 11 and footnote 7 relating to local conditions which may be applied to produce a housing target for inclusion in the Local Plan. However, we believe that the policy constraints should be applied much more vigorously to protect designated Green Belt, as was sought by the record-breaking local community responses to the previous public consultation.</p> <p><u>Use of the Green Belt</u></p> <p>The Council has not provided an overview showing the cumulative impact and total land area proposed for release from the Green Belt across the Borough. According to our own analysis, the total gross area of all sites to be released from protected status could be as much as 600Ha. Although some of the larger sites would include green spaces, we remain concerned that all land within the proposed red line site areas may be vulnerable to future development, possibly beyond the plan period.</p> <p>CPRE Hertfordshire believes that it is critical that the commitment to the permanence of the Green Belt is maintained in planning policy, with alterations only taking place in exceptional circumstances, as required by the NPPF.</p>		

Green Belt policy continues to be effective in preventing urban sprawl. However, at present, the rate of development in Green Belt exceeds significantly that of other protected landscapes, such as National Parks and National Landscapes.

Developments in the Green Belt are land-hungry and are not providing the truly affordable homes we need to face the housing crisis. Analysis by CPRE of thirteen recently developed Green Belt projects showed that only 5% of the housing built was “social housing” (under the present definitions) which was significantly less than that called for by local planning policy in all cases (CPRE State of the Green Belt Report 2023; London 2023).

The advantages of the Green Belt are readily understood and appreciated. The Green Belt is the countryside next door for millions of people, especially in southern Hertfordshire where it provides crucial breathing space for the metropolis. The physical and mental health benefits of the Green Belt were recognised widely during the recent pandemic. Residents and visitors alike discovered countryside nearby that they did not know existed.

Green Belt land provides a vital space for nature and recreation and includes a significant number of our nature reserves, as well as double the national density of public rights of way, providing access for all. Through the protection and enhancement of Green Belt land, we can increase its natural and recreational values, as well as providing a natural solution to the climate emergency through carbon sequestration.

Crucially, the defining feature of the Green Belt is its permanence, the assurance that it will be maintained for generations to come. CPRE Hertfordshire commends the Council’s increased recognition of the need to maintain the protection of this highly valued countryside but sees this as incompatible with its continued allocation for development in the Local Plan.

In any case, with regard to specific site allocations for housing, it would be preferable for proposed housing site allocations to relate to a proposed development footprint. Any other proposals for land within the same land ownership should be the subject of separate designations within the Green Belt.

Insufficient consideration of brownfield sites

CPRE campaigns locally and nationally for the use of previously developed sites before any other land is considered. CPRE Hertfordshire believes that there is significant untapped potential for increased density and for redevelopment of previously developed land in the Borough and this chapter notes that “available brownfield land” is “very limited”.

However, the Council’s own Brownfield Land Register shows there is enough identified, previously developed land currently available for 2,260 new dwellings, some of which may already have been provided. This is clearly a dynamic situation but, we believe, in common with most local planning authorities, this may be a significant understatement of brownfield redevelopment opportunities.

The Council should do much more to make potential sites and areas available through mechanisms such as development orders and through compulsory purchase where justified and necessary if landowners are resistant. We further urge the Council to re-consider the criteria used for urban capacity and similar studies, and the potential role of windfall sites with a view to a more rigorous assessment of regeneration and reuse opportunities throughout the Borough.

We also note that Hertsmeare has more long-term empty homes than any other district in Hertfordshire (long-term empty is defined as six months or greater, and excludes second homes and holiday lets). There are currently 541 long term empty homes according to government data, a very

significant number. These long-term empty homes should be brought back into occupancy before any development occurs on what is now Green Belt land.

Approaches to housing density

The albeit brief treatment of this issue in Chapter 4 recognises a relevant issue in making the most efficient use of scarce land. The consultation notes the potential for more housing on proposed sites than set out in the previous draft Local Plan. This should mean smaller and fewer incursions into the Green Belt and further assessment by the Council of this potential should be an urgent priority in Local Plan preparation.

Chapter 5 – Housing Allocations

We do not intend to comment in detail on all the individual sites, but are particularly concerned about the proposed allocation at Bowmans Cross.

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<p>The emerging Local Plan proposes a new settlement in the Green Belt in the north of the Borough covering a gross site area of 469Ha. This would provide a new settlement of 5000 dwellings; 2600 of which are to be provided beyond the Local Plan period. It is crucial to justify the need for this proposed housing through the use of up-to-date population and household data as has been previously noted.</p> <p>The Council indicates that the proposed development at Bowmans Cross will be a “self-sustaining balanced community” and “will be planned so as to ensure the least possible harm to the Green Belt”. Whilst this aspiration appears laudable, there is no evidence to indicate how such objectives are to be achieved, or of the institutional arrangements and coordination which are necessary for the appropriate level of planning.</p> <p>Identifying a specific Green Belt site as a Strategic Objective: “Deliver the first phase of a sustainable new settlement at Bowmans Cross” (Chapter 3) implies that a pre-consultation decision has already been made by the Council. This is inappropriate for a public consultation document concerned with seeking representations on future site allocations.</p> <p>Initial analysis indicates that the site scores low in the High Level Transport Assessment, Settlement Mapping and Accessibility Mapping Analysis. The ARUP Green Belt Assessment studies of 2017 and 2019 note that the site makes a “strong contribution to Green Belt” while accepting that the northern part of the site may be suitable for development (2019).</p> <p>It is assumed that a key consideration with regard to the exceptional circumstances required by the NPPF for the promotion of Bowmans Cross in the Local Plan may relate to the provision of affordable housing. There is no indication of how this may be delivered and recent experience in the County and elsewhere demonstrates the inability of private sector developers to provide such housing, citing viability and related issues, often at the time of implementation of proposals.</p> <p>Another key weakness is the consideration of infrastructure provision, and we note that the current Infrastructure Delivery Plan is dated 2021 and that the need for infrastructure funding from Bowmans Cross is already identified as essential, important or critical across all aspects which include transport, utilities, education, health, green and community infrastructure. Significant</p>		

investment will be needed in virtually all aspects of infrastructure and funding gaps appear to be inevitable, particularly in the light of potential viability negotiations by developers.

There is no indication of how priority infrastructure will be delivered for Bowmans Cross, should there be a funding shortfall, and this is a critical issue for the Local Plan and local communities. Without clarity on infrastructure, together with the significant concerns cited by St Albans City and District Council in this area, there appear to be significant challenges to the deliverability of the proposals in virtually all areas of infrastructure.

Other specific local community concerns which we support include the impact of additional private vehicle traffic on the already highly congested local road network, and the allocation of a “reserve site for a further school or schools if required”. Unless such a school is required, there should be no such allocation or designation in the Local Plan, and certainly not north of Coursers Road for what would normally be classified as inappropriate development in the Green Belt.

The above may suggest that further expansion of the new settlement beyond the 5,000 dwellings currently proposed is envisaged in the future. Again, such uncertainty is inappropriate in a Local Plan consultation which is primarily concerned with identifying future development strategy and policy.

Together with our concerns regarding the release of Green Belt, as noted above, are the relationships of the use of protected countryside with the strategic planning of infrastructure, the mitigation of the impacts of developments, governance and the ownership of places. We would request the Council to reconsider its significant presumptive approach of including the Bowmans Cross site as a strategic objective despite extensive community expressed concerns on matters such as transport and other infrastructure capacities.

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