

Standing up for Hertfordshire's countryside

Planning Policy Team
Hertsmere Borough Council
Civic Offices
Elstree Way
Borehamwood
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Our Ref: HERTSBC200

Your Ref:

29 November 2017 (by email)

Dear Sirs,

Hertsmere Local Plan Issues and Options 2017

Thank you for consulting CPRE Hertfordshire on the above document.

We have the following comments under the headings and sections set out in the document, and we have sought to provide answers to the questions in the document where these relate to the matters of concern to us. We have no comments on questions in the document that we do not refer to below.

Foreword

In our view the document should not begin with a statement that 'by 2034 we will need to find space for approximately 9,000 new homes along with 9,000 new jobs...' This statement gives a misleading impression that this level of growth is inevitable and that the Council has no choice as to whether to plan for this or not. Please see our comments below on this matter, and in particular on the key issue of determining the extent to which housing need and demand should be met in Hertsmere in the context of the Borough's location on the inner edge of the Metropolitan Green Belt.

Introduction

The document rightly highlights the importance of sustainability at the outset, but we wish to point out that for plan-making the meaning of this is defined in Paragraph 14 of the National Planning Policy Framework (NPPF), because the courts have determined that the presumption in favour of sustainable development relates directly to this paragraph.

To be specific, paragraph 14 refers to the 'presumption', and then states in respect of local plans: "For **plan-making** this means (our emphasis)..." that: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless (our emphasis): any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole; or (our emphasis) specific policies in this Framework indicate development should be restricted":

“For example, those policies relating to ...land designated as Green Belt (our emphasis)...” (NPPF footnote 9).

This context is fundamental to the Council’s future decisions on the scale and distribution of development in the Borough, because it means that the Council can set development targets that would not meet assessed need, and the Council should not therefore predetermine the scale of housing and other development that should be planned for at this stage.

CPRE Hertfordshire is therefore disappointed that the Issues and Options Document implies that housing development will have to be on a particular scale, and that this should include building a new settlement in the Green Belt.

Our second concern about the ‘Introduction’ is that it implies that the assumed shortage of houses nationwide should be partly rectified by building more houses in Hertsmere. There are fundamental misconceptions in this argument.

The national ‘housing crisis’ is not a simple ‘numbers’ problem but a problem of ensuring existing and new dwellings and other housing accommodation is occupied by those households who need them rather than just those who can afford them in an open housing market. With the current housing market, new housing built by developers in this part of the country will be acquired for a range of purposes:

- As an investment, in the expectation of a later profit, and left unoccupied;
- As a second (or third) home, preventing occupation by another household;
- As a buy-to-let to rent out; or
- As a home to live in.

The first two of these do nothing to help people needing a home now or in the future. The last two depend on the rent or purchase price being affordable by the people needing a home. As a summary of the key facts on this matter we would invite the Council’s officers and councillors to read the series of short articles by Ian Mulheirn of Oxford Economics on the national housing shortage and its relevance to areas of high housing demand such as London and the south east of England.

A key conclusion from the facts in those articles and from the Redfern Review that Oxford Economics reported to, is that building more houses on the scale identified by the Council will have no impact on affordability, or access to housing by households that the Council wishes to help. House-building on that scale would have only one major impact - the loss forever of large areas of Green Belt countryside, with the associated greater demand on infrastructure and services.

Vision Statement

The Council should not predetermine the scale of housing development that should be provided, for the reasons set out above, or how and where they should be accommodated.

The references to the Council favouring construction of a new settlement in the Green Belt are not in our view appropriate in an issues and options document.

The Council should rather state that it will apply the soon to be announced Government policy and practice guidance that result from the consultations in 2017 on the Housing White Paper and a methodology for the calculation of housing need, and long-awaited guidance on how to set a Local Plan Housing Target in heavily constrained areas such as Hertsmere.

Following current National Policy means applying NPPF paragraph 14 as pointed out at the start of this letter, and the new Local Plan will have to demonstrate that there are exceptional circumstances, not just a housing need, if Green Belt boundaries are to be changed to accommodate new development.

Similarly, the number of jobs, firstly those needed, and secondly, those justified, depends on the assessed need and a target set in the light of NPPF paragraph 14 and the constraints imposed by national Green Belt policy.

Consequently we do not agree with the stated presumptions on these set out in the Vision Statement part of the document.

Priorities

Minimising the loss of Green Belt land to development must be a priority for the Plan, because this is a national Planning policy priority as restated recently by the Government. Even more importantly, in Hertsmere it must be a priority because it is the Green Belt that allows the Borough's settlements and countryside to retain their individual and special character in the face of development pressure, and be a major reason for people wanting to live there.

All other priorities should be seen in that context. For example, the current first listed priority 'planning to increase the supply of new homes', should continue 'for those households in genuine need that must be met in Hertsmere.'

Ensuring that there are 'enough suitable homes for everyone in our community', should be followed by 'that has a need that outweighs the loss of Green Belt that it would cause.'

Similarly, 'responding to the needs of new businesses' should rather be 'provision of premises and land for business and employment uses compatible with the Borough's Green Belt location.'

How Much Growth

Our comments on this section are made in the context of our comments above on the document's introduction, and focus on the Questions set out.

We must firstly point out the misleading statement in the highlighted text on the future method of calculating housing need, that the Borough's housing requirement will need to reflect the new methodology. The new methodology will still only be the starting point in deciding on a housing requirement figure, as the latter has to take into account constraints such as those set out in the NPPF, and can be lower than the housing need calculation, which itself will be based on projections that by definition do not take planning policy into account.

In setting the Plan's housing target (the Plan's housing requirement), the Council must analyse the components of housing need to identify the numbers of those households whose need for a home in Hertsmere is acute or intense enough to justify removal of land from the Green Belt to house them. Our response to Question 3 therefore, is that the Plan should not meet the 'actual level of housing need' (estimated by the Council at around 600 dwellings per year), because to do so is not consistent with paragraph 14 and footnote 9 of the NPPF.

On Question 4, we consider that the Council should be looking for other ways of boosting affordable housing than the largely ineffective approach of increasing the overall supply of housing. In particular, measures to encourage and promote the direct provision of social and affordable housing should be pursued, rather than simply relying on a small percentage of dwellings in large developments, that will still not be affordable by the households that the Council actually wants to help. Please see our comments above on the consultation document's 'Introduction' and refer to the reports on this issue that we have drawn attention to.

Jobs and prosperity

We wish to point out that the reduction in out-commuting suggested in the text, and an increase of 9,000 jobs, must be tempered by the context of the Borough's Green Belt setting, and the restrictions that this places on the scale of development that should be proposed in the Plan by virtue of NPPF paragraph 14 and footnote 9. Hence, our response to Question 8 is 'No', for the above reasons.

Where should new development be built?

The context for this matter is set out in our comments above on the appropriate scale of new development over the next plan period.

Hence, the extent to which there are alternatives to the removal of Greenfield land from the Green Belt should be researched in the context of national policy. This not only requires the Council to identify unused and derelict land and buildings that could be used to meet development needs, but also the potential for other land and buildings, including those that could be redeveloped to increase the provision of housing in the Borough. Regeneration of previously developed land, with land assembly using the Council's full range of Planning powers if necessary, should also be a main component of the new Plan. The Redevelopment

option set out in the document should therefore go far beyond the narrow focus on ‘urban brownfield sites’ outlined in the consultation document, and the proposed target for the net number of new homes within the Borough’s towns should be greater than the 3,000 set out in the consultation document.

We therefore approve of the option in Question 12 of more brownfield development and the suggestion of development at higher densities in suitable areas and locations, especially in central areas, former industrial areas, and other locations close to public transport hubs and rail stations.

As far as urban extensions, misleadingly described as ‘garden suburbs’ in the document, are concerned, the number and scale of any such incursions into the Green Belt should depend firstly on the Plan’s overall housing target, to be set in the context set out in our comments above, and secondly on the capacity of other, non-Green Belt locations including the Borough’s towns and villages, and other previously developed Green Belt sites.

Hence the Council should not commit itself, as implied in Question 13, to what it describes as ‘new garden suburbs’ that ‘will be a part of our plans to accommodate more homes in the future’. NPPF paragraph 14 and the paragraphs in section 9, require a Council to demonstrate exceptional circumstances for such action and the Council has yet to show that these exist. Limiting answers to Question 13 to preferences for the location of such extensions fails to provide an opportunity for respondents to inform the Council whether or not they agree with the principle of such extensions, which should have preceded any question on location.

We also disapprove of the Council’s use of green as the shading colour for showing potential locations of such extensions on the diagram in the document, contrary to accepted conventions for the preparation of planning documents, whereby new built development is shown at the red end of the spectrum and countryside and open space at the green to blue end. A similar criticism is made of the diagram showing a potential area for a new settlement later in the document.

Development in villages should be encouraged where this involves such development within existing settlement boundaries, with the extension of those boundaries only in exceptional circumstances as required by national policy. This requirement applies equally to business / employment development and housing. In the large villages such development should seek to maximise the density of regenerated and redeveloped areas that is consistent with their character, controlled with appropriate density and building height policies, potentially defined in Neighbourhood Plans.

On Question 14, we therefore oppose in principle the expansion of Elstree and Shenley because the Council has yet to show that all of the currently assessed housing and employment need is acute and/or intense enough to justify the removal of land around them from the Green Belt once all alternative non-Green Belt locations have been taken into account.

Our comments on similar but smaller extensions to smaller villages (Question 15) are the same in principle. We would support additional development within current boundaries, but do not consider that there is any justification for the expansion of any of these villages in order to meet housing need, with the exception of locally identified 'rural exception sites' through Neighbourhood Plans.

We strongly oppose the creation of any new settlement (Question 16) in the Borough's Green Belt, noting that the Council's option for such a settlement would require enough land to be removed from the Green Belt for at least 6,000 houses plus retail and employment uses and associated infrastructure, and potential for a population in excess of 14,000. Such a proposal flies in the face of national policy for the protection of the Green Belt, and would seek to create a town on this scale probably unique in Hertfordshire as having no ready access to the rail network, undermining any other claims of sustainability.

We hope that you find our comments helpful, and please contact me if you require any clarification of our comments.

Yours sincerely,

Steve Baker,
Planning Manager