

## Standing up for Hertfordshire's countryside

Planning Policy Team  
Hertsmere Borough Council  
Civic Offices  
Elstree Way  
Borehamwood  
Herts WD6 1WA

Our Ref:

Your Ref:

2 May 2018 (by email)

Dear Sirs,

### Hertsmere Local Plan Issues and Options: Sustainability Appraisal 2018

Thank you for consulting CPRE Hertfordshire on the above document.

We have a number of significant concerns about the assumptions, methodology and conclusions set out in the Land Use Consultants' Sustainability Appraisal (SA) report that we wish to bring to your attention. The headings below are those in the SA.

#### Sustainability Issues

Table 3.1 sets out 'Key Sustainability Issues' on page 25 starting with 'Housing Provision (Supply).' That section of the table refers to 'future housing requirements', but the explanation of this term states that the SHMA 'found that Hertsmere requires 599 dwellings per year' (CPRE emphasis). That statement is factually incorrect and is not an adequate basis for the SA. Housing Need and Housing Requirement are not the same thing. The latter is the number of houses planned for after the consequences of providing for the former has been assessed, taking into account such matters as policy constraints in national policy (including those listed in footnote 9 of the NPPF), and other considerations such as sustainability. The SA should not have taken the Council's option of meeting housing need in full as a key assumption for the appraisal, and is flawed as result of doing so.

The subsequent reference in the table to 'piecemeal windfall developments' is also inappropriate. Windfalls are an essential contributor to housing supply promoted by national policy, and the reference to lack of infrastructure is of no relevance to the 'Housing Provision' topic in the SA.

Under 'Housing Provision (Affordable Housing)' the same table (3.1) includes the same error as noted above on housing requirement, by referring to '72% of the required total number of dwellings'.

## SA Findings for Issues and Options Part 2

Paragraph 5.3, under ‘Local Housing Need’ refers to ‘two reasonable alternative options’ for housing provision figures. This statement again fails to recognise the difference between housing need and housing requirement highlighted above, and is repeated in paragraphs 5.6, 5.7 and 5.8.

An equally important issue however, is the failure to consider any other ‘reasonable alternatives’, including alternatives with a lower housing requirement figure that takes into account the key policy constraints that are pointed out in our comments above on Sustainability Issues, and the context outlined at the end of this letter.

The explanation attempted in paragraph 5.13 of the reason for the Council’s choice of one of the two identified housing need options as a proposed ‘housing provision figure’, is unclear and is surely irrelevant to its actual sustainability, which is what the SA is intended to assess.

## Conclusions

Section 7 starts by referring to ‘the reasonable alternatives’ considered, but as stated above other reasonable alternatives have not been considered, particularly options setting a lower housing requirement that are consistent with national planning policy. This omission undermines the credibility of the conclusions on the ‘potential development approaches’ in Part 3 which are all based on meeting all of the assessed housing need in the Borough.

We also have major concerns about the actual conclusions summarised in paragraphs 7.4 and 7.5, particularly the claim that ‘significant negative effects were only identified in relation to Option 5 (New garden village) against SA objectives 7 and 8). This is not true, and seems to be based on inconsistent and incomplete analysis in Appendices 4, 5 and 6.

In Appendix 4 (Assumptions), under SA Objective 8 on Countryside and Landscape, a negligible effect is assumed if the allocation would not result in settlement coalescence, but this is only one of five equally important Green Belt purposes, two others of which are likely to be affected to at least a minor, if not significantly negative degree.

Similarly, a ‘significant negative effect’ is only assumed if settlements merge as a result, totally ignoring the effect on the openness of the Green Belt, and the national purposes of safeguarding the countryside from encroachment and checking urban sprawl. We also point out that ‘merger’ is ‘merger’; surely design and layout are unable to mitigate that effect if an allocation fills the gap between settlements?

Appendix 5 (SA Matrices) under SA Objective 8 on countryside, does mention ‘Green Belt openness’, but this is not referred to in the analysis, and the same section only refers to the impact on landscape character and settlements, which are not really Green Belt issues.

This inconsistency becomes even more important when paragraph 7.5 is addressed. This simply states that nearly all Greenfield land is in the Green Belt, and that development may lead to ‘loss of open countryside and increase potential for settlement coalescence’. This conclusion totally misses the point that all of the housing allocation options assessed in Tables A6.2, A6.3, A6.4 and A6.5 would have a negative effect on the Green Belt and two of its purposes that are not even mentioned in these Tables. Indeed Table A6.3 on expansion of Elstree and Shenley does not even mention Green Belt at all.

## Context

In terms of the Local Plan context for sustainability appraisal we wish to draw the Council’s attention to national policy on this as set out in our representations on the Issues and Options document itself. We pointed out that for plan-making, the meaning of ‘sustainable development’ is defined in Paragraph 14 of the NPPF, because the courts have determined that the presumption in favour of sustainable development relates directly to that paragraph and that paragraph alone.

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 SA as well as the Council’s future decisions on the scale and distribution of development in the Borough, because it means that the Council can define a housing requirement that would not meet all of the assessed need. The Council should not have sought to predetermine the scale of housing and other development that should be planned for at the Issues and Options stage, and the Sustainability Appraisal should not have started with an assumption that there are no reasonable alternatives based on a lower housing requirement.

We ask that the Council ensures that the SA of future stages of the Local Plan addresses the issues raised in this letter. Please contact me if you require any clarification of our comments.

Yours sincerely,

Steve Baker,  
Planning Manager