

## Hertfordshire Green Belt: National Planning Policy

NOV  
**23**  
2021

Volume 704: debated on Tuesday 23 November 2021

[Download text](#)[Previous debate](#) [Next debate](#)

⌚ 4.01pm

[Share](#)[Column 50WH](#)

### Hertfordshire Green Belt: National Planning Policy

16:01:00

Daisy Cooper (St Albans) (LD)

I beg to move,

That this House has considered Hertfordshire Greenbelt and the National Planning Policy Framework.

It is a pleasure to serve under your chairmanship, Mr Robertson. I especially welcome the opportunity to again bring threats to Hertfordshire's green belt to the Minister's attention. The importance of the green belt in my constituency and across Hertfordshire more broadly cannot be overstated. More than half of Hertfordshire is designated as being within the London metropolitan green belt.

Nationally, we have a housing crisis and an ecological crisis. When it comes to planning in the green belt, the answer is sustainable housing that responds to housing need, but that is not what the Government's planning system delivers. It is developer-led, not community-led, it does not deliver the social homes that we need and it does not protect our green belt. Nationwide, of almost 18,000 homes built on the green belt, barely 10% were affordable. In my constituency, St Albans City and District Council is being asked to build more than 14,600 homes over the next 15 years. It can build 5,000 on brownfield land, so the remaining 9,000 will have to be built on the green belt. The neighbouring authority of Hertsmere wants to build 6,000 homes right on our border, removing the green belt altogether between two villages and creating a new monster-sized settlement, and the Conservative Government still want us to house a strategic rail freight interchange the size of 490 football pitches, which is also likely to attract thousands of lorries. Could this ever be described as sustainable development? No, it could not.

At the heart of the problem is the Government's national planning policy framework. The Government have a standard methodology that produces top-down housing targets. Ministers have tried to tell me, in response to my many parliamentary questions on this matter, that their standard method for calculating housing does not produce targets per se, but is merely a starting point from which councils can start to work. I would be grateful if the Minister confirmed how many councils have submitted a successful local plan with a housing target that has been revised down from the standard method.

Those at the very top of Government tell us that the green belt will be protected. At the recent Conservative party conference, the Prime Minister himself promised that the homes we need will be built on brownfield sites and "not on green fields". Indeed, the Under-Secretary of State for Levelling Up, Housing and Communities, the hon. Member for Harborough (Neil O'Brien), told the hon. Member for Watford (Dean Russell), who is present, in his debate last month that the national planning policy framework gives the necessary protections to green belt land when local authorities come to draw up their local plans, but I am afraid that that is simply not the case.

I give the example of Roundhouse Farm, near Colney Heath in my constituency. I understand, given the quasi-judicial role of the Secretary of State, that it is not appropriate for Ministers to comment on appeals under consideration, but this one has been concluded. St Albans District Council and Welwyn Hatfield District Council jointly refused permission for a development of 100 houses at Roundhouse Farm near Colney Heath, which is on the Hertfordshire green belt. Both councils, having regard to the national planning policy framework, considered that it would be damaging to the green belt to allow an inappropriate development such as that to proceed. The Minister's planning inspector disagreed, and yet another chunk of precious green-belt land was given over to development. The inspector gave more weight to the calculation of housing need under the Government's standard method than to the protection of the green belt.

In setting out the reasons for overturning the decision, the planning inspector said:

"I am aware of the Written Ministerial Statement of December 2015 which indicates that unmet need is unlikely to clearly outweigh harm to Green Belt and any other harm so as to establish very special circumstances. However"—

this is the critical line—

"I note that this provision has not been incorporated within the Framework which has subsequently been updated and similar guidance within the Planning Practice Guidance has been removed. I can therefore see no reason to give this anything other than little weight as a material consideration."

That is to say that he gave little weight to the green belt. The inspector's appeal decision went on to say:

"I afford very substantial weight to the provision of market housing which would make a positive contribution to the supply of market housing in both local authority areas."

If the Government genuinely believe that there are sufficient protections for the green belt in the national planning policy framework, I would be grateful if the Minister explained to me and my constituents how that decision came to be overturned by the Secretary of State on the recommendation of the planning inspector. I would be grateful to know whether the Minister accepts the planning inspector's conclusion that the provision to protect the green belt has not been incorporated within the national planning policy framework, and that similar protections within the planning practice guidance have been removed. If the Minister does accept those findings from the planning inspector, I would be grateful to hear whether the Government intend to rectify the situation.

Following the shock decision, I asked the Secretary of State to intervene and urgently issue guidance to the planning inspector on determining appeals. This would mean attaching greater weight to the objective of protecting green belt than to the standard housing need method of calculation. When I asked this question, I got the following reply from the Government:

"The Government is firmly committed to protecting and enhancing Green Belt land for future generations as set out in our manifesto. That is why, for decision-taking, local authorities should regard the construction of buildings in the Green Belt as inappropriate and refuse planning permission, unless there are exceptional circumstances as determined by the local authority."

However, the two local authorities in this case did precisely that but had their refusal overturned anyway. I would be grateful to understand whether the Minister now accepts that the national planning policy framework is simply not fit for the purpose of protecting our precious green-belt land. It must be updated without further delay, and new guidance should be issued to the planning inspector. I have outlined just one example of local authorities doing everything within their power to protect our natural environment and having their decisions overturned by the same Government who profess to be its protector, but I am sure there are countless others.

Let me turn briefly to the standard method and the green belt weighting. At some stage, every council in Hertfordshire will have to make a judgment call. Either they have to come up with a local plan that meets central targets and they have to wave goodbye to the green belt, or they have to try to call the Government's bluff, claim exceptional circumstances to protect the green belt, and wait and see what the planning inspector says. However, the problem is that the planning inspector may well take their powers away altogether. Council leaders accept that that would almost certainly leave communities in a weaker position than they are in now, and any canny developer would immediately put in an application for the sites that we most want to protect. The situation is deeply unsatisfactory.

As we have discovered, the Government's repeated claim that the standard method of calculation does not produce centrally imposed targets just does not stand up to scrutiny. In fact, the planning inspector's day-to-day interpretation of the national planning policy framework shows that that is exactly how the targets are being treated. I ask the Minister again: will he commit to urgently issue guidance to the planning inspector that has

principles for protecting the green belt? Will he ensure that those principles are given more weight when deciding appeals and examining local plans, and that they are given more weight than the arbitrary numbers that are being reached through the standard method of calculation? I ask him to do so urgently, as yet another Hertfordshire district has just put out its draft local plan for consultation.

Hertsmere Borough Council proposes bulldozing over a substantial swathe of the green-belt land that sits between two villages in my constituency. The shocking proposal for Bowmans Cross would see the effective conjoining of London Colney and Colney Heath. The plan would mean that 6,000 houses fall slap bang in the middle of fields and natural habitats that currently surround and separate the two communities. The impact of that monster development would not be felt by the residents in Hertsmere; it would be felt by my constituents in St Albans. None the less, I cannot help but have some sympathy for yet another Conservative-led council that has felt the pressure from its Conservative Government to meet their huge top-down housing targets.

I am more than aware of the critical shortage of housing supply in the country. Liberal Democrats are absolutely committed to providing the truly affordable new homes that are so desperately needed, and in St Albans I am proud that the Liberal Democrat-run district council is driving ahead to build those social homes. However, across Hertfordshire, Liberal Democrat-run and Conservative-run councils alike are all in the same position. Conservative-led Broxbourne has given up 15% of its district's total green-belt land. That is more green-belt land sacrificed than in any other council in England. Research by the Campaign to Protect Rural England recently found that, in addition to the 17,500 homes that have already been approved or are being built on Hertfordshire's green belt, more than 50,000 extra have been proposed.

To be clear, I am not asking for the Government to stop building; I am asking for the Government to strike the right balance and create a planning framework that delivers sustainable development. It is in the Government's gift to do that by updating the national planning policy framework and the guidance as I have described. I hope that the Government will take this up without any further delay.

16:12:00

The Minister for Housing (Christopher Pincher)

It is a great pleasure to serve under your chairmanship, Mr Robertson, I think for the first time. I congratulate the hon. Member for St Albans (Daisy Cooper) on bringing forward this important matter for debate. I am conscious that it is of concern and interest to her, as well as to other Members across Hertfordshire, including my hon. Friend the Member for Watford (Dean Russell) who is an industrious campaigner on behalf of his constituents, as of course is the hon. Lady for hers. They both strongly challenge what I believe can be challenging councils.

It is worth pointing out that the planning system to which the hon. Member for St Albans refers as the Government's planning system is, in fact, England's planning system, as it has existed since 1948 under successive Governments. It has grown in complexity and opacity

during that period. Successive Governments have tried to make it clearer and more sensible, including the coalition Government of which the hon. Lady's party was a part with the Conservatives. That Government contributed to the creation of the national planning policy framework some 10 years ago. It is England's planning system, not the Government's.

However, the hon. Lady is right to raise the issue of the green belt. Our commitment to the green belt is absolutely steadfast: the Prime Minister made that clear in his Conservative party conference speech last month. It is a manifesto commitment on which the Government were elected, to protect the green belt and associated countryside for future generations. The green belt in our country presently accounts for 12.4% of the land mass. In fact, it is larger now than when records began in 1997, taking into account that national parkland as categorised has been disregarded. In the hon. Lady's constituency, it is somewhere in excess of 81% of the land mass.

We believe that the green belt is vital for preventing urban sprawl from towns and cities—it helps stop the advance of developments on to precious countryside—and national planning policies deliver strict protections for the green belt along with strong safeguards against development and changes to boundaries. Any proposals to release land from the green belt are subject to consultation with local people followed by a rigorous and independent examination of the revised local plan by a qualified planning inspector. Additionally, if a local authority finds that it cannot avoid releasing land from the green belt, it should offset that loss with environmental and access standards to land remaining in the green belt. As well as protecting the green belt, we must also look to other sites, such as brownfield land, that can be used to deliver new and beautiful homes of all types for people.

The national planning policy framework sets out national planning policy for England. It must be taken into account by local authorities in preparing their development plans. It is also a material consideration in all planning decisions. We believe that the NPPF ensures the protection of green-belt land by defining how most new buildings are inappropriate for the green belt and should be refused planning permission unless there are very special circumstances. Local authorities, through their planning policies and decisions, should show consideration of all relevant policies in the NPPF, including protection of the natural environment, irreplaceable habitats and valued landscapes.

Let me reiterate that green-belt land can change only in exceptional circumstances and that must be done in accordance with the NPPF and the local plan process, in consultation with local people, followed by rigorous examination of the revised plan. That is why the NPPF provides for two tests in safeguarding the green belt. The first prevents local authorities from changing a green-belt boundary unless there are exceptional circumstances and they have shown that they have examined every other option—using brownfield land, optimising the density of development and discussing whether neighbouring authorities can take some of the necessary development. The second test requires that most new buildings in the green belt are inappropriate and should be refused planning permission unless there are very special circumstances, as determined by the local authority.

As we improve the planning system, our existing policy for protecting the green belt will be upheld. Local authorities will be able to protect green-belt land using new digital local plans.

I will take away the specific items raised by the hon. Lady and respond to her more fully. I stress that as we approach revisions to our planning framework and to the NPPF, we want to make sure that they work for the green belt as well as for brownfield sites, given the importance of developing those. I will say more about that in a moment.

Let me also point out that the Environment Act 2021, which received Royal Assent earlier this month, brings a mandatory biodiversity net gain requirement as a condition of most new development. That will make it quicker and simpler to assess environmental effects as well as speed up the decision making on and delivery of a development while continuing to protect and enhance the environment.

The hon. Lady mentioned local housing need and recognised the importance of providing housing for the people of our country who want and need it. We have a target of building 300,000 new homes each year by 2025. The Liberal Democrats, I believe, wish to out-do us, and to build 380,000 new homes each year in our country. I welcome their ambition. We want to help people rent or own their own homes. We know that we need to deliver more homes. To get more homes built in the places where people and communities need them, a crucial first step is determining the right number of homes in the right places. That is why, in 2018, we introduced the standard method for assessing local housing need, which makes the process of identifying the number of homes needed in an area as simple, quick and transparent as possible.

As the hon. Member for St Albans rightly says, that formula is a starting point; it is not an end point. It is for local authorities, working with the Planning Inspectorate, to determine the right number of homes based on the constraints or ambitions that they may have. I refer her to a letter that I circulated to Members of Parliament on, I think, 16 December of last year, which made it absolutely clear that local authorities are able to cite, to the Planning Inspectorate, constraints as reasons why the numbers in their plans are different from the local housing need number, which is the default calculation. As I have said, it is for local authorities to demonstrate and determine what the number should be. The constraints are outlined in footnotes 7 and 38, from memory, of the NPPF. In the local housing need calculations, we have also made it clear that none of the authorities outside of the 20 largest metropolitan authorities in England will see any changes to their local housing need numbers.

The challenge for all authorities, however, is to get an up-to-date plan in place. We might say that, in the land of no plan, the local housing need number is king. If there is no set number in an up-to-date local plan, it is quite possible for developers to submit speculative development applications to local authorities. The local authorities may choose to turn them down, but if they have no number in their plan, the local housing need number is the default that the Planning Inspectorate will look at. It is entirely possible that the Planning Inspectorate will overturn refusals sent down by local authorities that do not have up-to-date plans or targets, and will instead look at the local housing need target. It is incumbent on local authorities that wish to protect their communities and avoid speculative development to get up-to-date plans in place.

The hon. Member for St Albans asked me about the number of authorities that have revised their targets. A number have. Stoke, for example, has revised its target up, because it is an ambitious authority. Many others have been able to revise their numbers in other ways. However, having no up-to-date plan at all leaves communities open to speculative development. Of the authorities in our country, 91% have plans made to the 2004 standard. Of the 9% that remain, the hon. Lady's own local authority is one. St Albans has not had an up-to-date plan since 1994. I would encourage her to encourage her authority to put that plan in place, to protect her community from speculative development.

We believe the green belt is of huge importance to our constituents and to our country. We want to make sure we do more to support it by building on brownfield sites, which we will look to achieve through our planning reforms. We have already made £5 billion, or as near as damn it, available to Homes England to support builders, particularly small and medium-sized enterprises, to develop brownfield-site opportunities. We made £400 million available to mayoral combined authorities last year to identify brownfield sites for regeneration in their geographies. We have only recently announced a further £58 million for 53 local authorities to identify small sites for regeneration that will contribute to their local numbers without the need to impinge on green spaces.

One reason why we have introduced permitted development rights is to encourage the development of unused or underused commercial premises, which can now be demolished more easily and be rebuilt as residential premises. Since 2016 that has seen the construction on brownfield and town-centre sites of some 70,000 additional residences that might not otherwise have been built, to the benefit of local communities, to the benefit of those high streets and to the benefit of the green belt and greener spaces that have not had to have greater strain placed upon them.

I assure the hon. Member for St Albans that we are committed to protecting and enhancing land for future generations and that we are committed to protecting the green belt, as we set out in our manifesto. We will continue to uphold those strong protections, and I look forward to further debates, whether in this Chamber or in the main Chamber, to demonstrate that our policies are biting.

Question put and agreed to.

16:26:00

Sitting suspended.