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Standing up for Hertfordshire's countryside

Georgia O'Brien
Planning and Building Control
Hertsmere Borough Council
Civic Offices, Elstree Way
Borehamwood
Herts. WD6 1WA

Our Ref:

Your Ref:

5th August 2022 (by email)

Dear Georgia O'Brien,

Application no. 22/1071/OUT

**Land East of Little Bushey Lane and North of The Squirrels, Little Bushey Lane, Bushey
Application for residential development (up to 310 units) with access from Little Bushey
Lane, and land reserved for primary school, community facilities and mobility hub (Class E)
along with car parking, drainage and earthworks to facilitate drainage, open space and all
ancillary and enabling work**

I write with regard to the above application, to which CPRE Hertfordshire strongly objects for the following reasons.

1. The site is located in the London Metropolitan Green Belt as defined in the Hertsmere Core Strategy 2013 and Site Allocations and Development Management Policies Plan 2016, where development is inappropriate unless very special circumstances are demonstrated, as defined by the National Planning Policy Framework (NPPF). The Applicant's Planning Statement seeks to justify the proposed development by virtue of "providing early delivery of much needed housing" and "meeting the objectively assessed need for new homes in the Borough" (Planning Statement, paragraph 8.5).
2. Notwithstanding that the most recent household projections for Hertfordshire local authorities provided by the Office for National Statistics (ONS) indicate significant reductions when compared to earlier based projections on which the Council's current assessments are based, overall housing need is not a suitable justification. The above assertions in no way constitute the "very special circumstances" required by the NPPF which should be related to the specific local conditions of the site rather than the general provision of housing.
3. It continues to be the case that Paragraph 11 of the NPPF (and footnote 7) enables Local Plan housing targets to take account of policy constraints relating to designated protected land, including Green Belt. CPRE Hertfordshire has argued at recent Local

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CPRE Hertfordshire is a Charitable Incorporated Organisation

President: Sir Simon Bowes Lyon, KCVO
Chairman: Allan McNab

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Plan inquiries that Paragraph 11 effectively requires local planning authorities to take account of protected area designations.

4. This policy constraint has been recently overridden by arguments relating to housing need as calculated by standard formulae which have led to inappropriate planning committee and appeal decisions. This points up the lack of clarity with regard to technical guidance on housing land supply and policy constraints and may be set in the context of the ongoing active debate regarding the protection of Green Belt.
4. The Planning Statement notes that the proposed site was allocated in the recently 'shelved' Regulation 18 Draft Hertsmere Local Plan and the reasons for the suspension are profoundly relevant to this proposal. The recent record-breaking public response to the Hertsmere Draft Local Plan indicates over-whelming support by local communities for the Green Belt and in light of this response, the Council has announced its intention to 'shelve' the Draft Local Plan pending further review.
5. The plethora of recent planning applications in southern Hertfordshire, often citing planning appeals and planning committee decisions elsewhere, provides the context for a wholesale attack on the Green Belt which is causing considerable local community and wider concerns. It is reasonable to suggest that the "shelving" should lead to a wholesale review of the Green Belt in Hertsmere and it is clearly premature to determine this application in advance of that review and adoption of the Local Plan.
6. Further context is provided by recent Ministerial statements, which carry policy weight, and the recently published Levelling Up and Regeneration Bill and supporting policy information re-emphasise the importance of protection of the Green Belt. Forthcoming amendments to the NPPF and technical guidance should clarify the significance of this protection.
7. Most relevantly in this case, correspondence between the then Minister of Housing, Christopher Pincher, and Welwyn Hatfield Borough Council on 18th November 2021 led the Minister to reply:

"We are firmly committed to protecting and enhancing the Green Belt... We have ensured strong protections through national policy to safeguard this important land for future generations and I want to reassure you that these protections will remain firmly in place." (Correspondence from Department for Levelling Up Housing and Communities to Leader WHBC, 18.11.21)
8. Further, in reply to a Back Bench Committee debate called by Daisy Cooper, MP for the neighbouring district council area of St Albans, Mr Pincher stated:



"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. (Hansard 21.11.21)

9. The recently published "Levelling Up and Regeneration Bill Policy Paper: Further information" re-emphasises the Government's support for protection of the Green Belt: "the increased weight given to plans and national policy by the Bill will give more assurances that areas of environmental importance – such as National Parks, Areas of Outstanding Natural Beauty...- will be respected in decision on planning applications and appeals. The same is true of Green Belt, which will continue to be safeguarded." (In the Bill: LURB Policy paper: May 2022)
10. It is increasingly clear that where all open land is designated as protected, such as in Hertsmere, there need to be special measures and the re-balancing of development away from what the Levelling Up and Regeneration White Paper referred to as 'over-heated areas'. This would reduce the pressure for development on designated protected land and we would urge the Council to take note of the representations made by local residents in respect of both the principle and specific proposals for development on Green Belt land.
11. The proposed development is a clear encroachment into open countryside, affecting its openness and leading to a reduction in open land between settlements in the immediate area. We challenge strongly the assertions in the Planning Statement that the proposed site does not fulfil the NPPF purposes for the Green Belt.
12. The proposal extends the built-up area of Bushey and the Planning Statement (PS) accepts that the gap between Bushey and Borehamwood has already been narrowed by development. Further development would reduce the buffer which prevents the coalescence of settlements, a prime purpose of the Green Belt, and the suggestion that further development is acceptable because some has already taken place, is indefensible. (PS, paragraph 6.9)
13. The Green Belt in the area adjacent to Bushey affected by this proposal is particularly susceptible to degradation and in our view this requires management as open countryside for the benefit of the public, both local and visitors, as originally intended by its designation.



14. The Applicant states that the proposed development seeks to provide almost 40% affordable housing as presently defined. While accepting such provision at this stage in good faith, it should be noted that this is misleading in terms of the present conditions surrounding affordable housing. Recent CPRE Hertfordshire research has highlighted the complete inadequacy of present definitions of affordable housing, and the inability of Hertfordshire average income earners to access any part of the housing for sale market in Hertsmere.
15. The very considerable and growing local community response, together with the potential damage to highly valued protected open countryside accessible to all, indicates the need to review site allocations in the Local Plan and halt the determination of speculative applications such as this one. The increasing pressures on local services and facilities from further development, as identified by numerous objectors, are also undeniable.

We urge the Council to refuse this inappropriate development proposal.

Yours sincerely,

Chris Berry
Planning Manager