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Standing up for Hertfordshire's countryside

Alexia Kallini
Planning and Building Control
Hertsmere Borough Council
Civic Offices, Elstree Way
Borehamwood
Herts. WD6 1WA

Our Ref:

Your Ref:

1st March 2023 (by email)

Dear Alexia Kallini,

Application no. 22/2149/OUT

Organ Hall Farm and Land at Theobald Street Borehamwood

Erection of up to 121 dwellings, a 75-bed care home, a medical centre (Use Class E(e)), associated infrastructure, parking, landscaping, open space, earthworks and access from Theobald Street. (Outline Application to include Access, with all other matters Reserved)

I write with reference to the above application for speculative residential development, to which CPRE Hertfordshire objects strongly for the following reasons.

1. The site lies within the London Metropolitan Green Belt as defined in the adopted Hertsmere Core Strategy which proscribes inappropriate development according to criteria indicated in the National Planning Policy Framework (NPPF) unless very special circumstances are demonstrated. The applicant's consultants in their Planning Statement accepts that very special circumstances are required to justify this application for inappropriate development in the Green Belt.
2. The Planning Statement (PS) makes clear that this application is in direct response to the inability of the Council to demonstrate an up-to-date five year housing supply of deliverable sites for housing (PS para. 1.19 ii). Previously, the PS notes that the presumption in favour of sustainable development is engaged, quoting paragraph 119(d) of the National Planning Policy Framework and footnote 7.
3. This is clearly incorrect in that footnote 7 specifically provides the strong reasons for reviewing housing requirements in terms of land designated as Green Belt, Areas of Outstanding Natural Beauty (AONB) inter alia. Subsequent national Planning Practice Guidance (PPG) has enabled planning decisions to be made recently, at both planning appeals and in Local Plan allocations, which have over-ridden the protections offered by footnote 7 and considerable debate is presently taking place locally and nationally with regard to the need to reaffirm the importance of protected land designations.

CPRE is working nationally and locally for a beautiful and living countryside

CPRE Hertfordshire is a Charitable Incorporated Organisation

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

Registered Charity 1162419

4. The Planning Statement further states that the ‘development plan’ (presumably the adopted Core Strategy) is not ‘based upon a NPPF compliant assessment of housing need’ and this is clearly the case as the Core Strategy was prepared in advance of publication of the NPPF. It is thus perverse to assert that the Core Strategy “represents a clear conflict with paragraph 60 of the NPPF” (PS Para 1.18).

5. The application demonstrates a very clear encroachment into open countryside beyond the built-up area with severe impact on its openness and character in this location. It constitutes an inappropriate urban extension which the Green Belt designation exists to prevent, preventing the coalescence of settlements and maintaining the character of the open countryside which is becoming increasingly scarce in this area.

6. Significant representations are being made by CPRE and other bodies to the Government to clarify the technical guidance in the area of housing need with regard to protected areas, especially in the absence of an up-to-date Local Plan. The Government’s position is evolving with regard to protection of the Green Belt in response to local community and local planning authority concerns.

7. The recent Regulation 18 public consultation for the Hertsmere Draft Local Plan received a record-breaking number of representations from organisations and individuals, including CPRE Hertfordshire, and the majority of these responses opposed site allocations for future residential and commercial development in the Green Belt. This has led Hertsmere Council to ‘pause’ the preparation of their Local Plans pending further consideration of proposals.

8. Recent Ministerial Statements, which have policy weight, have reiterated the Government’s strong support for protection of the Green Belt. Most recently the Secretary of State (SoS) for Levelling Up, Housing and Communities published a Statement on 6th December 2022 which noted:

“It will be up to local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area— be that our precious Green Belt or national parks” (Hansard: Planning System and Levelling Up Bill: Community Control. 6.12.22).

9. It is clear that the Government’s intention is to retain the Green Belt in its present form and the constant attempts to undermine Green Belt protections for residential developments are in danger of bringing the planning system into disrepute. The recently published “Levelling Up and Regeneration Bill Policy Paper: Further information” re-emphasises the Government’s support for protection of the Green Belt as follows:



“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.” (Creating beautiful places and improving environmental outcomes; In the Bill: LURB Policy paper, May 2022)”

Further,

“Existing Green Belt protections will remain, and we will pursue options to make the Green Belt even greener.” (Creating beautiful places and improving environmental outcomes; Alongside the Bill: LURB Policy paper, May 2022)

10. The quotation of what are regarded as “other relevant Green Belt appeal decisions” made in different circumstances to support the application can be countered by decisions elsewhere which reaffirm Green Belt protection, such as Beaconsfield, Sevenoaks and the Mole Valley. Each application is required to be considered on its merits and CPRE Hertfordshire urges the Council to refuse this wholly inadequate and speculative application.

Yours sincerely,

Chris Berry
Planning Manager

NOTE: We would request that this letter is published on the Council’s website as a document relating to this application and should be grateful if you would notify us of the date of the appropriate meeting if it is to be determined by planning committee.