



Statement by Chris Berry on behalf of CPRE Hertfordshire as an interested party to planning appeal (PINS reference 6004002)

Land to the West of Barnet Road, and East of Baker Street, Potters Bar

INTRODUCTION

1. This statement is made by Chris Berry on behalf of CPRE Hertfordshire as an interested party to the appeal (PINS reference 6004002: Hertsmere Borough Council application number 24/1101/OUTEI) against the refusal of planning permission for 900 units, care home and associated development and infrastructure on 'Land To The West Of Barnet Road, And East Of Baker Street, Potters Bar, Hertfordshire, EN6 2ES'.
2. I have practised as a Member of the Royal Town Planning Institute in both the public and private sectors for over 45 years and am presently employed part-time as Planning Manager for CPRE Hertfordshire which acts to protect the countryside in Hertfordshire. We are active in supporting local organisations and communities to protect, amongst other things, statutorily designated protected open space such as Green Belt from inappropriate development in the wrong places.

BACKGROUND TO THE APPEAL

3. CPRE Hertfordshire objected to the application in 2024 by letter on 11th October 2024. The relevant development plan is the adopted Hertsmere Core Strategy and a Draft Hertsmere Local Plan is presently in preparation and has been subject to extensive public consultation in its preparation. Revisions have been made as a result of these consultations and the present Local Development Scheme envisages adoption of the emerging Hertsmere Local Plan in September 2027.

GREEN BELT

Policy

4. It is agreed by the Appellant that the proposed development is inappropriate development in the Green Belt, as described in paragraph 154 of the National Planning Policy Framework as revised in December 2024 (NPPF 2024). This states that:
“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

The Appellant contends that very special circumstances (VSC) exist to clearly outweigh the potential harm to the Green Belt which may result from the proposed development.

Purposes

5. The Government’s commitment to protecting Green Belt land is elaborated in Chapter 13 of the NPPF 2024. The five purposes of the Green Belt are set out in paragraph 143, and we consider the first, third, and fifth of these purposes are directly relevant to the determination of this appeal. Historically, Green Belt has been a key component of the planning system in Hertfordshire and in terms of the first Green Belt purpose its primary function has been to control the outward sprawl of London as the London Metropolitan Green Belt.
6. In the 1970s, the Green Belt was extended as part of the Hertfordshire County Structure Plan to cover approximately 40% of the land area of the County to continue to provide this protection. The form of the Hertfordshire Green Belt and its primary purpose reflect the influence of Greater London along the main route corridors leading northwards from the capital and the major settlements in close proximity, such as Potters Bar.
7. With regard to first of the five purposes of the Green Belt for Potters Bar, the primary function of preventing urban sprawl is exercised along the A1000, A111, the East Coast main line railway and other radial routes where pressure for development continues to be significant, including this site. Part of this primary purpose is to maintain the integrity of local settlements and specifically maintaining the rural character of the gap between Barnet and Potters Bar.
8. The third purpose, to safeguard the countryside from encroachment, is a significant concern in this case, particularly when set in the context of challenging the permanence of the Green Belt and the clear and obvious loss of openness which would result from the construction of 900 houses and associated development. It is

clear that the proposed development would encroach severely into an area of open countryside between Barnet and Potters Bar.

9. The magnitude of the proposal is also a factor in our view and likely to become more so in the light of recent experience since the introduction of grey belt which has already led to significant potential reductions in the Green Belt in Hertsmere and the neighbouring Borough of Welwyn Hatfield. This site contributes significantly to the open approach to the town of Potters Bar via Baker Street from the south and there is no doubt that development of the site would result in a considerable loss of Green Belt openness, contrary to the fundamental aim set out in the NPPF (paragraph 142).
10. No amount of screening or planting can compensate for the introduction of 900 dwellings, a school and other facilities which would completely change the character of the area. As has been cited frequently, including the oft quoted Samuel Smith Old Brewery (Tadcaster) planning appeal case, openness is a matter of planning judgement and in this case would be hugely impacted by the proposed development.
11. In relation to the fifth purpose of the Green Belt, the NPPF 2024 states that brownfield and previously developed land should be used prior to development on Green Belt (Paragraph 147). Hertsmere Borough Council's Brownfield Register, last updated in March 2025 identifies 30.83 hectares of brownfield land appropriate for development, sufficient to accommodate several thousand units depending on density. Notwithstanding the possibility of the implementation of consents since 2025, the Council's Brownfield Register indicates the potential contribution of previously developed land in Hertsmere.
12. The emerging Local Plan provides the opportunity for promoting greater use of previously developed land within the built-up area of Potters Bar and other settlements in the Borough. The Government intends the reuse of previously developed land to be the primary land resource for development in the future so, together with unimplemented consents and empty homes, the need for using open countryside such as in this case may be reduced.

Grey belt

13. The Government restated its commitment to the Green Belt in the NPPF 2024 which provided a significant change in the direction of travel for national Government policy with regard to the future of the Green Belt by the introduction of grey belt. These changes are intended to be reinforced by the draft NPPF which was published for public consultation in December 2025 (NPPF 2025).

14. Grey belt is defined in the existing NPPF 2024 as:
 “Land in the Green Belt comprising previously developed land and any other parcels and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”(Glossary)
15. It is nevertheless clear that the Government’s stated intention is to retain the Green Belt largely in its present form and the constant and increasing attempts to challenge Green Belt protections for residential and other developments lead to many local communities questioning the relevance of the planning system. CPRE Hertfordshire is not opposed to a limited reassessment of Green Belt boundaries where conditions and circumstances have changed from the original designation.
16. The present site self-evidently cannot be considered as grey belt in any reasonable definition by virtue of its magnitude and its contribution to the first purpose of the Green Belt in this location. In our view it is a clear extension of the southern boundary of Potters Bar and thus constitutes urban sprawl which the Green Belt designation seeks to prevent.
17. Reference may be made to the recent appeal decision at Shafford Knoll Farm in Hemel Hempstead where the Inspector noted that:
 “the NPPG identifies sites that make a strong contribution to purpose a) are likely to be free of existing development and lack physical features in close proximity that could constrain development” (ref: APP/A191/W/25/3373146)
18. Further, the appeal decision states:
 “Whether, or not, a parcel of land constitutes grey belt , depends on the characteristics of the site itself and its locality” (para 21).”
 We believe that a similar position is appropriate with regard to the position and the character of this site which as a very extensive area of totally undeveloped open land that should not be regarded as grey belt.
19. The recent dismissal of the planning appeal at Kipling Farm, Tilbury (ref: is also relevant, in that the Inspector explicitly considered grey belt and rejected that status for the site. The report specifically noted the significance of preventing urban sprawl on a largely open site.

Very special circumstances

20. The Appellant argues that, if grey belt is not established, very special circumstances (VSC) exist where the benefits of the scheme would clearly outweigh the harm to the

Green Belt. The VSC test should not be solely a mechanistic weighting exercise, but rather clear and powerful reasons related to the conditions and circumstances of the site that warrant a departure from consistent planning policy in favour of respecting and retaining the Green Belt.

21. The Appellant notes in their Statement of Case that the Council's Green Belt Assessment states that the site for the proposed development makes no contribution to purpose a) of the Green Belt. We disagree with that assessment by virtue of the entirely open nature, character and magnitude of the site as arable agricultural land.
22. The judgement regarding the VSC to be demonstrated to clearly outweigh the harm caused by this inappropriate proposed development should relate to the very special circumstances and conditions of this site in the open countryside. We do not believe that the benefits that the Appellant proposes pass the test of VSC in this location when much of what is being promoted would be expected of a large development in any location.

LANDSCAPE

23. A key characteristic of the designated open land affected by the proposal is the quality and extent of the rural landscape in this area. We support the Council's Reason for Refusal which includes consideration of the landscape characteristics on a site which is open agricultural land.
24. We would further comment that the rural landscape and openness of this area is highly valued by the local surrounding communities. The site is bounded by a long-standing permissive pathway and its constant use demonstrates the significance of the landscape for residents in this area.

HERTSMERE LOCAL PLAN

25. We believe that the status of the emerging Hertsmere Local Plan (HLP) and continuing Government consideration of the significance of designated protected land, including Green Belt and grey belt are directly relevant to this Inquiry. The previous Regulation 18 public consultation on the emerging full draft Local Plan in November 2021 received a record-breaking number of responses, overwhelmingly rejecting the allocation of Green Belt sites for housing.
26. This led the Council to delay the programme for publication of the emerging Local Plan for further review and a further partial consultation with regard to housing sites

in April 2024. Similar situations have arisen with regard to the emerging Local Plans for Dacorum Borough and Three Rivers District Councils in Hertfordshire where very considerable local community responses and opposition relating to Green Belt allocations have led to the need to review the respective Local Plans.

27. We note that this site is not in the most recent emerging Local Plan which has been recently published for further consideration and the Government required level of housing land supply is provided without the allocation of this site. It is reasonable to suggest that priority for consideration should be given to allocations in the emerging Local Plan rather than speculative developments such as the subject of this inquiry.
28. We would also wish to comment on the level of proposed housing land supply as it relates to the emerging HLP. This is based on the Government's "standard method" algorithm as introduced by the NPPF 2024 and requires a massive increase in land allocations for housing in a Local Plan in an area where land is highly constrained by designated protected status.
29. We are aware that the context for the delivery of housing has been unusual since the end of the pandemic. Delivery of housing has been affected by a wide range of supply side factors since the end of the pandemic including construction costs and materials, labour shortages, interest rates and financing constraints as well as the constant changes in planning legislation.
30. We believe this situation will change in the future with the adoption of the Local Plan which makes sufficient provision without the allocation of this site and assisted by Government policy and actions to encourage housing provision as a whole. The Draft Local Plan is presently published for a further Regulation 18 public consultation and it is our understanding that the Borough Council will move rapidly to the next stages of Local Plan preparation and adoption.

AGRICULTURAL LAND

31. We are aware of the Statement of Common Ground on agricultural land and would comment that this site has been in continuous agricultural production for generations, notwithstanding the soil classification category. A significant element of the enjoyment of the site is the maintenance of its use as agricultural land which contributes to the significance of the Green Belt, by virtue of its openness and the maintenance of rural character which will be altered by the proposed development.

SUMMARY AND CONCLUSION

32. In summary, CPRE Hertfordshire supports the Borough Council in its refusal of permission for the proposed development which is the subject of this appeal. In our view the benefits of the scheme do not clearly outweigh the harm to the Green Belt and therefore very special circumstances are not demonstrated to permit this inappropriate development proposal. The quantum of development proposed means that there would be very substantial harm caused to highly valued open countryside which is designated as Green Belt whose designation seeks specifically to prevent the type and magnitude of development proposed in this case.
33. The categorisation of the land as grey belt is entirely inappropriate due principally to its lack of compliance with the first purpose of the Green Belt to prevent urban sprawl, in this case from the southern boundary of the major settlement of Potters Bar. The anticipated changes to national planning policy and guidance still maintain the significance of the Green Belt designation which is highly appropriate in this location and the Inspector is respectfully urged to dismiss this appeal.

CB 20.04.2026