

CHAPTER 4 – GENERAL PROPOSALS AND DEVELOPMENT STRATEGY

4.1. GENERAL PROPOSALS: GENERAL

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
4045	HCC Environment Department	4930 L	English Nature

Key Issues

- (a) Whether there should be a programme of Comprehensive Settlement Appraisals to cover Berkhamsted, Hemel Hempstead, Tring and/or other settlements. (4045)
- (b) Ought the Plan to include a statement to explain how the Council intends to engage local communities in dialogue about sustainable development. (4045)
- (c) Should the chapter on the natural environment be the first topic chapter so that it sets the context for the rest of the policies. (4930L)

Inspector’s Conclusions

(a) *Comprehensive Settlement Appraisals (CSA’s)*

- 4.1.1. This objection is similar to objection 5179, which I have already considered in paragraphs 2.6.1 to 2.6.3. For the reasons I have already given I do not believe it would be appropriate to delay the adoption of the Plan in order to undertake CSA’s for Berkhamsted, Hemel Hempstead and Tring at this stage. However, I would urge the Council to undertake such appraisals as part of the next review of the Plan. Since they are contained within the adopted Structure Plan I do not accept that they are of doubtful legality as is suggested by the Council. Indeed, I consider that such appraisals are likely to accord with the Government’s stated intention of encouraging greater involvement of local communities in the planning process. In my view it would be sensible for the current Plan to include a commitment to undertake these appraisals. The most suitable location for such a commitment would be in section 15 of Part 1.

(b) *Local communities and sustainable development*

- 4.1.2. I accept that the Council did undertake consultation in preparation of the current Plan, although it appears that it was not entirely effective in achieving the active participation of local people. I have no doubt therefore that the development of a more inclusive process of consultation in the future would be beneficial. The development of the CSA approach would be one way of achieving this. Dialogue with local residents over the design briefs for many of the proposal sites, as the Council apparently intends, is another.
- 4.1.3. While the latter approach is to be encouraged, its site-specific nature is unlikely to meet the more holistic approach to settlements that is sought by the Structure Plan. This reinforces my view that the CSA approach is to be preferred in the longer term.

- 4.1.4. I agree, however, with the objector that there needs to be more than just a general commitment to undertaking CSA’s for the 3 towns. In my opinion, the Plan should also include a statement highlighting the topics, listed in paragraph 91 of the Structure Plan Review, on which the Council considers that consultation would be helpful.
- 4.1.5. To my mind the Council’s proposed further change FC14 fails to adequately address this objection. Not only is it so vague as to be virtually meaningless but it gives no time scale or programme for the consultation process. I consider, therefore that a much more definitive statement is required on the consultation that will be carried out during the Plan period. This would ensure that areas of discussion can be more effectively targeted and resources properly planned. This would avoid giving an open-ended commitment, which the Council is understandably keen to avoid.

(c) *The location for the chapter on the environment*

- 4.1.6. I can understand the objector’s desire to see greater prominence given to environmental policies. However, while such policies are undoubtedly of considerable importance, I am not satisfied that this justifies changing the chapter order of the Plan. In my view, it is entirely logical that the strategic policies should come first. This ensures that the other policies of the Plan are properly set in context.
- 4.1.7. It should be remembered that the Plan has to be read as a whole. The fact that the natural environment is dealt with in section 10 of Part 3 of the Plan does not mean therefore that it is of any less importance in development control terms. Sustainable planning is based on a holistic approach, which takes into account economic, social and environmental factors. The weight to be attached to each of these factors will depend on the particular circumstances of each case. I do not consider, therefore, that it would be appropriate to give undue prominence to environmental policies. In the circumstances, I see no need to modify the Plan to make natural environment the first topic chapter.

Recommendation

- 4.1.8. **The Plan be modified as follows:-**
- (a) Amend Section 15 of Part 1 of the Plan to include a commitment to undertake Comprehensive Settlement Appraisals for Hemel Hempstead, Berkhamsted and Tring as part of the next review of the Plan.**
 - (b) Insert a definitive statement identifying the specific topics on which the Council intends to undertake further consultation during the Plan period. The statement should include a time-scale for the consultation process.**
- 4.1.9. **No modification should be made to the Plan in the light of objection 4930L.**

4.2. GENERAL PROPOSALS: SUGGESTED NEW POLICY

Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
5173	Tring Environmental Forum	5177	Tring Environmental Forum
5174	Tring Environmental Forum	5178	Tring Environmental Forum
5175	Tring Environmental Forum	5181	Tring Environmental Forum
5176	Tring Environmental Forum	5182	Tring Environmental Forum

Key Issues

- (a) Whether the Plan should develop an overarching sustainability strategy through the inclusion of a further chapter covering strategic policies on sustainable development. (5173, 5174, 5175, 5176, 5177, 5178,)
- (b) Should the Plan include a policy that seeks an environmentally, socially and economically sustainable quantity, pattern and form of development. (5173)
- (c) Should all proposed developments be assessed in the light of agreed Local Agenda 21 policies. (5174)
- (d) Is there a need for the Plan to establish environmental assessment and monitoring procedures. (5175)
- (e) Whether an additional policy is required to welcome new development that does not have an unacceptably detrimental effect on the economy, communities or the environment, or the means whereby future needs will be met. (5176).
- (f) Should a policy on international, national and local sustainability targets be inserted. (5177)
- (g) Whether a policy should be added to require consideration of local capacity restrictions. (5178)
- (h) Should the Plan include a policy on risk and public perception. (5181)
- (i) Whether the precautionary principle should be applied to new development proposals. (5182)

Inspector’s Conclusions

(a) A Sustainability Strategy

- 4.2.1 As I have already stated in paragraph 2.5.2 of my report, I am not satisfied that the Plan gives sufficient prominence or weight to the concept of sustainability. It is abundantly clear from national, regional and strategic guidance that it should play a central role in the Development Plan Strategy. While the Council has clearly taken the concept of sustainability into account in developing the Local Plan strategy, I am not satisfied that it forms a key building block. I therefore agree with the objector that the Plan needs to be modified to include a clearer overarching sustainability strategy.
- 4.2.2 I am not convinced, however, that this warrants the inclusion of the multiplicity of policies that are advocated by the objector. The Structure Plan contains only one key strategic policy on sustainability. In my opinion, a similar approach in the Local Plan would provide an appropriate context for the remaining policies. Although the policies suggested by the objector collectively have some merit, in many cases they are unduly vague. They also have a considerable deal of overlap. I am not satisfied, therefore, that the Plan should be modified in the manner suggested by the objector.

(b) *A sustainable quantity, form and pattern of development*

- 4.2.3 While the intentions behind the objector’s suggested new policy are to be commended, I consider the wording is unacceptably vague. In the circumstances, I am not satisfied that its inclusion would improve the Plan. Moreover, the quantity of development is in many respects more directly influenced by the Structure Plan. I find no reason to modify the Plan in the light of this objection.

(c) *National Strategy for sustainable development and Agenda 21*

- 4.2.4 Local plan policies will obviously need to be interpreted in the light of changing national policy on sustainability. However, the inclusion of a policy, which refers to a national strategy that is still emerging would, in my view, add an unacceptable degree of uncertainty. A local plan policy should normally be free-standing. Reference to a strategy that is not yet fully known could increase the risk of possible confusion. I am not satisfied, therefore, that it would be appropriate to modify the Plan to include the proposed additional policy. However, I believe it would be appropriate for the background text to make reference to the importance of the emerging national strategy on sustainability.
- 4.2.5 In view of the relevance of Local Agenda 21 to the Development Strategy, I am surprised that the Plan does not appear to make any reference to it. Paragraphs 68 and 69 of the adopted Structure Plan outline the significant role it has played in the development of a County Policy Framework for Hertfordshire. I consider the Local Plan should similarly identify the role that Local Agenda 21 has played in the formulation of the Development Strategy for Dacorum.
- 4.2.6 In conclusion, I see no need for an additional policy along the lines suggested. However, I consider the background text of the Plan should be modified to refer more explicitly to emerging national policy on sustainability and the aims and objectives of Local Agenda 21, insofar as they are relevant to land use planning in the Borough.

(d) *Environmental assessment and monitoring procedures*

- 4.2.7 I have already recommended in paragraph 2.4.5 of my report that the Plan should be modified to provide clearer aims, objectives and targets, including sustainability indicators and a new section outlining monitoring procedures. I am satisfied that if these modifications were undertaken they would effectively meet this objection as well. There would be no need therefore for the suggested additional policy.
- 4.2.8 If the Council decide not to accept the recommendation in paragraph 2.4.5, I consider the Plan should at the very least include a much clearer indication of the Council’s intention to establish proper monitoring procedures. I am not satisfied that PIC2 is adequate to achieve this on its own. In my view, additional text along the lines suggested by the objector will also be required. In particular, this would help to make developers more aware of the need for them to make a contribution towards achieving local sustainability objectives. I appreciate the Council’s concerns about the precision of the proposed policy but I consider this could easily be resolved by minor amendments to the wording.

- 4.2.9 In the circumstances, I recommend that the Plan should be modified to include sustainability indicators and clearer guidance on monitoring procedures as set out in paragraph 2.4.5 of my report. If the Council should decide not to adopt this approach, then the Plan should be modified to include a new policy outlining the Council’s intention to establish clear and effective monitoring procedures. It should also impose a requirement on developers to submit information that would enable the Council to assess progress towards meeting local sustainability objectives.

(e) *Effect of new development on the economy, communities, the environment and future needs*

- 4.2.10 While I appreciate the laudable sentiments behind this objection, I find the suggested additional policy to be so vague as to be virtually meaningless. The policies of the Plan already seek to deal directly with many of the issues referred to. When these are read together with the additional policies proposed by the Council, in pre-inquiry and further changes, and others I have recommended, I am satisfied the policy framework will be adequate to guide decisions in land use planning. I do not consider, therefore, that the proposed policy would add anything of real value.

- 4.2.11 I am also concerned that the proposed policy could constrain the necessary flexibility that will be required in balancing various competing demands. In the circumstances, I recommend no modification be made to the Plan in the light of this objection.

(f) *International, national and local sustainability targets*

- 4.2.12 Again I am satisfied that if the Council adopts my recommendation in paragraph 2.4.5 there would be no need for the proposed additional policy. Even if the Council decides not to proceed with that recommendation, I do not believe this policy, by itself, would be of much assistance. In order for it to make any sense to users of the Plan it would need to be accompanied by a detailed explanation of the targets that the policy was seeking to be reflected in planning decisions. In my view, the Council could more usefully spend the time on developing its own local targets.

- 4.2.13 However, if the recommendation in paragraph 2.4.5 is not adopted it would be useful for the Plan to identify the specific areas where the Council intends to develop targets and indicators for monitoring purposes. This could be achieved by amending the text proposed in PIC2, which, in my opinion, is far too vague to warrant adoption in its current form.

- 4.2.14 I conclude, therefore, that no modification should be made to the Plan in the light of this objection other than that already recommended at paragraph 2.4.5. However, should the Council determine not to adopt that recommendation then the Plan should be modified by the inclusion of a clearer definition of the specific areas for which the Council intends to develop targets and indicators and the time-scale over which it is intended this should take place.

(g) *Local capacity restrictions*

- 4.2.15 As previously indicated in paragraph 1.1.41, I am concerned that in some cases the Council appears to have taken insufficient account of constraints on local capacity. It is an essential prerequisite for new development that the appropriate infrastructure is

either already in place or can be provided in a sustainable manner. In allocating new housing sites, for instance, considerable thought needs to be given to the provision of education, health services, and public transport, amongst other things, if a sustainable form of development is to be achieved. It is important, therefore, that the Plan ensures that new development only takes place where the necessary infrastructure and services are either already available or can be provided within a reasonable period without detriment to the environment or the social or economic life of the community.

- 4.2.16 I appreciate that criterion (k) of Policy 9 seeks to address the capacity of existing local services and utilities. However, in my opinion, capacity is a strategic issue. It does not relate solely to the quality of development. Consequently, I am not satisfied, that it is appropriate for this subject to be dealt with under Policy 9.
- 4.2.17 In addition, it is not sufficiently clear which services and utilities criterion (k) is intended to refer to. The proposed addition of PIC15, relating to foul drainage, seems to imply that the criterion is primarily directed at existing infrastructure. In my view such an approach is too restrictive. I am also concerned that the reference to the programming of new capacity makes no mention of the need for this to be provided in a sustainable manner without harm to the environment.
- 4.2.18 Having said this, I find the additional policy suggested by the objector lacks the necessary precision. It is not clear from the representation exactly what is meant by “local capacity restrictions”. It seems to me, therefore, that for the objector’s policy to be of any real use, it would need considerable amendment to provide the necessary level of precision. In the circumstances, while I consider the intention behind the proposed policy has considerable merit I am not satisfied it would be appropriate to include it within the Plan in its present form.
- 4.2.19 The most sensible option, in my opinion, would be to create a new policy based on criterion (k) from Policy 9. The wording would need to be modified to ensure that new capacity could be provided in a sustainable manner. I do not consider that it would be appropriate to include the wording suggested in PIC15 as part of the new Policy. In my view, this would give undue weight to one utility. It would be better if this was included as supporting text since it is not strictly a strategic matter.
- 4.2.20 New background text would also need to be inserted to explain exactly which local services and utilities will be taken into account in assessing whether a development would accord with the aims of the proposed policy and how capacity will be measured. I conclude therefore that the Plan should be modified to include a new policy and supporting text dealing with the capacity of local services and utilities.

(h) *Risk and public perception*

- 4.2.21 I am satisfied that Policy 119 deals adequately with the issue of risk in respect of hazardous substances. Policy 9 addresses the question of harm arising from pollution. I see no need, therefore, for the inclusion of a further policy relating to risk.
- 4.2.22 I appreciate that the courts have held that public concern is a material consideration. However, even where there is evidence of public concern this would not mean necessarily that the refusal of planning permission would be justified or that the submission of further evidence should be required in all cases. The basis for the public

concern would need to be substantiated and it would need to clearly outweigh the evidence provided by the applicant. I do not consider, therefore, that the suggested policy would be of much assistance to either the Council or those reading the Plan. It would do little to help establish the appropriate weight to be given to objective and subjective risk assessment or the level of detail required in such decisions.

- 4.2.23 In addition, the proposed policy appears to be directed primarily at hazardous substances. It is clear from judgements like *West Midlands Probation Committee v Secretary of State for the Environment and Walsall Metropolitan Borough Council* [1997] JPL 388-398 that public concern can be a relevant consideration over a much wider field of planning. I have no reason to believe the Council will not take due account of public concern in reaching its planning decisions. In the absence of further guidance from central government on this issue, I do not consider it would be appropriate to include the suggested policy within the Plan. I, therefore, recommend no modification in the light of this objection.

(i) The precautionary principle

- 4.2.24 The precautionary principle is an important element of the Rio Declaration and has been incorporated into European Union policy, but it is not as yet enshrined in UK planning law as a general principle. There are some areas where national planning policy indicates it would be appropriate to apply the principle, notably in respect of pollution control and flood risk. However, there is no evidence that the Government intends that all development decisions should be based on the precautionary principle.
- 4.2.25 Although the principle is mentioned in the Explanatory Memorandum, it is not referred to in any of the policies of the Structure Plan. In these circumstances, I can see no justification for incorporating a general policy on the precautionary principle into the Local Plan. The inclusion of such a policy would result in the Plan being out of step with both national and Structure Plan policy. Consequently, I recommend no modification be made to the Plan in response to this objection.

Recommendation

- 4.2.26 **The Plan be modified as follows:-**

(a) amend the background text to:-

(i) outline in more detail current national policy on sustainability

and

(ii) identify the relevant aims and objectives of Local Agenda 21 that have influenced the formulation of the Development Strategy;

(b) insert a new section outlining the monitoring procedures that will be followed and defining clear aims, objectives and targets. (See also paragraph 2.4.5)

**Alternatively if this recommendation is not adopted
by inserting the following new policy instead:-**

“Effective monitoring procedures will be developed as part of the continuing monitoring and evaluation of the Plan in order to assess the impact of the Development Strategy on local resources. As part of this process developers may be required to provide additional information to enable the Council to assess the extent to which a development will meet local sustainability objectives”;

and

by including additional background text covering the following matters:-

- (i) the areas of the Plan for which the Council intend to develop targets and indicators;**
- (ii) the time-scale over which the Council intend to develop new monitoring procedures;**
- (iii) the type and form of additional information that may be required from developers under the terms of the new policy;**

- (c) delete criterion (k) from Policy 9 and insert a new policy in Section 1 of Part 3 of the Plan as follows:-**

“Development will only be permitted where either existing local services and utilities have sufficient capacity to accommodate it or the necessary capacity can be provided within the Plan period without detriment to either the environment or the social and economic well-being of the Borough”;

- (d) insert additional background text identifying the types of services and utilities that the new policy is intended to refer to and identifying the methods by which capacity will be assessed.**

4.2.27 No modification be made in response to objection nos. 5173, 5176, 5181 and 5182.

4.3 DEVELOPMENT STRATEGY: GENERAL

Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
4802	The Directors of Shendish Manor Estate	5139	Tring Environmental Forum

Key Issues

- (a) Is the incremental strategy for development proposed for Hemel Hempstead defective. Should an additional policy be included within the Development Strategy to incorporate the main Structure Plan strategy of “Planned regeneration, limited peripheral development and strategic development”. (4802)**
- (b) Should the criteria in paragraphs 3.2.15 and 3.2.16 of “Planning for Sustainable Development: Towards Better Practice”¹ be included in the Plan by the introduction of a new policy which would describe the basis on which locational decisions will be made in respect of new strategic housing development. (4802)**

¹ “Planning for Sustainable Development: Towards Better Practice” Department of Environment, Transport and the Regions. October 1998

- (c) Does the Plan confuse the Development Strategy with statutory and national policy objectives. Should it provide a linkage between the main themes of national policy and the parts of the Plan that address those issues as required by PPG 12. (5139)

Inspector’s Conclusions

Preliminary matters

- 4.3.1. Although objection 4802 relates specifically to the Development Strategy, it forms one of a large number of inter-related objections made by the Directors of the Shendish Manor Estate. It is clear that the objector’s primary reason for challenging the Plan is to seek the development of land at Shendish for housing. While I have taken the objector’s related objections into account in considering objection 4802 my conclusions at this point concentrate on those issues which relate directly to the general Development Strategy of the Plan. I deal with site-related matters in respect of the land at Shendish later in the report².
- 4.3.2. As part of the objector’s case in respect of objection 4802 a detailed appraisal was submitted of a number of other housing sites proposed in the Plan or in the pre-inquiry changes. While I have had regard to the outcome of this exercise in reaching my conclusions on this objection, consideration of the sustainability of individual housing sites is, in my view, better addressed when each site is dealt with. I have therefore considered this issue later in my report.³
- 4.3.3. Although the Directors of Shendish Manor have been recorded as making only one duly made objection in respect of the Development Strategy, at the Inquiry their planning witness suggested two modifications should be made to the Plan in the light of their objection. The first seeks the inclusion of a reference to the Structure Plan strategy for the selection of housing sites. The second seeks the introduction of a new policy or text outlining the factors used to determine the location for new development. While these two elements are to some extent inter-related, as they effectively seek two different modifications I have dealt with them separately under issues (a) and (b) below. The objection by Tring Environmental Forum is dealt with under issue (c).

(a) The strategy for development

- 4.3.4. The objector argues that the Development Strategy fails to make clear the process by which new development will be brought forward. In particular it makes no reference to the Structure Plan (CD32) approach of planned regeneration with limited peripheral development and additional strategic development in Hemel Hempstead. This could be addressed by the inclusion of a new policy in the Local Plan outlining this strategy.
- 4.3.5. The Council contends that the purpose of the Development Strategy is not to explain the distribution of sites in Hemel Hempstead. In their view the suggested policy is not needed since it already appears in the Structure Plan. It would therefore merely result in repetition. However, they conceded at the Inquiry that they would be prepared to

² Section 4.33 deals with proposed changes to the Green Belt boundary and section 7.59 with the proposed allocation of the site for housing.

³ See sections 7.33 and 7.44 for land at West Hemel Hempstead and section 7.43 for Land at Westwick Farm.

consider a minor amendment to the background text of either Policy 1 or Policy 15 of the Plan to address this point.

- 4.3.6. To my mind the Development Strategy, as set out in Policies 1 to 6 of the Plan and their accompanying text, clearly sets out the overall strategy for concentrating new development within existing urban areas. As such I find it accords with national and Structure Plan policies. The Structure Plan strategy of limited peripheral development with strategic development at Hemel Hempstead is primarily aimed at housing rather than development in general. I am not convinced therefore that the Local Plan would be improved by the inclusion of the suggested additional policy within the Development Strategy section of the Plan.
- 4.3.7. In any case the proposed policy would in my view merely reiterate the strategy which is already set out clearly in the Structure Plan. Since the Structure and Local Plans both form part of the Development Plan I see no need for the policies of the former to be repeated in the latter. Indeed, such repetition should generally be avoided as it can give rise to conflicting interpretations, particularly where there are slight differences in the choice of words.
- 4.3.8. Turning to the issue of site selection I note that the Council has set out the process they followed in section 3 of the Environmental Appraisal of the Plan (CD47). As the Plan is already of considerable length, I see no real advantage in including within it a similar detailed explanation of the process through which the strategy was developed, particularly since it is already effectively covered in CD47. I appreciate that the Environmental Appraisal does not form part of the Development Plan but I don’t see that this matters in this case as it merely records the process the Council undertook in producing the Development Strategy.
- 4.3.9. Having said all this I do have some concerns about the Development Strategy of the Plan. In particular, I find it does not make sufficiently clear the strategy the Council intends to adopt for the location of new development within the towns covered by Policy 1. I appreciate that the Plan already allocates major development sites and that the 1992 Inspector (CD37) found the strategy acceptable. However, in the light of recent changes in government policy, particularly the move away from a “predict and provide” approach to one of “plan, monitor and manage”, I believe it is important that the Plan sets out plainly the strategy the Council intends to follow in respect of development within and adjoining each of the main settlements. This will ensure that developers bringing forward proposals for unallocated sites, particularly in the latter part of the Plan period, have a proper understanding of where the Council expects new development to be located.
- 4.3.10. In the light of the sequential tests in PPG3 (CD3A) and PPG6 (CD5), the Development Strategy needs to make clear that priority will be given to the redevelopment of previously developed land. It should also state that development on greenfield sites will only be permitted where, firstly it is essential in order to meet the objectives of the Plan; secondly it can be demonstrated that the development cannot be accommodated on previously developed land within the existing urban area; and thirdly it is the most sustainable choice of site available.
- 4.3.11. This would be most effectively addressed by adding additional text to the background to Policy 1 rather than by amending the policy itself. In my view, the objector’s

suggestion of adding a further policy would not have the same benefits since it would not give the Council the necessary scope to elaborate on the different approaches that they are proposing for the 3 towns and the reasons for this. While, therefore I am satisfied that a modification is required to the Plan in the light of this objection, I am not persuaded that the new policy suggested by the objector would be the most effective way of achieving the necessary amendment.

- 4.3.12. In reaching my conclusions on this issue I have noted the changes in government policy since the EIP panel published its report in 1997 (CD30). However, while these have undoubtedly strengthened national policy on sustainable planning, I do not consider the changes are so significant as to seriously undermine the EIP panel’s findings on the location of development in Dacorum. Nor in my view does it justify the Local Plan taking a different approach to that set out in the Structure Plan.
- 4.3.13. I have also taken into account the extract from the South Norfolk Local Plan Inspector’s Report (O/4802/1E) which was submitted at the Inquiry. However, it seems to me that the Inspector was primarily concerned about the approach in South Norfolk for 3 reasons. He found firstly it was difficult to reconcile the selection of some sites with the Structure Plan; secondly it confused the broad distributional strategy with the detailed site selection criteria; and finally there was a significant dilution of the Plan’s Strategic Principles. I do not consider any of these concerns apply to the Development Strategy of the Dacorum Borough Local Plan.
- 4.3.14. More importantly, I am aware that South Norfolk is a predominantly rural area with a large number of villages and few towns of any size. A large part of the District looks to Norwich both as a source of employment and for the provision of services. The circumstances are therefore not directly comparable with those in Dacorum. I do not consider therefore that the approach adopted in South Norfolk is appropriate for the Dacorum Borough Local Plan.
- 4.3.15. Accordingly I recommend that the background text to Policy 1 be modified to make clear the Council’s strategy for the location of new development within Hemel Hempstead, Berkhamsted and Tring.

(b) *Sustainability criteria*

The sustainability matrix

- 4.3.16. The objector accepts the principle of using a sustainability matrix to assess the suitability of sites for development but disagrees with the Council’s methodology and choice of criteria. In my view, the main difficulty with the approach that the Council has adopted is that there is no real consensus on an appropriate methodology for compiling such a matrix. I am also concerned that the use of a matrix tends to give the process of site selection a false sense of scientific objectivity. In my opinion, there is a significant element of subjectivity involved in the process, particularly in respect of the choice and application of the criteria. Nevertheless, I accept that the use of such a matrix can be a helpful starting point in the site selection process. Indeed it is probably the best tool that is available at present.
- 4.3.17. While Dacorum’s methodology may have some minor weaknesses, I find it is relatively clear and consistent. I have no doubt, therefore, that it would have been an

appropriate method for the selection of broad areas of search had it been properly applied. However, I am not satisfied it was applied properly. Instead of using it to identify the most suitable broad locations for further development, the Council appears to have effectively pre-selected the areas they assessed. Judging from section 3.1 of the third report in the Environmental Appraisal (CD47) they largely restricted their consideration to sites that had been put forward at the 1992 Local Plan Inquiry. It is not surprising therefore that they omitted Shendish as an area of search.

- 4.3.18. Although the Council suggests that Shendish was ruled out at an early stage because it was unsuitable on environmental grounds there is no evidence to support this. If this was the case why was Tring Rural not similarly ruled out at that stage. It seems more likely that Shendish was never considered because no one had suggested it as a suitable site for housing. This concerns me since it would appear that the process of identifying broad areas of search was influenced more by the known availability of sites than by the sustainability of the area as a general location for new development. It would have been far more sensible, in my view, to have used the criteria to examine all those areas of the Borough that might comply with the general strategy rather than have limited consideration to those sites that had previously been suggested for development.
- 4.3.19. I am also concerned that there appears to have been little effort to refine the criteria for the second stage of the process, the selection of individual sites. To my mind this is an entirely different exercise which justified a far more rigorous approach. This might reasonably have involved a re-assessment of the status of each criterion, including giving them appropriate weightings. Instead the Council appears merely to have reiterated the same approach they used for the selection of broad areas of search. This gives the impression that the whole process was more an attempt to justify the selection of sites the Council already preferred rather than an unbiased attempt to identify the most sustainable sites for development.
- 4.3.20. Despite these criticisms, however, I am not satisfied that the adoption of a more rigorous approach would in this case actually have resulted in a significantly different site selection than that which eventually came forward. My view is strengthened by the fact that the outcome of the objector’s own assessment, using a different arrangement of the criteria, merely brings forward their own site at Shendish instead of West Hemel Hempstead. There is little evidence that there are a substantial number of more sustainable sites which the Council failed to consider.
- 4.3.21. In addition, I am concerned that if the Council were to have to undertake the site selection exercise again, using a more rigorous methodology, it would be likely to lead to considerable delays in the adoption of the Plan. This could have a seriously harmful effect on the proper planning of the area, which I believe would far outweigh any benefit that may be gained from the exercise. In the circumstances, I see little point in requiring the Council to start the exercise all over again.
- 4.3.22. I have therefore gone on to consider the specific criticisms of the selection criteria raised by the objector, starting with the suggestion that a site’s location in relation to the A41/West Coast line transport corridor ought to be a primary factor in considering its sustainability.

Transport corridors

- 4.3.23. Paragraph 47 of PPG3 (CD3A) makes clear that both within and outside existing urban areas opportunities to locate large housing developments around major nodes along good quality public transport corridors should be exploited. It would appear, therefore that government policy seeks in general terms to direct urban extensions towards good public transport corridors.
- 4.3.24. However, the wording of paragraphs 30, 67 & 68 of PPG3 and of “Planning for Sustainable Development - Towards Better Practice” do give rise to some uncertainty as to the weight to be attached to nodes and corridors in relation to the development of urban extensions. Paragraph 3.2.17 of the latter for instance merely states that “urban extensions may be located within existing corridors, and nodal points could be chosen for this development”. I take the view therefore that while the relationship of urban extensions to existing corridors and nodes is important it should not necessarily be viewed as the sole or even the primary reason for determining the location of a new urban extension.
- 4.3.25. In considering the strategy for the location of an urban extension, in my view, it is essential to take into account the nature of the existing settlement. While the County Council had regard to Hemel Hempstead’s location adjacent the A41/West Coast line transport corridor in identifying the town as a suitable location for strategic housing development, this was only one of the factors which influenced their choice. It is clear that the self-contained nature of the town and the good road system were equally as important if not more so. Moreover, it appears that the County view the whole town as lying within the transport corridor (*see paragraphs 4.16 & 4.19 of CD28*) and not merely a 1 kilometre band either side of the railway, which is the distance suggested in “Sustainable Settlements” (CD86).
- 4.3.26. It is also apparent that while access to rail transport is important for some residents of Hemel Hempstead, only around 6% of the population use it to travel to work. 61.3%⁴ of Dacorum residents work within the Borough. This is the highest figure of any local authority in Hertfordshire. It also has the highest proportion of residents who travel to work by bus, cycle or foot. I appreciate that the percentage of the population working in the Borough has dropped by some 3.4% since 1981, but it is still high. I believe, therefore, that a significant proportion of local residents would be unlikely to use rail to travel to work within the current Plan period, even if they did have better access to it, owing to the self-contained nature of Hemel Hempstead.
- 4.3.27. The Council’s criteria acknowledge the relevance of access to stations in considering the sustainability of a development site. However, it is clear that in seeking to promote access to good public transport neither Government nor County Council policy places more importance on trains than on buses. Indeed it is clear from paragraph 74 of PPG13 (CD11A) that there is no hierarchy in respect of public transport provision and this was conceded by the objector’s witness.
- 4.3.28. Consequently, I believe rail will continue to play a less important role within Hemel Hempstead than buses, especially in view of the location of the existing stations and the short distance between them. I consider, therefore, that good access to a bus route

⁴

Figure based on 1991 census

is likely to be more important to the sustainability of a development site within Hemel Hempstead than its proximity to the West Coast line transport corridor. In the circumstances, I conclude that the objector’s attempt to have the Plan’s Development Strategy place greater emphasis on the accessibility of the existing rail corridor as a factor in the selection of proposed development sites, is misplaced.

- 4.3.29. I am also concerned that to make easy access to the transport corridor of the West Coast line a primary consideration in the location of new development within the town could potentially lead to an increase in out-commuting. Housing development in a pleasant location close to a railway station might attract people to move out of London to live in Dacorum. This could result in longer journeys taking place, albeit by public transport. In my view this would be contrary to the objectives of both national and local transport policy, as set out in PPG 13 (CD11B), Policy 22 of the Structure Plan (CD32) and the Local Transport Plan (CD71A).
- 4.3.30. I appreciate that there is little evidence currently available to determine the extent to which this would be a problem, but there is clearly potential for it to occur. While it would not justify rejecting a potential development site merely because it was sited close to a station, I find it strengthens my view that it would not be appropriate to place greater weight on this factor within the context of the Development Strategy for Hemel Hempstead. In contrast in Berkhamsted and Tring, where out-commuting is much higher, I consider it would be appropriate for it to play a more significant role.
- 4.3.31. In considering this issue I have taken account of the fact that the transport corridor also includes the A41 and the Grand Union Canal. However, I do not consider that a site’s proximity to the A41 would necessarily make it more sustainable. The Grand Union Canal carries little but recreational traffic at present. While commercial traffic may increase in the future I doubt it is likely to do so significantly within the current Plan period. I have noted the research by Oxford Brookes University and Shropshire County Council but this does not alter my view on the relative importance of accessibility to the West Coast rail corridor within the context of the development strategy for Hemel Hempstead.

The Green Belt

- 4.3.32. The objector also contends that by considering the Green Belt as a secondary factor, the Council has attached insufficient weight to it. In the objector’s view the role a site plays in meeting the objectives of the Green Belt ought to have been a primary factor in the site selection process.
- 4.3.33. Virtually all the open land surrounding the 3 main settlements in Borough lies within the Green Belt. I can, therefore, understand why the Council chose to omit the Green Belt as a primary factor in their identification of new development sites. I appreciate that maintaining the form and functions of the Green Belt is identified as a primary factor in the County Council’s principles to guide the location of major development (see CD28). However, this is looking at strategic developments of over 500 dwellings on a countywide basis. It therefore covers areas of land, which are not part of the Green Belt. Consequently, I am not satisfied that the County’s decision to identify it as a primary factor in the selection of major development sites warrants an identical approach in Dacorum, particularly as most of the new housing sites in the Borough fall below the threshold for major development.

- 4.3.34. While the impact of development on the form and functions of the Green Belt is an important consideration, the Council did identify it as a secondary factor in their matrix, under “relationship with adjoining uses/urban form” (*See paragraph 23 of CD43.2*). It was therefore taken into account in the final choice of development sites. In particular, I am satisfied that the Council took due account of issues such as coalescence in identifying suitable sites (*See Section 4.3 of Report 3 CD47*). I accept that it could be argued that had the Council considered the form and functions of the Green Belt as a primary factor the outcome of the site selection process might have been slightly different. However, I am not satisfied from the evidence available that it would in fact have resulted in a significant variation to the overall outcome.
- 4.3.35. I appreciate that the Council now appears to accept that their initial approach attached too little weight to Green Belt considerations, which is why they have proposed significant pre-inquiry changes to the Plan in respect of some of the larger housing sites. However, in my view, these changes were influenced more by the desire to reduce the overall quantity of Green Belt land allocated for development rather than by a critical reassessment of the impact of the development on the form and functions of the Green Belt. If the latter had been the case, it seems unlikely the sites at the Manor Estate (TWA6 & TWA7) would have been recommended for deletion.
- 4.3.36. In conclusion, I am satisfied that the Council took sufficient account of Green Belt considerations, particularly the impact on its form and function, in formulating the Plan’s Development Strategy. Indeed, I consider that in the subsequent pre-inquiry changes they placed rather too much weight on this factor since they appear to have allowed it to outweigh the primary factors.

Other criteria

- 4.3.37. The objector also criticises a number of other criteria used in the Council’s matrix. In particular they question the distances used in respect of certain facilities and the method by which the distances were measured.
- 4.3.38. I note that the Council based its measurements for the appropriate distances on those in “Sustainable Settlements” (CD86), which was produced by the University of the West of England. The objector suggests that this research is out of date, subjective and no longer followed, but no evidence was produced to support this assertion. I, therefore, find no reason to believe that the figures in CD86 are unreliable or constitute an inappropriate basis on which to consider the sustainability of a site.
- 4.3.39. However, rather than adopt the figures contained in this document directly, the Council chose to amend some of them, most notably in respect of the distance to employment, main shopping areas and primary schools. In respect of the latter the figure increased from 600m⁵ to 800m. Whereas the first two reduced from 5km to 2km and 1km respectively. The Council argues that the latter changes are justified by the local topography, which makes cycling more difficult. In contrast they contend that an increased distance to primary schools is more realistic.

⁵

This figure relates to all houses. The figure in respect of 80% of the houses is 400m.

- 4.3.40. I am satisfied that the shorter distances to employment and main shopping areas are reasonable bearing in mind the size of the 3 main towns and their topography. In my view locating housing development at these distances would significantly increase the likelihood of people using either public transport or bicycle to travel to work or to the Town Centre.
- 4.3.41. In contrast I have difficulty in accepting that the proposed increase in the distance to primary schools is appropriate. It is not entirely clear to me why the Council chose to adopt the longer distance. It was suggested at the Inquiry that the shorter distance was applicable to a larger urban area and that people in Hemel Hempstead were used to walking further. However, there is no evidence that any research has been undertaken which would support this assertion.
- 4.3.42. The Council apparently considers that a walk of 10 minutes, as opposed to 5 minutes for the shorter distance referred to in CD86, is acceptable. One has to remember, however, that most parents who walk their children to school will do the distance four times in a day. The increase in distance means therefore that the time spent walking will double from 20 minutes to 40 minutes a day. I consider that such an increase is substantial. While research shows that there is a significant proportion of non-motorised trips for distances up to 1500m, once the distance is over 400m car use clearly rises. In the circumstances, I do not accept the Council's assertion that most residents would find a walk of 800m to the local primary school acceptable. Indeed in view of the topography of the area I consider that the distance mentioned in CD86 ought if anything to be reduced.
- 4.3.43. I am also concerned about the way the Council has measured the distances. While I accept that they have apparently been consistent in using the nearest point of any site to the facility, I am not satisfied that this accords with the intentions of CD86. The latter for instance suggests that all houses on a site should be within 800metres of a local centre. The Council has used the same distance but in measuring to the nearest point of the site they have assessed a number of sites as meeting the relevant criterion when few of the proposed houses would actually be within the stated distance.
- 4.3.44. However, I do not accept the objector’s contention that the distance for local centres should be 400m rather than 800m. While CD86 identifies this as the appropriate distance for 80% of the houses, in my view, a longer distance is more fitting for shopping at a local centre. Such a walk is likely to be done far less frequently than one to the local school.
- 4.3.45. I appreciate the difficulty in deciding which would be the most consistent point to take the measurement from. However, it seems to me that in order to properly assess the sustainability of a housing site it is necessary to look at the actual distance the new dwellings will be from the relevant facility. In the absence of any detailed plans I consider this is best measured by taking the point of the site which is furthest from the facility (excluding any area which is allocated for open space or other uses). This would enable the figures to be more closely equated with those in CD86. If the Council had used this approach it is likely, in my view, that the ranking of some sites would have been different. In particular I expect West Hemel Hempstead, which is some distance from the nearest primary school, would not have had the highest score.

- 4.3.46. The objector also questions the inclusion of derelict land and valuable landscape as primary factors. However, since government policy seeks to encourage the reuse of previously developed land for housing as a priority, I am satisfied that it is appropriate for it to constitute a primary factor in the process of site selection. In view of the importance of the Area of Outstanding Natural Beauty (AONB) and the government’s policy to resist major development within it I consider it is also reasonable to identify the avoidance of the area as a primary criterion. I am more doubtful that the protection of Landscape Conservation Areas rightly constitutes a primary factor, although I note from paragraph 13 of Appendix 2 to CD43.2 that it was rated lower than the AONB. However, I do not take major issue with the categorisation of these criteria, nor for the reasons I have already given do I consider the site’s location relative to the A41/West Coast line transport corridor and/or the Green Belt should be substituted for them as primary factors.
- 4.3.47. I do have some concern about the application of some of the other criteria. In particular I consider insufficient regard has been paid to the impact of slope. “Sustainable Settlements” (CD86) points out that gradient is very important and that for every metre of height one should add 10m in distance. Although the Council has included slope as a secondary factor they do not appear to have taken any account of its likely impact on the distance to facilities. If they had done so I consider that the ranking of sites may well have been different. I am also concerned that merely measuring the distance to a bus stop does not by itself identify whether a site is genuinely sustainable. Such factors as the frequency of the service and where it serves also need to be taken into account. However, I do not consider that these concerns are of such significance as to merit making modifications to the Development Strategy at this late stage for the reasons I have already given. Nevertheless, I believe the Council should give serious consideration to refining their approach to site selection at the review stage.

Conclusions on issue (b)

- 4.3.48. I conclude that it was appropriate for the Council to use a sustainability matrix in determining the development strategy for new housing. While I am not entirely satisfied they applied the matrix correctly, I do not consider a more rigorous approach would have produced a significantly different answer. In any case I consider the harm that would arise from the consequent delay in re-working the matrix would far outweigh any benefit.
- 4.3.49. In terms of the specific criticisms I am not persuaded that it would be appropriate to make the proximity to the A41/West Coast line transport corridor a primary criterion, in view of the relatively self-contained nature of Hemel Hempstead. Similarly I do not consider that it is necessary for the form and functions of the Green Belt to have been a primary factor, as I am satisfied that proper consideration was given to this matter. I find that both derelict land and the impact on the landscape are appropriate as primary factors in the light of national policy. I am not satisfied that any of the other criticisms made of the Council’s approach are of such significance as to justify amending the Development Strategy. In particular, I am not satisfied that it merits the inclusion of a new policy outlining the factors determining the location of new development. In my view such a list would give very little practical guidance to prospective developers.

(c) The linkage with statutory and national policy objectives

- 4.3.50. Section 1 of Part 3 of the Plan makes considerable reference to national and Structure Plan policy. However, I do not accept the objector’s contention that it confuses the Development Strategy with statutory and national policy objectives. While these objectives form an important central framework they are not, in my opinion, merely paraphrased in Section 1 of the Plan. To my mind the decision to break down the Borough into 3 main areas of development opportunity is a sensible local interpretation of national and Structure Plan policy which seeks to encourage most development to take place within sustainable locations in existing urban areas. I do not believe the Council has, therefore, abdicated responsibility for creating its own local policies.
- 4.3.51. The reference to national and Structure Plan policy in the background text accords with paragraph 5.4 of PPG12. In my view Section 1 provides a clear link between the main themes of national policy and the wider policies of the Local Plan. I recommend no modification be made to the Plan in the light of this objection.

Recommendation

- 4.3.52. **Modify the background text to Policy 1 to explain the Council’s strategy for the location of development within and adjoining Hemel Hempstead, Berkhamsted and Tring. In particular it should state that priority will be given to the reuse of previously developed land and that development on greenfield sites will only be allowed where all the following criteria apply:-**
- i) it is essential in order to meet the objectives of the Plan;**
 - ii) it can be demonstrated that it cannot be accommodated on previously developed land within the existing urban area;**
 - iii) it is the most sustainable choice of site available.**
- 4.3.53. **No other modification be made in the light of the above objections.**

4.4. PURPOSE OF THE DEVELOPMENT STRATEGY**Objections**

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1257	CPRE - The Hertfordshire Society	5053	Tring Environmental Forum
4257	Tring and District Residents’ Association		

Supports

1836	Aylesbury Vale District Council	1843	Countryside Agency
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Key Issues

- (a) Should the definitions of the different types of development areas be amended. (1257)
- (b) Is it appropriate for the Plan to identify Tring as an area where development is to be encouraged. (4257)

- (c) Whether the use of the word ‘must’ in the first sentence of Section 1 of Part 3 of the Plan appropriately reflects the requirement for general conformity with the Structure Plan. (5053)

Inspector’s Conclusions

(a) *Definitions of development areas*

- 4.4.1. The objector does not appear to object to towns being defined as “Areas where development is encouraged”. I therefore see no need to alter the definition of the first category of development area in the light of this particular objection.
- 4.4.2. Since limits can be either high or low I can understand the objector’s concern that the definition of the second category of development area could be subject to challenge. However, I note that the same definition was used in the adopted Plan. No evidence has been presented to suggest that this has caused any problems in the past. The use of the word “limited” to my mind clearly implies that development in the area will be restricted. I find no reason, therefore, to believe that the definition of the second category of development area will lead to the higher levels of development the objector apparently fears could take place.
- 4.4.3. Although the alternative definition of “Areas of low development opportunity” could be taken to mean only a small amount of development would be allowed in large villages, the word “low” also has other connotations. I am not satisfied, therefore that the objector’s alternative would in fact be any clearer or less subject to challenge.
- 4.4.4. However, I accept that the degree of the limitation is not as clear as it might be. While it is obvious from the background text that there will be minimum change at Markyate, the extent of the limit in the other 2 settlements is less apparent, especially in Bovingdon. I consider the Plan would be improved if the degree of limited development opportunity in Kings Langley and Bovingdon was made clearer. I recommend that the background text to Policy 2 be modified to achieve this.
- 4.4.5. I do not consider that there is anything to be gained by defining the third category of development area as “Areas of severe development restraint”. The restraints placed by national policy on development in the Green Belt and wider countryside are quite clear. To insert the word “severe” would imply there are other areas where development will be restrained but to a lesser degree which is not the case. I therefore see no need to further qualify the definition of the third category of development area.

(b) *Development in Tring*

- 4.4.6. Since Tring is identified, along with Berkhamsted and Hemel Hempstead as a settlement in which development will generally be concentrated, under Policy 6 of the Structure Plan, I can understand why the Council has included all 3 settlements as areas where development will be encouraged. However, it is clear that the majority of development likely to take place in the Plan period will be in Hemel Hempstead. In contrast the opportunity for development in Tring would appear to be extremely restricted, especially in respect of housing.
- 4.4.7. Although the Proposals Map identifies 6 small housing sites and 2 small employment sites in Tring the majority of these have in fact already been developed. Only the

Cattle Market site (H35), the Gas holder site (H36), 55 King Street (H37) and the Miswell Lane employment site (E8) remain to be developed. For the reasons I set out in section 7.34 of the report I do not consider the former should be developed for housing. The extent of identified sites that remain to be developed in the Plan period is therefore limited.

- 4.4.8. I appreciate that Policy 33 of the Plan also encourages the redevelopment of 3 existing employment sites for housing. However, 2 of these have since been put forward by the Council for deletion (PIC’s 68 & 69). I support these changes for the reasons set out in section 8.7 of the report. Only the Western Road site will therefore remain in the Plan. In my opinion, no more than two thirds of this is likely to come forward for housing during the Plan period, as the Royal Mail sorting office in the centre of this site is a fairly recent development and is unlikely to be relocated before 2011.
- 4.4.9. There does appear to be scope for some housing on land at Dundale (*see paragraphs 7.62.27 to 7.62.55*), which is currently designated as a Leisure site (L4). There also appears to be limited scope for infill development in a few areas of the town. Although additional development sites have been suggested by objectors these would in most cases breach the existing tight constraints of the Green Belt and the Chilterns AONB. Moreover, it is clear that the capacity of the existing infrastructure and services to accommodate additional development is exceedingly restricted. Not only are the town’s educational services under strain but there appears to be very limited scope for their expansion. In the circumstances I find that the opportunities for development in Tring during the Plan period are likely to be severely constrained.
- 4.4.10. I appreciate that the background text does seek to acknowledge that there are different levels of development opportunities provided in the 3 towns. However, I do not consider that it makes sufficiently clear the exceptionally limited extent of development opportunity in Tring.
- 4.4.11. As Tring is listed in Policy 6 of the Structure Plan I do not consider it would be appropriate for it to be deleted from Policy 1 of the Local Plan. It could not be included in Policy 2 since it is clearly not a large village being very different in size and character to Bovingdon, Kings Langley or Markyate.
- 4.4.12. As national and Structure Plan policy encourages new development to concentrate in existing urban areas I do not think the current wording of Policy 1 is inappropriate. However, in the light of the significant development constraints I question whether it is appropriate to say that development will be “encouraged” in Tring. In my view it would be better to use the same terminology as the Structure Plan and refer instead to “Areas where development will be concentrated”. I consider the background text to Policy 1 should also be modified to make clearer the nature of the constraints on development in Tring and the limited opportunities that are therefore likely to arise in the town during the Plan period.

(c) *Conformity with the Structure Plan*

- 4.4.13. I accept that there is no requirement in law that local plans “must” provide for development required by the Structure Plan. However, local plans should be in general conformity with the Structure Plan. In particular there would need to be strong reasons to justify setting different local development levels to those set out in the

adopted Structure Plan. I can therefore understand why the Council used the word “must” in outlining the purpose of the Development Strategy.

- 4.4.14. However, while the general tenor of the introduction to Part 1 is perfectly acceptable in my view, I accept that the use of the word “must” in the first sentence does appear to accord higher status to the Structure Plan requirements than is actually laid down by law. While this is a minor point I think it would be more accurate to say the Local Plan “needs to” accommodate further development in the Borough in line with the County Structure Plan Review. I recommend that the Plan be modified accordingly.

Recommendation

4.4.15. Modify the Plan as follows:-

- (a) Amend the background text to Policy 2 to define the degree of limited opportunity for development in Kings Langley and Bovington;
- (b) Delete the heading before Policy 1 and the words “Areas where development is encouraged” from paragraph 4.3 and substitute the words “Areas where development will be concentrated”;
- (c) Amend the background text to Policy 1 to identify the constraints on development in Tring and to make clear that development opportunities in Tring will accordingly be very limited;
- (d) Delete the word “must” from the first sentence of paragraph 4.1 and substitute the words “needs to”

4.5. DIAGRAM 3: THE DEVELOPMENT STRATEGY

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
2840	British Waterways	5796	Countryside Agency

Key Issues

- (a) Whether the Grand Union Canal and its arms should be shown on Diagram 3. (2840)
- (b) Whether Diagram 3 would be improved by the inclusion of the Chilterns Area of Outstanding Natural Beauty (AONB). (5796)

Inspector’s Conclusions

(a) Grand Union Canal and its arms

- 4.5.1. Although the Grand Union Canal is important for recreational purposes there is little evidence that it currently serves as a major transport route or that it is likely to become one during the Plan period. Since Diagram 3 is schematic and intended to illustrate the

main principles of the Development Strategy I do not consider either the purpose or clarity of the diagram would be improved by the inclusion of the Grand Union Canal and its arms. Accordingly I recommend that no modification be made to the Plan in the light of this objection.

(b) The Chilterns AONB

- 4.5.2. The Chilterns AONB is a landscape designation of national importance and is rightly identified on the Proposals Map and in Policy 96 of the Plan. However, while it undoubtedly imposes a significant restraint on new development, particularly since the change in Government policy restricting major development within AONB’s, it is only one of a number of factors that constrains development within the rural area of the Borough. The clarity of Diagram 3 would be undermined if all these factors were illustrated on it.
- 4.5.3. More importantly Policies 1 – 6, which make up the Development Strategy, do not specifically refer to the AONB. Since Diagram 3 is intended to illustrate these policies, I think the addition of the AONB could be confusing. I am satisfied that its omission would not undermine its importance or weaken the restraints on development imposed by policies 5 and 96. I therefore see no need to modify Diagram 3 to include the Chilterns AONB.

Recommendation

- 4.5.4. **No modification be made to the Plan in response to objection nos. 2840 and 5796.**

4.6. POLICY 1 – TOWNS

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1259	CPRE - The Hertfordshire Society	3713	Silvermere Developments
1539	Linden Homes South-East Ltd	3825	Old Road Securities plc
3242	A Frazier	5054	Tring Environmental Forum

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1258	CPRE- The Hertfordshire Society	1844	Countryside Agency
1540	Linden Homes South-East Ltd	1881	Chiltern District Council
1815	Wilcon Development Group Ltd	3735	Government Office for the East of England
1937	Aylesbury Vale District Council	3800	Mrs C Kent. Mr M Trojacek & Mrs P Carlsson

Key Issues

- (a) Does the heading to Policy 1 need to be adjusted to give greater definition to the categories of development area. (1259)
- (b) Should land at Lock Field, New Road, Northchurch (H53) be included in the urban area under Policy 1. (1539)
- (c) Whether the development of proposed greenfield housing sites at Markyate and Kings Langley in advance of land at New Road, Northchurch, is contrary to Policy 1. (1539)
- (d) Should development in Tring be constrained by virtue of the Green Belt boundaries. (3242, 3713)

- (e) Whether the background text should be amended to recognise the development opportunities that exist in Tring. (3825)
- (f) Should a capacity appraisal be conducted through some form of CSA in order to provide directions and limits to development in the larger urban areas. (5054)
- (g) Whether Tring should be identified as a town under Policy 1. (5054)

Inspector’s Conclusions

(a) *Definition of the heading to Policy 1*

- 4.6.1. This objection effectively reiterates part of objection 1257. Consequently, it has already been addressed in paragraph 4.4.1 of my report. I do not believe this particular objection warrants modifying the definition of the heading to Policy 1. Nevertheless, I consider it would be better if the definition was changed to read “Areas where development will be concentrated” for the reasons set out in paragraph 4.4.12.

(b) *Land at Lock Field, North Road, Northchurch (H53)*

- 4.6.2. The Council accepts that this land should be included within the urban boundary and therefore propose FC15 to amend the Proposals Map accordingly. I have no doubt that this change would meet the objection. However, for the reasons I have set out in section 7.46 of my report I do not consider this site should be developed for housing during the Plan period. I therefore do not support FC15.
- 4.6.3. In any case while it might be appropriate for areas of special restraint to be removed from the Green Belt, I do not believe they should automatically be included in the urban area. In the light of the changes in national policy brought about by PPG3 (CD3A) there can be no certainty that such areas will be developed during the Plan period or for that matter beyond it. This strengthens my view that an amendment to the urban area boundary is not justified at this stage.

(c) *Housing sites at Markyate and Kings Langley*

- 4.6.4. The objector contends that the Council should place greater emphasis on the towns and in particular the two largest, Hemel Hempstead and Berkhamsted to meet housing requirements. In its view such a strategy would be more sustainable. In particular the objector considers that it would be contrary to the objectives of Policy 1 to allow the development of “greenfield” sites in Markyate and Kings Langley in advance of the site at New Road, Northchurch (H53). In support of this representation the objector has sought to list the reasons why the New Road site is more sustainable than the other sites. However, I consider the merits of specific sites are better addressed when considering the individual sites. I therefore propose to deal with these points later in my report.⁶

⁶ The greenfield sites at Markyate (H44 & H45) are dealt with at sections 7.38 and 7.39. The sites at Kings Langley (H43 & H55) are covered in sections 7.37 and 7.48. The New Road site (H53) is commented on in paragraphs 7.46.

- 4.6.5. Turning to the general issue of the allocation of sites in the large villages in preference to a site in Berkhamsted, it seems to me that there may be confusion in the objector’s mind between allocation and phasing⁷. I do not consider the fact that a site in a large village may be brought forward before a site in one of the towns listed in Policy 1 conflicts with the general aim of the policy to encourage most development to take place in Hemel Hempstead, Berkhamsted or Tring. Moreover, although national policy seeks to ensure that for the most part “greenfield” development takes place in the most sustainable locations, paragraph 71 of PPG3 makes clear that sufficient land should be made available either within or adjoining existing villages to enable local requirements to be met. It is clear, therefore, that national policy also envisages limited housing development taking place in rural villages.
- 4.6.6. Both Policy 6 of the Structure Plan and Policy 1 of the Local Plan include the caveat that development will generally be in the towns. It is clear therefore that neither the Structure Plan nor the Local Plan seek to completely restrict development outside the 3 main settlements. In my view, this approach accords with the aims of national policy. I am also satisfied that the wording of Policy 1 is generally in accordance with the objectives of Policy 6 of the Structure Plan.
- 4.6.7. If the Council were to accept the logic of the objector’s argument it seems to me that no “greenfield” development would take place in any of the villages. While it is entirely appropriate for the Plan to strictly control the level of new housing in such settlements I do not consider a total ban on new housing in the villages would be either tenable or practicable. Such an approach would fail to comply with the requirement to meet the needs of local people set out in paragraph 71 of PPG3.
- 4.6.8. In respect of the 2 “greenfield” sites allocated in Kings Langley, I note that the Council originally identified the Rectory Farm site (Kings Langley North) as being more sustainable than the site at Lock Field (Northchurch)(*see CD47*). I do not consider, therefore, that the development of Lock Field in preference to this site would be justified. In any case the Council now propose to delete this site and I support this for the reasons set out in paragraph 7.48 of my report.
- 4.6.9. The site at Watford Road (Kings Langley South) did have a slightly lower score than Lock Field. However, I am not satisfied that it is in fact less sustainable. It is closer to a station and has a far wider range of facilities within reasonable walking distance. Moreover, as the site will only accommodate 20 dwellings it constitutes a very modest contribution to local needs. I appreciate that there are a few potential “brownfield” sites in Kings Langley but in my view it is unlikely that a sufficient number of these will come forward within the Plan period to meet local needs. Even if this site were to be deleted I do not consider this would justify bringing forward the site at Lock Field, since the former is for only 20 dwellings whereas the Lock Field site is intended to provide at least 50 dwellings.
- 4.6.10. Markyate is clearly a far less sustainable location for development. I have no doubt therefore that the Council is right to severely restrict significant additional “greenfield” housing development within this settlement. However, the village appraisal suggests that local housing need could possibly require some 170 new dwellings in the parish. While I have doubts about the robustness of this assessment, I note that the Council is

⁷ This objector has made a separate representation in respect of phasing which I deal with under Policy 18 (Control over housing land supply). See paragraphs 7.5.53 and 7.5.54 of my report.

proposing to provide a much lower figure than this. Moreover, only 50 of these houses would be on “greenfield” sites. I deal with the appropriate level of housing development in Markyate in more detail later in my report (*see paragraphs 7.38.1 to 7.38.10*). However, I consider the Council’s approach accords in general terms with the aims of paragraph 71 of PPG3. In the circumstances, I do not consider that there is any justification for either deleting the housing sites identified in Markyate or demoting them to Phase III in order to bring forward the development of the land at Lock Field, Northchurch. Accordingly, I recommend that no change be made to the Plan in the light of objection 1539.

(d) Constraints on Tring

- 4.6.11. Tring is, as the objectors point out, highly constrained by the Green Belt. However, I do not accept the contention that it is as sustainable as Berkhamsted and Hemel Hempstead in terms of its accessibility. Unlike these settlements the station at Tring is located a considerable distance outside the town. Bus services are also not as numerous. In any case, sustainability is not just a matter of public transport links.
- 4.6.12. The Hertfordshire Structure Plan EIP Panel Report (CD30) concluded that Tring was unsuitable for significant growth on sustainability grounds. I find no reason to disagree with that assessment. Indeed, the evidence before me suggests that facilities in Tring, particularly local schools, are already under significant pressure. Consequently, I do not consider that further expansion of the boundaries of Tring to provide additional housing would be justified.
- 4.6.13. I note the comments about the lack of employment provision in Tring. However, the Council now proposes to delete the allocation of Akeman Street and Brook Street as potential housing sites under Policy 33. The reduction in available employment land through the loss of Western Road will therefore be minimal and is likely to be more than offset by the additional allocation of land at Icknield Way (E8). I appreciate that there is currently a high level of out-commuting in the Town, but I am not satisfied that the provision of additional employment land would significantly alter this pattern. I do not consider therefore that it would be appropriate to amend the urban boundary of Tring to provide additional employment land, particularly in view of the harm that this would cause to the Green Belt. Consequently, I recommend no modification be made to the Plan in the light of objections 3242 and 3825.

(e) Amendments to background text on Tring

- 4.6.14. This objection is linked with a number of other representations, including objections 3828 and 3834, which seek the removal of land at Cow Lane/Station Road, Tring from the Green Belt and its development for housing. I deal with the issues of the Green Belt around Tring and the use of this site for housing later in my report⁸. At this point, I address only the issue of whether the background text to Policy 1 should be amended to highlight the development opportunities in Tring.
- 4.6.15. For the reasons I have already indicated in paragraphs 4.6.11 to 4.6.13 above I do not consider that further expansion of Tring is justified. In my view it is not as sustainable a location as either Berkhamsted or Hemel Hempstead. Moreover, unlike these

⁸ I deal with objection 3828 under Policy 3 later in this chapter (*see paragraphs 4.41.19 to 4.41.22*) and objection 3834 under suggested new housing sites in Chapter 7 (*see paragraphs 7.62.24 to 7.62.26*).

settlements Tring is not specifically identified for further development under Policy 5 of the Structure Plan. While the Structure Plan does allow for the Green Belt boundaries of other settlements listed in Policy 6 to be reviewed, I am not satisfied that this is sufficient to warrant allowing further peripheral development at Tring bearing in mind the constraints on the capacity of the settlement.

- 4.6.16. Even if the site at Cow Lane was to be identified for housing, I consider it would still be right for the background text to Policy 1 to refer to there being limited opportunities for further development in Tring, owing to the strain on existing infrastructure. Indeed for the reasons I set out in paragraphs 4.4.6 to 4.4.12 of my report I consider the background text ought to be amended to make the extent of the restriction and the reasons for it much clearer. In the circumstances, I do not consider that there is any justification for modifying the Plan to meet this objection.

(f) The need for CSA’s

- 4.6.17. I have already addressed the issue of CSA’s in paragraphs 2.6.1 to 2.6.4 of my report. Although I acknowledge that they are a useful tool, I believe the harm that would result from the necessary delay in the adoption of the Plan if they were undertaken at this stage would far outweigh any benefit that would arise. However, I would urge the Council to undertake CSA’s as part of the review process. In particular, I consider that they should carry out a CSA of Tring at an early stage of the process for the reasons I set out in paragraph 1.1.42 of my report.

(g) Inclusion of Tring in Policy 1

- 4.6.18. Again this issue has already been covered in section 4.4 of this chapter. I am satisfied that the inclusion of Tring in Policy 1 is appropriate for the reasons I set out in paragraphs 4.4.11 and 4.4.12. I cannot conceive of a suitable alternative location for Tring within the overall development strategy hierarchy. I am satisfied that its inclusion in Policy 1 will not result in an unacceptable level of new development since the settlement is well protected by other policies of the Plan.
- 4.6.19. However, the Plan would be improved, in my view, if the extent of development that would be acceptable in Tring were more clearly identified in the background text to Policy 1, in accordance with my recommendation in paragraph 4.4.15. I appreciate that my conclusions on this point differ slightly from those of the Inspector who undertook the 1995 Inquiry, but I consider that a different approach is justified in the light of the increasingly severe constraint on further development in Tring.

Recommendation

- 4.6.20. **No modification be made to the Plan in the light of objections 1260, 1539, 4242, 3713 and 3825. In particular I recommend that FC15 be not adopted.**
- 4.6.21. **A Comprehensive Settlement Appraisal of Tring should be undertaken at an early stage of the review process.**

4.6.22. **Modify the Plan by amending the background text to Policy 1 to make clearer the level of development that will be acceptable in Tring (*see also the recommendation in paragraph 4.4.15*)**

4.7. AREAS OF LIMITED DEVELOPMENT OPPORTUNITY

Objection

<u>Rep No.</u>	<u>Name</u>
1260	CPRE - The Hertfordshire Society

Key Issue

- (a) Whether the word “limited” is open to challenge. Should it be defined as “Areas of low development opportunity” instead. (1260)

Inspector’s Conclusions

- (a) **“Limited” or “low” development opportunities?**

4.7.1. The points raised by this objection have been addressed in paragraphs 4.4.1 to 4.4.5 of my report. For the reasons set out in those paragraphs I do not consider any modification to the Plan is warranted in the light of this objection.

Recommendation

4.7.2. **No modification be made to the Plan in the light of objection 1260.**

4.8. POLICY 2 – LARGE VILLAGES

Objections

<u>Rep No.</u>	<u>Name</u>	<u>Rep No.</u>	<u>Name</u>
777	E W Tomblin & Sons Ltd	3826	Old Road Securities plc
1261	CPRE - The Hertfordshire Society	4118	Mr T Evers
1506	Mrs P Hansard	5055	Tring Environmental Forum
2909	Environment Agency	5184	Messrs A, R & the Executors of C Glenister
3809	Mr & Mrs P H Gee		

Supports

1845	Countryside Agency	3736	Government Office for East of England
1852	Chiltern District Council		

Key Issues

- (a) Whether the policy should be expanded to ensure that development, other than affordable housing, only takes place where sustainable levels of local employment and services are available. (1261)

- (b) Should the type of development that would be “compatible with the existing character of these settlements” be clearly defined. (5055)
- (c) Is the settlement boundary for Bovington correctly drawn, or should further limited development on sites at Bovington Airfield be permitted, particularly at Middle Lane and between Ley Hill Road and Long Lane. (3809, 5184)
- (d) Should further housing development take place in Kings Langley. (1506)
- (e) Is it appropriate to identify Markyate as being suitable for minimum change only. Should the village boundary be drawn more loosely at (a) Pickford Road and (b) Buckwood Road to allow further housing development. Is there sufficient parking space available in the village to accommodate further growth. (777, 3826, 4118)
- (f) Whether the Council is aware of the Environment Agency’s proposals for the construction of a flood storage reservoir in Markyate (2909).

Inspector’s Conclusions

(a) *Linking development to sustainable levels of local employment and services*

- 4.8.1. I have no doubt that in most cases it would be sensible for new development to take place in the large villages only where there is a sustainable level of employment and services. However all 3 of the large villages have a reasonable level of shops and other services and some employment provision. More importantly, paragraph 71 of PPG3 makes clear that adequate housing provision should be made in the rural area to meet the needs of local people. In the circumstances, there needs to be a careful balance between sustainability considerations and local housing needs in determining the suitable level of development within each of the large villages.
- 4.8.2. Although the objector’s suggested amendment would allow some flexibility in respect of affordable housing, I am concerned that limiting all other housing development to locations where there is a sustainable level of employment and services could mean that local housing needs in the large villages were not adequately met. I find therefore that the additional proposed wording could place an unacceptable degree of restriction on development in the large villages.
- 4.8.3. I appreciate the objector’s concern about large villages becoming dormitory towns. It is apparent that many of the people living in the large villages already work outside the settlement⁹. Clearly it would not be in the interests of sustainability if this number were to significantly increase, especially in respect of those villages where public transport is poor. However, it is clear from the Council’s response that they are aware of this and that their approach to the 3 large villages endeavours to take due cognisance of sustainability considerations.
- 4.8.4. In Kings Langley, where there is good access to public transport the Council originally envisaged more development than in the other large villages. However, under the pre-inquiry changes they now propose to reduce the number of new dwellings on “greenfield” sites to 20. In contrast although they acknowledge that Markyate is a less sustainable location they propose to provide some 50 houses on “greenfield” sites to

⁹ For instance the Markyate Village Appraisal suggests that up to 76% of the population of the village work outside the Parish.

meet longer-term needs. The Council does not foresee any significant additional development in Bovingdon as in their view the settlement has reached capacity.

- 4.8.5. While I support this strategy in principle, I am concerned that the Council’s intentions for each of the settlements are not entirely clear from Policy 2 or its background text. In particular, although paragraph 4.13 refers to the requirements of Policy 6 of the Structure Plan it is not apparent how the level of development proposed in these settlements would maintain the vitality of the area. Neither for that matter does the Plan clearly demonstrate that sustainability objectives will be met by the development which will take place, particularly in respect of Markyate. Instead, Policy 2 merely states that development will be permitted if it is compatible with the existing character of the settlements as large villages. This is a very broad statement that makes no reference to the underlying sustainability considerations, which the Council says, have influenced its strategy for the 3 villages.
- 4.8.6. I appreciate the background text explains the strategy for Kings Langley and Markyate in some detail. However, I find it does not directly address the issues raised in Policy 6 of the Structure Plan. Moreover, there is very little explanation of the strategy for Bovingdon. In my view the text needs to explain more fully why these villages have been selected and to identify in more detail the level of further development that is likely to be acceptable in each. In Bovingdon for instance it is clearly not only Green Belt considerations that limit further development.
- 4.8.7. On this last point I note that Policy 6 of the Structure Plan indicates that within the Green Belt development in selected settlements should be limited to that compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundary. Policy 2 makes no reference to this second criterion. In my view it should. I also think it would be sensible for the wording of Policy 2 to follow that in Policy 6 more closely. I recommend therefore that it include reference to the maintenance and enhancement of the existing character of the settlements.
- 4.8.8. I appreciate that my findings differ from those in paragraphs 2.10 and 2.11 of the 1992 Inspector’s report but at that time Markyate was not proposed for enclosure by the Green Belt. Consequently, the wording of Policy 2 had to cover settlements both within and beyond the Green Belt. These circumstances no longer apply. I consider therefore, that a slightly different approach is now warranted. I therefore recommend that the wording of Policy 2 and its supporting text be modified in response to objection 1261.

(b) *Development compatible with existing character of settlements*

- 4.8.9. I agree with the objector that the phrase “compatible with the existing character of these settlements” is rather vague and open-ended. By itself it gives little guidance as to the level or form of development that would be acceptable in these settlements. However, this is intended to be a strategic policy. Consequently, excessive detail would not be appropriate. Nevertheless, while I do not consider it appropriate to include lengthy appraisals of each settlement in the reasoned justification to Policy 2, I consider that it ought to give a more detailed explanation of the way the policy will be applied in respect of each of the 3 villages. I therefore recommend that the text be modified to identify the level of development that will be permitted in each of the 3 settlements in the light of objection 5055.

(c) *Development at Bovingdon*

Limits of settlement boundary in general

- 4.8.10. While there is sporadic ribbon development along some of the roads leading out of Bovingdon, the core built-up area of the village is clearly defined. In my view, the village boundary, shown on Proposals Map 5, correctly identifies this core area. Extending the village boundary beyond this core to include the scattered development along outlying roads would be likely to have a significantly detrimental impact on the Green Belt and on the character of the village. Such an approach would be contrary to the objectives of Policy 6 of the Structure Plan, which makes clear that further development in selected settlements will be limited to that which is compatible with the character of the settlement and with the maintenance of its Green Belt boundaries. I do not consider, therefore, that a modification of the general limits of the settlement boundary for Bovingdon would be justified.
- 4.8.11. In reaching this conclusion, I have taken into account the arguments about the sustainability of Bovingdon as a location for further development. However, while the village has a reasonable bus service, it is some distance from the nearest railway station. More importantly, although the village has a good range of local services, there has been a substantial amount of new development in the village over the years. It is apparent that the centre of the village currently suffers from traffic congestion and existing services are under some strain. I accept therefore that the village appears to have reached its capacity. Consequently, I do not consider further expansion of the settlement would be sustainable at present.

Bovingdon Airfield

- 4.8.12. Although Bovingdon Airfield strictly constitutes previously developed land nearly all the buildings on the main airfield have been removed, leaving only the runways as prominent features of the site. Most of the remainder of the airfield is grassed and open. I see no reason, therefore, for extending the village boundary to cover the airfield. In any case the inclusion of the airfield within the village would more than double its size. This would be contrary to the objectives of the Structure Plan, which aims to concentrate development in existing towns.
- 4.8.13. I appreciate that there are a number of outlying ex-military sites related to the airfield. However, for the most part these are also open in character and in many cases they have been largely assimilated into the landscape. I do not consider that there is any justification for amending the village boundary to include these sites either.

Land at Middle Lane

- 4.8.14. This site lies well outside the main core of the village from which it is clearly separated by the open space at Bovingdon Green. Although it did at one time have military buildings on it these were demolished some 17 years ago and the site is now largely rural in character. Consequently, I do not consider that it would be appropriate for the village boundary to be extended to include the objection site. I therefore recommend no modification be made to Policy 2 in the light of objection 3809.

Land between Ley Hill Road and Long Lane

- 4.8.15. This site, which is around 5ha, is situated on Shantock Lane almost ½ a mile to the south of the existing settlement boundary. A large tract of open land separates it from the core area of the village. Although there are some existing houses along Long Lane to the east they are generally scattered with large gaps between them in many cases, especially at the southern end of the lane close to the objection site.
- 4.8.16. While I appreciate that the Bovingdon brickworks and a large poultry farm/slaughterhouse lie a short distance to the west, I find the area remains largely rural in character. I do not consider, therefore, that the presence of the existing commercial activities justifies concentrating further commercial development in this area. To do so would in my view harm the main objectives of the Green Belt.
- 4.8.17. Similarly I find no evidence of a significant need for additional housing in this area that would warrant such a radical change to the Plan’s strategy of limited development within the existing built-up area of Bovingdon. Certainly there is nothing to indicate that future proposals for the prison will require substantial additional housing. Even if it did I am satisfied that more sustainable sites closer to the village core could be found. While the site may be well serviced, at 1800 metres it is well beyond a reasonable walking distance from the village centre. It is also a considerable distance from the nearest railway station. In my opinion, therefore, it does not constitute a sustainable location for further development. In the circumstances, I conclude that no modification to either Policy 2 or Proposals Map 5 is warranted in the light of objection 5184.

(d) *Housing development at Kings Langley*

- 4.8.18. Kings Langley is the only one of the 3 large villages which is situated within a main public transport corridor. It also has a reasonable range of local facilities, including a secondary school. In the circumstances, I consider it is the most suitable of the three large villages for limited expansion. In my view this approach accords with Policy 5 of the Structure Plan which specifically identifies the possibility of limited peripheral development in Berkhamsted and Kings Langley. In the circumstances, I consider that the strategy for Kings Langley should be supported.
- 4.8.19. I appreciate that the expansion of Kings Langley over the last 17 years may have caused some problems for local residents due to the increase of traffic on local roads. However, while I have no doubt that this has had an impact on the character of the village, the growth in traffic is a fairly universal phenomenon. I am not satisfied that the problems in Kings Langley are of such magnitude as to justify restricting all further development in the village, particularly bearing in mind the fact that it has relatively good access to public transport.
- 4.8.20. Although the objector suggests that growth of local schools has caused problems for local residents there is no evidence to support the contention that the schools in the area cannot cope with any increase in population. Certainly the Education Authority does not appear to share this view. While I have no doubt that changes at the primary school may have resulted in some additional noise, I do not consider this warrants imposing a ban on any new housing in the village. There are undoubtedly problems with parking at the school at entry and leaving times but it seems to me that these

could be more effectively addressed by other measures such as parking restrictions and/or on-site parking provision rather than by restricting all new housing. I therefore recommend no modification be made to the Plan in the light of objection 1506.

(e) *Development at Markyate*

General development constraints

- 4.8.21. Although Markyate was identified for major development in the past this was not supported by Secretary of State and the proposal was therefore deleted from the 1991 Structure Plan. The EIP Panel Report into the 1998 Structure Plan (CD30) also found that it was not an appropriate location for further growth. This finding was not contested at the Local Plan Inquiry and it appears that all parties now generally agree that Markyate is only suitable for limited development. I am satisfied, therefore, that Markyate is correctly identified as an area of limited development opportunity under Policy 2.
- 4.8.22. At the last Local Plan Inquiry the Council agreed to re-examine the development strategy as it relates to the Markyate area and the adopted Local Plan (CD38) was modified accordingly. The Borough Council and Parish Council therefore sponsored an independent village appraisal. On the basis of this and further discussions with the Parish Council and local landowners the Borough Council developed its strategy of minimum change for Markyate. This took account of the EIP Panel’s endorsement of the County Council’s proposal to extend the Green Belt in the Markyate area.
- 4.8.23. Markyate is not on a main public transport corridor. There is no railway station and although buses do go to most of the surrounding major towns the service is fairly limited. While the village has some local services, including a post office and a fire station, the range of shops is not extensive. Similarly employment provision within the village is limited. The village also has no secondary school so older children have to travel outside the village for their education. Consequently, while I support the identification of Markyate as a large village under Policy 2, I consider the Council are right to identify it as being suitable for minimum change only. In my view such an approach is necessary to protect the character of the village and the surrounding countryside, including the land to the south, north and west of the village which falls within the Chilterns AONB.

Parking in the village

- 4.8.24. The layout of the centre of the village is constrained by fairly narrow streets and the close proximity of a number of road junctions. This clearly reduces the area available for parking in the centre of the village. However parking congestion is not unique to Markyate. While I agree with the objector that planners should properly consider parking, I do not consider the parking problems in Markyate are of such severity as to justify a total ban on further development in the village. Providing the level of additional development is strictly limited and appropriate provision is made for off-street parking, I am satisfied it would not seriously exacerbate existing parking congestion in the village. I therefore conclude that no modification should be made to the Plan in response to objection 4118.

Boundary at Pickford Road

- 4.8.25. This objection relates to a substantial stretch of Pickford Road to the south of the village. This section of the road is characterised by scattered large dwellings set in substantial grounds. For the most part open fields separate them from the core of the village. I find therefore that the area is predominantly rural in character. In my view, it does not form a constituent part of the built-up area of the village, with one small exception that I deal with in paragraph 4.8.28 below.
- 4.8.26. I note the suggestion that the area could provide for high quality low density dwellings compatible with the requirements of Policy 2, which would benefit the village as a whole and make a contribution to the housing requirements of the Borough. However, the objection site lies a considerable distance from the village core and up a hill. It is therefore not within reasonable walking distance of existing facilities. Nor is there good access to public transport.
- 4.8.27. In addition, PPG3 makes clear that densities for new housing should normally be between 30 to 50 dwellings per hectare. In my view, extending the village boundary so as to allow for low density housing in this location would not only be unsustainable but would also be a wasteful use of land. I consider the proposed extension would lead to a harmful encroachment of the village into the countryside contrary to the intentions of Policy 5 of the adopted Structure Plan, which extends the Green Belt in this location. Further development here, even at low density, would also have a damaging impact on the character of the AONB. I therefore do not accept that the boundary of the village should be amended as sought by the objector.
- 4.8.28. The only exception to this relates to a small area on the eastern side of Pickford Road north of Friendless Lane. The construction of a new house (High Oaks) adjacent to Cheverells Cottage and Little Cheverells has effectively resulted in the infilling of the only undeveloped gap between the edge of the village and Friendless Lane. In the light of this I consider that Friendless Lane now marks a more logical boundary to the built-up area of the village. I therefore recommend the boundary of Markyate be amended in accordance with Figure 1 in the light of objection 777.

Boundary at Buckwood Road

- 4.8.29. This objection seeks to amend the boundary of the settlement to include further land on the western side of the village adjacent to H45. While I note the contention that the new boundary would be a logical extension of the existing boundary at Markyate JMI School I do not accept this argument. It is clear that historically this was an area of much smaller fields. I do not consider therefore that the proposed boundary would be more in keeping with the landscape than that proposed for H45. Moreover, I consider an extension of this scale into the AONB would create a serious visual intrusion especially when viewed from the public footpaths on the southern side of this attractive dry valley.
- 4.8.30. I also do not endorse the objector’s view that Markyate is a sustainable location for further development on this scale for the reasons I have already set out in paragraph 4.8.23. I agree with the objector that it is appropriate in general terms for Policy 2 to treat Markyate on the same basis as Kings Langley and Bovingdon with which it is comparable in size. However, I do not accept that this means that the 3 settlements

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should have a similar amount of new development. In my view the sustainability and capacity of each settlement needs to be taken into account in determining the appropriate level of new development, especially in the light of the advice in PPG3. Consequently, I do not consider that the objector’s alternative wording for paragraph 4.15 would be an improvement on the existing text.

- 4.8.31. In any case, although Markyate is probably the least sustainable of the 3 villages, under the pre-inquiry changes it will actually have the largest allocation of new housing on “greenfield” sites. While at first glance this appears to illogical, I consider that it is an appropriate strategy in the light of local housing needs and in view of the fact that the Green Belt boundary is being drawn around the settlement for the first time. I am satisfied that there is no need for further provision to be made in Markyate to meet the housing needs of the Borough. Consequently, I find that further expansion of Markyate at Buckwood Road, would not be justified. Accordingly, I find no reason for the Plan to be modified to meet objection 3826.

(f) Flood storage proposals at Markyate

- 4.8.32. I see no reason why the proposed flood alleviation scheme in the Markyate Area should affect the identification of Markyate as an area of limited development opportunity, bearing in mind that the Plan proposes only minimum change. There is no evidence that any of the development proposed will be in areas of flood risk or that it would be likely to have any effect on the flood alleviation scheme. In the circumstances, I see no need for the Plan to be modified in the light of objection 2909.

Recommendation

- 4.8.33. **The Plan be modified as follows:-**

(i) Amend the text of Policy 2 to read:-

“Development in Bovington, Kings Langley and Markyate will be permitted if it is compatible with the maintenance and enhancement of the character of these settlements and the maintenance of their Green Belt boundary”

(ii) Alter the supporting text to Policy 2 to give clearer guidance on the level of development that will be acceptable in each of the settlements and to explain how their selection is appropriate to maintain the vitality of the area. In addition, further text should be inserted to demonstrate that sustainability objectives would be met by the development proposed.

(iii) Amend the settlement boundary for Markyate on Proposals Map 3 to include High Oaks, Cheverells Cottage and Little Cheverells within the village, in accordance with Figure 1.

- 4.8.34. **No modification be made to the Plan in the light of objections 1506, 2909, 3809, 3826, 4118 and 5184.**

4.9. AREAS OF DEVELOPMENT RESTRAINT (POLICIES 3 - 6)

Objection

<i>Rep No.</i>	<i>Name</i>
1263	CPRE - The Hertfordshire Society

Key Issue

- (a) Whether the heading before Policy 3 should be amended to read “Areas of severe development restraint”. (1263)

Inspector’s Conclusions

- (a) *Areas of severe development restraint?*

- 4.9.1. I have already dealt with this issue under objection 1257. I do not consider any modification to the Plan is warranted in the light of this objection for the reasons I give in paragraph 4.4.5 of my report.

Recommendation

- 4.9.2. No modification be made to the Plan in the light of objection 1263.

4.10. POLICY 3: THE GREEN BELT (General)

Supports

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1846	Countryside Agency	3235	Community Development Agency for Hertfordshire
1883	Chiltern District Council	3737	Government Office for the East of England

4.11. POLICY 3: THE GREEN BELT (Policy)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1055*	Ministry of Agriculture, Fisheries & Food	4523	John Dickinson Stationery Ltd
1958	Cougar Enterprises Ltd	4744	Bovingdon Parish Council
3741	Government Office for East of England	4774	Faulkners
3992	HCC Corporate Services Department		

Supports

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
424	East of England Tourist Board	1077	Thames Water Property Ltd
1001	The Box Moor Trust		

Key Issues

- (a) Whether Policy 3 should draw a distinction between appropriate and inappropriate development (4523).

- (b) Whether the terms ‘worthy of retention’ and ‘redundant’ referring to rural buildings is contrary to national guidance and therefore should be deleted from Policy 3 (1055, 3741, 4774). Is the policy for the conversion of farm and other buildings clear enough (4744).
- (c) Should the Policy refer to the redevelopment of commercial premises outside the designated employment areas (1958).
- (d) Whether Policy 3 should be amended to indicate that limited building development is possible on secondary schools in the Green Belt (3992).
- (e) Does the positive requirement for all development proposals to contribute to the character of the Green Belt go beyond national advice (1958).
- (f) Whether Policy 3 should refer to major developed sites in the Green Belt and Government policy in PPG2 (Annex C) (3741). Should Ashlyns School, Berkhamsted and Kings Langley Secondary School be identified as ‘Major Developed Sites in the Green Belt’ under a new policy (3992).

Inspector’s Conclusions

(a) *Appropriate and inappropriate development.*

- 4.11.1. Although Policy 3 broadly accords with the general aims of national Green Belt policy, the presumption stated in PPG2 is clearly against inappropriate development rather than “building development” as stated in Policy 3. Policy 6 of the adopted Structure Plan Review (SPR) similarly refers to a presumption against inappropriate development. Paragraph 3.2 of PPG2 makes clear that it is inappropriate development that is by definition harmful to the Green Belt. Appropriate building development and changes of use would, therefore, normally be acceptable.
- 4.11.2. I acknowledge that it is not necessary for a Local Plan to replicate the guidance in PPG2 in every detail. However a significant departure from national guidance would need strong local justification. Having explored the Green Belt area of Dacorum extensively I can find no reason why there should be a presumption against building development in general within the area. I am not satisfied, therefore, that the Policy does draw the proper distinction between appropriate and inappropriate development.
- 4.11.3. I appreciate that similar phrasing was used in the adopted Local Plan and that this has not caused any problems. However, the preparation of the adopted Local Plan predated the issue of the revised version of PPG2 in January 1995. This is apparent from the fact that the wording of Policy 3 of the adopted Plan reflects the wording of the 1988 version of PPG2. While some changes have been made to the wording of Policy 3 in the Deposit Draft, I consider that the Plan would be improved if the Policy were more closely aligned with the current version of PPG2.
- 4.11.4. My view is strengthened in this case by the fact that Structure Plan policy has changed since the previous Local Plan was adopted. Unlike the policy in the earlier Structure Plan, Policy 6 of the adopted SPR relies directly on the guidance in PPG2. There is no evidence that a different approach is warranted within Dacorum. Although the Council may not have previously experienced problems with the policy, I am concerned that some of the discrepancies between Policy 3 and national guidance could give rise to conflicting interpretations of Green Belt Policy. In particular neither national nor Structure Plan policy specifically identify essential utility services as appropriate development in the Green Belt. There is no evidence to suggest that a different approach is justified in Dacorum.

- 4.11.5. I therefore recommend that the wording of Policy 3 should be modified to reflect more closely current national and Structure Plan Green Belt policy. In particular I consider it ought to make clear that the relevant presumption is against inappropriate development. In addition, I believe it should contain a similar list of appropriate forms of development to that contained within PPG2.

(b) *The reuse of rural buildings*

- 4.11.6. The Council accepts that it is not appropriate to refer to “redundant” buildings in the light of the advice in paragraph 3.9 of PPG2. They therefore propose under PIC3 to delete the word “redundant” and substitute it with the word ‘rural’. I agree that omission of the word “redundant” is necessary in order to accord with current national advice. However, I would question whether it is strictly necessary to substitute the word rural as PPG2 indicates that the reuse of any building within the Green Belt is appropriate providing it meets the criteria in paragraph 3.8.
- 4.11.7. Although the Council has accepted that the use of the word “redundant” is inappropriate, they appear to have overlooked the fact that two of the objectors also contend that limiting the reuse of buildings to those considered “worthy of retention” would be contrary to current national guidance. In my view the reference in Policy 3 to a building being “worthy of retention” adds an unacceptably vague and subjective additional requirement that is not stipulated in national policy. I am satisfied that the requirements for the reuse of buildings in the Green Belt are generally set out correctly within Policy 106. This makes no reference to the requirement that the building be worthy of retention, although I note that its predecessor (Policy 100) in the adopted Plan (CD39) did. In the circumstances, I see no need for this phrase to be retained in Policy 3 and consider it should be deleted.
- 4.11.8. I accept that this modification together with PIC3 would generally meet objections 1055, 3741 and 4774. However, in the light of my findings in paragraphs 4.11.1 to 4.11.5, I consider a more radical re-wording of the Policy is required. I am satisfied that such a modification would also address these objections more effectively. In the circumstances I do not consider it necessary for either PIC3 or FC16 to be adopted.
- 4.11.9. Since Policy 3 makes direct reference to Policy 106, which includes the relevant criteria for the conversion of farm and other buildings in the Green Belt, I see no need for these criteria to be repeated in Policy 3. Similarly I see no need for a separate policy on the conversion of such buildings as suggested by Bovingdon Parish Council. Subject to the changes recommended in paragraph 13.12.26 of my report, I am satisfied that Policy 106 will provide sufficiently clear guidance on the reuse of buildings in the Green Belt and rural area. I therefore recommend no modification be made to the Plan in the light of objection 4744.

(c) *The redevelopment of commercial premises*

- 4.11.10. This objection arises out of a concern about the future of an existing commercial site near Cow Roast. A garage and car showroom currently occupies the site, which covers an area of some 2.6 hectares. The objector proposes that additional text should be added to Policy 3 to allow for the redevelopment of existing commercial premises within the Green Belt if very special circumstances are shown to exist.

- 4.11.11. I understand the concerns of the objector. However, the Council is correct to point out that commercial uses are normally inappropriate in the Green Belt. While national policy allows for the reuse of existing buildings, this is subject to meeting the criteria in paragraph 3.8 of PPG2. Policy 3 already addresses this and subject to the changes I have recommended, I am satisfied that it would not frustrate the aims of national policy on the reuse of buildings in the Green Belt.
- 4.11.12. PPG2 does not specifically mention the reuse or redevelopment of existing commercial sites within the Green Belt as being appropriate. The only exception is in respect of major developed sites. The objection site does not fall within any of the categories of site identified in paragraph C1 of PPG2 and at only 2.6 hectares is too small, in my view, to warrant being identified as a major developed site.
- 4.11.13. Redevelopment of the objection site might be acceptable if it could be demonstrated that there were very special circumstances that outweighed the harm to the Green Belt. However, this would have to be considered on its merits. In my opinion, it would not be fitting to make specific reference to the redevelopment of this site or existing commercial premises in general within Policy 3. To do so would run contrary to the advice in paragraph 3.3 of PPG2 which makes clear that Local Plan policies should ensure that any applications for inappropriate development would not accord with the Local Plan.
- 4.11.14. Even if further clarification of the references in Policy 34 were required, which I do not accept, I consider this would be better addressed by amendments to Policy 34 rather than to Policy 3. In any case I am not satisfied that the suggested additional paragraph would result in an improvement to the Plan. The first part merely replicates Policy 34 and the second part includes two tests, which do not directly accord with national Green Belt policy. In my view they are unacceptably restrictive. Consequently, I do not support the objector’s proposed modification.

(d) *Secondary schools in the Green Belt*

- 4.11.15. This objector suggests that a separate policy, similar in terms to Policy 32, should be included in section 8 of Part 3 of the Plan to allow for limited infill development on secondary school sites at Berkhamsted and Kings Langley. This is put forward as an alternative to their designation as Major Developed sites (*see paragraphs 4.11.28 to 4.11.39 below*).
- 4.11.16. I can find no basis in national guidance to justify the inclusion of a separate policy on infill development at secondary school sites in the Green Belt. Unless such sites merit designation as Major Developed sites it is clear that any additional development would constitute inappropriate development under national Green Belt policy. The presence of large schools within the Green Belt is not unique to Dacorum or even to Hertfordshire. There is no evidence that the circumstances of these particular schools are exceptional. I can find no justification, therefore, for departing from national Green Belt policy in this case. Accordingly, I conclude that the inclusion of a separate policy on secondary schools in the Green Belt is not warranted.

(e) *Contributing to the character of the Green Belt*

- 4.11.17. While I accept that maintaining the openness of the Green Belt should be the primary aim of Policy 3, the maintenance of its character and the positive management of land within it are nevertheless important factors. Although national policy does not identify these as specific requirements it does stipulate that once the Green Belt has been defined land use has a positive role to play in fulfilling specified objectives. Two of these objectives are to retain and enhance landscapes and improve damaged and derelict land.
- 4.11.18. These objectives, along with a further one relating to the Watling Chase Community Forest, are listed in Policy 5 of the Structure Plan as priorities. Policy 5 goes on to state that development which is permitted within the Green Belt, and the management of land and activities within it, should aim to contribute to these priorities. Within this context I do not consider it unreasonable for the Council to seek to ensure that new development within the Green Belt in Dacorum contributes both to its maintenance and to its management.
- 4.11.19. I appreciate that paragraph 1.7 of PPG2 states that the objectives, including the quality of the landscape, are not a material factor in the inclusion of land within the Green Belt or its subsequent protection. However, this does not mean the objectives identified in paragraph 1.6 should not be taken into account in considering proposals for development within the Green Belt. I am not persuaded, therefore, that the wording of paragraph 1.7 of PPG2 precludes the Council from requiring new development to contribute to the objectives.
- 4.11.20. However, I am concerned that the requirement is unduly onerous in its present form, especially in respect of the management of land. The Structure Plan merely says that development should “aim” to contribute to the priorities. In contrast the Local Plan expects development to contribute. In my view this sets a higher standard. There is no evidence that a higher standard is necessary within the District than elsewhere in the County. Since the requirement is not clarified in the supporting text the difference in emphasis could cause confusion.
- 4.11.21. In my opinion, all that is required is for Policy 3 to state that development proposals should make a contribution to fulfilling the Green Belt objectives set out in paragraph 1.6 of PPG2¹⁰. This would not only be more flexible but would also accord more closely with the thrust of national and Structure Plan policy. I therefore recommend that Policy 3 be modified accordingly. In addition, in the light of the advice in paragraph 3.15 of PPG2 I believe the Policy should make clear that any development, whether appropriate or inappropriate, should not injure the visual amenities of the Green Belt.

(f) *Major Developed sites in the Green Belt*

Policy

- 4.11.22. I share the objector’s concern about the way that the Council has handled the issue of major developed sites in the Green Belt. Although PPG2 gives the Council a fairly

¹⁰ The additional objective mentioned in the Structure Plan relating to the Watling Chase Community Forest is not relevant to Dacorum and therefore does not need to be mentioned.

open hand in identifying such sites, to my mind it has unduly concentrated its attention on existing employment sites. It also appears to have based its approach almost entirely on the advantages of redevelopment. This completely overlooks the guidance on infilling in Annex C of PPG2. While paragraph C4 may indicate that the main opportunity offered by redevelopment is likely to be environmental improvement, paragraph C3 stipulates that limited infilling may help to secure jobs and prosperity. In my view this an equally important consideration and needs to be addressed in the Local Plan.

- 4.11.23. One of the major purposes of major developed sites is to provide a degree of flexibility on existing sites within the Green Belt, which have significant built development. In particular, it is intended to allow for limited further development on such sites without the requirement to establish very special circumstances in each case, subject of course to there being no significant impact on the openness of the Green Belt. I am concerned that by limiting the number of major developed sites to only 3, the Council is taking an unduly restrictive approach to the designation of such sites. To my mind a more flexible approach to the designation of such sites would not only facilitate the administration of Green Belt policy in the Borough it would also be likely to increase rural prosperity.
- 4.11.24. I consider the most sensible way forward, therefore, is for major developed sites to be individually identified at this stage of the Plan. The reasons for their identification and future policy towards them should then be clearly set out. In my opinion, the same basic considerations will apply to all major developed sites, whether they are in employment use or not. In the circumstances, it would make more sense for the issue to be dealt with by a comprehensive new policy rather than by individual policies within the topic chapters. I consider that this would be best located immediately after Policy 3.
- 4.11.25. I am not satisfied that the Council’s suggested insertion of additional text, as proposed by PIC4, would, by itself, be sufficient to adequately highlight the relevant factors that need to be considered when dealing with development on such sites. I therefore recommend that PIC4 be not adopted.
- 4.11.26. For the sake of consistency across the County I believe it would be prudent for the new policy to follow the same general format as that contained in the Hertsmere Local Plan. However, I consider that some of the elements of Policy 32 also ought to be incorporated as they reflect in my view the advice in paragraph C6 of PPG2. In addition, I believe an additional criterion should be added to take due account of the advice in paragraph C13. In my view this is necessary to ensure that redevelopment of the site is sustainable.
- 4.11.27. Supporting text will also need to be inserted to explain the reasons for the identification of these sites. In addition, it will also be necessary to clearly define the areas of the sites where infilling will be allowed on suitably scaled maps which can be included within an appendix to the Plan. In the absence of any suggested text I propose to leave the choice of wording to the Council. Similarly, I consider it would be most appropriate for the Council to identify the exact boundaries of the areas suitable for infill as this may require detailed site surveys and possibly consultation with the landowners as well.

Ashlyns and Kings Langley schools

- 4.11.28. The County Council suggests existing secondary schools at Berkhamsted and Kings Langley should be identified as major developed sites. They consider that such an approach would be consistent with the Hertsmere Local Plan, which has defined some 10 schools as major developed sites. The Borough Council considers that the 2 school sites do not provide an opportunity for environmental improvement and that they therefore fail to satisfy the test in Annex C of PPG2.
- 4.11.29. As I have already indicated in paragraph 4.11.22 I consider that the Council’s approach to the designation of major developed sites is too restrictive and does not accord with the advice in PPG2. PPG2 does not give a specific definition of a major developed site, other than referring to such sites as substantial. It does give examples of such sites. These include educational establishments. I see no reason therefore in principle why school sites should not be identified as major developed sites providing they are substantial in size and the designation would either help to secure jobs and prosperity or achieve environmental improvement.
- 4.11.30. With a site area of 16.99 hectares, Ashlyns School is substantial in scale. The built-up area is obviously smaller but in my opinion it still covers a significant area of the site. Since the buildings are sited in a generally compact group, limited infill development within this area would be unlikely to prejudice the openness of the Green Belt.
- 4.11.31. In comparison, Kings Langley school has a site area of only 8.45 hectares. It is therefore much smaller than Ashlyns. However, it is larger in area than either Bovingdon Brickworks or Bourne End Mills. I appreciate the built-up area of Kings Langley school is probably smaller than on either of these sites but I am satisfied that it still qualifies as a substantial site, taking into account the overall size of the site and the scale of the buildings. Since the buildings are located in a closely-knit group, I do not believe limited infilling would harm the openness of the Green Belt. My view is strengthened by the fact that the buildings are sited directly adjacent to the edge of the urban area.
- 4.11.32. I accept that school sites generally make only a limited contribution to the securing of jobs. Nevertheless I believe that good schools do add to the prosperity of an area. In my view both Kings Langley and Ashlyns fall within this category. I consider allowing them the greater degree of flexibility that major developed site status provides, would significantly enhance the contribution they make. In the circumstances, I conclude that it would be appropriate to define both Ashlyns and Kings Langley schools as major developed sites in the Green Belt.
- 4.11.33. In reaching this conclusion, I have taken into account the advice in paragraphs C15 to C17 of PPG2 which deal with higher and further education establishments. I accept that the 2 schools named by the objector do not fall within the definition of such establishments as defined in paragraph C17¹¹. However, I do not consider this means that their designation as major developed sites is necessarily inappropriate.
- 4.11.34. I appreciate that the endorsement of the principle of identifying higher education sites as major developed sites in paragraphs C15 to C17 is predicated on the government’s

¹¹ The reference to schools in paragraph C17 would appear to relate solely to schools of higher education.

wish to encourage more people to undertake further and higher education. However, I do not consider this rules out other educational establishments from being identified as major developed sites. The examples given in paragraph C1 of PPG2 for instance refer to education establishments in general and not merely to higher and further education establishments.

- 4.11.35. I also note that the examples given in paragraph C17 include VI form colleges. Schools that contain VI forms serve a similar purpose to some extent. I see no reason therefore in principle to treat them differently from other higher and further education establishments in terms of considering whether they justify being identified as major developed sites in the Green Belt.
- 4.11.36. I appreciate that schools already have a narrow range of permitted development rights under the Town and Country Planning (General Permitted Development Order) 1995. However, the degree of flexibility this provides is extremely limited. I do not consider, therefore, it outweighs my conclusions on this objection. I note the Council’s suggestion that there may have been particular local circumstances that justified a different approach to the school sites in Hertsmere. However, there is no evidence to support this. I consider, therefore, that it would be more sensible if a consistent approach was taken.
- 4.11.37. I understand the Council’s concerns about the implication of designating the 2 school sites in relation to other training and business sites in the Green Belt. However, in my view neither Ashlyn Hall nor Champneys Health Resort are sufficiently substantial either in terms of their total area or the amount of built development to be defined as major developed sites. The British Film Institute site is also relatively small. More importantly, much of the built-development on the site did not pre-exist Green Belt designation but was permitted on the basis of very special circumstances. I do not consider therefore that it would be appropriate to allow further infilling on this site except where very special circumstances are demonstrated to exist.
- 4.11.38. Ashridge College is probably of sufficient size to warrant major developed site status. However, the buildings on the site would appear to be more spread out. Infill development could, therefore, have a greater impact on the Green Belt. Consequently, I am not satisfied that the circumstances are directly comparable to those at either Ashlyns or Kings Langley Schools.
- 4.11.39. In conclusion, I find that the designation of neither Ashlyns nor Kings Langley schools as major developed sites would automatically justify any of the other sites the Council identify in paragraph 5.4 of their rebuttal (LPA Doc No. 97) being similarly designated. There may be other educational sites within the Green Belt whose status does warrant reviewing but none have been specifically brought to my attention. The only other site that, in my view, clearly justifies being defined as a major developed site is Bovingdon Prison. I set out the reasons for this in paragraphs 8.6.8 to 8.6.11 of my report.

Recommendation

- 4.11.40. **PIC3, PIC4 & FC16 be not adopted.**

4.11.41. The Plan be modified instead as follows:-

(i) Policy 3 be amended to read:-

“Within the Green Belt, there is a presumption against inappropriate development. New buildings will therefore only be acceptable where they are for the following purposes:

- (a) Agriculture;**
- (b) Forestry;**
- (c) Essential facilities for outdoor sport and outdoor recreation, for cemeteries and for other uses which preserve the openness of the Green Belt and which do not conflict with its purposes;**
- (d) the extension of existing houses in accordance with Policy 23;**
- (e) the replacement of existing houses in accordance with Policy 24;**
- (f) limited infilling in selected small villages in accordance with Policy 4;**
- (g) limited infilling or redevelopment of major existing developed sites in accordance with Policy 3A.**

The reuse of an existing building will be permitted provided that:-

- (i) it does not have a greater impact on the Green Belt than the present use; and**
- (ii) it complies with the criteria in either Policy 70 or 91 or 106.**

Engineering or other operations, including mineral extraction, and material changes in the use of land will only be acceptable where they maintain openness and do not conflict with the purposes of including land in the Green Belt.

Inappropriate development will only be allowed where it can be demonstrated that very special circumstances exist which clearly outweigh the harm to the Green Belt.

Any development that would injure the visual amenities of the Green Belt will not be permitted. All development should make a contribution to fulfilling the Green Belt objectives set out in paragraph 1.6 of PPG2.

(ii) Insert the following new policy:-

POLICY 3A MAJOR DEVELOPED SITES IN THE GREEN BELT

The following major developed sites in the Green Belt are identified on the Proposals Maps:-

- (i) Ashlyns School**
- (ii) Berkhamsted Hill (H3)**
- (iii) Bourne End Mills**
- (iv) Bovingdon Brickworks**
- (v) Bovingdon Prison**
- (vi) Kings Langley Secondary School**

Limited infill development will be permitted on these sites within the defined areas, identified on the maps in appendix ... provided that it complies with the following criteria:-

- (a) it has no greater impact on the purposes of including land within the Green Belt than the existing development;**
- (b) it does not exceed the height of the existing buildings;**
- (c) there is no major increase in the developed proportion of the site;**
- (d) it is ancillary to an existing or approved use of the site;**
- (e) it respects the design of existing buildings and does not detract from the appearance of the site;**
- (f) it does not lead to a significant increase in motorised traffic.**

Partial or complete redevelopment of these sites, particularly sites (iii) and (iv), will also be acceptable subject to the following considerations:-

- (a) it makes a positive contribution to the character and appearance of the Green Belt;**
- (b) it has no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it and where possible less;**
- (c) it contributes to the achievement of the objectives for the use of land in the Green Belt as set out in paragraph 1.6 of PPG2;**
- (d) it does not exceed the height of the existing buildings;**
- (e) it occupies an area of the site which is no larger than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity);**
- (f) it respects and retains important existing landscape features;**
- (g) it integrates well with the surrounding area;**
- (h) it would neither require significant additional infrastructure nor overload local facilities such as schools and health care facilities;**
- (i) it does not lead to a significant increase in motorised traffic.**

Where partial redevelopment is proposed the applicant will be required to demonstrate that the proposal forms part of a comprehensive long-term plan for the site.

- (iii) Insert additional background text to explain the reasoning behind the identification of the major developed sites;**
- (iv) Insert an additional appendix containing plans of all six major developed sites, which identify the site boundaries and define the area of the site where infill development will be permitted.**
- (v) Amend the Proposals Maps, including the key, to identify all six sites as major developed sites in the Green Belt.**

4.11.42. No modification should be made to the Plan in the light of objection 4744.

4.12. POLICY 3: THE GREEN BELT (Background)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
4570	Mrs C M Jex	4803	The Directors of Shendish Manor Estate

Key Issues

- (a) Whether any changes to Green Belt boundaries are justified (4570).
- (b) Whether exclusion of land from the Green Belt should be considered under a separate policy heading (4803).

Inspector’s Conclusions

(a) *Justification for changes to the Green Belt boundary*

- 4.12.1. National policy makes clear the Government’s continued commitment to the protection of the Green Belt. To this end PPG2 identifies the essential characteristic of Green Belts as being their permanence. It goes on to state that once the general extent of a Green Belt has been approved its should be altered only in exceptional circumstances. Similarly detailed Green Belt boundaries defined in adopted Local Plans should be altered only exceptionally. It is apparent therefore that the permanence of the Green Belt is a vitally important consideration. However, established Green Belt boundaries can be altered where there are extremely compelling reasons for doing so.
- 4.12.2. The Local Plan seeks to make detailed changes to the boundaries of the Green Belt in Dacorum in a number of locations. In particular it proposes to exclude a number of sites around the periphery of Berkhamsted, Hemel Hempstead and Kings Langley to meet housing needs for the Borough. In addition it extends the boundary of the Green Belt to cover the area around Markyate. PPG2 does not differentiate between alterations that extend the Green Belt from those which seek to exclude areas from the Green Belt. It is necessary, therefore, to demonstrate that exceptional circumstances exist for the changes in both cases.
- 4.12.3. Turning first to the proposed extension, Policy 5 of the SPR specifically provides for the Green Belt to be extended to cover an area in the neighbourhood of Markyate. The SPR defines this area as being bounded by the existing Green Belt to the east, the Chilterns AONB to the west and the County boundary to the north. This extension is intended to contain Markyate, minimise coalescence between Luton and settlements in Hertfordshire and aid the regeneration of Luton and Dunstable.
- 4.12.4. The EIP panel considered this extension in 1997. They found that given the likelihood of intensifying development pressures, the narrowness of the Green Belt in this area, and the arbitrary nature of its boundary a sufficient case had been made in the light of the criterion of exceptional circumstances for the proposed extension. I find no reason to disagree with their assessment. I am satisfied therefore that an extension to the Green Belt at Markyate is justified in principle. However, I consider the detailed boundaries shown in the Deposit Draft should be amended so that they more accurately reflect the general extent of the area defined in the SPR. (*see also paragraphs 4.40.1 to 4.40.26 of the report*)

- 4.12.5. In respect of the areas of land that are proposed to be excluded, Policy 8 of the SPR identifies a strategic need for a further 1000 houses to be built around the periphery of Hemel Hempstead to meet the housing requirements for the County. Policy 5 of the SPR allows for Green Belt boundaries to be reviewed in order to meet this requirement. Within Dacorum it identifies the areas for exclusion as being specifically on the periphery of Hemel Hempstead, subject to possible exclusions at Berkhamsted and Kings Langley. The only proviso is that coalescence with Redbourn, Potten End and other nearby settlements is to be avoided. The Structure Plan therefore clearly provides for the detailed review of the Green Belt boundaries around Berkhamsted, Hemel Hempstead and Kings Langley to accommodate additional housing.
- 4.12.6. It is clear that the changes to the boundaries of the Green Belt around Hemel Hempstead, as proposed in the Deposit Draft, are for the most part intended to meet the strategic need for housing in accordance with Policy 8 of the SPR. The SPR was adopted as recently as 1998 and its overall strategy was the subject of close scrutiny at the EIP. The EIP panel was satisfied that there were sufficiently exceptional circumstances to justify changes to the Green Belt boundaries in Dacorum in order to accommodate up to 1000 additional dwellings. In their view this strategy was the most reasonable way of meeting the clear need for additional housing in the county. I find no reason to disagree with their assessment of overall housing need. I therefore, attach considerable weight to the Structure Plan strategy.
- 4.12.7. The Local Plan is required to be in general conformity with the Structure Plan. I do not consider, therefore, that it would be appropriate for the Local Plan to adopt a radically different strategy on Green Belt releases unless there was evidence of a significant change in circumstances since the Structure Plan was adopted. I can find no evidence that seriously undermines the findings of the EIP panel. Consequently, I am satisfied that in principle the Structure Plan requirement constitutes the exceptional circumstances necessary to justify the proposed changes to the Green Belt around Hemel Hempstead insofar as the changes are necessary to meet the strategic housing requirement. Indeed I can see no other way that the Borough can meet the housing target set in the Structure Plan.
- 4.12.8. I acknowledge that when the land at North East Hemel Hempstead, which is not in the Green Belt, is taken into account the actual number of dwellings to be provided on peripheral sites would be 1,354 in the Deposit Draft. This is considerably in excess of the figure in Policy 8 of the SPR. However, this figure includes some 330 dwellings that are not planned for development during the Plan period. When these are deducted the total falls to 1024, which is only slightly above the figure in Policy 8 of the SPR.
- 4.12.9. Policy 5 of the SPR also allows for changes to be made to the Green Belt of selected settlements, including Berkhamsted, Hemel Hempstead and Tring, to accommodate limited peripheral development under the provisions of Policy 7. Additionally it provides for minor adjustments to the Green Belt boundaries of these settlements to secure a more sustainable pattern of development and activities. In my view, the small margin of housing above the figure in Policy 8 could reasonably be considered to fall within the provisions of Policy 7. In particular I am satisfied that the clear and pressing need for more affordable housing constitutes a sufficiently exceptional circumstance to warrant releasing a limited additional area of Green Belt.

- 4.12.10. In contrast I am not persuaded that the circumstances are sufficiently exceptional to warrant the release of more land than is needed to meet housing needs during the current Plan period. I appreciate that Policy 5 of the SPR provides for the release of Green Belt land that is not planned for development during the period of the Local Plan but this is subject to it being necessary to meet the provisions of either Policies 7 or 8. It is clear that the extent of any release permitted under these circumstances is intended to be extremely limited.
- 4.12.11. Policy 8 allows for the provision of 1,000 dwellings on the periphery of Hemel Hempstead during the Plan period. The DBLP includes sufficient Green Belt sites in Parts I and II to accommodate these dwellings. Consequently, I consider that safeguarded land should not be needed to meet this requirement. Neither Policy 8 nor Policy 5 give any indication that the necessary changes to the Green Belt boundary under Policy 8 should make provision for longer term housing needs in Dacorum. In contrast Policy 8 specifically identifies the long-term possibility of a much larger development taking place at Stevenage than is required to meet housing needs in the period up to 2011. I am not satisfied, therefore, that Policy 8 of the SPR warrants the release of any more Green Belt land at Hemel Hempstead than would be needed to meet the strategic requirement of 1000 dwellings.
- 4.12.12. Policy 7 of the SPR indicates that limited peripheral development will be acceptable at Hemel Hempstead, Berkhamsted and Tring where it meets certain specified criteria. In particular it requires planned regeneration opportunities to have been fully explored and for such development to provide demonstrable sustainability benefits to the town. In the absence of a full capacity study, I am not satisfied that it can be argued that all planned regeneration opportunities have been fully explored. Moreover, there is little evidence that any of the additional land required to meet housing needs beyond the Plan period would provide demonstrable sustainability benefits.
- 4.12.13. In the circumstances, it seems to me that the only justification for releasing more land than is required to meet present needs would be where it was necessary in order to provide a more clearly defined Green Belt boundary. Indeed, it is clear from paragraph 9.26 of the EIP panel’s report that these are the only circumstances in which they envisaged an element of leeway being allowed to meet needs accruing after the end of the Plan period.
- 4.12.14. The only housing site to which this might apply would be H54, as it forms part of a much larger site, most of which is proposed for development during the Plan period. The other sites in Part III would be totally new sites. For the reasons I set out in section 7.4 of my report I do not believe that these sites will be required to meet housing needs during the Plan period, with the exception of H52 (*see paragraphs 7.4.161-162 of my report*). I am not, satisfied, therefore, that Policy 5 of the Structure Plan Review constitutes the sufficiently exceptional circumstances necessary to justify the revisions to the Green Belt that are required to accommodate most of the Part III housing sites.
- 4.12.15. In reaching this conclusion, I have taken account of the advice in paragraphs 2.12-2.13 and Annex B of PPG2, which indicates that any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the Plan. However, this has to be set against the guidance in PPG3, which

indicates that the Plan should only identify sufficient land to meet current housing requirements. As the latter is the more recent document I attach greater weight to it.

- 4.12.16. In addition, I believe that the advice in PPG2 needs to be considered in the light of the EIP panel’s report. This indicated that in their view it would require exceptionally strong justification to take more land out of the Green Belt at Hemel Hempstead than can be justified on present reckoning. It also suggested that if further substantial needs should arise in the area after the end of the Plan period the solution might well have to lie elsewhere. The strength of these conclusions is, in my view, reinforced by the subsequent changes in national housing policy, which seek to concentrate development within existing urban areas. In these circumstances, I do not consider the advice in PPG2 is sufficient, in itself, to warrant releasing additional Green Belt land at this stage to meet longer-term housing needs in Dacorum.
- 4.12.17. I have taken into account the arguments put forward by a number of objectors that some or all of the additional housing proposed in the Plan could be accommodated within the urban area. However, I note that the housing strategy already proposes that in excess of 60% of new dwellings will be built on previously developed land. Moreover, while it was argued that additional sites are available within the urban area, it seems to me, from what I saw of the area, that the Council has identified virtually all the larger areas of previously developed land that are likely to become available within the Plan period.
- 4.12.18. I appreciate that there may be other areas of employment land that might fall vacant during the Plan period. However, there will, in my opinion, be a continuing need to maintain a reasonable supply of employment land during the period in order to maintain the economic prosperity of the Borough. If all vacant employment land were to be used for housing this would be likely to lead to pressure for new employment sites to be developed on Green Belt land. In my view this would more than offset any benefit to the Green Belt that might be gained from using additional employment land for housing.
- 4.12.19. I have also had regard to the changes that have occurred since the EIP panel submitted its report in June 1997, including the publication of the new RPG9 in March 2001. However, I do not consider that the lower annual average housing figure for Hertfordshire that is contained within Policy H2 of RPG9 is likely to lead to a reduction in the need for greenfield housing sites on the periphery of the specified settlements within Dacorum. In fact as it is still slightly higher than the annual average in the existing SPR the reverse might prove to be the case. Moreover, the Secretary of State envisages that the annual housing figure for the rest of the South East (ROSE) will have to increase substantially after 2006. In the circumstances, I am satisfied that the publication of the new RPG9 does not seriously weaken the EIP panel’s findings.
- 4.12.20. I appreciate that PPG3 now requires a full urban capacity study to be undertaken as part of the new sequential test for housing sites. Clearly, no such study has been undertaken as part of the current plan process. In the circumstances, the housing strategy of the Structure Plan and Draft Local Plan do not strictly accord with current Government Policy. However, for the reasons I have already given, I doubt that this study will reveal that there are significant additional areas of previously developed land in Dacorum, which would be available for development during the Plan period. I

do not consider, therefore, that at this stage the slim possibility that more land may come forward within the urban area is sufficient reason to override the Deposit Draft’s strategy for Green Belt releases insofar as it relates to sites that are identified for development during the Plan period.

- 4.12.21. In any case, I understand that an extensive capacity study is currently ongoing at County level. It is intended that the results of this study will be published in early 2002. It should be possible therefore for the Council to take on board the outcome of this study in determining what modifications it should make to the Plan in the light of my report. If the study should prove that there are substantial additional areas of previously developed land within the urban area, which could be developed for housing during the current Plan period, then clearly the Council will need to rethink the extent of Green Belt releases that are proposed.
- 4.12.22. I have also noted the Council’s pre-inquiry changes that seek to reduce the amount of Green Belt that would be released for housing. However, while I appreciate that this would go some way to meeting the objector’s concerns, I am not satisfied that the Council’s approach is entirely appropriate. The mere fact that there is other land available for development outside the Green Belt is not sufficient reason on its own to justify altering the original strategy. In my opinion, the alternative sites should be at least as sustainable as those that it is proposed to delete.
- 4.12.23. Paragraph 68 of PPG3 clearly allows for development of Green Belt land for housing where this would be the most sustainable option. In my view, some of the alternative sites that have been put forward, notably Breakspear Way (H15A), are less sustainable than the Green Belt sites the Council now proposes to delete. I therefore do not support PICs 5 & 6.
- 4.12.24. In conclusion, while I am fully cognisant of the need to maintain the permanence of the Green Belt, I am satisfied that there are sufficiently exceptional circumstances in this particular case to justify the majority of the Green Belt boundary changes put forward in the Deposit Draft. However, for the reasons I have already given I am not satisfied that the circumstances are such as to warrant the release of all the land that is reserved for implementation after the Plan period. Consequently, I recommend that in response to objection 4570, the Council should reconsider its strategy for Green Belt releases in respect of those sites that are identified for release after the Plan period.

(b) Policy for changes

- 4.12.25. Policy 3 deals with the control of development within the Green Belt. As the Council point out once the Plan is adopted the changes to the Green Belt boundary will be historic. In these circumstances, I see no real advantage in setting out the proposed changes in a separate policy. In my view, it is entirely appropriate for the changes to be addressed in the background text. This would be consistent with the adopted Plan. I am also satisfied that adequate reasons are given for the proposed changes. I do not see any need therefore for the modification put forward by the objector. In particular, in the light of my findings in section 4.33 of my report I see no need to modify this part of the Plan to provide for the release of Green Belt land at Shendish.

4.12.26. However, the list of exclusions and the definition of the area covered by the extension at Markyate will need to be modified in the light of my recommendation in paragraph 4.40.26. Changes will also be required to the accompanying maps.

Recommendation

4.12.27. **The Plan be modified as follows:-**

- (a) Amend sub paragraph 4.36 (i) to delete reference to:-**
 - (i) New Road, Northchurch**
 - (ii) Rectory Farm, Kings Langley in accordance with PIC8;**
- (b) Alter sub paragraph 4.36 (ii) to redefine the area of the Green Belt extension at Markyate in accordance with the recommendation at paragraph 4.40.26;**
- (c) Amend Map 2 to show the fields and woodland to the north and south of Egerton Rothesay School as being excluded from the Green Belt in accordance with the recommendation at paragraph 4.19.28;**
- (d) Delete Map 3;**
- (e) Renumber Map 4 as Map 3;**
- (f) Renumber Map 5 as Map 4;**
- (g) Amend Map 6 to show the area of land to be excluded from the Green Belt extending south to the bottom of the A41 embankment in accordance with the recommendation in paragraph 4.32.45, and renumber as Map 5;**
- (h) Delete Map 7 in accordance with the recommendation at paragraph 4.36.50;**
- (i) Alter Map 8 to extend the area to be excluded from the Green Belt south to Station Footpath in accordance with the recommendation at paragraph 4.39.24, and renumber as Map 6;**
- (j) Delete Map 9;**
- (k) Revise Map 10 to delete land to the west of the A5 and Pickford Road from the area to be added to the Green Belt, in accordance with the recommendation at paragraph 4.40.26, and renumber as Map 7.**

4.12.28. **The Council reconsiders its strategy on Green Belt releases in respect of those sites that are identified for release after the Plan period.**

4.12.29. **No modification should be made to the Plan in the light of objection 4803.**

4.12.30. **PIC’s 5 and 6 should not be adopted.**

4.13. POLICY 3: THE GREEN BELT (Background: Berkhamsted)

Objection

<i>Rep No.</i>	<i>Name</i>
1741	Berkhamsted Town Council

Key Issue

- (a) Whether the envelope view both from and of the canal from key points within the town (i.e. the view from Ravens Lane bridge to St.Peter’s Church) should be conserved and included within the Local Plan. (1741)

Inspector’s Conclusion

- 4.13.1. The Grand Union Canal plays an important role in defining the character of Berkhamsted. I accept, therefore that the conservation of key views both to and from the canal is an important consideration. However, I fail to see how the inclusion of such a requirement would be appropriate within a policy that is designed to safeguard the openness of the Green Belt. I find no reason therefore for any modification to be made to Policy 3 or its supporting text in the light of this objection.

Recommendation

- 4.13.2. **No modification be made to Policy 3 or its supporting text in the light of objection 1741.**

4.14. POLICY 3: THE GREEN BELT (Background: Tring)

Objection

<i>Rep No</i>	<i>Name</i>
3077	Mr C Selly

Key Issue

- (a) Whether it is appropriate to describe the agricultural land to the east of Tring as being of ‘high quality’ or should these words be deleted from the Plan (3077).

Inspector’s Conclusion

- 4.14.1. I appreciate that the Inspector who determined an appeal (APP/A1910/A/86/049987) in respect of land owned by the appellant to the east of Tring in 1987, concluded that the land was generally Grade 3B, which cannot reasonably be described as being of ‘high quality’. However, the land in question forms only a small part of the area to the east of Tring.
- 4.14.2. A very substantial part of the area is defined on the agricultural land classification maps as Grade 2. No evidence has been submitted which seriously questions this designation in respect of the land outside the 1987 appeal site. I therefore find the

majority of the agricultural land to the east of Tring is of high quality. In consequence, I am satisfied that the words the Plan uses to describe this land are on balance appropriate. Consequently, I find no reason for the Plan to be modified in response to this objection.

Recommendation

4.14.3. No modification be made to the Plan in the light of objection 3077.

4.15 POLICY 3: THE GREEN BELT (Boundaries: General)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
57	Mrs J K Clay	2128	Mr M A Copeman
70	Mrs M J Parsons	2133	Dr K Harbord
82	Mr G Ansell	2143	Mr C M Furness
216	Ms M Batt	2988	Mr & Mrs D Brasier
221	Mr A T Yates	3010	J Sawyer
382	Mr & Mrs F J Burnell	3085	Miss K Bardsley
393	Ms I McGregor	3230	Mrs J C Tuck
452	Mr G McKendrick	3779	W E Helm
455	Mr G C Barker	3844	Mr P Block
534	Mrs N A Copeman	3847	Ms G Nicoll
544	Mr I Lomas	3859	Mrs L Head
547	Mrs C Lomas	4134	A J Patterson
550	L G Preston	4144	Mrs Moxon
624	Mrs P A Elderkin	4203	Hemel Hempstead Open Spaces Society
1021	Mrs S Prowse	4214	Mr J Rowe
1028	Mr N Prowse	4315	Mrs A J Nobbs
1162	Mrs V Durling	4459	Aitchison Raffety
1200	Mr F Wimpres	4627	Mr K Richmond
1262	CPRE - The Hertfordshire Society	4797	Mr & Mrs P S Williamson
1511	Mr & Mrs G D Lambert	4843	Mr & Mrs H Brockhurst
1652	Mr J Gregory	4850 L	G Bailey
1653	Mr D Walker	4854 L	Mr D Thurlow
1669	Mr & Mrs R G Prentice	4855 L	Mrs S McLellan
1694	R F & P M Whitehorn	4859 L	Mr M J McLellan
1900	Hemel Hempstead Team Parish PCC	5056	Tring Environmental Forum
2109	B J Harding	5144	Mr Tony McWalter MP

Supports

277	Mr J E Hunt	2694	Mr R Bayliss
1985	Mr & Mrs T Shaw	3861L	M B & A J Lynn
1987	Mrs J Farrer	3863 L	M Ramirez
2561	Mr J Buckman	4882 L	Mr L A Sinfield

Key Issues

- Should the integrity of the current Green Belt boundary be sacrosanct. Are the proposed exclusions from the existing Green Belt at Berkhamsted, Hemel Hempstead and Kings Langley justified in order to meet the Borough’s housing requirement. Could the extent of Green Belt releases be reduced. (57, 70,82, 216, 221, 382, 393, 452, 455, 534, 554, 547, 550, 624, 1021, 1028, 1162, 1200, 1262, 1511, 1652, 1653, 1669, 1694, 1900, 2109, 2128, 2133, 2143, 2988, 3010, 3085, 3230, 3779, 3844, 3847, 3859, 4134, 4144, 4203, 4214, 4267, 4797, 4843, 4850L, 4854L, 4855L, 4859L)
- Can local services and infrastructure cope with the pressures that would arise from development of the proposed Green Belt sites for housing. (70, 82, 393, 452, 455, 1021, 1028, 1652, 1653, 2988, 3010, 3844, 3859, 4144, 4797, 4854L 4855L)

- (c) Is it appropriate that land released from the Green Belt should be held in reserve. Would there be pressure for its early release. (57, 624, 1262)
- (d) Should additional land be designated as Green Belt to replace that proposed for development. (4315)
- (e) Do the minor alterations to the Green Belt adequately address the objective of securing long-term permanence of the boundary thereafter. (4459)
- (f) Are the changes to the Green Belt boundary part of a strategy aimed towards a more sustainable pattern of development. (5056)
- (g) Would the proposed changes be consistent with the guidance in paragraph 2.10, PPG2. (5056)
- (h) Do the changes accord with the objectives of Policy 5 of the Structure Plan Review. (5056)
- (i) Does the Plan give an adequate explanation for the choice of sites that it proposes to release from the Green Belt. (5144)

Inspector’s Conclusions

General background

- 4.15.1. The Metropolitan Green Belt has been in existence now for almost 60 years. The Government first set down the principles behind its establishment in 1955 in Circular 42/55. This made clear that its main purposes were to check further growth of large built-up areas; to prevent neighbouring towns from merging; and to preserve the special character of a town. These purposes were easily understood by the general public and it is perhaps not surprising, therefore, that the Green Belt has received more popular support than probably any other planning concept.
- 4.15.2. Within Dacorum the general extent of the Green Belt was originally defined in the 1958 County Development Plan as lying to the south of Hemel Hempstead and Bovingdon. The only settlements in the Borough that were originally included within the Green Belt were Kings Langley, Chipperfield and Flaunden. In 1979 the then Secretary of State concluded, in approving the County Structure Plan, that in general a Green Belt of about 12-15 miles wide would be adequate. The approved Structure Plan therefore extended the outer Green Belt boundary to just north of Tring, Berkhamsted, Hemel Hempstead and Flamstead, which is where it lies today.
- 4.15.3. However, the detailed inner and outer boundaries of the Green Belt in Dacorum were formally defined for the first time in the Dacorum District Plan (CD36), which was adopted in 1984. This showed the settlements of Hemel Hempstead, Berkhamsted, Tring, Kings Langley and Bovingdon as being excluded from the Green Belt. The inner boundaries were generally tightly drawn around the built-up areas of these settlements, as there was considered to be little need at that time for further land to be developed outside them. The only exceptions were an area of open land at Fields End Farm, Hemel Hempstead, which the Council chose to designate for housing, and a further area of land at North East Hemel Hempstead, which was retained for longer term development.
- 4.15.4. The subsequent Dacorum Borough Local Plan (CD39), which was formally adopted in 1996, included only very minor changes to the Green Belt boundaries defined in the Dacorum District Plan (DDP). The only areas removed from the Green Belt were

relatively small pieces of land at The Mount Prison, Bovingdon; the haulage yard to the rear of Alexandra Road, Kings Langley; and the William Cox site, London Road, Tring. Other sites that were put forward for exclusion were rejected as there was found to be no need to release further land to meet housing requirements at that stage.

- 4.15.5. The most recent review of the County Structure Plan (CD32), which was adopted in 1998, designates Hemel Hempstead as one of the two locations in the County to accommodate a strategic level of additional development in order to meet the housing needs in the period up to 2011. It therefore proposes, under Policy 8, that 1,000 additional dwellings should be developed on a number of peripheral sites around Hemel Hempstead. Under Policy 5 it acknowledges that some modifications will be necessary to the Green Belt boundary around Hemel Hempstead to accommodate this extra housing. It also accepts that there might possibly be a need for limited additional exclusions at Berkhamsted and Kings Langley.
- 4.15.6. It is within this context that the Deposit Draft of the Dacorum Local Plan (CD46) for the first time proposes significant changes to Green Belt boundaries in the Borough. In particular it identifies a number of new housing sites on the periphery of Hemel Hempstead, Berkhamsted and Kings Langley on land that currently lies in the Green Belt. It therefore proposes that the inner Green Belt boundary should be redrawn at 4 locations in Hemel Hempstead, 3 in Berkhamsted and 2 in Kings Langley in order to accommodate this development.¹² Of these sites only 6 are identified, either in full or in part, for development during the Plan period. The rest are reserved for implementation after the Plan period.
- 4.15.7. In the light of the objections received to the Deposit Draft the Council put forward a number of pre-inquiry changes to the Plan in November 1999 (CD49). These propose the deletion of 2 of the Green Belt sites proposed for development during the Plan period. One in Hemel Hempstead (*Manor Estate, Apsley*) and the other in Berkhamsted (*New Lodge, Bank Mill Lane*). In addition they recommend the omission of 2 further Green Belt sites, which are identified for implementation after the end of the Plan period (*West Hemel Hempstead Phase III and Rectory Farm, Kings Langley*).

(a) *The need for the Green Belt releases and the integrity of its boundary*

- 4.15.8. Many of the objectors who raise concerns about the amendments to the boundary in relation to specific sites also express general disquiet about the prospect of changes being made to the Borough’s well-established Green Belt. Some argue that the Green Belt should be sacrosanct and that the existing boundaries should not be varied under any circumstances. Others maintain that there is no need for the boundaries to be varied to accommodate the additional housing. This is either because, in their view, there is no firm evidence that the need actually exists, or because they consider that the additional housing could be accommodated within the existing urban area or on other more suitable sites in the Borough. I shall deal with each of these issues in turn.

¹² Hemel Hempstead sites are :-
Land to rear of Argyll Road and Ninian Road, Grovehill; Between Green Lane and Pancake Lane, Leverstock Green; Manor Estate, Apsley; and West Hemel Hempstead.
Berkhamsted sites are:-
New Lodge, Bank Mill Lane; Egerton Rothesay School; and New Road, Northchurch.
Kings Langley sites are:-
Rectory Farm and rear of Watford Road.

The general integrity of the Green Belt

- 4.15.9. As I have already indicated in paragraph 4.12.1 the Government continue to attach considerable importance to maintaining the Green Belt as is made clear in both PPG2 (CD2) and paragraph 68 of PPG3 (CD3A). However, paragraph 2.7 of PPG2 does allow for Green Belt boundaries to be revised, when existing local plans are being updated, where alterations to the structure plan have been approved, or other exceptional circumstances exist.
- 4.15.10. Although RPG9 (CD23A) does not envisage the need for major changes to the Green Belt in the South East, it accepts that there may be exceptional local circumstances which would justify a review of its boundaries. The panel who conducted the EIP into the draft of RPG9 concluded that local re-assessments of the boundaries could be justified where the land is not subject to ‘intrinsic designations’, development pressure is strong and a sequentially based exercise to find additional land still leaves a shortfall of housing or employment land (*see paragraph 6.33 of their report*).
- 4.15.11. The general approach of the Structure Plan Review is to meet most development needs through a strategy of planned regeneration concentrating most new development on previously developed land within existing urban areas. However, the SPR concluded that the planned regeneration strategy would be insufficient by itself to meet the expected needs for housing in the period up to 2011, taking into account the expected growth in households in the County. It therefore proposed that additional greenfield land at Hemel Hempstead and Stevenage should be earmarked for housing. These towns were chosen on the basis that they were more likely to accommodate the additional development without significant harm due to their particular characteristics and because of their good transport links.
- 4.15.12. The EIP panel (CD30) agreed that it would not be possible to meet all housing needs within the existing urban areas of the County. They therefore supported the overall strategy of the SPR. They also endorsed the choice of Hemel Hempstead and Stevenage as suitable locations for strategic housing development.
- 4.15.13. Within this overall context I consider that it is reasonable for the Council to seek to re-assess Green Belt boundaries in the Borough. Indeed if they had failed to do so the Local Plan would not have been in conformity with the Structure Plan. I can fully understand local people’s desire to see no change to the Green Belt in Dacorum. However, in the light of the strategy of the adopted SPR, I am not satisfied that it would be appropriate for me to recommend to the Council that it should refuse to countenance any changes to the Green Belt within Dacorum. I have, therefore, gone on to consider whether local circumstances are sufficiently exceptional to justify the level of changes that are proposed.

Are the predictions for the amount of additional housing required accurate?

- 4.15.14. Some objectors, notably W E Helm (3779), argue that the crude proportioning of housing figures from County to Borough level constitutes a shaky basis for determining the actual amount of land that needs to be released. Others, like the CPRE (1262) maintain that in the light of PPG3 it is unreasonable to identify housing sites

for the whole of the Plan period (i.e. up until 2011) as there can be no guarantee at this stage that all this land will be needed.

- 4.15.15. I do not accept that the method by which the housing requirement has been determined is defective. It is clear from the evidence I heard at the Inquiry that the County Council undertook a detailed assessment of the County’s future housing needs. It did not merely seek to adopt the figure set in Regional Planning Guidance Note 9 (RPG9). Indeed the requirement they adopted (65,000 dwellings) was actually slightly below the RPG figure. The figure of 65,000 dwellings was fully supported by the EIP panel. More importantly, the panel also endorsed the housing requirement for Dacorum, which was set at 7,200 dwellings, despite the fact that this would mean that the Borough would be unable to meet its own housing needs. I find no evidence to suggest that this figure is an over-estimate of future housing needs or that any other method of assessment would have produced a more accurate figure.
- 4.15.16. Although it has been suggested that circumstances have changed significantly since the adoption of the Structure Plan there is no evidence to indicate that housing needs in the Borough are decreasing. I note the submission that it is no longer appropriate to identify housing sites for the whole of the Plan period in the light of the changes in national policy but I do not accept this.
- 4.15.17. I appreciate that paragraph 34 of PPG3 refers to sufficient sites being shown on the proposals map to accommodate at least the first five years of housing development proposed in the plan. However, it is clear from the wording that this was intended to indicate the minimum amount of land that should be identified not the maximum. PPG3 gives no intimation that it would be inappropriate for the Plan to identify land for the whole period. Indeed, paragraph 30 recommends that local authorities should seek to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes. This suggests that the Government expects local authorities to continue to identify sufficient land to meet the housing requirement for the whole of the plan period, even if not all of this is shown on the proposals map.
- 4.15.18. I acknowledge that PPG3 also indicates that in future housing strategies should be undertaken on the basis of a “plan, monitor and manage” approach rather than one of “predict and provide” as has occurred in the past. However, in my view, all this means in practice is that future housing requirements and the way they are managed should be kept under more regular review in order to avoid either significant over or for that matter under-provision of housing land. It was not intended to imply that local authorities should no longer seek to plan for housing needs over the life of the plan. While paragraph 34 of PPG3 states that local plans should be reviewed and rolled forward at 5 yearly intervals, this does not signify that housing requirements should only be assessed for the next 5 years. Such an approach would, in my view, be the antithesis of effective planning.
- 4.15.19. I consider that the shorter period between reviews is merely intended to ensure that plans are more responsive in the future to changing circumstances so as to avoid the loss of more greenfield land than is actually required to meet local housing needs. I am not satisfied, therefore, that the Council’s strategy of identifying sites to meet housing needs for the remainder of the Plan period conflicts with the advice in PPG3.

- 4.15.20. However, as I have already stated in paragraph 4.12.24 I believe that in the light of the advice in paragraph 30 of PPG3 it is no longer appropriate for the Plan to identify greenfield land for development beyond the Plan period. In my view the release of additional sites within the Green Belt in order to create a reserve of housing land for future needs is not supported by the policies of the SPR.
- 4.15.21. I realise that the housing reserve sites are intended to provide a contingency in case some of the sites identified for development during the Plan period fail to come forward. However, I note that in the past Structure Plan targets have been consistently exceeded. In the circumstances, I am not satisfied that the likelihood of such a contingency being required is so great as to constitute the exceptional circumstances required to justify amending established Green Belt boundaries.
- 4.15.22. In reaching this conclusion, I have taken account of the Council’s understandable desire not to have to review Green Belt boundaries again in 5 years time should it prove at that stage that there is an inadequate supply of housing land. However, in my view the chances of this occurring are very small, particularly if the amount of housing on identified sites was increased in line with my recommendations in Chapter 7 of my report. In the light of the thrust of current Government policy, which seeks to concentrate development on previously developed land within existing urban areas, I consider it would be inappropriate at this stage to release more Green Belt land than can be proven to be definitely required. My view is reinforced by the fact that the need for the additional housing land has not been established through the process of a full urban capacity study as required by PPG3.

Accommodating the housing requirement in the existing urban area

- 4.15.23. Many of the objectors argue that much, if not all, of the housing that is proposed in the Green Belt could be accommodated on other more suitable sites within the existing urban area or elsewhere. Others, including the CPRE, argue that the amount of land that is proposed for release from the Green Belt could be substantially reduced if densities on the identified sites within the urban area were increased in line with the advice in PPG3.
- 4.15.24. It is clear that in preparing the Plan the Council have undertaken a fairly extensive search for suitable sites for housing. Some 65% of the housing proposed would be on brownfield sites within the urban area, well over the Government’s target. Judging from what I saw of the area and the evidence I have heard and read, it seems unlikely that the Council has missed any large housing sites that are likely to become available for development within the Plan period. Certainly, objectors have suggested very few alternative sites that would be suitable for housing.
- 4.15.25. Of the alternative sites that have been put forward many are already identified for other uses in the Plan. The site adjoining the Plough roundabout, for instance, is currently identified for a mixed-use scheme consisting predominantly of shopping and offices. I consider this is an entirely appropriate use for this site, as it would help to maintain the vitality and viability of Hemel Hempstead town centre. In any case, although it is not specifically referred to in the Plan, the Council has indicated that it would be prepared to accept an element of housing as part of this scheme.

- 4.15.26. As for the suggestion that more employment land could be used, the Plan already identifies a significant number of ex-employment sites for housing development. The Council’s housing strategy also relies on a significant element of the total housing requirement being met on unidentified employment sites. In addition, it now proposes, under PIC252, to reallocate much of the Gas Board site at Boxmoor (TWA8) for housing. While I endorse this change, I am concerned that increasing the amount of employment land allocated for housing even further would undermine the economic sustainability of the Borough. It could also put pressure on the Council to release more Green Belt land for employment purposes in the future.
- 4.15.27. I appreciate that there are currently some vacant units within the existing General Employment Areas (GEA), notably at the Maylands Estate. However, there is always likely to be a number of short-term vacancies in such areas due to the turnover of firms. I do not consider that by itself this indicates that there is a significant lack of demand for employment land in the Borough. The Council already identifies a number of the smaller GEA’s as potential sites for housing under Policy 33. While the loss of some of this land would not seriously harm the economic prosperity of the Borough I consider that a substantial reduction in employment land would be unsustainable in the longer term. Not only could it result in new or expanding businesses having to look outside the area for premises but it could also mean that local people would have to travel further to find work.
- 4.15.28. In terms of the other sites that are referred to in the representations, I accept that it should be possible to increase the area of land allocated for housing at North-East Hemel Hempstead without seriously undermining the proposed strategic employment site on Three Cherry Trees Lane. However, I am concerned about the proposal, under PIC57, to allocate the Lucas Aerospace sports ground and adjacent land for housing. Not only would this lead to loss of greenfield land but it would also, in my view, be extremely poorly located in sustainability terms. I am not satisfied therefore that it would be more suitable for housing than the Green Belt sites that are currently identified in the Plan.
- 4.15.29. I appreciate that a number of smaller windfall sites may come forward within Hemel Hempstead and the other settlements in the Borough. However, the Plan’s housing strategy, as set out in Policy 17, already depends on almost 48% of the total housing being developed on such sites. I do not consider it would be practicable or feasible to expect more housing to come from this source. Indeed, I seriously doubt that the present figure is realistically achievable based on the evidence of past completion rates on windfall sites.
- 4.15.30. As for sites outside the existing settlements the only large previously developed site which has been suggested is Bovingdon airfield. However, although this is strictly brownfield land, it has few buildings and it is largely green in appearance. In my opinion, development of this site would not only be poor in sustainability terms because of its location but it would also result in a far more significant encroachment into the countryside than any of the housing sites proposed in the DBLP. Generally, therefore, I am not satisfied that there are other more suitable sites within the Borough which could accommodate all of the housing that is proposed to be developed on Green Belt sites during the Plan period, or even a large part of it.

- 4.15.31. Turning to the question of density I have no doubt that the Council’s estimates of site capacities are overly cautious. This is demonstrated by the scheme that was finally approved in respect of the John Dickinson site (TWA3), which included around 170 more dwellings than were proposed in the Deposit Draft. While it is unlikely that similar increases could be achieved on other sites, I consider that building at higher densities would be feasible on many of the sites identified in the Plan.
- 4.15.32. I appreciate the net densities for the majority of the identified sites would fall within the range set out in paragraph 58 of PPG3. However, most would be towards the bottom end of this range. I do not consider that merely seeking densities at the lower end of the range amounts to making the best use of land. In order to comply with the aims of PPG3, the Council needs, in my opinion, to ensure that all new housing developments are built at the highest sustainable density that can be satisfactorily accommodated on the site. I appreciate that it may be possible to negotiate higher densities when the planning application is being considered, but I believe the Plan should be doing more at this stage to encourage higher sustainable densities in line with the thrust of PPG3.
- 4.15.33. In this regard, I note that the residential parking standards in Part 5 of the Plan are far higher than the figure recommended in paragraph 62 of PPG3. I appreciate that the County Council has recently reviewed these standards but no change appears to have been made to the residential standards despite the advice in PPG3. While, I accept that car ownership in the County is higher than the national average I do not consider this is sufficient to justify seeking to impose these higher standards across the Borough regardless of location. It seems to me that in many areas, particularly in town and local centres and in situations where there is good public transport accessibility, lower standards should be accepted. This would not only help to reduce the amount of land taken up by parking but could allow residential densities to be increased.
- 4.15.34. However, while it may be possible to increase densities on some of the identified housing sites, I am not satisfied that the number of additional dwellings that are likely to be gained would be so substantial as to remove the necessity for releasing some Green Belt land for housing. In general terms, therefore, I find that the release of Green Belt sites in Hemel Hempstead, Berkhamsted and Kings Langley is warranted in order to meet the housing needs of the Borough. I therefore, recommend that no modifications be made to the Plan in the light of these general objections.
- 4.15.35. In considering these objections I have noted the comments made at the Inquiry by Green Balance, on behalf of the CPRE, in respect of the order in which the Green Belt sites should be released if it should prove that they are required. I deal with this issue more fully under Policy 18. However, I note the advice in “Planning to Deliver”¹³ suggests that site release based on ranking has several pitfalls. I do not consider therefore that it would be a sensible approach to adopt.

(b) *The impact on local services*

- 4.15.36. I deal more fully with the issue of the impact of the proposed development on local services and infrastructure in my consideration of the objections to the individual housing sites in Chapter 7. In general terms although I accept that the proposed

¹³ “Planning to Deliver – The managed release of housing sites: towards better practice” DTLR July 2001

development would lead to an increase in traffic on local roads, I am not satisfied that this would have a significant impact on the Green Belt or the purposes for which it was designated. Similarly while the development would undoubtedly put additional pressure on existing services, particularly local schools, in some areas of the Borough, I consider that in most cases it should be possible to resolve this without causing additional harm to the Green Belt. As for the impact on water supply and sewerage there is no evidence that this would give rise to serious problems. I am not satisfied, therefore, that the impact on local services and infrastructure would be sufficient, in themselves, to justify rejecting amendments to the Green Belt boundary in principle. Consequently, I recommend that no modification should be made to the Plan in answer to these objections.

(c) *Holding Green Belt land in reserve*

- 4.15.37. I have already indicated in paragraph 4.12.10 and 4.15.20 that I do not consider that it is appropriate, in the light of the changes to national policy, to release areas of Green Belt in order to provide land for development beyond the Plan period. In the circumstances, I consider that most of the releases in respect of those sites which are identified for development in Part III of the Schedule of Housing Proposal Sites should be deleted from the Plan in accordance with my recommendation in paragraph 4.12.27.

(d) *The designation of additional Green Belt land*

- 4.15.38. I note the suggestion of this objector that an equivalent area of land should be designated as Green Belt to make up for that which would be lost. However, there is no requirement under national policy for this to occur. Any change to the Green Belt boundary, whether it is proposed to exclude or include land, can only be justified when exceptional circumstances exist. I am not satisfied that the removal of small areas of land from the Green Belt around Hemel Hempstead, Berkhamsted and Kings Langley would amount to sufficiently exceptional circumstances to warrant adding land to the Green Belt.
- 4.15.39. Having said this I note that the Council is proposing to add additional land to the Green Belt around Markyate. As I have already indicated I am satisfied that the need to protect this settlement from development pressures emanating from Luton constitutes sufficiently exceptional circumstances to justify this addition to the Green Belt. In my view this would more than compensate for the small losses of Green Belt around other settlements in the Borough. I therefore recommend that no modification be made to the Plan in response to objection 4315.

(e) *Minor amendments and long term permanence of the Green Belt boundary*

- 4.15.40. Paragraph 2.9 of PPG2 makes clear that well defined long term Green Belt boundaries are important to ensure the future agricultural, recreational and amenity value of Green Belt land. I accept therefore that in making any changes to the Green Belt it is essential that clearly defined and defensible features are used to define the new boundary in order to secure its long-term permanence. I consider that for the most part the proposed changes comply with this advice. The exceptions in my view are the proposed extension to the Green Belt at Markyate, which I consider should more closely accord with the boundary identified in the SPR, and the area excluded at Durrants Lane/Shootersway, Berkhamsted.

- 4.15.41. In the latter case, a wire fence and sporadic clumps of low vegetation would be the features defining the proposed new boundary. This would not fall within the list of readily recognisable features identified in paragraph 2.9 of PPG2. As such I am concerned that it would constitute an insecure long-term boundary for the Green Belt. In my view it would be far more sensible for the boundary to be drawn along Durrants Lane and Shootersway as these roads would form a much more defensible boundary. My view is strengthened by the fact that the Plan already proposes built development, in the form of a new school, on part of the additional land. I consider, therefore, that the retention of this area within the Green Belt would be inappropriate. I appreciate that the remainder of the area is intended to remain open, but I am satisfied that its openness would be adequately protected by its proposed designation as open space under Policy 110.
- 4.15.42. I appreciate that Policy 5 of the SPR does allow for other changes to the Green Belt boundaries around Hemel Hempstead, Berkhamsted, Tring and any other settlement selected in the Local Plan¹⁴ in order to accommodate limited peripheral development in accordance with the provisions of Policy 7 of the SPR. However, it makes clear that this will need to be fully justified by exceptional circumstances and such proposals would also need to show that they contribute to sustainability objectives and be part of a comprehensive planning approach. The objector has provided no evidence of any other sites around the periphery of the relevant settlements that would meet these requirements. I therefore, recommend that no modification be made to the Plan in answer to objection 4459, with the exception of the modification that I have suggested in respect of the boundary at Durrants Lane/Shootersway, Berkhamsted.

(f) *A sustainable development strategy*

- 4.15.43. Although the objector argues that the Green Belt boundaries have not been amended on the basis of a sustainable strategy, I am not satisfied that this is in fact the case. As I have already indicated it is apparent that the Council has sought to concentrate development within the existing urban area in line with current national policy. Where they have found it necessary to identify greenfield sites for housing these are generally in the form of urban extensions, which for the most part are located within tolerable proximity of local services and reasonable access to public transport either already exists or could be provided.
- 4.15.44. I have found no evidence that there are significant amounts of additional land within the urban area, which would be both suitable and available for housing during the Plan period. While it is possible that some additional dwellings could be accommodated on some of the identified sites through increasing densities, I am not satisfied that this would be sufficient to remove the need for amendments to the Green Belt boundary. In the circumstances, I recommend no modification should be made to the overall strategy for the Green Belt in respect of this aspect of objection 5056.

(g) *Conformity with PPG2*

- 4.15.45. The objector argues that the proposed Green Belt releases are not consistent with the advice in paragraph 2.10 of PPG2. However, in my view, this advice is predominantly

¹⁴ In Dacorum’s case this includes King’s Langley (see paragraph 2.7.10 of CD56)

aimed at situations where Green Belt boundaries are being drawn up for the first time. However, even if it is intended to cover subsequent changes, I am satisfied that the changes to the Green Belt boundary proposed in the Plan have generally taken account of the need to promote sustainable patterns of development. Not only do they generally form extensions to existing residential neighbourhoods but also for the most part they have reasonable access to local services. I find therefore that the Plan’s strategy on the development of peripheral housing sites does accord in principle with the aims of PPG2.

(h) *The objectives of Policy 5 of the Structure Plan Review*

- 4.15.46. Strictly speaking there is no requirement under Policy 5 of the SPR to show that any of the sites which form part of the strategic development of 1000 dwellings in peripheral locations around Hemel Hempstead under Policy 8 contribute to sustainability objectives. Peripheral development that takes place under Policies 6 & 7 would be required to meet this objective. It is clear from paragraph 2.7.10 of CD56 that the Council considers this includes the proposed releases at Berkhamsted and Kings Langley. However, based on the wording of Policy 5 of the SPR it appears that the County Council envisaged them as taking place under the provisions of Policy 8. Whichever SPR policy they would come under, I am satisfied that they would for the most part contribute to sustainability objectives for the reasons I have already given. I am not persuaded, therefore, that the Council’s Green Belt strategy is contrary to the objectives of Policy 5 of the SPR. I therefore recommend no modification should be made to the Plan in answer to this part of objection 5056.

(i) *The choice of sites*

- 4.15.47. Although the Plan does not fully explain the reasons for the particular choice of sites, the process by which they were selected is clearly set out in the Pre-Deposit Consultation Background Technical Reports (CD43) and in the Environmental Appraisal (CD47). Although I have some reservations about the way that the Council assessed the suitability of specific sites, particularly West Hemel Hempstead, I consider that the process of site selection was relatively clear and consistent and based on sound planning principles. I am not persuaded that the overall process of site selection was sufficiently defective to warrant major changes to the overall strategy of the Plan. Accordingly, I recommend that no modification should be made to the Plan in response to objection 5144.

Recommendation

- 4.15.48. **The Plan be modified by:-**

(a) Deleting the following sites from sub-paragraph 4.36(i):-

- (i) New Road, Northchurch;**
- (ii) Rectory Farm in accordance with PIC8;**

(b) Deleting Maps 3 and 8;

- (c) Amending Map 2 to show the fields and woodland to the north and south of Egerton Rothesay School as being excluded from the Green Belt in accordance with Figure 2;

4.15.49. No other modifications be made to the Plan in response to the above objections.

4.16. POLICY 3: THE GREEN BELT (Boundaries: Berkhamsted)

Objection

Rep No.
4763

Name:
Berkhamsted Town Council

Key Issue

- (a) Whether land at Berkhamsted should be excluded from the Green Belt.

Inspector’s Conclusions

- 4.16.1. It is clear from their objection that Berkhamsted Town Council strongly opposes any proposals for development on the Green Belt. However, I note that it is also registered as having made individual objections (4764, 4765, & 4766) in respect of the 3 sites on the periphery of Berkhamsted that are proposed for release from the Green Belt for housing in the DBLP. I shall therefore deal with the specific points raised in respect of these sites later in my report. I propose at this stage to address only the issue of whether or not it is appropriate in principle for land to be excluded from the Green Belt at Berkhamsted.
- 4.16.2. The Green Belt boundary around Berkhamsted has now been in existence for almost 20 years. It is clear, therefore, that its long-term permanence is a material consideration. I have no doubt that the Green Belt around Berkhamsted serves a number of important purposes. Firstly it checks the unrestricted sprawl of the town; secondly it prevents it merging with neighbouring settlements; thirdly it safeguards the surrounding countryside from encroachment; and finally it helps to preserve the historic character of the town. In my view therefore changes to the Green Belt boundary around the town would only be justified if exceptional circumstances existed and if the changes could be carried out without seriously compromising the main purposes for the designation of the Green Belt.
- 4.16.3. At the time of the first Local Plan Inquiry in 1982, I note that an agreement was reached between the Council and the DOE limiting growth in Berkhamsted and a statement to this effect was included in the adopted Plan. In particular this sought to protect the skylines on the valley sides for visual reasons and to prevent spread of the town along the valley floor to avoid coalescence with Dudswell and Bourne End.
- 4.16.4. It is clear from the adopted Structure Plan Review (CD32) that housing requirements in Dacorum for the period up until 2011 can no longer be met within the existing urban areas of the Borough. The SPR therefore provides for Green Belt boundaries in

Dacorum to be reviewed. In particular Policy 5 of the SPR allows for changes to be made to accommodate the 1000 additional dwellings that are proposed under Policy 8 of the SPR. It indicates that these would be predominantly on the periphery of Hemel Hempstead but it also allows for the possibility of exclusions at Berkhamsted and Kings Langley.

- 4.16.5. The Deposit Draft proposed some 1034 dwellings on peripheral sites around Hemel Hempstead. It is clear, therefore, that the release of sites on the periphery of Berkhamsted would not be necessary to meet the requirements of Policy 8 of the SPR. The Council, however, points out that Policies 5, 6 & 7 of the SPR also allow for limited peripheral development at other settlements, including Berkhamsted. They consider that sufficiently exceptional circumstances, exist to justify the release of the 3 sites proposed at Berkhamsted and contend that these sites would contribute to sustainability objectives as required by Policy 5 of the SPR.
- 4.16.6. In my view it is clear that the Council has undertaken a reasonably thorough assessment of the availability of housing land within the existing settlements of the Borough. Based on what I saw of the area, I do not consider that there is likely to be significant additional housing capacity within these settlements. I am not satisfied, therefore, that the reuse of land within existing urban areas, when considered in conjunction with the proposed greenfield sites on the periphery of Hemel Hempstead, would provide sufficient housing to meet local needs for the remainder of the Plan period. I consider that some additional housing development would be required in order to meet the Structure Plan requirement of 7,200 dwellings.
- 4.16.7. The question is where is the most sensible location for such development. In my view significant development in the selected small villages would be unsustainable in view of the limited services available and the generally poor standard of accessibility. Of the larger villages Markyate also has a limited range of services and is generally remote from the main urban areas of the Borough. Although Bovingdon is better located in terms of accessibility, local services are already under pressure and the village also suffers from congestion. I am not satisfied, therefore, that it has the capacity to accommodate significant additional development. Moreover, development in any of these settlements would not accord with the Structure Plan strategy.
- 4.16.8. Services in Tring, especially educational facilities, are heavily constrained. In my view, therefore, the town can only accommodate a very limited amount of additional development. This leaves only Berkhamsted, Hemel Hempstead and Kings Langley as potentially suitable locations for accommodating the additional housing required.
- 4.16.9. Kings Langley lies on the main transport corridor and has relatively good accessibility. It also has a reasonable range of services. However, there are some indications that existing services are already under pressure and in view of its relatively small size I consider that it could only reasonably accommodate a small proportion of the additional development that is required. Although Hemel Hempstead is by far the largest settlement in the Borough the Plan already proposes to allocate the major share of additional housing to it. I do not consider it would be either reasonable or appropriate for it to accommodate all the development. In my view this would not only result in a serious erosion of the Green Belt but it could also put a strain on existing local centres in the town. Moreover, I am not satisfied that such a strategy would fully meet local needs.

4.16.10. This effectively only leaves Berkhamsted. I appreciate that the Plan already identifies at least 2 large housing sites (H4 & H8) within the town and that other reasonably sized sites (*e.g. Glaxo Wellcome*) may also come forward. However, the town clearly has a good range of services and a very high level of accessibility. There is no evidence that the additional housing would place a significant strain on existing services. There may be some additional difficulties with parking in the town centre, but, in my view, it should be possible for this to be reduced through a combination of appropriate management measures and modest additional provision. On balance, therefore, I am satisfied that modest changes to the Green Belt boundary around Berkhamsted, in order to provide for limited additional housing, would not be unacceptable in principle.

4.16.11. I appreciate that such changes would need to demonstrate that they contribute to sustainability objectives and that they form part of a comprehensive planning approach to deliver these objectives. However, I do not consider that this warrants rejecting modifying the Green Belt boundary around Berkhamsted in principle. In the circumstances, I find no reason to recommend that the Plan be modified in response to objection 4763.

Recommendation

4.16.12. No modification be made to the Plan in response to objection 4763.

4.17. POLICY 3: THE GREEN BELT (Boundaries: Bank Mill Lane, Berkhamsted)

Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
124	Mrs A Duvall	3773*	Mr I Johnston
127	B Griffiths	3780	W E Helm
129	Mrs A Willis	4083*	Lucas Aerospace
491	Captain I V Baker	4163*	The Governors of Ashlyns School
1227	The Chiltern Society	4764	Berkhamsted Town Council
1875	Mr D Allen	4840	Mr D H Deacon
2138	Mr & Mrs B C Freeman	4875 L	Mr M A Woolf
2841	British Waterways	4876 L	J M Bailey

Counter-objections

To pre-inquiry change 5
5790 PC Alfred McAlpine Homes East Ltd.

Supports

131	Akeman Property Company Ltd	3715	Silvermere Developments
1876	Mr D Allen		

Support for pre-inquiry changes

For pre-inquiry change 5
1253 Sunrise Assisted Living

Key Issues

- (a) Whether the settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4083)

- (b) Whether or not New Lodge, Bank Mill Lane, Berkhamsted should be excluded from the Green Belt. (124, 127, 129, 491, 1227, 2138, 2841, 3773, 3780, 4163, 4764, 4876L, 5790PC)
- (c) Whether additional land bounded by London Road, the railway line and Bulbeggars Lane, Berkhamsted should be excluded from the Green Belt. (1875, 4840, 4875L)

Inspector’s Conclusions

(a) *Settlement capacities*

- 4.17.1. Lucas Aerospace objects to the proposed exclusions of land from the Green Belt until such time as the settlement capacities of Hemel Hempstead, Berkhamsted and Tring have been established. While the Council has not yet completed a full urban capacity study as required by PPG3, it did undertake a fairly extensive exercise to establish the availability of suitable housing land within the existing urban areas. This indicates that there remains a significant need for land to be provided outside the existing built-up area in order to accommodate housing needs for the remainder of the Plan period. Based on what I saw of the area and the written and oral evidence presented to the Inquiry, I believe it is unlikely that a more detailed study would identify substantially more land within the urban area that would be available for development within the Plan period.
- 4.17.2. Moreover, I consider that to delay the Plan process in order to undertake such a detailed study could cause more serious problems than it would resolve. In any case, the County Council is already undertaking a detailed capacity study, the results of which should be available in 2002. Clearly if this identifies a significant additional amount of available brownfield land the Council would be able to take this into account when making its modifications to the Local Plan. I am not satisfied, therefore, that at the present time the absence of detailed capacity studies for Hemel Hempstead, Berkhamsted and Tring constitutes sufficient reason to reject the proposed release of Green Belt sites on the periphery of either Berkhamsted, Hemel Hempstead or Kings Langley. I therefore recommend no modification should be made to the Plan in response to objection 4083.

(b) *The exclusion of New Lodge*

- 4.17.3. The majority of the objectors, including Berkhamsted Town Council, oppose the exclusion of New Lodge because of the harm that they consider it would cause to the Green Belt. In their view there is no need for the land to be released in order to provide additional housing. Many of them believe that the site forms an important transitional area, which contributes to the visual character of the eastern entry to the town. Some argue that the fact that the site is derelict is not sufficient grounds to release it from the Green Belt. At least one objector contends that the proposed new boundary is not sufficiently defensible and would lead to pressure for the adjoining land to the east to be developed. Another objector argues that the land should be used for leisure purposes. In contrast the Governors of Ashlyns School (4163) argue that the site should not be released because the release of land at Ashlyns School would be more sustainable.
- 4.17.4. In response to these objections the Council now proposes, under PIC5, to retain this site in the Green Belt. Alfred McAlpine Homes has objected to this change on the

basis that the additional housing sites (H15A and TWA8) which are proposed in Hemel Hempstead would be unsuitable; the alternative community proposal (C1A) for the New Lodge site is inappropriate and that any such proposal would only be viable if private housing was also allowed on the site. In the light of these conflicting objections I have considered all the matters raised.

Housing need

- 4.17.5. As I have already indicated in the preceding paragraphs of this chapter I consider that there is sufficient evidence that not all the housing requirement for the period up until 2011 could be accommodated within the existing built-up areas of the Borough. I am also satisfied that it is reasonable in principle for the Council to seek to meet some of this requirement on peripheral sites in Berkhamsted. I note that as part of the pre-inquiry changes the Council now proposes to identify additional housing sites within the defined boundaries of Hemel Hempstead. However, for the reasons I set out fully in Chapter 7 of my report I do not consider that all of these sites are suitable for development. Even if they were, I seriously doubt that they would be sufficient to meet the requirement as I consider the Council has significantly over-estimated the number of dwellings that are likely to come forward on unidentified sites. In the circumstances, I find that sufficiently exceptional circumstances exist to warrant the release of Green Belt land at New Lodge, subject to it being demonstrated that it would contribute to sustainability objectives.

Contribution of the site to the visual character of the area

- 4.17.6. I accept that because of the presence of the mature trees on the site it makes a significant visual contribution to the eastern approach to Berkhamsted. However, I am not satisfied that this contribution would necessarily be significantly eroded through development of the site, if the majority of these trees were retained. As they are protected by a recent Tree Preservation Order I consider it reasonable to believe they would be.
- 4.17.7. Owing to the site’s location and its well-vegetated character I consider it makes only a limited contribution to the wider open countryside surrounding Berkhamsted. The presence of the mature vegetation would also help to limit the degree to which any development on the site would visually encroach into the adjoining countryside. In view of the shape of the existing Green Belt boundary and the presence of built-development to the north and south of the site I find that the release of this land would constitute a sensible rounding off of the boundary and would not lead to coalescence with Bourne End.
- 4.17.8. I appreciate that the Inspector who considered objections to this site in 1992 (*See paragraphs 3.21 to 3.24 of CD37*) found otherwise. However at that time there was no demonstrable need for land to be released from the Green Belt in order to meet housing needs. Moreover such release was not countenanced by the Structure Plan. In my view these constitute a sufficiently material change in policy and circumstances to warrant me reaching a different conclusion.

Derelict land

- 4.17.9. Although the previous Inspector referred to the fact that Government policy at the time indicated that sites should not be excluded from the Green Belt merely because they are derelict this advice is not reiterated in the current version of PPG2. Nevertheless the current PPG2 does indicate that the landscape quality of a site is not relevant to its continued protection. I consider, therefore, that the fact that a site is derelict would rarely amount in itself to the exceptional circumstances that are required to justify amendments to the established Green Belt boundary.
- 4.17.10. However, in this case I note that the site contains a large house and a number of other derelict structures, including some abandoned greenhouses. In my view therefore it falls to be considered as “previously developed land” under the definition contained within Annex C of PPG3. PPG3 indicates that priority should be given to the development of previously developed land within urban areas.
- 4.17.11. While this site does not fall within the defined urban area of Berkhamsted, it lies on the edge of the built-up area and is bordered on 2 sides by existing housing. Although this would not in itself be sufficient to justify excluding the land from the Green Belt, paragraph 68 of PPG3 indicates that an extension of an urban area into the Green Belt may be preferable to new development taking place on a greenfield in a less sustainable location.
- 4.17.12. New Lodge lies adjacent to a major bus route and within relatively easy walking distance of the town centre. Although it is slightly further than the Council’s recommended distance of 1000 metres to a station, the extra distance is not, in my view, significant. As the route is along level ground the walk is a relatively easy one, particularly if one walks along the canal towpath. Taking all these factors together I consider that the site is a sustainable location for additional housing development.

Defensible boundary

- 4.17.13. Paragraph 2.9 of PPG2 makes clear that Green Belt boundaries should be clearly defined. In this case neither a road nor a stream, nor any of the other clearly recognisable features that are mentioned in 2.9 of PPG2 would define the proposed new boundary. However, the boundary is marked partly by a fence and partly by a line of conifers and the site is clearly distinguishable from the open field to the east. Moreover, the boundary could no doubt be reinforced with further planting as part of any redevelopment of the site. I am not persuaded therefore that the weakness of the suggested boundary would lead to irresistible pressure to develop the adjoining land. In the circumstances, I am not satisfied that any alleged failing in the proposed boundary is sufficient reason to reject the proposed exclusion of this land from the Green Belt.

Use for leisure purposes

- 4.17.14. While Berkhamsted is deficient in open space, particularly the area immediately to the south east of New Lodge, I am not satisfied that this land would be particularly suitable for recreational purposes. Even if it were suitable I consider that the need to provide sufficient land to meet the housing requirements during the Plan period is in this case a greater priority.

Sustainability of other sites in Berkhamsted

- 4.17.15. It is contended that an alternative site at Hilltop Road (*see section 4.20*) would be more sustainable than the New Lodge site. However, while it would be marginally closer to the town centre and station this fails to take account of the significant difference in gradient that exists. “Sustainable Settlements” (CD86) points out that gradient is very important in considering the accessibility of a site. It suggests that for every metre of height one should add 10m in distance. As the Hilltop site is around 50 metres above the valley floor, it would effectively mean that some 500 metres would need to be added to the distances to the town centre and station in order to compare it with New Lodge, which lies on the valley floor. When considered on this basis it is clear that the distances to the town centre and station are more sustainable in respect of New Lodge.
- 4.17.16. Although it is argued that there is a bus stop closer to the Hilltop site, this is served by a relatively infrequent weekday service with no service on Sundays and public holidays. In contrast the bus stop at New Lodge, which is only some 250 metres from the site, is served by a regular half hourly service which also runs on Sundays. Moreover, as the route passes directly by the site it would potentially be possible to provide a new bus stop directly adjacent to it.
- 4.17.17. In terms of access to educational facilities the New Lodge site would be closer to a first school, which in my view is the most important consideration. I accept that it would be further to middle and upper schools but I do not consider it is unreasonable to expect older children to walk longer distances. I am not satisfied that the other criteria mentioned by the objector, including access to the bypass, are critical to the sustainability of a potential development site. In the circumstances, I find that the New Lodge site would contribute to sustainability objectives, as is indicated by the high score it received in the Council’s original areas of search appraisal (*see page 44 CD47*) and its subsequent assessment of greenfield housing sites (*see table 1 CD53A*). I consider, therefore, that it should be released from the Green Belt. Accordingly I recommend that PIC5 should not be proceeded with.
- 4.17.18. In reaching this conclusion I have noted the other factors raised by The Governors of Ashlyns School, including land quality, general physical constraints and site characteristics. However, in my view these matters are more relevant to the consideration of whether the site is suitable for housing rather than to Green Belt considerations. I have therefore addressed them in Chapter 7 of my report.

(c) The exclusion of additional land to the north and east of New Lodge

- 4.17.19. Mr Allen (1875) argues that the New Lodge site should be extended eastwards to include all the land along the valley floor as far as Bulbeggars Lane. Mr Deacon (4840) and Mr Woolf (4875L) contend that in addition to this area land to north of it, between Bank Mill Lane and the railway, should also be released.
- 4.17.20. The land along the valley floor consists of an open flat field through which runs the river Bulbourne. In my view it forms an attractive piece of open countryside which is highly prominent from the A4251. I consider, therefore that it makes a considerable contribution to the openness of the Green Belt and helps to safeguard the countryside from encroachment. In my view development of this site would result in the further spread of Berkhamsted towards Bourne End. It would therefore make a contribution

to the coalescence of the two settlements. In addition, I consider that it enhances the eastern approach to Berkhamsted contributing to the setting of the town. I find therefore that the release of this land would cause substantial harm to the purposes of the Green Belt. I am not satisfied that the need for greenfield housing land is so great as to outweigh this harm. Consequently, I conclude that the necessary exceptional circumstances do not exist to warrant releasing this land from the Green Belt.

- 4.17.21. The land to the north of Bank Mill Lane, which consists of a smallholding, several cottages and undeveloped land lying along the canal is less open. Nevertheless, the large gardens to the cottages and the generally well-vegetated appearance of the land contributes to the general rural ambience of the area. Seen in isolation from the land to the south the release of this land would result in an awkward tongue of land projecting into the surrounding countryside.
- 4.17.22. I appreciate that only a wire fence defines the existing boundary at Rose Cottage and that at The Old Cottage the boundary runs across the middle of the garden. I accept therefore that the existing boundary is weak. However, this boundary has been in existence since the detailed boundaries were originally defined in 1984. In my view its amendment would only be justified if exceptional circumstances exist. In this case there does not appear to be a more readily defensible boundary before Bulbeggars Lane which would necessitate a considerable extension of the urban area. In my view the harm caused by the encroachment into the surrounding countryside would be far outweighed by the advantages of providing a more defensible boundary. I am not satisfied, therefore, that the weakness of the boundary is sufficient grounds for revising the Green Belt to exclude this additional land.
- 4.17.23. Although the smallholding is partially derelict, PPG2 makes clear that the landscape quality of an area is not a material factor in the continued protection of the Green Belt. I do not consider, therefore, that the condition of this land or the presence of a number of dwellings in the area warrants revising the current Green Belt boundary so as to exclude this additional land. I therefore recommend that no modification should be made to the Plan in response to objections 1875, 4840 and 4875L.

Recommendation

- 4.17.24. **PIC5 should not be proceeded with.**
- 4.17.25. **In addition, no modifications be made to the Plan in response to objections 1875, 4840 and 4875L.**

4.18. POLICY 3: THE GREEN BELT (Boundaries: Dudswell, Berkhamsted)

Supports

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
16	K Golding	41	Mr R Parker
17	Mr M W Goodchild	42	Mr & Mrs P A James
18	Mr & Mrs N F Hewitt	43	Mr M Cemm

19	Mrs B Buckingham	44	Mr & Mrs Oxley
20	M J Johnson	45	Mr S Barratt
21	Mrs E J Moss	46	Mr M Shoyer
22	Mr B H Moss	47	Mr B S Kent
23	Mr J R Haggerstone	48	Mr & Mrs L W Bayer
24	Mr M Banner	49	Ms D Holliday
25	Mrs P Etherington	235	Dudswell Residents’ Association
26	Mr A Williamson	239	Mr & Mrs R Scoggins
27	Mr A & Mrs C Flanders	276	D Taylor
28	Mrs J Rogers	278	Mr J E Hunt
29	L D Grimwood	602	A & T Chapman
30	Mr M & Mrs H Illes	603	Mr T Foley
31	Mr B Johnson	604	P R Tinworth
32	Mr & Mrs I Richardson	1516	Mr & Mrs P Childerley
33	V J Lintott	1988	Mrs J Farrer
34	C & M Bowdler	2562	Mr J Buckman
35	Mr D & Mrs J Fairey	2695	Mr R Bayliss
36	Mr A, Mrs H & Miss A Docrat	3247	Mr & Mrs R Pope
37	A J Horton	3860 L	M Radhakrishnan
38	Ms P Horton	3862 L	M B & A J Lynn
39	Mrs F Baker	3864 L	M Ramirez
40	Mr J Clarke	4883 L	Mr L A Sinfield

- 4.18.1. As the only objection to the Green Belt boundary in this area has been withdrawn it is no longer necessary for me to consider the matter. I therefore make no recommendation in respect of these representations.

4.19. POLICY 3: THE GREEN BELT (Boundaries: Durrants Lane/Shootersway, Berkhamsted)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
492	Captain I V Baker	4084	Lucas Aerospace
1228	The Chiltern Society	4165	The Governors of Ashlyns School
1788	Miss S Brightley	4765	Berkhamsted Town Council
1942	Taywood Homes Ltd	4877 L	J M Bailey
3774	Mr I Johnston	5057	Tring Environmental Forum

Supports

497	Egerton-Rothsay School Ltd	3716	Silvermere Developments
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Key Issues

- (a) Whether settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4084)
- (b) Whether the site at Egerton-Rothsay School, Durrants Lane should be excluded from the Green Belt.(492, 1228, 1788, 3774, 4165, 4765, 4877L, 5057)
- (c) Whether additional land on Durrants Lane/Shootersway and land between Durrants Lane and Bell Lane, Berkhamsted should be released from the Green Belt. (1942)

Inspector’s Conclusions

(a) Settlement capacities

- 4.19.1. I have already addressed this point in paragraphs 4.17.1 and 4.17.2 of my report in dealing with objection 4083. For the reasons I have already given I am not satisfied that it would be appropriate to delay identifying Green Belt releases until such time as the settlement capacities for Hemel Hempstead, Berkhamsted and Tring have been

established. I therefore recommend that no modification should be made to the Plan in response to objection 4084.

(b) *Release of land at Egerton Rothesay School*

- 4.19.2. Many of the objectors to the release of this land object in principle to the erosion of the Green Belt around Berkhamsted and suggest that a more cautious approach should be taken. Some also object on the grounds of the effect of the additional traffic that would be generated, the impact on local schools, the need for open space for community uses and the fact that the release of the land would set a precedent for the release of adjoining land. Others, including The Governors of Ashlyns School argue that the site would not be sustainable and that there are other sites available.

Erosion of the Green Belt

- 4.19.3. As I have already indicated in section 4.16 of my report, I consider that the need for additional housing land constitutes sufficiently exceptional circumstances to justify the release of a limited amount of Green Belt land on the periphery of Berkhamsted. Although the development of the Egerton Rothesay School site would result in some intrusion into the Green Belt, I do not consider that it would result in a significant encroachment into the adjoining countryside due to its location.
- 4.19.4. The site is largely hidden from the opposite side of the valley by the change in slope and the existing housing and vegetation to the north. Development would therefore not compromise the existing skyline. Although the site is visible from Shootersway it is not unduly prominent from this viewpoint due to the intervening vegetation and the distance the site is set back from this road. As the school buildings already occupy that part of the site which adjoins Durrants Lane and have planning permission for extension, I am not persuaded that development of the site for housing would either lead to significant additional urban sprawl or seriously erode the openness of the wider Green Belt. Since there is an extensive area of open land to the south I am satisfied that it would not result in the town merging with neighbouring settlements. In my opinion, the site does not make an important contribution to the setting or special character of Berkhamsted. I am not satisfied, therefore, that the release of this site for housing would cause serious harm to the main purposes of the Green Belt.

Effect of additional traffic

- 4.19.5. I deal with the issues of traffic generation in section 7.45 where I deal with the objections to the designation of this site for housing. Although I accept that it will lead to some additional traffic generation I do not consider that the increase in traffic would be sufficient, in itself, to cause significant harm to the Green Belt. I am not satisfied, therefore that the traffic implications of the site’s development would warrant rejecting its exclusion from the Green Belt.

Impact on local schools

- 4.19.6. Although concerns are raised about the impact on local schools there is no evidence from the education authority that existing schools in the area would not have the capacity to accommodate the additional pupils that would result from developing this site for housing. Even if existing schools are under pressure, I find no reason to believe that there is insufficient scope for expanding existing facilities to provide

capacity for the extra children. In the circumstances, I conclude that there is not enough evidence to suggest that the pressure on local schools would be so severe as to justify rejecting the Plan’s proposal to release this site from the Green Belt.

Need for open space

- 4.19.7. I acknowledge that there is a clear need for additional open space in this part of Berkhamsted. However, part of the proposed package for development of this site involves the provision of a large area of public open space on the corner of Durrants Lane/Shootersway. I consider therefore that the loss of the existing school playing fields would be more than compensated for by the provision of a more extensive area of open space, which should be available to the wider public.

Precedent

- 4.19.8. It is argued that as this site does not constitute a rounding-off of development it would set an undesirable precedent for further development to the south. The fact that the release of this site would not strictly amount to a smoothing or rounding off of the existing Green Belt boundary does not in my view necessarily mean that it would set a damaging precedent for further development. Although the proposed boundary would be relatively weak, being defined only by a fence and scattered vegetation, I do not think that by itself this need lead to irresistible pressure to develop other land to the south. I am not satisfied, therefore, that the release of this site would set a damaging precedent in this case.

Sustainability considerations

- 4.19.9. I am far more concerned about the issue of sustainability. The Council’s original assessment of their areas of search identified the site as having a score of +7, which effectively made it the sixth most suitable location in sustainability terms. However, it is apparent from CD43 that this score related to a much more extensive area that ran right across the southern edge of Berkhamsted. I do not consider that this score is therefore of particular relevance to the sustainability of the site in question.
- 4.19.10. The Council’s subsequent assessment of the main Council greenfield and objection housing sites (CD53A) shows it as having a score of 12. This would make it only the ninth most sustainable site that is proposed for retention in the Plan. The only sites it would exceed are the two sites at Buckwood Road, Markyate. This assessment also shows that it would achieve a lower score than a number of the omission sites put forward by objectors, including the Hilltop Road site. It also scores lower than some of the sites the Council currently proposes should be deleted from the Plan, including land at New Lodge, Bank Mill Lane.
- 4.19.11. The site is located a considerable distance from the nearest local centre and is even further from the railway station. Although it is likely to be adjacent to the new Egerton Rothesay School, as this is a private school serving specialised educational needs I do not consider that it is appropriate to take this into account in assessing distance to the nearest schooling. The nearest primary school is 600 metres away, which is well beyond the appropriate distance specified in “Sustainable Settlements” (CD86). Although there is a bus stop nearby on Tresco Road the service is extremely infrequent. The nearest regular service runs along Durrants Road some 500-600

metres down a very steep hill. Although the nearest employment area would be within the specified distance I do not consider that overall the site rates highly in accessibility terms. In my view the Council’s score of 12 in CD53A is therefore an over-estimate of its sustainability.

- 4.19.12. However, the proposal to release this land forms part of a comprehensive package which involves the expansion and relocation of Egerton-Rothsay School, the reuse or re-development of buildings in Charles Street, currently occupied by the Lower School, for housing and the provision of an extensive area of public open space. Although, I accept that the issue is finely balanced I consider that overall these benefits are sufficient to outweigh its disadvantages in terms of its accessibility.

Other sites

- 4.19.13. Although J M Bailey (4877L) argues that there are other sites in Berkhamsted and surrounding areas that could accommodate the housing if the demand is there, no alternative sites are specifically suggested. The only additional sites in Berkhamsted that have been put forward are the additional land at Bank Mill Lane, which I have already rejected as being unsuitable, the land at Hilltop Road, sites at Ivy House Lane and Darrs Lane, Northchurch and a small area of land at Shootersway. For the reasons I give later in this Chapter I do not consider that any of these sites would be preferable to the proposed site at Durrants Lane/Shootersway.
- 4.19.14. In reaching this conclusion I note the comments of the Governors of Ashlyns School regarding the higher sustainability of their site. I have no doubt that the land at Hilltop Road does rank higher in accessibility terms, even though it is also up a steep hill. Indeed the Council’s own assessment of their main greenfield and objection sites (CD53A) gives it a higher score than the land at Durrants Lane/Shootersway. However, while this site would also bring some advantages, notably improvements to the recreational facilities at Ashlyns School, I do not consider that these would be as significant as those arising from the Egerton Rothsay School proposals. Moreover the Hilltop Road site would also have no clear defensible boundary.

Conclusions

- 4.19.15. In conclusion, I find that there is an exceptional need to release some additional land on the periphery of Berkhamsted to meet housing needs during the remainder of the Plan period. The release of land at Durrants Lane/Shootersway would not have a significant impact on the openness of the Green Belt or the main purposes behind its designation. I do not consider that the impact of any development on the site, in terms of traffic or pressure on local services would cause harm to the Green Belt. I am not persuaded that release of this land would set an undesirable precedent for the development of adjoining land. Although the site does not rank highly in terms of its accessibility, its development would be part of a comprehensive package that in my view would deliver significant benefits. I am not satisfied that there are any more suitable sites in Berkhamsted. Consequently, I consider its release from the Green Belt is appropriate and I recommend that no modification be made to the Plan in response to objections 492, 1228, 1788, 3774, 4165, 4765, 4877L, and 5057.

(c) Release of additional land

- 4.19.16. Taywood Homes (1942) argue that as well as the release proposed in the Plan two additional parcels of land in the area should also be excluded from the Green Belt. These would consist of two large fields between the Egerton Rothesay School site, Coppins Close, Shootersway and Durrants Lane. A belt of woodland known as The Plantation separates these two fields. The other area is another large field that lies on the valley side between Durrants Lane and Bell Lane. An area of woodland known as The Rookery marks its northern boundary.
- 4.19.17. Turning first to the area to the south of the Egerton Rothesay School, the eastern field is largely screened from the adjoining Green Belt to the south by the belt of trees along Shootersway and to the west by The Plantation. It, therefore, makes only a limited contribution to the wider landscape. In the circumstances, I consider that the development on this field would not result in a serious visual encroachment into the wider countryside. Its development would, however, lead to some loss of openness and contribute to the continued sprawl of Berkhamsted but, in my view, this would be relatively well contained by the existing belts of trees. Moreover, I am satisfied that its development would neither result in coalescence with a neighbouring settlement nor damage the setting and special character of Berkhamsted, due to the density of the existing tree belts and the lack of significant built development to the south of the site. In the circumstances, I consider that the development of this field would cause limited harm to the Green Belt.
- 4.19.18. However, I am not satisfied that by itself, this would constitute the exceptional circumstances necessary to warrant amending the boundary. Although I have determined that the release of some land is necessary at Berkhamsted to meet housing requirements, I am not convinced that the release of this land would be essential to achieve this. Indeed, in view of its poor accessibility I consider that it would be an unsuitable location for further housing. I find, therefore, that the Structure Plan housing requirement does not in this case amount to sufficiently exceptional circumstances to warrant the release of this field.
- 4.19.19. Conversely, I note that Proposal C1 seeks to encourage the relocation of Egerton-Rothesay School onto this area. This would clearly involve built development on this land. I, therefore, have serious reservations about the intention to retain this field within the Green Belt. The development of new school buildings would undoubtedly constitute inappropriate development in the Green Belt. Indeed the Council concedes this. Paragraph 3.3 of PPG2 makes quite clear that development plans should ensure that planning applications for inappropriate development would not be in accord with the plan. If the site is retained in the Green Belt and it continues to be proposed for relocation of the existing school buildings, the Plan will clearly be in conflict with this advice. I do not consider that it would be appropriate to encourage the development and then seek to judge it at the planning application stage on the basis of whether very special circumstances existed to warrant the grant of permission. In my view this would not give adequate certainty. I consider therefore that if the Plan is to accord with national policy it will be necessary to either drop the proposal to relocate the school or to release the land from the Green Belt.
- 4.19.20. In view of the advantages of the relocation of the school and the limited harm that would arise to the wider Green Belt I consider that the latter course of action would be

more appropriate. In my view the existing belts of trees along the southern and western perimeters would form a recognisable and defensible boundary to the Green Belt. I do not believe therefore that the release of this land would result in irresistible pressure for further land to be released. I, therefore, believe that in this instance the circumstances are sufficiently exceptional to justify amending the Green Belt boundary to exclude this field. Accordingly, I recommend that the land between Coppins Close and The Plantation should be released from the Green Belt.

- 4.19.21. In reaching this conclusion I have taken into account the findings of the Inspector who considered this site in 1994 (*see paragraphs 3.17 to 3.20 of CD38*). However, at that time the Plan did not propose any built development on the site. I consider Proposal C1, which provides for the new school, constitutes the exceptional circumstances necessary to warrant taking a different approach at this stage.
- 4.19.22. The adjoining field to the west is in my view far more prominent in the landscape as it is highly visible from Shootersway and Durrants Lane and to a lesser degree from the countryside to the south-west, particularly from Public Footpath 22. Development of this site would therefore result in an encroachment into the countryside. While it would not result in merging with neighbouring settlements or seriously affect the setting or special character of Berkhamsted I believe development of this site would harm the main purposes of the Green Belt. In my view the need for additional housing land is insufficient to outweigh this harm. In this respect I note that Taywood Homes now accept this land should remain in the Green Belt (*see O/1942/3*).
- 4.19.23. Although this would normally be sufficient reason to reject excluding this field from the Green Belt, I am concerned that the proposed new Green Belt boundary along its southern edge would be poorly defined. Moving the Green Belt boundary so that it ran along Durrants Road and Shootersway would, in my view, achieve a far more defensible boundary in the longer term. Its designation as open space under Policy 110 should be sufficient to protect it from subsequent pressure for development. On balance, therefore, I consider that it would be better to release this land from the Green Belt in order to achieve a better defined long-term boundary. In my view this would accord with the objectives of Policy 5 of the Structure Plan. I consider, therefore, that sufficiently exceptional circumstances also exist in respect of this field to warrant excluding it from the Green Belt.
- 4.19.24. In addition, whether or not this field is ultimately excluded from the Green Belt I consider it makes absolutely no sense to release the Egerton Rothesay School site from the Green Belt and yet leave Cox Dell within it. This would effectively leave a relatively small triangle of land isolated from the remainder of the Green Belt by built development on three sides and Durrants Lane on the fourth. In my view, it would be far more sensible for this land to be released alongside the Egerton Rothesay site, regardless of any decision that may be reached in respect of the larger area of land to the south. I am satisfied that Policies 103 and 110, together with the fact that it is owned by the County Council, would be sufficient to protect the land from unsuitable development. I am satisfied, therefore that sufficiently exceptional circumstances exist to warrant the exclusion of Cox Dell from the Green Belt. However, if this change is adopted I consider it would be sensible for Cox Dell to be shown as open space on the Proposals Map.

- 4.19.25. Turning to the field to the west of Durrants Lane, I find it forms an extremely prominent feature when viewed from Tunnel Fields on the opposite side of the valley. From here it is clearly seen as forming part of a wider belt of countryside that extends eastwards along the southern valley side as far as Durrants Lane. Development on this site would, therefore, result in a significant encroachment into the countryside. It would also extend the built up area of Berkhamsted along the southern side of the valley. I find, therefore, that its development would lead to a substantial loss of openness and would harm the main purposes of the Green Belt.
- 4.19.26. I appreciate that The Rookery to the south and Bell Lane to the west would form clear and defensible boundaries but in my view the existing boundaries along Durrants Lane and the rear gardens of the properties in Chaucer Close and Westfield Road are already adequately defined. Consequently, I see no benefit in moving the boundary solely for this reason.
- 4.19.27. I appreciate that the development would not intrude on the skyline and would not extend higher up the valley side than the existing Tunnel Fields development on the northern valley slope. However, I do not consider that this would mitigate its substantial visual impact. While the site would be far more accessible than the proposed Egerton Rothesay School site, being far closer to the main bus route and to local schools and shops, I am not satisfied that this would be sufficient to offset the demonstrable harm to the purposes of the Green Belt. In my view the need to meet the housing requirement up to 2011 is not of such weight as to justify releasing further land in Berkhamsted during the Plan period. I therefore, recommend that the additional parcel of land between Durrants Lane and Bell Lane should not be released from the Green Belt.

Recommendation

4.19.28. **The Plan be modified by:-**

- i) Amending the text of sub-paragraph 4.36(i) and Map 2 to identify the revised Green Belt boundary as following Durrants Lane and Shootersway in accordance with Figure 2;**
- ii) Revising the Proposals Map to show Cox Dell as Open space.**

4.19.29. **No other modifications be made to the Plan in the light of these objections.**

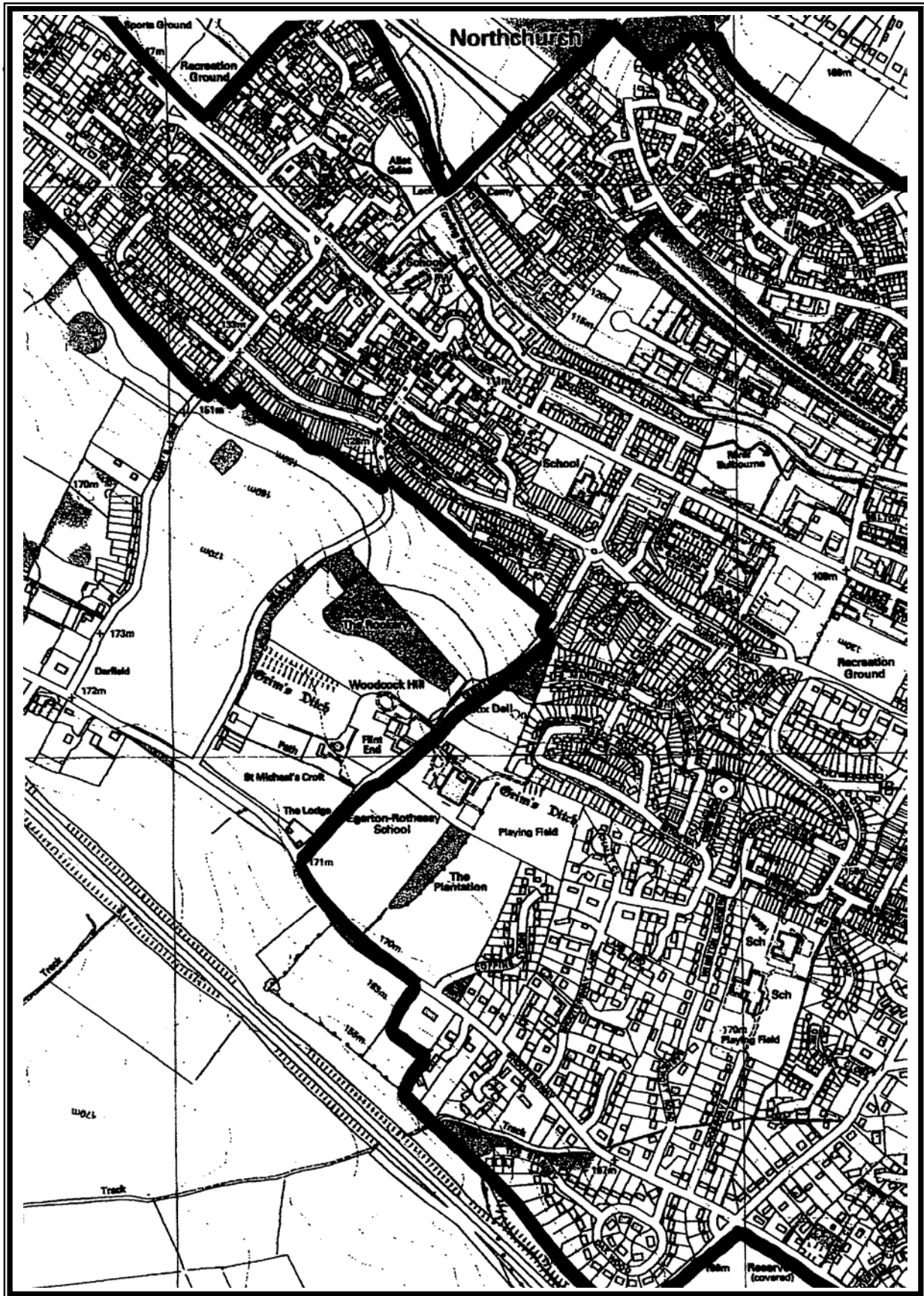
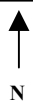


FIGURE 2

SCALE : 1:10,000



**GREEN BELT BOUNDARY AT DURRANTS
LANE/SHOOTERSWAY, BERKHAMSTED**

4.20. POLICY 3: THE GREEN BELT (Boundaries: Hilltop Road, Berkhamsted)

Objections

Rep No.
4162

Name:
The Governors of Ashlyns School

Supports

4314 Ashlyns Estate Residents’ Association

Key Issue

- (a) Whether the site at Ashlyns School, Hilltop Road, Berkhamsted should be excluded from the Green Belt.

Inspector’s Conclusion

- 4.20.1. This objection site consists of a rectangular piece of land to the north of the school buildings. It forms part of the extensive area of playing fields surrounding the school. The land is currently grassed and has previously been used as a running track and cricket field. To the west, housing bounds the site. To the east and north lie more housing and a small area of woodland. The southern side of the site is entirely open. An embankment and a line of mature trees separate the site from Hilltop Road, except in the north western corner where a footpath leads down from the school.
- 4.20.2. The Governors of Ashlyns School argue that the exclusion of this land would result in a logical rounding off of the Green Belt boundary. In their view it would provide a far more sustainable location for housing than the other proposed sites in Berkhamsted and would have a lesser impact on the landscape. They also suggest the development of the land would enable the existing leisure facilities at the school to be upgraded. Ashlyn Estate Residents’ Association on the other hand strongly supports the retention of the existing Green Belt boundary.
- 4.20.3. I am satisfied that the housing requirement can be met without the need for the release of this land. Since the land is not physically separated from the rest of the school grounds I consider that its development would have a substantial impact on the adjoining Green Belt. Paragraph 2.9 of PPG2 makes clear that it is important that Green Belt boundaries are defined using readily recognisable features. In this case there is a complete absence of such features. Consequently, the proposed new boundary would be far less defensible than the existing boundary, which is for the most part defined by a line of mature trees. I appreciate that the new boundary could be defined by new planting but this would take many years to mature. In my view, such an approach would not accord with the aims of PPG2. In the circumstances, although the land projects slightly into the urban area, I do not consider that its exclusion would result in a sensible rounding off of the Green Belt boundary.
- 4.20.4. In my opinion, the site would not be more sustainable than the proposed site at New Lodge, Bank Mill Lane for the reasons I have already given in section 4.17 of my report. I accept that it would be more accessible than the Egerton Rothesay school site at Durrants Lane/Shootersway. However, that proposal would form part of a comprehensive development package. This would involve the development of the site for housing, the construction of a new school, the reuse of existing buildings in the

town centre for housing and substantial public open space in an area of the town which is particularly deficient in such facilities. There is no similar deficiency in the residential area adjacent to Ashlyns School. On balance therefore I consider that the advantages of the development of the Egerton Rothesay School site outweigh any benefits that might be gained from the exclusion of land at Hilltop Road.

- 4.20.5. The site at New Road would be closer to many facilities than the land at Hilltop Road. It is also nearer to a main bus route. Since it would be closer to the floor of the valley I consider that it would be more readily accessible on foot or by bicycle. In the circumstances, I am not persuaded that it would be less sustainable than the objection site. In any case this site is proposed for development after the end of the Plan period. For the reasons I have already indicated in section 4.12 of my report I consider that it is no longer appropriate for such sites to be included in the Plan. My view is strengthened in this case by the harm I believe would be caused to the setting of the adjoining AONB.
- 4.20.6. As for the landscape considerations I believe that the development of the objection site would result in an encroachment into the open landscape to the south and would detract from its overall visual quality for the reasons I have already outlined. Although the development of the site would bring benefits to the school and to local residents through the upgrading of existing recreational facilities, including the provision of a new sports hall, I am not satisfied that these benefits would be sufficient in themselves to warrant excluding this land from the Green Belt. In the circumstances, I am not satisfied that sufficiently exceptional circumstances exist to merit revising the existing Green Belt boundary at Hilltop Road to exclude the objection site at the present time.

Recommendation

- 4.20.7. No modification be made to the Plan in response to objection 4162.

4.21. POLICY 3: THE GREEN BELT (Boundaries: Ivy House Lane, Berkhamsted)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1047	The Trustees of the I S Macdonald Estate		

Supports

7	A & H Champion	15	R & K Taylor
8	A & G Obee	243	K J Aynsley
9	Mr & Mrs B Morris	1106	Mr & Mrs D Jennings
10	Mr & Mrs V P Watson	1107	Mr J C Allison
11	Mr N R Tiley	1986	Mr & Mrs T Shaw
12	Mr I A Fyfe	4279	D & J Steadman
13	Mr & Mrs C J Pawson	4851 L	Mr J A Ostle
14	P & K Jones		

Key Issues

- (a) Whether the site at Ivy House Lane should remain in the Green Belt. (1047)

Inspector’s Conclusions

- 4.21.1. This site forms a large rectangular field at the northern end of Ivy House Lane. It is bounded on the southern, western and northern sides by housing. Ivy House Lane runs along the eastern edge of the site, beyond which is open countryside. Hedges and mature trees generally define the southern and northern boundaries. Domestic fences and shrubs mark the western boundary. There is no hedge or vegetation along the eastern boundary with Ivy House Lane.
- 4.21.2. I have accepted in section 4.16 of my report that the release of a limited amount of land on the periphery of Berkhamsted is warranted under the provisions of Policies 5, 6 & 7 of the SPR in order to meet the housing requirements of the Borough. However, I am not satisfied that there is a need for more land than is already provided for in the Plan. I do not consider, therefore, that the release of this site would be essential to meet housing needs during the Plan period.
- 4.21.3. Although the land is surrounded on three sides by housing I do not consider that development of this site would amount to a rational rounding off of the boundary. In my view the site topographically forms part of the dry valley which slopes away to the south east. As there is no screening along the eastern boundary of the objection site there is a strong visual and physical link between the site and the open countryside to the east. I consider, therefore, that development of the site would have a detrimental impact on the attractive landscape to the east. In my view, it would visually encroach into the adjoining countryside contrary to the main purposes of the Green Belt.
- 4.21.4. I appreciate that some of the existing boundaries, particularly along the western edge of the site do not fall within the list of readily recognisable features identified in PPG2. The boundaries are nevertheless clearly defined on the ground and have not changed significantly since they were originally defined in 1984. While I accept that Ivy House Lane would be a more well-defined boundary in PPG2 terms, I am not satisfied that, in itself, this constitutes sufficient reason to justify amending the boundary, bearing in mind the harm that would be caused to the openness of the wider Green Belt.
- 4.21.5. There can be no doubt that the Green Belt boundaries are tightly drawn around the existing urban area. However, the boundary has been in existence for some time and was drawn up at a time when tight boundaries were considered appropriate. Since I am satisfied that the housing requirement can be achieved without the release of this site, I do not consider that the tightness of the existing boundaries is sufficient reason to recommend that this site should be excluded.
- 4.21.6. In terms of the site’s sustainability, it only scores 8 points in the assessment of the main Council greenfield and objection housing sites (CD53A). This is much lower than any of the sites proposed in the Plan. In my opinion, the site would be far less sustainable than the sites at Bank Mill Lane and New Road owing to its valley side location. In view of the distance to the nearest bus stop it would be less accessible than the site at Durrants Lane/Shootersway. Moreover, it would not bring forward the same benefits. I find, therefore, that the lower score is entirely appropriate. Consequently, I am not satisfied that the site would contribute to sustainability objectives as required by Policy 5 of the SPR. In the circumstances, I do not believe this site would be more suitable for release than any of the sites identified in the Plan.

I therefore recommend that no modification should be made to the Plan in response to objection 1047.

Recommendation

4.21.7. No modification be made to the Plan in response to objection 1047.

4.22. POLICY 3: THE GREEN BELT (Boundaries: Kingshill Way, Berkhamsted)

Objections

<i>Rep No.</i>	<i>Name</i>
2169	The British Film Institute

Key Issue

(a) Whether the National Film Archive Site should be removed from the Green Belt. (2169)

Inspector’s Conclusion

- 4.22.1. The objection site consists of an irregular shaped parcel of land of some 3.6 hectares in extent. It lies to the south of Kingshill Way, close to its junction with Kings Road and Shootersway. The British Film Institute (BFI) currently occupies the site, which is used to house the National Film and Television Archive (NFTVA). On the Kingshill Way frontage are Sir Ernest Lindgren House and The Granary, which are both Grade II listed buildings. Further into the site opposite the main access is another building known as The Stables, which is also Grade II listed. Behind these is a large modern building constructed mainly of brick, which houses the J Paul Getty Conservation Centre. A number of small temporary buildings are located on either side of this. To the west of the Conservation Centre is the access road and parking areas. There is a further large temporary car park to the south of the building. On the eastern side are the original ornamental gardens to Sir Ernest Lindgren House, which contain a number of large specimen trees.
- 4.22.2. The site is bordered on its eastern and south eastern sides by the gardens of Little Kingshill House, a private detached residence set in an extensive plot, and the municipal Kingshill Cemetery. Immediately to the south west and west are open fields. Beyond these is the A41 dual carriageway, which is set in a cutting. A short distance to the north west is another detached property known as The Old Orchard. To the north on the opposite side of Kingshill Way are a number of other detached residential properties, including a small development known as Meadow Close.
- 4.22.3. At present the existing Green Belt boundary, which was first defined in 1984, follows the alignment of Kingshill Way continuing west along Shootersway. East of the objection site the boundary turns north after Meadow Close so as to include the adjacent playing fields. The objector seeks the revision of the boundary to exclude the land owned by the BFI. It is argued that the site is central to the role of the BFI, whose activities are of national importance. Its removal from the Green Belt would allow

greater certainty in respect of the subsequent development of the site. No other suitable alternative sites are available. Since a substantial portion of the site is already developed it does not make a significant contribution to the openness of the Green Belt or the purposes behind its designation. In the objector’s view the exclusion of the site would generally be in accord with the selection criteria the Council has used to define the other proposed exclusions at Berkhamsted. It is contended that these matters cumulatively amount to the exceptional circumstances necessary to justify the release of the objection site from the Green Belt.

- 4.22.4. Since the site would not contribute to the strategic housing requirement its release would clearly not come within the terms of Policy 8 of the SPR. The objector argues that it would not fall to be considered under Policies 5, 6 and 7 either. However, I do not accept this. It is clear from Policy 7 that within the settlements identified under Policy 6, which includes Berkhamsted, development will generally be through planned regeneration. Limited peripheral development will only be acceptable where planned regeneration opportunities have been fully explored, where it would provide demonstrable sustainability benefits to the town and where the development is planned within the context of the town as a whole. Such proposals will also need to be demonstrably practicable and include wide community involvement in the planning process. There is no indication in Policy 7 that it is intended to apply to certain types of development only. I consider, therefore, that Policy 7 is relevant to this objection.
- 4.22.5. It is apparent from Policy 5 that apart from the extensions proposed at Markyate and Stevenage, reviews of the precise boundaries of the Green Belt are only envisaged in the context of either Policies 6 and 7 or Policy 8. Reviews linked to the former need to be fully justified by reference to exceptional circumstances. They should also contribute to sustainability objectives and must be part of a comprehensive planning approach. While Policy 5 refers to housing, employment and retailing development, in particular, as only being appropriate as part of a comprehensive approach, this does not mean that this requirement applies only to these forms of development. I find, therefore, that further development of the site would be required to demonstrate that the relevant needs could best be accommodated by the development proposed.
- 4.22.6. Some 143 staff are currently employed on the site, the majority of whom live in Berkhamsted. Consequently, the site makes a significant contribution to local employment. The 60-100 additional jobs that are expected to be created through future expansion would reinforce this. Nevertheless, I question whether further expansion of the BFI’s activities on this site would provide demonstrable sustainability benefits to the town or contribute to sustainability objectives overall in view of the site’s remote location. Not only is it a significant distance from the town centre but it is also beyond reasonable walking distance of the station and there is no bus service past the site.
- 4.22.7. In addition, I have some doubts that the proposed expansion would be demonstrably practicable for the reasons I set out in paragraphs 4.22.18 and 4.22.19 below. There would also appear to have been little community involvement in the planning process relating to the development of this site. I am not satisfied, therefore, that the release of this land in order to allow further development to take place would strictly accord with the objectives of Policies 5 and 7 of the SPR. I have therefore considered whether any other exceptional circumstances exist which would warrant its exclusion from the Green Belt.

- 4.22.8. The application made to the National Heritage Memorial Fund in June 1996 showed that at that time the NFTVA held over 300,000 titles plus numerous stills, posters and prints. I can fully understand, therefore, the difficulties the BFI face with the examination, cataloguing, conservation and expansion of the NFTVA owing to the existing space constraints. In view of the size of the collection and its historic significance, there is no doubt, in my mind that this work is of national importance. Unquestionably this aspect of the BFI’s work has benefited from its consolidation onto the objection site in the mid 1980’s. However, the existence of the nitrate film store at Gaydon demonstrates that it can operate using more than one site. While there would appear to be limited scope for expansion of the site at Gaydon, I am not persuaded that expansion onto another site within the area would be totally impracticable, based on the available evidence.
- 4.22.9. Even if it was not feasible to operate on more than one site, the alternative option of relocating the whole operation does not appear to have been examined in any depth. Although evidence was given that the availability of other sites in Hertfordshire had been explored in 1998/99, it is not apparent why the search was confined solely to Hertfordshire when Buckinghamshire lies within 10 minutes driving time to the west of the objection site. Moreover, while there would appear to be no other sites of sufficient size currently available in Dacorum, land may well be available in the near future on the proposed employment site at North-East Hemel Hempstead. In the circumstances, I am not satisfied that no other alternative sites would be available.
- 4.22.10. I appreciate that moving would cause significant upheaval and note the concerns raised about the possibility of losing trained staff in the process. However, there is no certainty that skilled staff would leave, particularly if the alternative site was located within a reasonable travel to work distance of the existing site. I am not satisfied, therefore, that the upheaval would be as substantial as has been suggested. Relocating the existing operations would undoubtedly be expensive but in the absence of any detailed costs I find no reason to conclude that it would be prohibitive.
- 4.22.11. Increasing the length of existing car journeys would not, I accept, accord with national objectives on the reduction of car usage. However, in my view, this has to be balanced against other considerations not least the fact that expansion on the existing site could lead to additional in-commuting. Moreover, the effect of re-location on current travel patterns could be partially mitigated by the adoption of a green transport plan.
- 4.22.12. Turning to the impact on the Green Belt I appreciate that the existing buildings cover some 20% of the site and a further 10% is covered by hardstandings. However, the site still remains largely open, particularly along the eastern flank where it abuts the cemetery. While the overall density of development may be greater than that of the residential development to the north of Kingshill Way, which lies within the urban boundary, I do not consider the circumstances are comparable. Built development to the north of Kingshill Way consists of a large number of small buildings with small gaps in between. Whereas on the objection site it is largely incorporated into one building. This effectively leaves a much larger parcel of undeveloped land. In my opinion, this imparts a much greater sense of openness to the objection site. My view is not altered by the fact that the density of development at other peripheral sites, like Ashlyns School, is much lower.

- 4.22.13. The exclusion of the objection site from the Green Belt would result in an oddly shaped projection of the urban area in a prominent ridge top location. Although the site has well-defined boundaries along its south eastern and western sides, which are mainly delineated by mature trees, it is more open on the southern side. The existing Conservation Centre is already visible from the A41 and from the wider countryside to the south west. Further development on the site would serve to consolidate this impact resulting in an even greater visual encroachment into the surrounding countryside. It would also lead to a significant loss of openness, as the proposed development would take up a substantial part of the remaining open space on the site.
- 4.22.14. The openness of the site, particularly to the west and south of the Conservation Centre, provides an important transition between the urban area and the adjacent open countryside. In my view, this helps to preserve the setting and special character of Berkhamsted, particularly since the site is located adjacent to one of the principal routes into the town. The restraints imposed by the site’s Green Belt status also help to encourage the recycling of derelict and other urban land. I find, therefore that it continues to contribute to the purposes for which the Green Belt was designated.
- 4.22.15. I am concerned that the exclusion of the land could be seen as a precedent for the release of additional land to the north west. I appreciate that the exact circumstances of the BFI are unlikely to be repeated. However objections have been made to the inclusion of land to the north west within the Green Belt both at the time of the 1992 Local Plan Inquiry and again in response to the current Deposit Draft. While the latter objections have since been withdrawn, I consider the exclusion of this site would be likely to increase pressure in future for the release of this land on the grounds that it constituted a rounding-off of the urban edge between the site and Denny’s Lane.
- 4.22.16. Although significant development has taken place on the objection site since it was designated as Green Belt in 1984, this was allowed on the basis of the very special circumstances that existed at that time. In my view it does not constitute a reason for amending the site’s current status, bearing in mind my findings on the continuing contribution it makes to the purposes of the Green Belt. Although the BFI has owned the site since 1966, which is well before it was designated as Green Belt, it is clear that development was only consolidated on this site in the mid 80’s when its Green Belt status was well known. I am not satisfied therefore that the length of the BFI’s occupation of the site warrants setting aside normal Green Belt policy.
- 4.22.17. The release of this site would not, in my view, accord with the criteria the Council has used to justify the exclusion of other sites in Berkhamsted which relate primarily to the exceptional need for additional housing land. Moreover, the circumstances of those sites are not comparable as they either lie in the valley floor or are generally less obtrusive in the landscape. I conclude, therefore, that none of the matters mentioned are sufficient at this stage, either individually or cumulatively, to warrant the exclusion of land at Kingshill Way from the Green Belt.
- 4.22.18. Even if they were, I doubt that the exclusion of this land would achieve the degree of certainty that the objector seeks. Judging from the evidence I heard at the Inquiry, there are other significant planning constraints relating to this site. Visibility at the existing access is clearly substandard and it is located close to a busy junction. While I note the objector’s contention that any increase in traffic generation would be modest, this appears to be based on the assumption that there would be a significant shift in

travel patterns. I consider this unlikely, in view of the site’s location. In the circumstances, I am concerned that the combination of the increase in staff and delivery vehicles and the additional traffic generated by the proposed visitor centre could have a significant impact on road safety. While it may be possible to overcome this through road improvements or traffic management measures there can be no certainty at this stage that this would be the case.

- 4.22.19. Moreover, the Council also argue that the scale of development proposed would be likely to have a damaging impact on the setting of the listed buildings, particularly Sir Ernest Lindgren House, and on the surrounding landscape which forms part of a Landscape Conservation Area. I appreciate that the exact footprint of the proposed buildings and the details of their design are not yet known. However, I feel that the Council’s concerns about the potential visual impact of the proposals have some validity, based on the indicative plans and photographs. I am not satisfied, therefore, that even if the site was removed from the Green Belt this would mean that the additional development the objector is seeking would be in fact be permitted. I accept that in judging any subsequent application the Council may determine that the national interest was sufficient to outweigh the harm. However, in that case it seems to me that this could equally be applied to Green Belt considerations.
- 4.22.20. On balance, therefore, while I fully understand the BFI’s desire for greater certainty I am not satisfied that there are sufficient grounds to warrant amending the Green Belt boundary in this location, based on present evidence. Accordingly, I recommend that no modification should be made to the Plan in response to objection 2169.

Recommendation

- 4.22.21. **No modification be made to the Green Belt boundary at Kingshill Way in the light of objection 2169.**

4.23. POLICY 3: THE GREEN BELT (Boundaries: Darrs Lane, Northchurch, Berkhamsted)

Objection

<i>Rep No</i>	<i>Name</i>
234	Bilton plc

Key Issue

- (a) Whether land at Darrs Lane should be excluded from the Green Belt.(234)

Inspector’s Conclusions

- 4.23.1. The objection site lies on the southern valley side and consists of a large wedge shaped field on the east of Darrs Lane. To the north it abuts the rear gardens of houses in St Mary’s Avenue. To the south, east and west it adjoins open countryside. The boundaries of the site are marked for the most part by established hedgerows and mature trees.

- 4.23.2. Although I have found in section 4.16 that there is sufficient justification for the release of a limited amount of land on the periphery of Berkhamsted, under policies 5, 6 & 7 of the SPR, I am not satisfied that there is any need to release more land than is currently proposed in the Plan. Consequently, I do not consider that current housing needs are sufficient to justify releasing land at Darrs Lane from the Green Belt.
- 4.23.3. Development of this site would result in a prominent extension of the built-up area onto the open valley side. As such I consider it would create a significant visual encroachment into the countryside and would be harmful to the objectives of the Green Belt as well as to the attractive landscape of the Chilterns AONB.
- 4.23.4. The existing Green Belt boundary at this point is already well defined by existing hedges and trees. I, therefore, see no justification on this ground for amending the boundary so as to exclude the objection site.
- 4.23.5. I appreciate that the site would be more accessible than the proposed site at Durrants Lane/Shootersway due to the fact that it would be closer to existing facilities and services. Nevertheless, it would clearly cause far greater visual intrusion and would not achieve the same package of benefits that development of the land at Durrants Lane/Shootersway would bring. I am not satisfied, therefore, that it would constitute a better site than any of those currently proposed in the Plan. In consequence I find no exceptional circumstances to justify amending the Green Belt boundary in this location and I recommend that no modification should be made to the Plan in the light of objection 234.

Recommendation

- 4.23.6. No modification be made to the Plan in response to objection 234.

4.24. POLICY 3: THE GREEN BELT (Boundaries: New Road, Northchurch, Berkhamsted)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
493	Captain I V Baker	4085	Lucas Aerospace
1229	The Chiltern Society	4164	The Governors of Ashlyns School
1789	Miss S Brightley	4766	Berkhamsted Town Council
2842	British Waterways	4878 L	J M Bailey
3775	Mr I Johnston		

Supports

1541	Linden Homes South-East Ltd
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Key Issues

- (a) Whether the settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4085)
- (b) Whether the site at New Road, Northchurch should be excluded from the Green Belt. (493, 1229, 1789, 2842, 3775, 4164, 4878L)

Inspector’s Conclusions

(a) *Settlement capacities*

- 4.24.1. I have already addressed this point in paragraphs 4.17.1 and 4.17.2 of my report in dealing with objection 4083. For the reasons I have already given I am not satisfied that it would be appropriate to delay identifying Green Belt releases until such time as the settlement capacities for Hemel Hempstead, Berkhamsted and Tring have been established. I, therefore, recommend that no modification should be made to the Plan in response to objection 4085.

(b) *Release of land at New Road, Northchurch*

- 4.24.2. As I have already identified in section 4.16 of my report there is, in my view, sufficient justification for the release of a limited amount of Green Belt land on the periphery of Berkhamsted to meet housing needs during the Plan period. However, I do not consider it is appropriate to release land from the Green Belt for development beyond the Plan period, despite the advice in paragraph 2.12 of PPG2, owing to the clear changes to national policy on housing set out in PPG3.
- 4.24.3. I note the Council’s belief that this land may be required to meet housing needs during the current Plan period if other identified sites fail to come forward. However, in my view there is not sufficient certainty of this to justify it being released at this time. Indeed, in the light of my recommendations in respect of Policy 17, particularly in respect of reducing the amount of housing expected on windfall sites, I consider that the prospect of the land being required during the Plan period is minimal.
- 4.24.4. Although the railway could form a clear and defensible alternative boundary it is clear that the existing boundary, which is formed by the canal, is already very well defined. Indeed this was clearly accepted by the 1992 Inspector (*see paragraphs 3.26 to 3.30 of CD37*). Development of this site would extend the built-up area on the western side of New Road, north of the existing canal. It would also intrude into the foreground of the attractive vista of the adjoining AONB from some angles, particularly from the canal. I consider, therefore, that it would result in a significant visual encroachment into the adjoining countryside and would cause harm to the purposes of the Green Belt.
- 4.24.5. Despite the score it receives in CD53A, which is some 2 points higher than for H1, I am not satisfied that it would be more sustainable than the site at Bank Mill Lane. Not only would it be further from the town centre and station but bus services along New Road are also far less frequent during the week and Sunday services are limited to the summer months only. Moreover, pedestrian access to the local centre, which has a very restricted range of services, and the local school would be far from ideal due to the narrowness of the existing bridge across the canal.
- 4.24.6. I accept that it would be considerably more accessible than the site at Durrants Lane/Shootersway. However, it would not only be far more visually prominent, in my view, but it would also not produce equivalent benefits. I am not satisfied, therefore, that the release of land at New Road, Northchurch is justified under current circumstances. Accordingly, I recommend that the Plan be modified to delete reference to this site being removed from the Green Belt.

Recommendation

4.24.7. The Plan be modified by:-

- (a) Deleting the reference to New Road, Northchurch in sub-paragraph 4.36(i);
- (b) Deleting Map 3;
- (c) Amending the Proposals Map to show the site as lying within the Green Belt.

4.25. POLICY 3: THE GREEN BELT (Boundaries: Shootersway, Berkhamsted)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
237	Mr & Mrs A Curneen	2126	Miss J Willcox
238	Mr & Mrs K Keogh	4858 L	Mr & Mrs B Parker
349	Mr & Mrs M Fairley		

Key Issues

- (a) Whether land to the rear of 13-17 Oakwood, Shootersway should be released from the Green Belt. (237, 349)
- (b) Whether land to the rear of 18-23 Oakwood, Shootersway should be released from the Green Belt. (238, 4858L)
- (c) Whether land to the rear of Blegberry, Shootersway should be released from the Green Belt. (2126)

Inspector’s Conclusions

(a) Land to the rear of 13-17 Oakwood Road

- 4.25.1. The objection site is a narrow strip of uncultivated land of some 15 metres or so in width, which lies between the rear boundaries of 13-17 Oakwood Road and the northern embankment of the A41. Dennys Lane runs along its eastern boundary. The northern boundary with the adjoining residential properties is defined by hedging and trees. A motorway style timber post and rail fence marks the southern boundary.
- 4.25.2. For the reasons I have already given earlier in this chapter I do not consider that the release of this land is required to meet housing needs during the current Plan period. In view of the distance of the site from the town centre and the absence of a regular bus service along Shootersway I am not satisfied that this site would be a better location for additional housing than any of the sites put forward for release in the Plan.
- 4.25.3. I appreciate that this strip of land has been left over following the construction of the adjacent bypass. However, the land is prominent from the A41 and, in my view, it contributes significantly to the general rural setting of the bypass. The site is clearly

separated from the adjoining housing by a reasonably dense belt of vegetation at this point. Development of the land would extend the built-up area of Berkhamsted beyond this well-defined boundary right up to the northern edge of the deep cutting in which the bypass is located. In view of this I consider that any development on this site would visually encroach on the open countryside to the south of the road. I find, therefore, that the land continues to serve a valid Green Belt purpose. I am not satisfied that the circumstances outlined by the objectors are sufficiently exceptional to warrant the release of this land from the Green Belt. Accordingly I recommend that no modification should be made to the Plan in answer to objections 237 & 349.

(b) *Land to the rear of 18-23 Oakwood Road*

- 4.25.4. This wedge shaped piece of land lies immediately to the west of the previous site and is located between the rear gardens of 18 and 22 Oakwood Road and the A41 embankment. When originally designated, the boundary followed an existing hedge line and the edge of a dell. The dell has since been infilled and the hedge removed. The land now forms part of the rear gardens of 18 to 22 Oakwood. In the case of No. 20 a post and rail fence marks the line of the original boundary. On the other properties, however, the boundary is no longer physically defined on the ground.
- 4.25.5. As I have already indicated I see no need for this land to be released from the Green Belt to meet housing needs during the Plan period. Neither in my view would the release of this land be preferable to the release of the sites proposed in the Plan owing to its more remote location. I have therefore considered whether the construction of the A41, the infilling of the dell, the removal of the original hedge line, the raising of the height of the land and the new planting along the bypass are sufficient in this case to amount to the exceptional circumstances necessary to justify revisions to established Green Belt boundaries.
- 4.25.6. I accept that the infilling of the dell and the removal of the adjoining hedge means that a readily recognisable feature no longer marks the original boundary as recommended by PPG2. However, while the embankment of the A41, together with the new planting, would undoubtedly form a better defined boundary I do not consider that this is sufficient reason, in itself, to warrant amending the boundary. To accept the removal of existing features as adequate justification for modifying an established Green Belt boundary would, in my view, be likely to encourage other landowners to take similar action.
- 4.25.7. Although the land is not visible when approaching along the A41 from the west, due to its elevated position, it is more prominent when viewed from the east. Although the land now forms part of the gardens to residential properties, the actual dwellings are set well back from the bypass. The long open rear gardens, in my opinion, help to safeguard the generally rural setting of the road. Development of this site would not only significantly extend the built up area of Berkhamsted towards the bypass but it would also visually intrude into the open countryside to the south and east.
- 4.25.8. The gap between the A41 and the built-up edge of Berkhamsted is very narrow at this point. I find, therefore, the Green Belt is particularly sensitive in this location. I am concerned that if this land was released the Council would subsequently face pressure to release land to the east and west of it, which I consider they would find difficult to resist. In my view this would cause significant harm to the purposes for which the

land was designated as Green Belt. I am not satisfied that the circumstances advanced by the objectors are sufficient to outweigh this harm. I, therefore, recommend that no modification should be made to the Plan in response to objections 238 and 4858L.

(c) *Land to the rear of “Blegberry”, Shootersway*

- 4.25.9. The objection site is located adjacent to the south western edge of the existing built-up area of Berkhamsted. Originally the area which the objector sought to have released from the Green Belt was a large L shaped piece of land to the south and west of “Blegberry”, a substantial detached dwelling standing in an extensive plot on the southern side of Shootersway. However, the area has since been amended (*see O/2126/1*) to cover only that part of the land which lies to the rear of “Blegberry” plus a small triangular parcel to the south-east. The main part of this land is currently used as a paddock but the triangle of land to the east forms part of the curtilage of a new property called “Pinewood” and a small portion of the curtilage of “Woodrising”.
- 4.25.10. For the reasons I have already identified in the preceding sections of this chapter, I find no need for this land to be released from the Green Belt in order to meet housing needs during the present Plan period. In view of the distance of the site from local facilities and services I do not consider that it would be a more sustainable location for housing than any of the sites put forward in the Plan. I note the objector’s suggestion that it could form a windfall site, but PPG3 makes explicit that the Plan should not allow for housing provision to be met through greenfield windfalls.
- 4.25.11. Although the land is not prominent from Shootersway it is visually contiguous with the larger paddock to the west and with the open land to the south. In my view, therefore, development of the land behind “Blegberry” would result in an extension of the built-up area of the town into the surrounding countryside. I consider this would be harmful to the purposes of the Green Belt, particularly in view of its sensitive location in the narrow strip of Green Belt that lies between the properties on the southern side of Shootersway and the A41.
- 4.25.12. I appreciate that the diagonal line taken by the boundary across the rear of “Woodspring”, “Balcary” and part of “Blegberry” does not appear to have ever followed any definable feature on the ground. Clearly this is contrary to the advice in paragraph 2.9 of PPG2. However, this advice post-dates the definition of the boundary, which was originally established in 1984. It was not uncommon at that time for boundaries to be drawn through residential curtilages, especially where large rear gardens contributed to the general openness of the area. I am not satisfied, therefore, that the need to define a more defensible boundary would, by itself, justify the exclusion of the objection site.
- 4.25.13. However, I note that the triangle of land to the east has now been partially developed and the original boundary now runs right through the middle of the property known as “Pinewood”. Development has also taken place to the rear of “Woodspring”. In my view it would be far more logical, therefore, for the boundary to be modified to take account of this fact. Not only would this provide a far more defensible long-term boundary but it would also take account of the development that has occurred on the ground since that time. I am satisfied that cumulatively these factors are sufficiently exceptional in this particular case to warrant a modest amendment to the boundary of the Green Belt. Accordingly I recommend that the Plan should be modified by

GREEN BELT BOUNDARY AT “BLEGBERRY”, BERKHAMSTED

amending the boundary on the Proposals Map in accordance with Figure 3 and by making consequential amendments to the background to Policy 3.

Recommendation

- 4.25.15. **No modifications be made to the Plan in the light of objections 237, 238, 349, and 4858L.**
- 4.25.16. **In response to objection 2126 the boundary of the Green Belt on the Proposals Map be amended in accordance with Figure 3 and the background text to Policy 3 should be revised accordingly.**

4.26. POLICY 3: THE GREEN BELT (Boundaries: Bourne End)

Objections

<i>Rep No</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
444	Mr A Horton	446	Mr A Horton
445	Mr A Horton	3697	Mr C A Middleditch

Key Issue

- (a) Whether there should be releases from the Green Belt around the village of Bourne End. (444, 445, 446 and 3697)

Inspector’s Conclusions

- 4.26.1. These objections relate to four 4 parcels of land at Bourne End. Objection 444 (referred to in the representations as parcel A) concerns an area of land to the south of London Road (A4251) and west and north of Sugar Lane. It includes a line of residential properties along Sugar Lane and a large area of open land to the west. Objection 445 (parcel B) is in respect of a much larger area of largely open land between London Road, Sugar Lane, Stoney Lane and the Bourne Mills Industrial Estate. Objection 446 (parcel C) relates to a smaller piece of land located on the northern side of the A4251 between The Watermill Hotel and Sharpes Lane. The northern boundary being marked by the mill race. Objection 3697 (parcel D) refers to a rectangular piece of open land between Sugar Lane and Parcel B. It includes a small detached property known as “Middlefield”.
- 4.26.2. The settlement of Bourne End is currently washed over by the Green Belt. In these circumstances, I do not consider it would be appropriate to seek to exclude these parcels of land in isolation. Such releases would in my view only make sense if the whole village of Bourne End were to be inset from the Green Belt. I have, therefore, considered the objections in this context.
- 4.26.3. Although the Structure Plan allows for land to be released from the Green Belt in respect of certain specified settlements, Bourne End is not one of the settlements listed. I appreciate that Policy 6 of the SPR permits Local Plans to identify other suitable settlements but the DBLP does not recognise Bourne End as an appropriate settlement

for Green Belt releases or even for limited infilling. In the light of the village’s location in the narrow gap between Hemel Hempstead and Berkhamsted I consider that this is sensible. To do otherwise would be likely to lead to the danger of the two towns merging contrary to the purposes for which the Green Belt was identified.

- 4.26.4. Although it is clear that land will have to be released from the Green Belt to accommodate the housing requirements for the Plan period, I do not consider that Bourne End would form an appropriate location for further housing. Not only would expansion of the village seriously undermine the contribution the Green Belt makes to maintaining the separation of Berkhamsted and Hemel Hempstead but it would also not meet the sustainability objectives laid down in the Structure Plan. Although the village does have 2 public houses, a garage with a small shop and a hotel, there is no convenience store, post office or school. In my view the expansion of the village proposed by the objectors would be unlikely to provide a sufficient catchment to warrant the development of these facilities.
- 4.26.5. As parcels B and D lie on a southward facing slope any development on them would in my view be extremely prominent from the A41 and the Service Area which lies immediately to the south. I consider therefore that the release of this land would result in a very substantial encroachment into the countryside surrounding Bourne End. It would also serve to exacerbate the significant visual impact of the Bourne Mills Industrial Estate. I consider therefore that development of either of these sites would cause serious harm to the character of the area and to the openness of the Green Belt.
- 4.26.6. Parcel A is less visible from the south but it is prominent on the approach to the village from the west. Development of this site would extend the built up area of the settlement further westwards and could in my view contribute to an eventual coalescence with Berkhamsted. I find, therefore, that development of this site would also cause substantial harm to the Green Belt.
- 4.26.7. Parcel C lies closer to the centre of the village and is largely screened from the A4251 by a tall hedge. However, the settlement of Bourne End is characterised by the sporadic arrangement of the existing buildings and the large gaps that exist between many of them. Development on parcel C would serve to further consolidate the built-up area of the village, which would erode its current loose-knit form. In my view this would contribute to a loss of openness undermining the purposes of the Green Belt.
- 4.26.8. I note the suggestion that development of parcels A, B and C would provide a feasible means of enabling public service vehicles to gain access to properties on Sugar Lane and would also allow for the provision of acceptable sewage facilities and suitable road safety improvements. However, while these would undoubtedly provide significant benefits to local residents I am not satisfied that the substantial additional development proposed would be essential to achieve this. Even if it were, I do not consider that these advantages would be sufficient to justify the serious erosion of the Green Belt that would occur if these sites were developed.
- 4.26.9. In conclusion, I am not satisfied that there are any exceptional circumstances that would warrant excluding the objection sites or the settlement of Bourne End from the Green Belt. I therefore recommend that no modification should be made to the Plan in response to objections 444, 445, 446, and 3697.

Recommendation

4.26.10. No modification be made to the Plan in the light of objections 444, 445, 446 and 3697.

4.27. POLICY 3: THE GREEN BELT (Boundaries: Bovingdon)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
502	Mr R E Margrave	3850	Miss A Da Casa
3698	The Freeholders of Grange Farm	5185	Messrs A, R & the Executors of C Glenister
3810	Mr & Mrs P H Gee	5801	Mrs E M Nyboer

Supports

1	Mr E H Sach	4210	Flaunden Parish Council
350	Mrs M Moss	4211	Flaunden Parish Council

Key Issues

- (a) Whether land at the following locations around Bovingdon should be removed from the Green Belt :-
- i) Louise Walk and Yew Tree Drive (502);
 - ii) Grange Farm (3698);
 - iii) Middle Lane (3810);
 - iv) Rear of The Close, Chipperfield Road (3850);
 - v) Between Shantock Lane, Long Lane, Ley Hill Road and Shantock Hall Lane (5185);
 - vi) Between Le Chalet and Hunters Close, Long Lane (5801)

Inspector’s Conclusions**(a) General comments**

- 4.27.1. Policy 5 of the Structure Plan Review allows for the Green Belt boundary to be reviewed in conjunction with limited peripheral development at certain specified settlements permitted under Policies 6 and 7. Bovingdon is not one of the settlements listed. However, Policy 6 allows for other settlements to be selected in local plans where limited development may be appropriate to maintain the vitality of the area. It makes clear that the identification of such settlements should demonstrate that sustainability objectives would be met by the development that would take place.
- 4.27.2. It is clear from the amount of recent development in the village that Bovingdon has expanded considerably in recent years. From all I have seen of the village it is obviously a thriving settlement. There would appear therefore to be no need for additional development in order to maintain the vitality of the area. Although the village is served by a reasonable bus service, unlike the other settlements identified for

limited peripheral development in the Plan it does not have a railway station. More importantly, while it has a good range of shops and a primary school it has no secondary school and very few employment opportunities. Moreover, it appears that existing services are under strain. There is very little scope for the existing primary school to expand on its present site in the village centre and there is significant traffic and parking congestion in the village centre.

- 4.27.3. I conclude, therefore, that Bovingdon has reached its capacity to cope with additional development at present. In the circumstances I am not satisfied that identifying the settlement for limited peripheral development would satisfy the sustainability objectives required by Policy 6 of the Structure Plan. It is clear that sufficient land can be found to accommodate housing requirements up until 2011 on the periphery of other more sustainable settlements within the Borough. I can find no grounds on the basis of either maintaining the vitality of the village or meeting the general housing needs of the Borough to warrant releasing areas of Green Belt on the periphery of the village. I have, therefore, gone on to consider whether there are any other specific circumstances which would justify releasing any of the objection sites.

(i) Land at Louise Walk and Yew Tree Drive

- 4.27.4. This site consists of a large rectangular area of open land of around 6.5 hectares. It lies to the east of Green Lane, between Louise Walk and Homefield. To the north it is abutted by the housing in Yew Tree Drive and Austins Mead and to the south by the football ground and tennis club. On the eastern side it adjoins open fields. There is a public footpath running along part of its eastern boundary.
- 4.27.5. This is a very substantial site that would clearly accommodate a significant number of dwellings. Its development would therefore place considerable additional pressure on existing services in the village. It would also be likely to exacerbate congestion in the village centre. Although housing on two sides overlooks the site it is predominantly rural in character. I am satisfied, therefore, that it is rightly seen as forming part of the countryside surrounding the settlement.
- 4.27.6. While the site is not prominent from the adjacent roads it is visible from the football ground and from the Hertfordshire Way to the east, as well as from the adjoining houses. I conclude therefore that development of this site would constitute a serious encroachment into the countryside contrary to the main purposes of the Green Belt. The existing Green Belt boundary is generally very well defined in this location. While I accept that there is a clear need for more affordable housing I do not consider that this is sufficient to outweigh the serious harm that would be caused by the development of this site for that purpose. I find no exceptional circumstances, therefore, which would justify the release of this land from the Green Belt. Accordingly, I recommend that no modification should be made to the Plan in the light of objection 502.
- 4.27.7. In reaching this conclusion I have noted the suggestion that the site would be more sustainable than the site proposed for housing at North East Hemel Hempstead. However, I do not accept this. Not only is the release of that site specifically allowed for under Policy 8 of the SPR but it would also not involve the loss of any Green Belt land. More importantly, I consider that existing local services in the area are more likely to be able to accommodate the additional development.

(ii) *Land at Grange Farm*

- 4.27.8. The objection site consists of a large predominantly rectangular piece of land of some 14.5 hectares in extent. It is currently divided into four fields. It lies on the south western edge of the village between Bovingdon Green Lane, Chesham Road, and the rear gardens of properties on Dinmore and Pembridge Road and Grange Farm. Hedges, trees and fences mark the boundary with the residential properties on the Grange Estate. Low hedges with occasional mature trees define the other boundaries.
- 4.27.9. Development of this site would involve a very substantial extension of the built-up area of Bovingdon in a location that is fairly remote from the village centre. It would be likely, therefore, to place considerable strain on existing services within the village as well as contributing to congestion. I note the suggestion that the village school could be relocated onto this land and the original site used for car parking. However, while this might ease congestion in the village centre it would result in the school being moved to a more peripheral location which would be likely to result in more parents having to drive their children to school. I do not consider any benefits in terms of safety improvements or access to playing fields are sufficient to outweigh the disadvantages. I am not satisfied therefore that development of the site would contribute to sustainability objectives.
- 4.27.10. The land is extremely prominent from the adjoining roads and from the rural area to the south, west and south-east. I consider that it would result in a very significant encroachment into the countryside contrary to the main purposes of the Green Belt. In my view the existing Green Belt boundary in this location is both clear and defensible. I find insufficient circumstances to warrant amending the Green Belt boundary in respect of this site. I, therefore, recommend that no modification be made to the Plan in response to objection 3698.

(iii) *Land at Middle Lane*

- 4.27.11. This site is a rectangular piece of land on the south-western side of Middle Lane. It is bordered on the northern side by the rear gardens of properties on Long Lane and The Hollies and by a property known as “Dellden”, which fronts Middle Lane. To the west it is adjoined by open fields and the buildings of Long Lane Farm and to the south by another area of land which is currently being used for open storage and various other small-scale commercial uses. On the opposite side of Middle Lane to the east are more open fields.
- 4.27.12. At the time of my original unaccompanied visit in March 2000 much of the site was overgrown. However, by the time of my accompanied visit in January 2001, the majority of the lower vegetation on the site had been removed so that the land was generally open with only small groups and scattered individual mature and semi-mature trees remaining. The western third of the site forms part of the rear garden to “Tamarinda”, a property fronting Long Lane. A dense hedge runs along the Middle Lane frontage of the site. On the northern side much of the boundary is marked by a chainlink fence on wire posts. Wire fencing and shrubbery define the remainder. The southern boundary is not physically defined on the ground.

- 4.27.13. The site was previously used, along with the adjoining land to the south, as a Sergeants’ Mess and accommodation in association with the use of Bovingdon airfield by the armed forces. This use ceased some years ago and the buildings were demolished in the mid 1970’s but the concrete foundations of the buildings, the roadways and various service ducts remain on the site.
- 4.27.14. At the Inquiry the objector sought to extend the original objection to cover the land to the south, which is in separate ownership. However, as this site was not included in the duly-made objection the Council objected. I have therefore not considered the additional land directly in reaching my conclusions in this case.
- 4.27.15. The site lies some distance to the south of the village core being separated from it by the large open space of Bovingdon Green. Clearly if the existing area of the inset around Bovingdon was extended to cover this site it would involve a substantial increase in the area of the settlement and a significant consequential loss of Green Belt. I note that the objector accepted at the Inquiry that a general rolling back of the Green Belt would therefore not be appropriate.
- 4.27.16. Although there is scattered housing along Long Lane, including 2 small estates at Hunters Close and The Hollies, the area retains a largely rural character. I consider that development of this site for housing would therefore encroach into the countryside. My view is reinforced by the fact that development of the site would be likely to entail significant road improvements and the consequential removal of large sections of the existing hedges due to the extremely narrow width of Middle Lane and the sub-standard visibility at its junction with Long Lane. In my opinion this would cause serious harm to the rural character of the area as well as leading to a serious loss of openness. I consider this would be contrary to the main purposes of the Green Belt. I do not consider, therefore, that the option of releasing the objection site by itself would be appropriate either.
- 4.27.17. I have therefore considered the alternative suggestions that were made at the hearing. The first was that the site should be designated a “major developed site” (MDS), either on its own or in conjunction with Bovingdon Airfield. The second was that the Plan ought to allow for the possibility of enabling development taking place in order to secure the restoration of the site.
- 4.27.18. The objection site is only some 1.7 hectares in size. I do not consider that it could be classed as a major site under the terms of paragraph 3.4 and Annex C of PPG2. Even if the adjoining land to the south were added it would still only total less than 3 hectares. In my view this is at the margin of what could reasonably be considered to constitute a substantial site within PPG2 terms. However, even if it did fit within the size criterion I am not satisfied that this would justify its classification as an MDS.
- 4.27.19. Although the site retains the foundations of buildings and other hard surfaces it gives the appearance from outside the site of having largely blended with the landscape. I am not satisfied therefore that its redevelopment would bring significant environmental improvements. Moreover for the reasons I have already indicated it would have a substantial impact on the openness of the Green Belt. I find therefore that its designation as a major developed site would not be appropriate either on its own or in conjunction with Bovingdon Airfield.

- 4.27.20. I deal with the issue of enabling development more fully in Chapter 14 of my report where I address Mr & Mrs Gee’s objection (3815) to the Bovingdon Airfield Policy. However, such development would clearly be inappropriate in the Green Belt. Paragraph 3.3 of PPG2 makes clear that the Green Belt policies in development plans should ensure that such development would not be in accord with the Plan. Consequently, even if the Council believed that some enabling development was justified it would be inappropriate to modify the overall Green Belt strategy of the Plan to accommodate this.
- 4.27.21. As for the arguments made by the objectors regarding sustainability, I am not persuaded, for the reasons I have already stated in my general comments on Bovingdon, that this would be a sustainable location for further development. I note the objectors’ contention that the land qualifies as “previously developed land” under the National Land Use Database (NLUD) criteria. However, even if this were the case the NLUD makes clear that this does not mean that it is necessarily appropriate for redevelopment.
- 4.27.22. While the removal of the existing bases would undoubtedly be a costly exercise, I am not satisfied that the level of work envisaged in the objectors’ detailed costings would be essential to accommodate development that would be appropriate in the Green Belt (e.g. a recreational use). Even if it was I am not persuaded that this would amount to the exceptional circumstances necessary to justify amending the Green Belt boundary. Nor do I consider that it would warrant changes to the Plan’s overall Green Belt strategy. Accordingly I recommend that no modification should be made in response to objection 3810.

(iv) Land rear of The Close, Chipperfield Road

- 4.27.23. This site consists of a small square of land on the eastern edge of Bovingdon. It previously formed part of the garden of “The Close” but is now substantially overgrown. On the north-western side it is bordered by the housing on Austins Mead. To the north east lie “The Close” and two more recently constructed detached dwellings, which front Chipperfield Road. To the south west the site abuts open fields across which runs a public footpath that forms part of the Hertfordshire Way. A narrow access track lies adjacent to the south-eastern boundary. This track serves “The Mares” and a small cluster of other properties that stand a short distance to the south of the site.
- 4.27.24. A well established hedge marks the boundary with the existing properties fronting Chipperfield Road. The south-western boundary is defined by a row of mature trees. In contrast the south-eastern boundary is more open with sporadic pollarded ash trees and patchy clumps of rhododendron.
- 4.27.25. The objector contends that this site should never have been included in the Green Belt as it formed part of the garden to an existing property. However, I note that the inclusion of parts of rear gardens within the Green Belt is not uncommon in Bovingdon. For instance the Green Belt boundary runs through the rear garden of a considerable number of properties on the opposite side of Chipperfield Road. In this case the land has always been predominantly open and is separated from the main garden area that used to surround “The Close” by a well established hedge. I am not

satisfied that its inclusion in the Green Belt was inappropriate or that it was due to a drafting error as the objector alleges.

- 4.27.26. While I accept that the line of trees would form a recognisable alternative boundary along the south-western side, the boundary separating the site from the narrow strip of land between it and the access track to “The Mares” is much less well defined. I am not persuaded, therefore, that it would constitute a more defensible boundary than the present one.
- 4.27.27. I note the argument that development of this land would constitute a rounding off of the edge of the village. However, while there is in-depth development at Austins Mead to the north-west, I am not satisfied that this is sufficient to warrant allowing further backland development to take place on this site. In my view, development of this site would bring the edge of the village much closer to the small isolated cluster of dwellings adjacent to “The Mares”. I consider this would lead to a harmful coalescence of built-development that would encroach into the surrounding countryside, especially when viewed from The Hertfordshire Way.
- 4.27.28. It would also make it far more difficult, in my opinion, for the Council to resist pressure for further development to the rear of other properties along Chipperfield Road. I find, therefore, that the land continues to serve a useful Green Belt purpose in constraining the outward expansion of Bovingdon. I am not satisfied that the exceptional circumstances exist to justify releasing this site from the Green Belt. Consequently, I recommend that no modification should be made to the Plan in answer to objection 3850.

(v) *Land between Shantock Lane, Long Lane, Ley Hill Road and Shantock Hall Lane*

- 4.27.29. This site consists of two main areas of land. The first, which lies to the north of Bakers Wood, includes the Bovingdon Brickworks General Employment Area and the associated clay pits and brickworks. The second which lies to the south of Bakers Wood includes a poultry farm, a few dilapidated ex Ministry of Defence buildings and a substantial area of open land, including a 5 hectare field on the corner of Shantock Hall Lane and Shantock Lane, which is owned by the objectors.
- 4.27.30. The objectors seek the rolling back of the Green Belt south from Bovingdon to Shantock Hall Lane. This would result in a very substantial loss of Green Belt with the area of the existing Bovingdon inset more than doubling in size. While there are a number of commercial establishments on Ley Hill Road and Shantock Hall Lane these are fairly scattered. The landscape remains, in my view, generally rural and open in character. I note also that the area of the clay pits has been transferred to the Boxmoor Trust to manage for nature conservation purposes. This is likely to enhance the area’s rural character. Any significant development in this location would, therefore, not only substantially increase the sprawl of the existing settlement but would also result in a serious encroachment into the countryside. Consequently, I am satisfied that the area continues to make an important contribution to the Green Belt.
- 4.27.31. Although there are existing services in reasonable proximity and the area would be accessible by bus, I do not consider this is sufficient to justify its development. In view of the substantial distance to the village centre, I consider that the area would

constitute an isolated and unsustainable location for either housing or employment development. I am not satisfied, therefore, that the exceptional circumstances exist to merit excluding the objection site from the Green Belt. I recommend no modification should be made to the Plan in the light of objection 5185.

(vi) *Land between Le Chalet and Hunters Close, Long Lane*

- 4.27.32. The site consists of a small area of land, of some 0.5 hectares in extent, which is located on the western side of Long Lane south of Bovingdon Green. North of the site lies Hunters Close, a small modern estate of some 22 detached and semi-detached dwellings, which were originally constructed as married quarters. To the south lies a detached property known as “Le Chalet” beyond which are a number of other widely spaced detached dwellings. To the west the land has been recently fenced off to form an extension to the gardens of properties in Hunters Close.
- 4.27.33. A hospital, an officers’ mess and other associated buildings and structures, including a fire-fighting tank, originally occupied the site but the use of these ceased in the early 1970’s and the objector acquired the site in 1974. The buildings at the front of the site were then demolished at a cost of £2,000. In 1985 the Council served a notice requiring demolition of the buildings at the rear of the site. These were subsequently demolished at an eventual cost of £9,000. Since that time the site has become largely overgrown, although the foundations of the officers’ mess, the roadway and the fire-fighting tank remain.
- 4.27.34. The site has a long planning history, having been the subject of some eleven planning applications for residential development since 1973. It has also been considered at Local Plan Inquiries on 3 previous occasions. In the early 1990’s it was proposed for affordable housing in the Deposit Draft of the previous Dacorum Borough Local Plan. However, this proposal was deleted prior to its adoption on the recommendation of the Inspector (CD37). He found it to be in conflict with national and strategic policies for the Green Belt and was not satisfied that a need for the low-cost housing had been clearly established. He recommended that the site formed part of a comprehensive study of Bovingdon airfield. This study, which was subsequently undertaken in 1994, concluded that the site should remain in the Green Belt and suggested that it would be suitable for a community nature reserve. The Inspector who considered the 1996 alterations package to the Dacorum Borough Local Plan (CD40) supported this.
- 4.27.35. The objector seeks the removal of the land from the Green Belt and under separate objections also seeks its allocation for housing and the deletion of the reference to its potential use as nature reserve in Part 4 of the Plan. I deal with those objections later in my report (*see paragraphs 7.52.8 to 7.52.12 and 15.2.12 to 15.2.20*).
- 4.27.36. The objection site lies some distance to the south of the centre of the village and is separated from the defined built-up area by the open space at Bovingdon Green. Although there are a number of scattered dwellings along Long Lane, including small modern estates at Hunters Close and The Hollies, the area remains, in my view, largely rural and open in character. The wooded nature of the objection site also contributes to the rural character of the area and to its openness. I consider that development of the site for housing would have a detrimental impact on the purposes of the Green Belt, as it would consolidate the current sporadic pattern of development along Long Lane and generally encroach on the countryside.

- 4.27.37. Although the site used to be occupied by buildings, over the 17 years or more since they were demolished it has become largely overgrown with trees. The remains of the buildings and associated structures have therefore blended into the landscape over time. In the circumstances, I do not consider that the site falls to be classified as “previously developed land” as defined in Annex C to PPG3. Even if it did this would not, of itself, justify releasing the land from the Green Belt as PPG2 makes clear that the landscape quality of the land is not relevant to its continued protection.
- 4.27.38. I note that the 1974 Bovingdon Village Study identified the site as being suitable for housing but this predated the inclusion of the area within the Green Belt. Although a small amount of housing has been built within the immediate area over the last 30 years, I do not consider that this warrants excluding the appeal site from the Green Belt. Indeed, I find it reinforces the need to protect it from further encroachment.
- 4.27.39. As the site lies outside any recognised settlement it does not fall within the provisions of paragraph 2.11 of PPG2 which allows for limited infilling within existing villages where they are listed in the development plan. While paragraph 3.4 and annex C of PPG2 allow for the redevelopment of designated major development sites within the Green Belt, at only 0.5 hectares in size I do not consider that the site is sufficiently substantial to qualify as a major developed site. Even if it did I do not consider its redevelopment would be justified for the reasons I have already given.
- 4.27.40. I accept that the removal of the foundations and associated structures could be costly. Undoubtedly the presence on these structures, particularly the fire-fighting tank, will make it more difficult to use the site for an appropriate alternative use. However, I am not convinced that it would be impossible to identify such a use. Even if it was, I consider that this is insufficient reason to set aside the site’s Green Belt designation. PPG2 makes clear that the Government attach considerable importance to maintaining the permanence of the Green Belt. It is precisely sites such as this, where there is continuing pressure for development over a long period, that the protection of the Green Belt is most critical. I am not satisfied, therefore, that any of the matters raised by the objector amount to the exceptional circumstances necessary to justify the release of this site from the Green Belt. Accordingly, I recommend that no modification should be made to the Plan in answer to objection 5801.

Recommendation

- 4.27.41. **No modifications be made to the Green Belt boundaries around Bovingdon in response to objections 502, 3698, 3810, 3850, 5185 and 5801.**

4.28. POLICY 3: THE GREEN BELT (Boundaries: Boxmoor, Hemel Hempstead)

Objections

Rep No
1000

Name
The Box Moor Trust

Rep No
3115

Name
Dr Parsons

Key Issue

- (a) Whether land along London Road, Boxmoor should be released from the Green Belt. (1000, 3115)

Inspector’s Conclusions

- 4.28.1. The objection site¹⁵ is located on the southern side of London Road (A4251), a short distance to the west of its junction with Box Lane (B4505). It consists of a narrow strip of land of some 180 metres in length and approximately 70 metres in depth. At its eastern end the land adjoins the defined boundary of Hemel Hempstead. Within this land are some 10 randomly arranged dwellings of varying size and Boxmoor Garage, which houses a number of small businesses, including a retail furniture store. In between the dwellings are a number of open gaps, the largest of which lies about half way along the strip. Part of this gap used to form the curtilage of “The Friend at Hand” public house, which was demolished some 28 years ago.
- 4.28.2. There are open fields to the south of the objection site. To the north on the opposite side of the London Road lies Box Moor, the A41 and the West Coast railway line. On the western side the land adjoins the gardens of a property in Copper Beech Close and a large new detached house, which faces London Road. To the east it is bordered by a detached dwelling, known as Moorend Cottage, beyond which are open fields.
- 4.28.3. Both objectors seek the exclusion of the land from the Green Belt so as to allow for either infilling or redevelopment of the land for housing. PPG2, however, makes clear that established Green Belt boundaries should only be modified where alterations to the structure plan have been approved or other exceptional circumstances exist which necessitate such revision. The objectors argue that the need for additional housing, together with the construction of the new dwelling adjacent to Old Pastures and the previous existence of “The Friend at Hand” public house amount to exceptional circumstances which warrant such amendment.
- 4.28.4. Although Policy 8 of the SPR allows for strategic housing development at Hemel Hempstead, I am satisfied the Plan already identifies sufficient peripheral land to accommodate the required strategic housing. To warrant adjusting the Green Belt boundary for any other reason, Policy 5 of the SPR makes clear that it would need to be justified by exceptional circumstances and to demonstrate that they would contribute to sustainability objectives and be part of a comprehensive planning approach to deliver these objectives.
- 4.28.5. In this case although the site is close to Hemel Hempstead station and on a main bus route it is some distance from the nearest shops or school or other community facilities. Development in this area would therefore not accord with the principles behind the Plan’s housing strategy which seeks to locate new housing in close proximity to existing facilities where it would form an extension to an established neighbourhood. I am not satisfied, therefore, that further development in this area would contribute to sustainability objectives or be part of comprehensive planning approach to deliver these objectives.

¹⁵ Objection 3115 originally excluded a small paddock in the south-east corner of the area but subsequent written representations included it. I have therefore treated both objections as relating to the same area.

- 4.28.6. Although there are a number of existing buildings in the area there remain gaps between them in many cases, the largest being some 40 metres in width. Infilling or redevelopment would lead to a consolidation of the present loose-knit form of the group. In my view this would not only harm the rural character of the area but it would detract from the openness of the wider Green Belt. Moreover, development of the land could set a damaging precedent for other ribbons of housing which extend out into the countryside from the built-up area of the town, particularly the housing along the west side of Box Lane.
- 4.28.7. I appreciate that the construction of the new house adjacent Old Pastures has led to a partial consolidation of built-development at this point. However, this land lies within the defined boundary of the town where national policy encourages higher housing densities. I am not satisfied that it justifies allowing development beyond the existing boundary. Although the main gap in the objection site used to be occupied by a building this was demolished long before the Green Belt boundary was defined. I am not persuaded its previous presence warrants the exclusion of this land in the Green Belt. Consequently, I conclude that the circumstances referred to by the objectors are insufficient to justify releasing the site from the Green Belt. I recommend that no modification should be made to the Plan in response to objections 1000 and 3115.

Recommendation

- 4.28.8. **No modification be made to the Plan in the light of objections 1000 and 3115.**

4.29. POLICY 3: THE GREEN BELT (Boundaries: Felden, Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>
4442	Felden Park Farms Ltd

Supports

4212	Flaunden Parish Council
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Key Issue

- (a) Whether the land on the east side of properties at Sheethanger Lane, Felden should be released from the Green Belt. (4442)

Inspector’s Conclusions

- 4.29.1. The objection site consists of a parcel of land of some 1.4 hectares, which lies to the south-east of the Sheethanger Lane Estate. Along the eastern boundary is a wide belt of mature trees and a private track, beyond which are open fields. To the south the site abuts the gardens of The Hive and Christmas Cottage which front Featherbed Lane. Along the western edge it adjoins the gardens of new and established properties on Sheethanger Lane. Just to the north is an access track to Threefields, a large isolated detached property situated to the north-east, and a transmission mast. North of the

track the land is open. The current line of the Green Belt follows the fences and hedges marking the western boundary with the properties on Sheethanger Lane.

- 4.29.2. I acknowledge that the land is well screened from the east by the belt of mature trees, which was apparently planted some years ago. It is also not prominent from Featherbed Lane, owing to the intervening vegetation. However, it would be visible, in my view, from the adjoining properties in Sheethanger Lane. Even if it was entirely screened from the surrounding land, I do not consider that this would amount to the sufficiently exceptional circumstances that are necessary to warrant revising the Green Belt boundary in this location. The site is entirely rural in character and it is separated from the built-up area by a generally clear and defensible boundary. As such I consider that it makes a contribution to the openness of the Green Belt, regardless of the fact that it is not visible from any public vantage point.
- 4.29.3. In view of the shape and size of the site and its relationship with the adjoining built-up area I consider that any development of this land would amount to an encroachment into the countryside contrary to the main purposes for which the Green Belt was designated. I am also concerned that it could over time create undesirable pressure for further Green Belt releases, particularly in relation to the land to the south and south-east which lies between the site and Featherbed Lane. In my view this could potentially be seen as rounding-off were the objection site to be developed.
- 4.29.4. Although the SPR allows for some additional housing on the periphery of Hemel Hempstead it is clear that the identification of suitable sites was based on sustainability objectives. In the light of my findings in Chapter 7 of my report I do not consider that there is any need for additional strategic greenfield sites to be identified on the periphery of Hemel Hempstead. Indeed to do so would probably undermine the Government’s objective of encouraging the majority of new housing development to take place on previously developed land.
- 4.29.5. I have carefully considered whether this site would be preferable to any of those that are put forward in the Plan. However, while it is within walking distance of a mainline station, it is relatively remote in relation to shops, schooling and other necessary services. I am not satisfied, therefore, that it would constitute a more sustainable location than any of those proposed in the Plan. Consequently, I find there is insufficient justification for releasing this land from the Green Belt. I recommend no modification should be made to the Plan in response to objection 4442.

Recommendation

- 4.29.6. **No modification be made to the Green Belt boundary at Felden in response to objection 4442.**

4.30. POLICY 3: THE GREEN BELT (Boundaries: Grovehill, Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
533	Mrs J C Farenden	5193	Mr & Mrs L Mitchell
1975	Miss J Davey	5194	Mr & Mrs Heron
2958	E & T Casey	5195	Mrs P Thompson
3699	F Aslan	5196	F J Baxter
4086	Lucas Aerospace	5197	Mrs E G Trickey
5058	Tring Environmental Forum	5198	Mr & Mrs P Reed
5192	Miss K & Mr J Bolton		

Supports

5150 Mr Tony McWalter MP

Key Issues

- (a) Whether settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4086)
- (b) Whether land at Grovehill should be released from the Green Belt and if so is the proposed new Green Belt boundary justifiable and defensible. (533, 1975, 2958, 3699, 5058, 5192, 5193, 5194, 5195, 5196, 5197, 5198)

Inspector’s Conclusions

(a) Settlement capacities

4.30.1. I have already addressed this point in paragraphs 4.17.1 and 4.17.2 of my report in dealing with objection 4083. For the reasons I have already given I am not satisfied that it would be appropriate to delay identifying Green Belt releases until such time as the settlement capacities for Hemel Hempstead, Berkhamsted and Tring have been established. I, therefore, recommend that no modification should be made to the Plan in response to objection 4086.

(b) Release of land at Grovehill and defensibility of proposed boundary

4.30.2. A number of the objectors argue that the Green Belt should be sacrosanct. However, while the Government attaches considerable importance to the permanence of the Green Belt, it is clear from the advice in PPG2 that Green Belt boundaries may be revised either where this has been provided for in the structure plan or exceptional circumstances exist.

4.30.3. In this case the 1998 Structure Plan Review provides for alterations to the Green Belt boundary at Hemel Hempstead in order to accommodate a strategic allocation of 1000 new dwellings. However, while the Council argues that the release of the land at Grovehill is justified on this basis I would question this assumption. Based on the figures in the Deposit Draft it is apparent that the 3 large Green Belt releases at Westwick Farm, Leverstock Green, the Manor Estate, Apsley and West Hemel Hempstead were intended to provide some 860 dwellings. When the expected provision from North East Hemel Hempstead is added the total would be 1090 units, which is above the figure specified in Policy 8 of the SPR. Even if one excludes West Hemel Hempstead Phase III, on the basis that it is not proposed for development during the Plan period, the total would only be just under the target in Policy 8.

- 4.30.4. Moreover, although Policy 8 provides for the strategic requirement to be met on a number of peripheral sites around Hemel Hempstead, I seriously doubt that it was envisaged that this would include sites of the scale proposed at Grovehill. In my view, therefore, the site is more appropriately considered as peripheral development under the provisions of Policy 7 of the SPR. To warrant amendments to the Green Belt boundary in this context requires exceptional circumstances to be demonstrated. It also needs to show that sustainability objectives would be met and that it is part of a comprehensive approach to that end.
- 4.30.5. The exceptional circumstances put forward in this case are the need to meet the housing requirement and the need to provide affordable housing. In my view the release of this site would not be justified merely on the grounds that it was necessary to meet the housing requirement. I consider that it would be possible to find at least one other site of this size within the existing urban framework were it necessary to do so in order to make up the housing numbers. Even if this were not possible it seems to me that it would be easy to marginally increase housing densities on some of the larger sites that have been identified in the Plan in order to accommodate this number of additional dwellings.
- 4.30.6. More important, in my opinion, is the need for affordable housing. It is clear from the 1998 Housing Needs Survey (CD82) that there is a substantial level of housing need in the Borough. Although I have recommended in section 7.8 of my report that the target for affordable housing included in Policy 21 should be reduced this is largely because in my view it is unachievable in the time available. This does not mean that I consider that it is an unreasonable aspiration in the context of the actual level of need.
- 4.30.7. It is also important in my view that affordable housing is provided across the Borough and not merely on peripheral Green Belt sites, which may be less accessible for people who do not have access to their own transport. The capacity study undertaken of Grovehill indicated that there are a few potential infill sites that could accommodate affordable housing units, some of which are already being progressed by the Council. However, these sites are generally very small. As such they are likely to make only a tiny contribution to meeting the very high level of housing need identified in the 1998 Survey (CD82). The proposed exclusion site is apparently the only potential site of any size in Grovehill. As such I consider it could make an important contribution to meeting the need for affordable housing.
- 4.30.8. Since the site is within 500 metres of the local shopping centre and primary school and is close to a bus route I consider that it would meet sustainability objectives. I find therefore that development of the site would be in accordance with the aims of Policies 5, 6 & 7 of the 1998 SPR.
- 4.30.9. Although it is argued that this site would not have a defensible boundary, the line currently runs across the middle of the open space. Consequently, there is no defined boundary at present. In my view the top of the steep slope to the playing fields, which lie to the north, would make a more logical boundary. If the proposed roadway is taken along this alignment and it is supplemented by planting I consider that the new boundary would be better defined and more defensible than the existing boundary.
- 4.30.10. While the development of this area would result in a minor extension of the built-up area of Hemel Hempstead it would be set at a considerably higher level than the

surrounding countryside. In my opinion, it would be viewed therefore as being more closely related to the existing housing than to the open countryside. No evidence has been presented of other similar sites on the edge of Hemel Hempstead. In view of the particular circumstances of this site, which in my view are unlikely to be repeated, I do not consider that it would set a precedent for other Green Belt releases. In the circumstances, I am satisfied that in this case the release of this site would not cause demonstrable harm to the main purposes for which the Green Belt was designated.

- 4.30.11. I appreciate that some local residents are concerned about the implications of development on this site in respect of the loss of outlook, trees and amenity space and because of the impact of through traffic and parking. I deal with these matters more fully in Chapter 7 of my report where I have considered the objections to the designation of this land as Housing Proposal Site (*see section 7.27*). However, I do not consider any of these matters would be likely to cause damage to the Green Belt.
- 4.30.12. In the circumstances, I consider that the substantial need for affordable housing, the limited availability of sites for such housing within the urban area, the minimal harm that would be caused to the purposes of the Green Belt and the opportunity it will provide to create a clearer and more defensible long-term boundary cumulatively amount to the exceptional circumstances required to justify the release of this land from the Green Belt. Accordingly I recommend that no modification be made to the Plan in the light of these objections.

Recommendation

- 4.30.13. **No modification be made to the Plan in response to objections 533, 1975, 2958, 3699, 4086, 5058, 5192, 5193, 5194, 5195, 5196, 5197 and 5198.**

4.31. POLICY 3: THE GREEN BELT (Boundaries: Leverstock Green, Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
757	Mr & Mrs P Hobson	3100	Mr & Mrs N Merrett
761	J & M Hildersley	3102	Mr A Curran
763	Mr & Mrs M Gregory	3104	P L Board
765	Mr D Beynon	3128	J Mutter
767	Mr G C North	3132	Mr C D Scholey
771	Mr P Read	3134	S Scholey
774	Mr C B Attwood	3135	Mrs A Hildersley
1195	Mr J Baker	3137	Mrs C Kavanagh
1198	Mr F Wimpress	3139	M W Cross
1223	Mr & Mrs D J Pirrie	3141	E DeMarco
1611	Mr & Mrs W Hinks	3143	Mr G W Houldcroft
1613	Mr T Wooding	3145	Rev M B Tingle
1617	Mrs A Wooding	3147	Mr & Mrs D H Morgan
1621	Mrs A Bowen	3150	Mrs V M North
1625	R Starbrook	3152	Mrs G Cox
1628	Mrs J E Attwood	3154	Mr & Mrs M Gouch
1631	Mrs P M Mills	3156	Mr P Dawood
1634	Mr P A Woolley	3158	Mr R M Basterfield
1702	B Milnes	3160	Mr K O'Brien
3011	J Sawyer	3162	Mrs A Hill
3017	Mr M J Randall	3164	Mrs J L Wood
3019	Leverstock Green Village Association	3166	Mr R W Haynes

3028	N B Ratcliff	3176	Mr L Pilgrim
3030	C Hall	3179	Mr & Mrs N M Conley
3032	Mr R Hall	3181	Mr M R & Mrs B A Chapman
3041	D M Evans	3189	Mr P Jackson
3055	Shamim Ibrahim	3946	Mrs A M Radband
3057	Mr R Francis	4087	Lucas Aerospace
3059	Mr H G Clapham	4195	Mr & Mrs A G Playle
3062*	Mrs Y Irving	4751	The Chiltern Society
3064	E Phillips	4805	The Directors of Shendish Manor Estate
3066	Mrs E Hart	4891 L	Mr R P Sawyer
3068	Mr & Mrs C Isitt	4893 L	S Rayner
3070	Miss J Sapsard	4895 L	Mr & Mrs D Smith
3072	K Schirn	4927 L	G Sharkey
3096*	Mr & Mrs M Berman	5147	Mr Tony McWalter MP
3098	Mr & Mrs M J Sapsard		

Supports

1534 The Crown Estate

Key Issues

- (a) Whether settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4087)
- (b) Whether land at Leverstock Green should be released from the Green belt. (757, 761, 763, 765, 767, 771, 774, 1195, 1198, 1223, 1611, 1613, 1617, 1621, 1625, 1628, 1631, 1634, 1702, 3011, 3017, 3019, 3028, 3030, 3032, 3041, 3055, 3057, 3059, 3062, 3064, 3066, 3068, 3070, 3072, 3096, 3098, 3100, 3102, 3104, 3128, 3132, 3134, 3135, 3137, 3139, 3141, 3143, 3145, 3147, 3150, 3152, 3154, 3156, 3158, 3160, 3162, 3164, 3166, 3176, 3179, 3181, 3189, 3946, 4195, 4751, 4805, 4891L, 4893L, 4895L, 4927L, 5147)

Inspector’s Conclusions

(a) *Settlement capacities*

4.31.1. I have already addressed this point in paragraphs 4.17.1 and 4.17.2 of my report in dealing with objection 4083. For the reasons I have already given I am not satisfied that it would be appropriate to delay identifying Green Belt releases until such time as the settlement capacities for Hemel Hempstead, Berkhamsted and Tring have been established. I, therefore, recommend that no modification should be made to the Plan in response to objection 4087.

(b) *The release of land at Leverstock Green*

4.31.2. The Plan proposes the release of a wedge of open land of some 8.5 hectares on the north-eastern side of Leverstock Green. It consists of the buildings at Westwick Farm and the associated fields, together with part of the adjoining grounds of Leverstock Green school, and a football ground and scout hut. The Green Belt boundary currently runs along Green Lane to the north then crosses the school grounds and the rear of properties in Lombardy Close before turning eastward again along Pancake Lane towards Westwick Row. The boundary is defined for the most part by established hedges, the only exception being where it crosses the school grounds. Only some 1.6 hectares in the south-east corner of the area is proposed to be allocated for housing (H50). The remainder is defined as open space.

4.31.3. The objectors argue that the release of this land is not needed to meet the current housing requirements as more housing could be accommodated in the existing urban area. They consider that the existing Green Belt boundaries are clear and defensible and that the land continues to make a valid contribution to both the purposes of the

Green Belt and its objectives. In addition, they contend that the proposed housing development would not only intrude into the countryside but it would also place increased pressure on the Council to release the remainder of the land for housing. Concerns are also raised about the impact on the character of Leverstock Green, the ability of the existing village facilities to accommodate the additional housing and the traffic and archaeological implications. I have considered these latter issues in detail in section 7.50 of the report in response to the objections to the proposal to designate land at Westwick Farm for housing.

- 4.31.4. Policy 8 of the adopted Structure Plan Review 1998 (SPR) proposes that land should be found on the periphery of Hemel Hempstead to accommodate 1000 dwellings in order to meet the housing requirement for Dacorum of 7,200 dwellings in the period up until 2011. In the light of my findings in Chapter 7 I consider that this requirement remains valid and that none of the circumstances that have occurred since the adoption of the SPR in 1998, including the publication of PPG3, are sufficient to warrant reducing this overall target.
- 4.31.5. Although a full urban capacity study has yet to be completed, based on what I saw of the area, it would appear that the Council has already identified the majority of larger previously developed sites that are likely to come forward for housing during the Plan period. The release of more employment land would, in my view, have a detrimental impact on the town’s economic prosperity, which could create subsequent pressure for the release of Green Belt land for employment purposes. I am not satisfied, therefore, that it would be either possible or appropriate to seek to accommodate all the strategic housing required under Policy 8 within the existing urban area, for the reasons I outline in section 4.12 of my report.
- 4.31.6. I appreciate that there may be a few smaller sites within Hemel Hempstead that would be suitable for housing, which were not identified in the Deposit Draft. However, apart from the Gas Board site at Boxmoor (TWA8), I consider that these would generally make only a very modest contribution to overall housing numbers. The large site at Breakspear Way, which was proposed under the pre-inquiry changes, would not be suitable for housing, in my view, owing to its remoteness from existing services. Some increase in the number of units may also be achievable by increasing overall densities on a few of the proposal sites. However, this would be more than offset by the reduced level of housing that I have concluded is likely to come forward on unidentified sites (*see section 7.4 of my report*).
- 4.31.7. Overall I find that there is little realistic prospect of much of the strategic housing requirement being met within the existing urban area of Hemel Hempstead. I am satisfied, therefore, that the Structure Plan requirement constitutes sufficient grounds to warrant a limited review of the Green Belt boundaries around Hemel Hempstead in accordance with the advice in paragraph 2.7 of PPG2. However, if the urban capacity study should reveal that there is likely to be significantly more land available for housing within the urban area than was originally predicted the Council will need to take this on board in considering its modifications to the Plan.
- 4.31.8. I have noted the suggestion that the release of other land around the town, particularly land at Shendish, would be more appropriate. However, I consider that the Council’s strategy of seeking to disperse the requirement over a number of smaller sites in various locations around the periphery of the town is sensible. The alternative

approach of accommodating the housing on one or two very large sites would be far more likely to place an intolerable strain on existing infrastructure and services.

- 4.31.9. The land at Westwick Farm lies directly adjacent to a primary school, which has ample scope to expand. It is also within reasonable walking distance of the local centre and of a regular bus route and within cycling distance of the Maylands Estate, which is the town’s largest employment area. In the circumstances, I consider that it is a sustainable location for housing. Indeed, in my view, it is probably one of the most sustainable greenfield locations that is proposed in the Plan.
- 4.31.10. While the existing Green Belt boundary is for the most part reasonably clear and defensible, the alternative boundary along Westwick Row would, in my view, be equally well-defined. Indeed in light of the gap in the existing boundary where it crosses the school grounds, it could be argued that the new alignment would provide a better boundary in the longer term. In view of the proposed development of the adjacent land at Buncefield Lane (H16) I consider that it would constitute a logical rounding-off of the urban boundary at this location.
- 4.31.11. I appreciate the objectors’ concerns about increased pressure on the proposed open space. However, I am satisfied that the Council’s policies, particularly Policy 110, should be sufficient to ensure that the important green wedge of land, which connects the centre of Leverstock Green with the open countryside to the north-east, would remain open. I am not persuaded, therefore, that relocating the boundary along Westwick Road would lead to irresistible pressure to build on the remaining open land. In the circumstances, I find that leaving the open part of the site in the Green Belt, as some have suggested, would neither be necessary nor logical.
- 4.31.12. Although development of part of the land would undoubtedly lead to some loss of openness, in my view, it would not encroach significantly into the wider countryside and would not extend the urban boundary substantially beyond the existing built up area to the south. I am satisfied therefore that it would neither result in the unrestricted sprawl of Hemel Hempstead into the adjoining countryside, nor lead to it merging with other towns. While I have no doubt that it serves an important purpose in encouraging the recycling of derelict and other urban land, in the light of my above findings I am not satisfied there is sufficient urban land available to accommodate all of the housing required during the Plan period.
- 4.31.13. There is no doubt that the land plays a role in fulfilling some of the Green Belt objectives, as it provides some opportunities for access to the open countryside and outdoor recreation and retains an attractive landscape near where people live. However, access to the land is limited at present to those using the football ground and scout hut and the private riding facilities at Westwick Farm. The Plan’s proposals would be likely to increase the extent of public accessibility.
- 4.31.14. Although the release of the land and the subsequent development of part of it for housing would lead to some erosion of its landscape quality, the part of the site which makes the greatest visual contribution to the area would remain open. I am not satisfied therefore that the release of this land would cause serious harm to the purposes or objectives for which the Green Belt was designated.

4.31.15. I appreciate that my conclusions differ from those of the Inspector who held the original inquiry into the adopted Local Plan in 1992. However, at that time the Structure Plan did not provide for the release of Green Belt land around Hemel Hempstead. He found no other exceptional circumstances existed at that time to warrant amending the established Green Belt boundary. In this case the SPR establishes a clear need for the Green Belt boundary around Hemel Hempstead to be reviewed in order to accommodate the Borough’s housing requirements. The circumstances are therefore very different to what they were in 1992. On balance, I find that the need for additional housing land is sufficient in this case to warrant the proposed revision to the Green Belt boundary. Accordingly, I recommend that no modification should be made to the Plan in response to these objections.

Recommendation

4.31.16. No modification be made to the Plan in the light of these objections.

4.32. POLICY 3: THE GREEN BELT (Boundaries: Manor Estate, Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1044	Apsley Developments Ltd	3648	G H Woods
1915	J Richards	3655	Mr R J Monk
2548	Mr B Moggs	3662	Rosalind Monk
2569	Mr G Barnett	3669	Mr & Mrs J E Parker
2576	Mrs S Barnett	3676	Mr B Mason
3418	Dr J Singleton	3683*	Mr D Robinson
3425	Mr B Burgess	3690	Mr & Mrs W Leeden
3432	Mrs Carlin	4088*	Lucas Aerospace
3439*	Mr R Chamberlain	4345	Minesh Thakrar
3446	Tracy Fairbrother	4358	Mr C Conwell
3453	Mrs M Henley	4365	Miss Lisa Green
3460	Mr R Henley	4372	Mr & Mrs A Milton
3473	Miss P M Daniels	4379	Mr S A Bremner
3480	Mr M Fey	4387	Mr G Biswell
3487	Mr E B Hancocks	4395	Mrs V Biswell
3494	Mr J R Barber	4410	Mr M Brearley
3501	Mrs P E Barber	4417	Mr A Clarke
3508	Mrs N Eames	4428	Mr D Jury
3515	Mr S Ayling	4432	Mr & Mrs Healey
3522	Mrs J Hardcastle	4435	Mrs J Blackie
3529	Mr T Hardcastle	4449	Residents of Manor Estate
3536	Margaret Jury	4524	John Dickinson Stationery Ltd
3543	B Ayling	4576*	V E Welsh
3550	Mr J B Halsey	4579	Mrs E Richards
3557	D M Halsey	4588	Mr P J Eames
3564	Mr C Rawlings	4593	Mrs J Galvin
3571	Mrs S Rawlings	4600	Mr & Mrs M Garrini
3578	Mr A Keen	4607	Russell & Rachel Newman
3585*	Janet Richmond	4610	Mr R Lloyd
3592	Mr I Tulloch	4622	J & B Davies
3599	Mrs C Hill	4628*	Mr Keith Richmond
3606*	B & T Groutage	4639	Mr & Mrs P Ludlow
3613	Mr J Keeton	4650*	Mr C J Baughan
3620	Mr & Mrs A Wheatley	4777	Felden Park Farms Ltd
3627	Mr A Shearman	4806	The Directors of Shendish Manor Estate
3634	Sally Carter	5032 L	Terry Johnson
3641*	Mr R Green	5146	Mr Tony McWalter MP

Counter-objections

To pre-inquiry change 6

5680 PC Apsley Developments Ltd

5738 PC

Felden Park Farms Ltd

Supports for pre-inquiry changes

For pre-inquiry change 6

5384 PC CPRE – The Hertfordshire Society

Key Issues

- (a) Whether settlement capacities of Hemel Hempstead, Berkhamsted and Tring should be established before identifying Green Belt releases. (4088)
- (b) Whether land at the Manor Estate should be released from the Green Belt. (1915, 2548, 2569, 2576, 3418, 3425, 3432, 3439, 3446, 3453, 3460, 3473, 3480, 3487, 3494, 3501, 3508, 3515, 3522, 3529, 3536, 3543, 3550, 3557, 3564, 3571, 3578, 3585, 3592, 3599, 3606, 3613, 3620, 3627, 3634, 3641, 3648, 3655, 3662, 3669, 3676, 3683, 3690, 4345, 4358, 4365, 4372, 4379, 4387, 4395, 4410, 4417, 4428, 4432, 4435, 4449, 4524, 4576, 4579, 4588, 4593, 4600, 4607, 4610, 4622, 4628, 4639, 4650, 4806, 5032L, 5146, 5680PC, 5738PC.
- (c) Whether the boundary of this release should be extended to Featherbed Lane and the A41 embankment. (1044, 4777)

Inspector’s Conclusions

(a) Settlement capacities

- 4.32.1. I have already addressed this point in paragraphs 4.17.1 and 4.17.2 of my report in dealing with objection 4083. For the reasons I have already given I am not satisfied that it would be appropriate to delay identifying Green Belt releases until such time as the settlement capacities for Hemel Hempstead, Berkhamsted and Tring have been established. I, therefore, recommend that no modification should be made to the Plan in response to objection 4088.

(b) Release of land at the Manor Estate

- 4.32.2. Those objecting to the release of land at the Manor Estate from the Green Belt fall predominantly into four groups. The majority of local residents object to the release of any land at the Manor Estate. Others however, oppose the release of the land to the south west and south east (TWA7) but do not object to the release of land to the north west of Manor Estate adjoining Manorville Road (TWA6). A few objectors, particularly the Directors of Shendish Manor and the Residents of Manor Estate, oppose the release of the fields adjacent to the A41 but do not object to the release of the area of land known as Maxted Field, which forms the lower part of TWA7. The CPRE in contrast objects strongly to the release of Maxted Field but is less opposed to the release of the A41 fields.
- 4.32.3. One of the principal concerns of the objectors is the visual impact of the development as seen from either Bennetts End and adjoining areas to the north or from the countryside to the south of the A41. However, objections are also raised on the grounds of loss of outlook and access to the countryside, traffic generation and road safety, noise, crime and the impact on the local school. I deal with these latter issues, which relate mainly to the question of the land’s suitability for housing, in more detail in Chapter 17 of my report where I consider the objections to TWA6 and TWA7.

General matters

- 4.32.4. Policy 8 Of the adopted Structure Plan Review 1998 (CD32) provides for 1,000 dwellings to be built on peripheral sites around Hemel Hempstead. Policy 5 of the SPR allows for consequential revisions of the Green Belt boundary. It is within this context that the release of land at Apsley was originally included in the DBLP.
- 4.32.5. Land adjacent to the Manor Estate was first identified as having potential for housing development as part of the Two Waters and Apsley Study (CD44), which the Council undertook in 1996. The site was therefore put forward at the Structure Plan Review Examination in Public (EIP) in 1997 as one of the locations the Council considered would be suitable to accommodate some of the 1,000 additional dwellings proposed in the draft SPR on sites around the edge of Hemel Hempstead. The EIP panel report (CD30) supported this allocation.
- 4.32.6. In considering the practicality of accommodating this additional development the EIP panel looked at various alternative sites that were put forward by the Council and other parties. Although they noted that the Manor Estate land had access and landscape constraints, they considered that the potential for it to accommodate 250 dwellings was realistic. In their view the site was contained by the landform and would appear as a natural extension of existing built development in this area.
- 4.32.7. The Deposit Draft of the DBLP therefore proposed the land’s exclusion from the Green Belt and identified it as a housing site. The proposals in Part 4 of the Plan showed the site as having a capacity of 260 dwellings. Following consideration of the objections to the Deposit Draft, however, the Council determined to amend the Plan’s housing strategy to reduce the amount of development proposed in the Green Belt, contrary to their officers’ recommendation. The subsequent pre-inquiry changes, which were placed on deposit in November 1999, proposed, amongst other alterations, the deletion of the 2 housing proposals on the land adjoining the Manor Estate (PIC240 & 241) and the retention of the land within the Green Belt (PIC6). In order to meet the housing requirement alternative sites within the urban area were proposed at the Gas Board land at Boxmoor (TWA8) and on land at Breakspear Way (H15A).
- 4.32.8. I have, therefore, considered whether the Structure Plan housing target can practicably be met if the land adjacent to the Manor Estate remains in the Green Belt. It is clear from PPG3 that the reuse of previously developed land should be given priority over the development of greenfield sites. Consequently, I find that the use of the existing employment land at the Gas Board site for housing would be entirely compatible with national policy. In contrast the land at Breakspear Way is a greenfield site. Under the sequential test it is therefore accorded a lower priority. While it lies within the defined urban area there is no indication in PPG3 that such sites are preferable to extensions to the urban area.
- 4.32.9. The fact that the site does not fall within the Green Belt is clearly an important consideration. However, this does not mean that it should automatically be given a higher priority as a potential housing site. Paragraph 68 of PPG3 makes quite clear that while the Government is strongly in favour of maintaining the Green Belt there may be occasions where a review of the boundary is warranted. In particular it suggests that an extension of an urban area into the Green Belt may be preferable to new development taking place on a greenfield in a less sustainable location.

- 4.32.10. In my opinion, the Breakspear Way site would not be a particularly sustainable location for housing for the reasons I set out more fully in Chapter 7 of my report. Not only is it a substantial distance from the nearest primary school, but residents would also have to cross the extremely busy A414 to get to the school. In addition, the site is a considerable distance from the nearest local centre and even further from the nearest station. My view is reinforced by the Council’s own assessment (CD53A) which shows this site as having a sustainability score which is not only much lower than any of the housing sites originally included in the Plan but also below that of many of the sites put forward by other objectors. On balance, therefore, I consider that the land at Breakspear Way would be a less sustainable location for housing than the land at the Manor Estate, since the latter is generally much closer to local facilities.
- 4.32.11. Even if the Breakspear Way site were to be included in the Plan, I am not satisfied that it would be sufficient, in itself, to ensure that the housing requirement would be met. In my view, the Council has seriously over-estimated the numbers of dwellings that are likely to come forward on unidentified sites within the Plan period. On the basis of my findings in section 7.4 of my report I judge that around 550 additional dwellings will need to be accommodated on identified sites if the housing requirement is to be met during the Plan period. While some of the increase could no doubt be achieved by encouraging higher densities and by extending some of the existing proposal sites, such as North East Hemel Hempstead, I am not satisfied that these measures would be adequate to address all of the shortfall. In my view it will also be necessary for some additional sites to be included.
- 4.32.12. I am also concerned about the method by which the Council reached its decision to delete the Manor Estate proposals. There is little evidence that a detailed assessment of the relative merit of the various Green Belt proposals was undertaken as part of the process of determining which sites should be deleted. On the face of it, therefore, it appears that the decision may have been influenced more by political considerations than by planning ones. Although the subsequent assessment, which was undertaken in May 2000 (CD53A) shows TWA7 as having a lower score than any of the Green Belt sites retained in the Plan, I have some doubts about the soundness of this assessment. For the reasons I give in sections 4.x and 7.x of my report I believe that the site at West Hemel Hempstead would be less sustainable overall. I have therefore considered the implications of releasing the three principal areas of land at the Manor Estate from the Green Belt within this context.

Land adjoining Manorville Road

- 4.32.13. This is the smallest of the three parcels of land adjoining the Manor Estate. It consists of a small sloping field of around one hectare in extent on the north western edge of the estate. It is bounded by Home Wood to the south west, by Featherbed Lane to the north west, by King Edward Road on the north east side and by the rear gardens of properties fronting Manorville Road along its south-east flank. A belt of mature trees and shrubs mark the boundary with King Edward Road. This vegetation continues a short distance up the Featherbed Lane frontage but further south this boundary is defined solely by fencing and a fragmentary hedge. About half way along this frontage Featherbed Lane enters a cutting, which gets deeper as one travels south. The eastern boundary is also largely defined by fencing and a sparse hedgerow although there are some mature trees in the adjoining rear gardens.

- 4.32.14. The field is not prominent from Bennetts End or other locations on the opposite side of the valley largely because of the existing trees to the north. The presence of Home Wood and the slope of the land screen it from the countryside to the south. It is visible from the section of Featherbed Lane that runs along its north-western flank and from Manor Way further to the west. However, from these viewpoints the land is seen against the backdrop of the existing properties in Manorville Road.
- 4.32.15. While there is no doubt that development of this land would lead to a small reduction in openness, it would not, in my view, result in a significant extension of the built up area of Hemel Hempstead. More importantly it would not encroach into the surrounding countryside in view of the screening to the north and south of the site. The proposed new boundaries along Featherbed Lane and Home Wood would be clear and defensible in line with the advice in paragraph 2.9 of PPG2. I am satisfied, therefore, that there is no danger of development of this site resulting in Hemel Hempstead merging with any neighbouring settlement.
- 4.32.16. While the restraint imposed by the land’s Green Belt status continues to assist urban regeneration, it is clear that the housing requirement cannot be met solely through the recycling of urban land. In the circumstances, I find that the release of this land would not cause substantial harm to the main purposes of including land within the Green Belt. Nor in my view would it seriously prejudice any of the Green Belt objectives, especially as there is no public access to the land, it has little active use for agriculture and is of very limited nature conservation interest.
- 4.32.17. Although access to the site from Hemel Hempstead is currently sub-standard it is proposed to replace the existing bridge across the railway. More importantly the site is within reasonable walking distance of the Apsley Local Centre and the main bus route along the London Road. Although slightly beyond the recommended distance from Apsley Station, I consider that it would not be an unreasonable journey on foot particularly if the existing footbridge adjacent to north east corner of the estate was replaced. I am satisfied therefore that it constitutes a reasonably sustainable location for housing development.
- 4.32.18. As there is no public access to the field I do not consider its development would result in a loss of an important recreational resource. While it would undoubtedly have an impact on the outlook from some properties on Manorville Road, I do not consider this would cause adjacent occupiers significant harm, particularly as the land slopes away from Manorville Road towards Featherbed Lane.

Maxted Field

- 4.32.19. This steeply sloping field, which covers almost 4.5 hectares, lies on the valley side to the south east of the Manor Estate. The main west coast railway line runs along the northern boundary of the land. To the south east the fields are bordered by Hen’s Head Wood and the dense belt of trees surrounding the Shendish Estate. While to the south west they abut the top fields which adjoin the A41 and the properties at the end of High Ridge Road. On the north western side the fields are flanked by the rear gardens of properties lower down High Ridge Road, the side flank of a property at the eastern end of King Edward Road and by the flats in Edward Court. Two Waters JMI

School and its grounds project out into the field. Lower down the field at the eastern end of King Edward Road there is a small playground.

- 4.32.20. This land is not visible from the countryside to the south because of the slope of the land. In comparison it is extremely prominent from the northern side of the Gade valley, particularly from the recreation ground at Bennetts End. However, the school buildings, which are also highly visible, already project significantly into the field. More importantly the land is clearly separated from the adjoining golf course at Shendish by a dense belt of vegetation. In comparison there is no visual barrier between the field and the existing housing on High Ridge Road. In my view therefore, the field relates more closely to the Manor Estate than to the countryside to the south east. Consequently, I share the EIP panel’s view that development of this field would be seen as natural extension of the existing built-up area.
- 4.32.21. I accept that development of this land would result in an extension of the built-up area and a consequent loss of openness. However, in view of the well defined eastern boundary to Shendish and the ridge line to the south, in my view, it would not result in a significant encroachment into the wider countryside surrounding Hemel Hempstead. Nor would it be likely to lead to the town merging with neighbouring settlements. While it makes a contribution to assisting urban regeneration, I do not consider its development would seriously undermine this aim.
- 4.32.22. Although there is a public footpath which runs from the railway footbridge diagonally across the lower valley slope towards Shendish there is no other legal right of access to the land, apart from the playground in the north west corner. I appreciate that residents of the Manor Estate may make some informal use of the land. However, this does not appear to be extensive and could strictly be prevented by the landowner. It is intended that the playground will be replaced. I do not consider therefore that the land makes a significant contribution to the objectives of providing opportunities for access to the open countryside or for outdoor sport and recreation.
- 4.32.23. I appreciate that the land currently lies within a Landscape Development Area, which seeks to enhance the landscape. However, I consider that a sensitive development of the area could also achieve significant enhancement of the landscape. Although much of the field is Grade II agricultural land, limited use has been made of the land for agriculture. In view of its urban fringe location and its isolation from other farm land it seems likely that the potential for active farming use of the land is limited. Although the lower part of the field has some local nature conservation interest, in my view, it is not of significant value in the wider context of the Borough. I do not consider therefore that development of the field would seriously prejudice any of the Green Belt objectives.
- 4.32.24. In view of the site’s location and the proximity of the footbridge across the railway line it would be within reasonable distance of Sainsbury’s superstore and the Apsley Local Centre. It would also be within reasonable walking distance of Apsley Station and the main bus route along the London Road. There would also be good access to the countryside to the east. I consider, therefore that it would be a sustainable location for housing development.
- 4.32.25. Although there would be some loss of informal access much of the lower slope is likely to remain as open space to which the public will have access. Although there

will be some loss of outlook from a number of properties on High Ridge Road, subject to due care being taken with the layout of any new dwellings I do not consider that this would seriously detract from the general amenity of local residents. I conclude, therefore, that development of Maxted field would cause only limited harm to the purposes of including land in the Green Belt.

A41 or Top fields

- 4.32.26. This parcel, which is some 7.5 hectares in extent, consists of the fields to the south west of the estate. As it is higher up the valley side than Maxted Field the land is generally much flatter. The embankment to the A41, which is in a cutting at this point, borders the south western boundary. To the north west the land abuts the corner of Featherbed Lane where it crosses the bridge across the A41. The rear gardens of properties in High Ridge Road and the flank elevations of properties at the top end of West Valley Road, Chipperfield Road and Manorville Road adjoin the north east boundary. For a short section at the western end of this boundary the fields also adjoin Maxted Field.
- 4.32.27. The south eastern boundary of the land is formed by Cock’s head wood and a wide belt of mature trees which mark the edge of the Shendish Estate. There is dense hedging and trees along the boundary with the existing properties on the Manor Estate and with Maxted Field. The boundary with the A41 is currently more open but dense new planting is establishing on the embankment. The short boundary to Featherbed Lane is also largely open. The fields are divided by a single hedgerow, which runs between the rear boundary of 64 High Ridge Road and the A41 embankment.
- 4.32.28. Although the land is visible from across the other side of the valley it is not as prominent as Maxted Field due mainly to it being more level but also in part because of the relatively dense vegetation along the south western edge of the Manor Estate. The top field itself is not visible from bridleway 72 to the south of the A41 owing to the embankment. However, it is clear from what one can see of the existing housing that one would be likely to see the upper part of any new dwellings constructed on the field from this viewpoint. It is also apparent that the southern corner of the field is prominent from viewpoints on Barnes Lane further south.
- 4.32.29. In the circumstances, it is clear that development of this land would not only lead to an extension to the built-up area but would also potentially encroach visually into the countryside to the south. However, in my view, only the roofs of the new dwellings are likely to be visible from most viewpoints further south. Moreover, they will be seen against the backdrop of the built-up area of Hemel Hempstead, which extends much higher up the other side of the valley. The impact will also reduce over time as the new planting along the embankment establishes. Consequently, I find that providing the southern corner of the fields and the land adjacent Featherbed Lane is kept open as the Plan proposes the encroachment into the adjoining countryside would be relatively small.
- 4.32.30. Although the existing boundary to the Manor Estate is reasonably well-defined I have no doubt that the A41, Featherbed Lane and the tree belt on the edge of the Shendish Estate would form an equally clear and defensible boundary. In the circumstances, I consider there is little danger that development of the land would be likely to lead to the merging of Hemel Hempstead with any other settlement. Nor in my view would it

lead to an unrestricted sprawl as the area appears to fall within a natural bowl in the valley side. Although it currently helps to encourage the recycling of urban land, in view of my findings in Chapter 7 I do not consider that development of this land would jeopardise this goal.

- 4.32.31. Although there is no public right of access to this land I appreciate that it is used informally by residents of the Manor Estate. Indeed the level of use is probably higher here than on Maxted Field because of the flatter landform. However, the landowner could take steps to prevent such access at any time. Moreover, the Plan’s proposals include for a large area in the southern corner as well as a small area adjacent Featherbed Lane to remain as public open space. I do not consider therefore that development of the land would seriously prejudice the opportunities for access to the countryside or outdoor recreation.
- 4.32.32. While the development would have some impact on the landscape I consider that the additional planting proposed would help to enhance the views from the countryside to the south. Although some of the land is Grade 2 and Grade 3a the higher grade areas are in relatively small parcels. More importantly because of its proximity to the urban edge, its remoteness from other farming land and the significant level of public intrusion, it seems unlikely to me that the land could ever be used satisfactorily for agriculture. I appreciate that parts of the land have some local conservation interest but again it does not appear that it is of significance within a district context. I consider, therefore that development of this site would have some impact on the purposes of the Green Belt but little impact on its objectives.
- 4.32.33. I accept that because of the intervening slope the site is at the limit of reasonable walking distance to Apsley Station and local employment opportunities. However, except for the very fit, it is beyond a comfortable walking distance to the local centre and Sainsbury’s superstore, in my view, particularly if one were carrying shopping. Against this the primary school would be in close proximity. Moreover, it would be closer to the town centre than many of the other sites put forward for housing development, such as Breakspear Way and West Hemel Hempstead. This is likely to lead to shorter car journeys and if an adequate bus service could be provided from the outset may encourage greater use of public transport. On balance, therefore, I consider that the site would be relatively sustainable as a housing location.
- 4.32.34. Although there would be a loss of informal public access I consider that this would be compensated for by the availability of public open space. In my view the development of the land would have only a limited impact on the outlook of adjoining occupiers owing to the intervening vegetation.

Conclusion

- 4.32.35. In conclusion I consider that the development of Manorville Field and Maxted Field would cause limited harm to both the purposes of the Green Belt and its objectives. While I have found that the harm arising from development of the A41 fields would be greater, I consider that this harm would reduce over time as planting along the A41 establishes. In my view all three parcels are sustainable locations for development. In the light of the clear need for the release of land for housing on the periphery of the town and my concerns about the proposals at Breakspear Way and West Hemel Hempstead, I consider that the land adjacent to the Manor Estate should be removed

from the Green Belt as originally proposed. Consequently, I recommend that no modification should be made to the Plan in response to these objections and PIC6 should not be proceeded with.

- 4.32.36. In reaching this conclusion I have noted the suggestion of Apsley Developments (1044) that if the land is not needed for development during the Plan period it should still be released and treated as safeguarded land. However, while PPG2 does provide for the possibility of safeguarded land, PPG3 makes clear that the Plan should only identify enough land to meet the current housing requirement. More importantly, the Structure Plan does not in my view provide for extensive areas of safeguarded land to be provided at Hemel Hempstead. In the circumstances and bearing in mind my recommendation in respect of Policies 17 and 18 I do not consider it would be appropriate for the land to be identified as safeguarded land should the Council determine that its release is not required to meet housing needs during the Plan period.
- 4.32.37. I have also taken into account the findings of the Inspector who considered the objections to the previous Dacorum Local Plan in 1992 (*see paragraphs 3.100 to 3.110 of CD37*). However, at that time there was no need to release Green Belt land in order to meet housing requirements. In my view therefore the present circumstances are not comparable with the situation that existed in 1992.

(c) *Extending the boundaries*

- 4.32.38. Apsley Developments seeks to relocate the proposed new Green Belt boundary so that it would run along the top of the embankment to the A41 and then down Featherbed Lane and the adjacent track, rejoining the existing boundary to the rear of the houses on Manorville Road. Felden Park Farms on the other hand argue that the proposed new boundary at Manorville Field should be extended southwards along Featherbed Lane to include both Home Wood and the small field to the south of it. Both objectors consider that these alignments would constitute a more defensible boundary than that proposed by the Council. I therefore deal with each of these suggestions in turn.
- 4.32.39. In relation to the A41, the new boundary proposed in the Plan follows the edge of the area allocated for housing. However, there is no physical feature on the ground defining this boundary. While I understand the Council’s reasons for suggesting this alignment, it does not follow the advice in paragraph 2.9 of PPG2. Indeed the Council concedes this. It is important that Green Belt boundaries follow clear and recognisable features in order to safeguard their permanence. I consider, therefore, that the alignment proposed in the Plan is inappropriate and should not be proceeded with.
- 4.32.40. At the Inquiry the Council suggested two alternative alignments. The first would be along the fence at the bottom of the A41 embankment (alignment 1). The second would be following the fence at the top of the embankment (alignment 2), as suggested by the objector. Both of the Council’s suggested alternative alignments would then follow the incomplete hedge line to the rear of 60/60A Chipperfield Road.
- 4.32.41. In my opinion, the existing embankment to the A41 would form a clear and defensible boundary, particularly as the vegetation on it increases in stature. The most logical alignment would, therefore, be that following the fence at the base of the embankment since it is the northward facing slope of the embankment which is the most important defining feature at present. However, I do not consider it would be appropriate for the

boundary to follow the incomplete hedge to the rear of 60/60A Chipperfield Road. While I accept it is important to keep the land adjoining Featherbed Lane open, this hedge has a very sizeable gap in it. Moreover, the housing area defined on the Proposals Map extends beyond this hedge. I am not satisfied, therefore that the remnants of this hedge form a sufficiently clear and recognisable feature to constitute a well-defined boundary to the Green Belt. In my view, Featherbed Lane and the adjoining track and hedge would form a much more defensible long-term boundary.

- 4.32.42. Turning to the boundary adjacent to Featherbed Lane, there is no doubt in my mind that the small field south of Home Wood makes an important contribution to the character of the area. It would also serve in future as a transitional zone between the built-up area and the more open countryside to the south of the A41. I consider that Home Wood and the vegetation to the rear of the properties on Manorville Road would constitute a sufficiently clear and defensible new boundary. While Featherbed Lane would form an equally well-defined boundary I do not consider it would be an improvement on the Plan’s proposals. I see no need to include either Home Wood or the southern field in the urban area in order to accommodate more housing development. Indeed building on either would, in my view, seriously detract from the character and openness of the Green Belt. Consequently, I find no justification for this stretch of the boundary to be modified in answer to this part of objection 4777.

Conclusions

- 4.32.43. Accordingly I recommend that the alignment of the Green Belt boundary be modified to follow the fence line at the bottom of the embankment to the A41 and the hedge line adjoining Featherbed Lane in the western corner of the top field, in accordance with Figure 4. However, I recommend that Home Wood and the field to the south west of it should be retained in the Green Belt as originally proposed in the Plan.

Recommendation

- 4.32.44. **PIC6 be not proceeded with.**
- 4.32.45. **The Plan be modified by amending Map 6 and the Proposals Map to show the new Green Belt boundary following the fence at the bottom of the embankment to the A41 and the hedge adjacent to Featherbed Lane and Bridleway 72 in accordance with Figure 4.**

4.33. POLICY 3: THE GREEN BELT (Boundaries: Piccotts End, Hemel Hempstead)

Support

<i>Rep No.</i>	<i>Name</i>
1099	Mr W J Lear

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N

GREEN BELT BOUNDARY AT MANOR ESTATE, APSLEY

4.34. POLICY 3: THE GREEN BELT (Boundaries: Shendish, Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
4807	The Directors of Shendish Manor Estate		

Supports

1067	Miss P J Vallis	1714	Kings Langley Parish Council
1081	Mr & Mrs Wells	3086	Miss K Bardsley
1658	Kings Langley Branch of Hemel Hempstead Conservative Association	4427	Mr G R Fielding
		5024 L	Mrs A Taylor

Key Issue

- (a) Whether land at Shendish should be released from the Green Belt.

Inspector’s Conclusions

- 4.34.1. The objection site relates to some 14.6 hectares of land which form the northern part of the Shendish Estate Golf Course. A belt of trees that separate the site from Maxted field and the Manor Estate marks the north western boundary. The main west coast railway line borders the north east boundary of the site. The south east boundary is defined by the access road to Shendish House and an intermittent belt of trees. The south western boundary runs across the golf course. Apart from a small copse towards the centre point, this boundary is otherwise largely undefined on the ground. The site is crossed by one footpath (FP18) and another touches its western corner (FP17).
- 4.34.2. To the north east on the opposite side of the railway lies Apsley station. Beyond which is the London Road (A4251) and the Apsley Mills Retail Park, including the Sainsbury’s superstore and the Doolittle Meadow Business Park. On the opposite side of the access road to the south east there is a large open field separating the site from Rucklers Lane. To the south west is the remainder of the Golf Course and Shendish Manor and Apsley Manor Farm.
- 4.34.3. The Directors of Shendish Manor argue that the land should be released from the Green Belt in the light of the requirements of Policy 8 of the Structure Plan Review. They contend that the site would provide positive sustainable benefits compared to other housing allocations and would not affect the form or function of the Green Belt.
- 4.34.4. I have already accepted that land needs to be released from the Green Belt in order to meet the Structure Plan housing requirement. However, the Plan’s proposals already provide for the 1,000 dwellings on the periphery of Hemel Hempstead as required under Policy 8 of the SPR. Although I have found that the number of dwellings on identified sites will need to be increased I do not consider that this increase would warrant the release of an additional site of this scale. In my view a substantial part of this increase could be met by a combination of increased densities and extending some of the proposed sites.
- 4.34.5. The principal questions, therefore, are whether the objection site would be a better location for housing than any of those proposed in the Plan and whether this would amount to the exceptional circumstances necessary to warrant revising the Green Belt boundary. In considering these issues I have examined the contribution the site makes

to the purposes and objectives of the Green Belt and its sustainability as a location for new housing. However, as the objector has made specific objections to the other major greenfield housing sites, I propose to deal with the issues of the sustainability of those sites in detail when considering the objections to these housing proposals.

- 4.34.6. Turning first to the impact on the Green Belt I note that the railway line defines the current Green Belt boundary. Although the new boundary would be well-defined on its north western side by an existing belt of mature trees, it would be less well defined, in my view, on its south eastern side as there are gaps in the tree belt along this boundary. More significantly the south western boundary, which would be over 650 metres in length would not be identified by any readily recognisable feature apart from the very small copse.
- 4.34.7. Paragraph 2.9 of PPG2 makes clear that boundaries should seek to follow features such as roads, streams, belts of trees or woodland edges where possible. I note the suggestion that the boundary could be defined by new planting. However, in view of the very extensive length of this boundary I do not consider this would be an appropriate approach to defining a permanent Green Belt boundary in this case. It would clearly take a considerable amount of time for this amount of planting to be undertaken and for it to establish sufficiently to form a well-defined boundary. In the meantime the boundary would be insufficiently clear and defensible to avoid the difficulties for adjoining landowners that are envisaged by PPG3.
- 4.34.8. More importantly, in the absence of an existing feature along this boundary I consider that any development of this site would be seen as constituting a significant extension of the urban area into the open countryside. In my view it would also visually encroach into the attractive parkland landscape to the south west as viewed from Footpaths 17 and 18 and from viewpoints on the northern side of the valley.
- 4.34.9. I am also concerned that development of this site would contribute to merging of Hemel Hempstead and Rucklers Lane. I appreciate that Rucklers Lane is not visible from the objection site because of the intervening ridge. However, both the objection site and Rucklers Lane are visible from various viewpoints on the other side of the valley, notably from Great Elms Road and Bennetts End Recreation Ground. From these viewpoints the development would be seen as extending the built up area of the town along the southern valley slope towards Rucklers Lane and Kings Langley. In view of the narrow gap that would remain between the site and Rucklers Lane I consider the Council would come under increasing pressure to release further land to the south east of the access road to round off development along the valley side.
- 4.34.10. I have no doubt that the retention of this land in the Green Belt would assist in urban regeneration in the light of the general constraints on housing land. Indeed, if the land were released in addition to the proposed sites it would be unlikely that the Council could achieve the Government’s land recycling target. I find, therefore, that development of the objection site would conflict strongly with the main purposes for which it was included in the Green Belt.
- 4.34.11. Since there is at least one public footpath crossing the site I consider that development would reduce the opportunities for those living in Apsley to have easy access to the open countryside. Although some existing holes of the golf course would be lost, I note that planning permission has already been granted to replace them elsewhere. I

do not consider, therefore, that it would seriously undermine the objective of providing opportunities for outdoor sport and recreation. It would, however, in my view, erode an area of attractive landscape that provides a pleasant outlook for many existing properties in Hemel Hempstead.

- 4.34.12. As the land is not damaged or derelict it would not conflict with the objective of improving such land. The nature conservation interest of the land would appear to be largely confined to the surrounding tree belts, development would be likely to have little impact on this. Since the land is not in agricultural or forestry use it would not damage the objective of retaining land in such use. I find, therefore, that although the development would not affect the role the Green Belt plays in meeting certain of the objectives identified in paragraph 1.6 of PPG2, it would undermine others.
- 4.34.13. On the second issue, the site’s close proximity to Apsley Station and to the London Road and Sainsbury’s Superstore would mean that it had a relatively high level of accessibility. It would be slightly further from the nearest primary school than the land at the Manor Estate but overall I accept that the site would have a higher level of accessibility than some of the greenfield housing sites proposed by the Council. However, sustainability does not relate solely to the question of access. Moreover, while paragraph 68 of PPG2 accepts that the development of Green Belt land may be more appropriate than development of a greenfield site in a less sustainable location it makes clear that this should not compromise the objectives for which the Green Belt was designated.
- 4.34.14. In my view the substantial damage that would be caused to the form and function of the Green Belt and the visual intrusion into the attractive open landscape on the southern valley side would more than outweigh any positive sustainability benefits that would be achieved through development of this site. For this reason I do not consider that the site is a sustainable location for housing. I am not satisfied therefore that it would be a better housing location than any of the sites proposed in the Plan. Accordingly I find that the circumstances are not sufficiently exceptional to warrant its release from the Green Belt. I recommend that no modification should be made to the Plan in response to objection 4807.

Recommendation

- 4.34.15. **No modification be made to the Green Belt boundary at Shendish in response to objection 4807.**

4.35. POLICY 3: THE GREEN BELT

(Boundaries: Two Waters, Hemel Hempstead)

Support

Rep No.	Name
1002	The Box Moor Trust

4.36. POLICY 3: THE GREEN BELT (Boundaries: West Hemel Hempstead)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1230	The Chiltern Society	2503	Mrs E Boyle
1264	CPRE - The Hertfordshire Society	2511	Mrs J Jeffrey
1793	Water End & Upper Gade Valley	2515	Mrs E Coase
1901	Hemel Hempstead Team Parish PCC	2520	P A Bray
1998	Mr P Lai	2524	Mr J N Fernandes
2003	Mrs K Warden	2528	Mrs D Harris
2008	Mr & Mrs J Dempsey	2532	Mr & Mrs C J Shirley
2012	Mr J Williams	2536	Mr D Gibbs
2016	Mr D Norman	2540	K C Redman
2020	Mrs J Williams	2544	J Haydon
2024	K & C Woods	2563	The Box Moor Trust
2029	Mr & Mrs A Cook	2583	Mrs Moxon
2033	E & P Moran	2587	Mr J Grindrod
2037	Mr & Mrs M Norman	2591	Mr & Mrs P Marsh-Hilfiker
2041	Mrs D Harding	2595	Mr & Mrs H Beck
2048	L Jackson	2599	Mr J D Mowll
2052	C Knowles	2603	Mr & Mrs K R T Wise
2056	G Knowles	2607	Ms V Lowde
2065	Mr J A Sherratt	2610	Mrs A Callaghan
2069	Mrs J Durrant	2614	Mr & Mrs Copperwhite
2073	Mr M Campbell	2618	D Maher
2078	Mr DW Jones	2622	Mrs J Clark
2081	Mrs D M Pellegrini	2626	J Kane
2085	Mr T Thompson	2630	Mr A Murdock
2089	Mr M J Dallender	2634	S Murdock
2093	Mr J Russell	2638	Mrs J Murdock
2097	J Fearon	2642	Mrs D M Brown
2101	Mrs M Doggett	2646	R & J Taylor
2105	Mrs P J Campbell	2650	Mr & Mrs C D Greenbank
2110	B J Harding	2654	Mr A R Cator
2115	Mr & Mrs Hexter	2558	Ms L Hollands
2179	Mr D Warden	2662	Mr & Mrs A Nord
2183	Mrs F Kelly	2666	Mr & Mrs W Randall
2187	Mrs A Lamb	2670	D J Holdsworth
2191	Mr T & Mrs J Sheehan	2674	Mr P Blake
2195	Mr & Mrs A P Lee	2678	Mrs S Walpole
2203	Mr P Tompkins	2682	Mr & Mrs P P Bandy
2207	Mrs L Townsend	2696	A & B Holder
2211	Mr & Mrs N Crawshaw	2700	Mr S J Wilson
2215	Mr G Smith	2703	P J McIntosh
2219	Mr R I Duke	2710	Mr D C and Mrs K D Hoath
2223	Mr E Osterman	2714	Mr T Humphrey
2227	Ms A Kitchener	2718	Mr S Tifford
2231	Mr P Gibbins	2725	Mrs D White
2235	Mr & Dr J Boucher	2729	Mr J Acs
2239	Mrs S Bourne	2733	Mrs L Patterson
2243	W M Ridley	2738	Mrs C Levene
2247	Javeda Jafri	2742	Mr & Mrs M Pearson
2251	D S Coase	2746	Mr & Mrs M Southwood
2255	Miss A Callinan	2750	B M Dale
2259	Mr P Cooper	2754	T Ward
2264	Mrs I G Futers	2762	I D Cutler
2268	Mr K J Carbin	2770	Mr F R Borrás
2272	Mr M V & Mrs J L Smith	2780	S Prue
2276	Mr B Lamb	2789	Mrs M Edwards
2280	Mr & Mrs Timberlake	2801	Mr & Mrs S Watson
2285	Mr J W D Marwick	2805	Mr N J Dyke
2289	Mr & Mrs R Austin	2809	Friends of Shrubhill Common
2293	Ms G N Podmore	2815	Mr & Mrs Pearce
2301	J M Currell	2820	Mr C Halls
2305	Mr & Mrs M Smith	2826	G P Dickens
2309	Mr R Towell	2830	Mr & Mrs S Taylor
2313	Mr & Mrs Hickman	2835	J A Moxon
2317	A & G Leeds	2989	Mr & Mrs D Brasier
2321	R Williams	2998	Mr & Mrs B J Edwards
2326	Mrs D Greere	3874	Mr & Mrs D Wilson
2330	Mrs S Littlechild	3879	Mrs W E Weatherley
2334	The Executors/Administrators of the late Mr I Chamberlain	3883	Mr R Adams
		3887	Ms S Green
2339	Mrs K Worrell	3891	Mrs D Osborne

2344	Mr M Wilson	3895	Mr & Mrs Kelly
2348	Mr & Mrs T H Williamson	3899	Mr A Hiron
2352	Ms D Lai	3903	Mr & Mrs Stonehouse
2357	Mr G Edwards	3907	Mr A R H Brett
2362	Mr J Selkirk	3911	Mr E Gill
2369	Mr B Worrell	3915	C M Purkis
2374	Mr D I and Mrs M Stewart	3919	Mr & Mrs J Harris
2378	Mr & Mrs P J Taylor	3923	Ms Michelle Reynard
2382	Mrs A J Chamberlain	3927	Mr M Reynard
2386	Mrs A Shackelford	3931	Mrs S Reynard
2390	Mr & Mrs J Flanders	3938	Mr & Mrs J Laxon
2394	A J Ward	3942	Miss M Austin
2398	Mrs E Moores	3950	Mr & Mrs M J Patel
2402	Mr T D Tofield	3954	Mr H G Banister
2404	Mr D Matthews	3958	Mr C Banister
2408	Ms K Munjic	3962	Ms L Banister
2412	Mr S R Macklin	3966	Mrs M Banister
2416	Mr G Digby	3970	Mr B Humphrey
2420	S H Rickard	3974	Mr J R Ward
2424	S Davidson	3978	Mrs N Dean
2428	Mr G Anderson	3982	Mrs J Foy
2432	Mrs M A Davies	3986	Mr E & Mrs J Codling
2436	K Moody	4089	Lucas Aerospace
2440	Mrs Shepherd	4135	A J Patterson
2444	Mr R Prue	4145	Mrs Moxon
2448	Mrs S McClellan	4149	Mr & Mrs T Dukes
2452	W Stanley	4204	Hemel Hempstead Open Spaces Society
2457	Mr S F James	4215	Mr J Rowe
2461	Mrs JYJ James	4747	Mr & Mrs Harvey
2465	Mr S Sheppard	4804	The Directors of Shendish Manor Estate
2469	P & G Silver	4835	Mr P Deacon
2474	Mrs J Whelan	4844	Mr & Mrs H Brockhurst
2478	Mrs J Rowe	4897 L	Mr A Tombs
2482	Air Cdre N & Mrs S James	4905 L	R D Cummins
2486	Mr & Mrs C Clifton	4921 L	Mrs A Evans
2490	Mr J Holm	5059	Tring Environmental Forum
2494	Mr S T West	5145	Mr Tony McWalter MP
2499	Mr R Fuell		

Counter-objections

To pre-inquiry change 7

5315 PC	Wilcon Development Group Ltd	5580 PC	Mr & Mrs D J Proctor
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Supports

1819	Wilcon Development Group Ltd	2297	Miss V R Day
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Supports for pre-inquiry changes

For pre-inquiry change 7

5385PC	CPRE – The Hertfordshire Society
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Key Issues

- (a) Whether land at West Hemel Hempstead should be retained in the Green Belt or released from it. (1230, 1264, 1793, 1901, 1998, 2003, 2008, 2012, 2016, 2020, 2024, 2029, 2033, 2037, 2041, 2048, 2052, 2056, 2065, 2069, 2073, 2078, 2081, 2085, 2089, 2093, 2097, 2101, 2105, 2110, 2115, 2179, 2183, 2187, 2191, 2195, 2203, 2207, 2211, 2215, 2219, 2223, 2227, 2231, 2235, 2239, 2243, 2247, 2251, 2255, 2259, 2264, 2268, 2272, 2276, 2280, 2285, 2289, 2293, 2301, 2305, 2309, 2313, 2317, 2321, 2326, 2330, 2334, 2339, 2344, 2348, 2352, 2357, 2362, 2369, 2374, 2378, 2382, 2386, 2390, 2394, 2398, 2402, 2404, 2408, 2412, 2416, 2420, 2424, 2428, 2432, 2436, 2440, 2444, 2448, 2452, 2457, 2461, 2465, 2469, 2474, 2478, 2482, 2486, 2490, 2494, 2499, 2503, 2511, 2515, 2520, 2524, 2528, 2532, 2536, 2540, 2544, 2563, 2583, 2587, 2591, 2595, 2599, 2603, 2607, 2610, 2614, 2618, 2622, 2626, 2630, 2634, 2638, 2642, 2646, 2650, 2654, 2658, 2662, 2666, 2670, 2674, 2678, 2682, 2696, 2700, 2703, 2710, 2714, 2718, 2725, 2729, 2733, 2738, 2742, 2746, 2750, 2754, 2762, 2770, 2780, 2789, 2801, 2805, 2809, 2815, 2820, 2826, 2830, 2835, 2989, 2998, 3874, 3879, 3883, 3887, 3891, 3895, 3899, 3903, 3907, 3911, 3915, 3919, 3923, 3927, 3931, 3938, 3942, 3950, 3954, 3958, 3962, 3966, 3970, 3974, 3978, 3982, 3986, 4089, 4135, 4145, 4149, 4204, 4215, 4747, 4804, 4835, 4844, 4897L, 4905L, 4921L, 5059, 5145)
- (b) Is it appropriate for the land that was originally proposed to form Phase III of the development to be retained in the Green Belt (5315PC, 5580PC)

Inspector’s Conclusions

(a) *Release of land at West Hemel Hempstead*

- 4.36.1. The Deposit Draft originally proposed the release of some 35.5 hectares of land at West Hemel Hempstead for housing and other uses. Following consideration of the objections the Council now propose under pre-inquiry change 7 that the Plan should be amended to retain some 5.7 hectares of this area, which was to form Phase III of the development, within the Green Belt.
- 4.36.2. Objections are raised to the release of land at West Hemel Hempstead on the basis that there is no need to release Green Belt land to accommodate the required housing. It is contended that the existing Green Belt boundaries are defensible and that the land makes a significant contribution to the defined purposes for including land in the Green Belt. Some objectors also assert that it has an important role to play in fulfilling the Green Belt objectives. In particular they argue that development of the land would limit the opportunities for access to the countryside for residents of Chaulden and Warners End and that it would have a detrimental impact on the area’s landscape and nature conservation interest. Other objectors maintain that the site would not be a sustainable location for further development in view of the distance to and limited capacity of existing local facilities. It is also suggested that other more suitable sites are available.
- 4.36.3. Additional objections are raised in respect of flooding, traffic and general amenity. However, as these issues relate more directly to the question of development of the land for housing rather than to the principle of its release from the Green Belt I have dealt with these objections in Chapter 7 (*see sections 7.33, 7.44 and 7.47*).
- 4.36.4. The site is currently divided into 3 principal fields and a small copse. The first field, which is referred to in the Council’s Technical Report 3 (CD43) as Parcel B, consists of a long narrow field of some 6.5 hectares in extent that lies to the west of the Fields End Estate. To the south west of this is a much larger field, referred to as Parcel A in CD43, which is some 15.6 hectares in size. A patchy hedgerow with numerous mature trees and an associated ditch separates the two fields. At the southern end of the boundary close to Long Chaulden is the copse. The third field, which is around 7.9 hectares, lies to the south of field A. It is referred to in CD43 as Parcel C.

Housing Need

- 4.36.5. Policy 8 of the adopted Structure Plan Review provides for land suitable to accommodate a strategic housing allocation of 1,000 dwellings to be identified at more than one location on the periphery of Hemel Hempstead. Policy 5 of the SPR allows for the Green Belt boundary to be reviewed in conjunction with this allocation. The Council, therefore argue that Policy 8 of the SPR constitutes the exceptional circumstances necessary to justify the review of Green Belt boundaries around Hemel Hempstead. A number of Green Belt sites on the edge of Hemel Hempstead are proposed for release in the Plan in order to accommodate this strategic housing allocation. West Hemel Hempstead is the largest of these sites.

- 4.36.6. The Council points out that this site was considered at the EIP into the Structure Plan Review in 1997. The EIP panel report (CD30) found it to be well related to existing facilities and that development of the land would not result in coalescence with neighbouring settlements and could be contained within the existing landscape with additional planting.
- 4.36.7. Many objectors argue, however, that the Structure Plan strategy is out of date and needs to be reviewed in the light of the advice in PPG3. In their view there is sufficient land within the existing urban area to accommodate the additional housing that is required. Some also argue that the requirement in the SPR is not based on a reliable estimate of need.
- 4.36.8. Turning to the latter argument first, I can find no convincing evidence to support the contention that the Structure Plan housing requirement is based on an inadequate or unreliable assessment of need. I do not consider, therefore, that this constitutes grounds to set aside the Plan’s proposal to release land at West Hemel Hempstead from the Green Belt.
- 4.36.9. Although PPG3 post-dates the adoption of the Structure Plan the latter is still part of the statutory Development Plan. Indeed it is a requirement of the legislation that the Local Plan should be in general conformity with it. I do not consider, therefore, that it would be appropriate for the DBLP to seek to adopt a radically different housing strategy to that proposed in the Structure Plan. I accept that no detailed urban capacity study has yet been completed. However, I am not satisfied that this justifies setting aside the DBLP’s Green Belt strategy.
- 4.36.10. In any case, judging from the evidence that was presented at the Inquiry and from what I have seen of the area, I doubt that a capacity study would be likely to identify a substantial amount of additional brownfield land within the existing towns of the Borough. Indeed in the light of my conclusions in section 7.4 of my report I consider that it is extremely unlikely that the level of housing that the Plan expects to be provided on unidentified sites within the existing urban area will actually be achieved.
- 4.36.11. I accept that there should be scope to accommodate additional housing on identified sites within the urban area through increasing densities and/or extensions of the site area. However, while this could possibly provide for around 680 extra units, this is unlikely, in my view, to be sufficient to offset the reduction in the number of dwellings on unidentified sites. I am not satisfied, therefore that the housing requirement could be met either through the provision of additional sites within the urban area, or by increasing the capacity of existing sites or by extending any of the identified housing sites or for that matter by a combination of all three. In the circumstances, I conclude that there is no reasonable prospect that the Structure Plan requirement for 1000 dwellings on peripheral sites around Hemel Hempstead could be met on sites within the existing built-up area. I accept, therefore, that in principle the requirements of Policy 8 constitute the exceptional circumstances that are required to justify the release of Green Belt land at West Hemel Hempstead.

Defensible boundaries

- 4.36.12. At present the Green Belt boundary in this location runs along the tree lined track that forms Footpath 20 (FP 20) on the eastern side of the objection site. FP20 and its

flanking hedgerows and mature trees separate the site from the existing housing on Newlands Road, Ripley Way and the roads on the Fields End Estate. South of this the boundary continues along a short stretch of Long Chaulden before turning westwards and then south again following the hedgerow which borders the housing on Middlehill, Rowcroft and Honey Cross Road.

- 4.36.13. There is no doubt that the existing hedgerows and trees, together with Long Chaulden, form readily recognisable features in the landscape. I accept, therefore, that the current boundary is clear and defensible. In the circumstances, the condition of the existing boundary does not, in itself, warrant reviewing the extent of the Green Belt in this location. Indeed, the Council concedes this. However, in the light of the demonstrable need for additional housing land, the fact that the existing boundary is well-defined is not, in my view, sufficient reason to reject the release of Green Belt land at West Hemel Hempstead.
- 4.36.14. The new boundary proposed in the Deposit Draft follows the established hedgerows or more recent dense planting along the northern and western sides of the objection site. In my view, these form recognisable landscape features. I consider, therefore, that they would form a clear and defensible alternative boundary. In contrast, the south-western boundary, where the site abuts Footpath 91 (FP91), would, in my view, be much weaker, as there is currently no established hedgerow or other readily recognisable landscape feature along the section which runs from the corner by Musk Hill to the transmitter tower.
- 4.36.15. I appreciate that some new planting has recently taken place along this stretch. However, this is likely to take some time to establish. While it could no doubt be supplemented in time with denser planting, I am not satisfied that as it stands at present this section of the proposed boundary would comply with the advice in paragraph 2.9 of PPG2. I am concerned therefore that it could prove difficult to defend in the longer term. I conclude that the alignment of the new Green Belt boundary proposed in the Deposit Draft would fail to form a satisfactory long-term boundary for the Green Belt in this location.
- 4.36.16. The Council proposes under PIC7 to redraw the boundary at this point in order to retain the field nearest to Chaulden in the Green Belt. The alternative boundary would follow the hedgerows along the north and eastern sides of this field. However, while the latter is a dense hedgerow, characterised by a sequence of fine mature oaks over tall hawthorn, holly and other species, the former is low cut and fairly sparse hedge with a string of tall ash towards the eastern end. While I accept that this would form a stronger boundary than that proposed in the Deposit Draft, it would still, in my view, be a relatively weak feature in the wider landscape. Consequently, I am concerned that it could come under significant pressure in the future.
- 4.36.17. In the circumstances, I have serious doubts about the defensibility of both the original and the revised proposals for the new boundary at West Hemel Hempstead. However, I am not satisfied that on its own this would constitute sufficient grounds for rejecting the proposed revision of the Green Belt boundary at West Hemel Hempstead, bearing in mind the compelling need for additional housing land on the periphery of the town.

Purposes of the Green Belt

- 4.36.18. There are five main purposes to the Green Belt. These are to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns from merging, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns, and to assist in urban regeneration. Although it is argued by some that the first main purpose of the Metropolitan Green Belt is to prevent the sprawl of London rather than the surrounding towns, I note that the Local Plan refers to it as checking the spread of towns around London. In my view, Hemel Hempstead does fall to be classified as a large built-up area owing to its size. I am satisfied, therefore, that the first purpose is relevant to the Green Belt around the town. However, as Hemel Hempstead is not identified as a historic town of special character, I find that this part of the Green Belt makes no contribution to the fourth purpose. The other three purposes are, in my view, applicable.
- 4.36.19. Turning to the first and third purposes, which are substantially inter-linked, I note that owing to the ridgeline to the north west and west the site is not visible from Potten End or much of the intervening countryside. Nor is the site prominent from Berkhamsted Road or Fields End Lane to the north due to the intervening vegetation. In contrast the land can be viewed from the south side of the Bulbourne Valley, particularly from some of the public footpaths across Sheethanger Common and from Footpath 23 where it crosses the golf course close to Westbrook Hay School.
- 4.36.20. Although Field C would be the most prominent part of the site from these viewpoints, being set on the lower slopes, Field A would also be relatively conspicuous from Sheethanger Common. I appreciate that from Westbrook Hay any development on the site would be seen against the backdrop of existing housing at Chaulden. It could therefore be argued that it would amount to a rounding off of existing development when seen from this angle. However, from Sheethanger Lane it would be viewed against the backdrop of the open countryside to the north and west, part of which falls within the Chilterns AONB. From this angle development of parcels A and C would, in my view, result in a significant encroachment of the built-up area of Hemel Hempstead into the surrounding countryside.
- 4.36.21. The site would also be visible locally from adjoining dwellings in Chaulden and Warners End and from the adjoining footpaths to the north, south and east of the site. From these viewpoints any development would also be seen to form a substantial extension of the existing built-up area. I find, therefore, that the release of the land would cause significant harm to the first and third purposes for including the land in the Green Belt.
- 4.36.22. Objectors also argue that the development of the site would lead to coalescence with Potten End and/or Berkhamsted. However, I do not share this view. There would remain a substantial swathe of open land between the edge of the town and Potten End. The continuing separation of the two settlements would be reinforced by the presence of the intervening ridgeline between them. I do not consider, therefore, that development of the land would lead to merging with Potten End.
- 4.36.23. Berkhamsted is even further from the objection site and although it may just be possible to see the edge of the built-up area from Pouchen End Lane, there is no direct visual interconnection, in my view, between the objection site and Berkhamsted.

Having said this I note that development of Field C would take the edge of the built-up area much closer to the small cluster of buildings at Pouchen End. In view of the relatively small gap between these buildings and Bourne End, I consider that the development of Field C could contribute to the merging of Hemel Hempstead with Bourne End, particularly if land to the south of Field C, which is in the same ownership, was also developed. I find, therefore, that while the development of Fields A and B would not lead to the merging of neighbouring settlements, building on Field C has a much greater potential to contribute to coalescence.

- 4.36.24. In addition, I note that the development of all three fields would effectively merge the neighbourhoods of Warners End and Chaulden. At present Shrubhill Common and the fields on the objection site provide a visual and physical break between these neighbourhoods. Development of the objection site, particularly Field C, would, therefore serve to consolidate the built-up area, which, in my view, would increase the detrimental impact on the Green Belt.
- 4.36.25. Clearly the constraints imposed by the Green Belt do serve to encourage the recycling of derelict and other urban land. However, while it is possible that other land may come forward in the future, it appears that the Council has already identified most of the larger sites that are likely to come forward within the urban area during the Plan period. In the circumstances, I do not consider that the assistance this site may give towards urban regeneration is of such significance as to warrant its retention in the Green Belt in the current context.
- 4.36.26. Overall, while I have found that development of this land would not cause harm to some of the purposes of including land within the Green Belt, I am concerned that it would result in the further sprawl of Hemel Hempstead into the adjoining countryside. In addition, I consider that the development of Field C could contribute towards the merging of settlements. I find, therefore, that development of this land would serve to seriously undermine a number of the main purposes of the Green Belt. I consider, therefore, that the release of this land would only be justified if no other more suitable land were available to accommodate the necessary housing.

Green Belt objectives

- 4.36.27. Although the objectives defined in paragraph 1.6 of PPG2 are not a material factor in the inclusion of land within the Green Belt or in its continued protection, it is clear that once Green Belt has been defined it can have a positive role to play in fulfilling these objectives. There is no doubt in my mind that the existing footpath network provides an extremely important opportunity for those living on the western side of Hemel Hempstead to gain access to the open countryside. While I appreciate that this network is intended to remain, the current experience of open countryside would, in my view, be significantly diminished by built development, especially in respect of the outlook from FP20, FP21 and the eastern stretch of FP91.
- 4.36.28. Apart from the extension of FP20 which runs north to Fields End Lane there are no other footpaths that give access to the open countryside to the south, west or north-west of the objection site. In the circumstances, the remaining opportunities for local residents to enjoy the open countryside would be extremely limited. The retention of Field C in the Green Belt as the Council now proposes would mean that the access provided to the open countryside by FP91 would be less affected. However, while this

would undoubtedly be an improvement, the open vistas currently visible from FP21 would still be substantially curtailed. I find, therefore, that development of land at West Hemel Hempstead would seriously prejudice the role that the land has to play in providing opportunities for access to the open countryside for the population of Hemel Hempstead.

- 4.36.29. Since there is no public right of access to the existing fields apart from along the rights of way I acknowledge that development of the land would not undermine the opportunities for outdoor sport and recreation. Indeed, the associated proposal to lay out another field adjacent Pouchen End Lane as public open space (L12) is likely to enhance such opportunities.
- 4.36.30. In contrast, while the land does not fall within an area that is currently identified for its landscape interest, it clearly forms a pleasant undulating zone of open countryside, which is much enjoyed by local people. Although it is intended to retain areas of open space and many of the existing hedgerows within the proposed development, as well as undertaking extensive additional planting, I am not satisfied that this would offset the landscape impact of the built development. Although the countryside to the west of Pouchen End Lane is designated a Landscape Conservation Area, presumably due to its proximity to the AONB and its visual separation from the edge of the town, there is very little public access to this area. Consequently, I accept the view of local residents that the landscape of the objection site forms a more important resource in terms of their enjoyment. In my view, therefore, development of the land at West Hemel Hempstead would conflict with the objective of retaining and enhancing landscapes near to where people live.
- 4.36.31. Since the land in question is not damaged or derelict I acknowledge that the release of the objection site would not have any impact on the role the Green Belt has to play in improving such land around towns. In addition, while I note local residents concerns about the impact on nature conservation, it is clear that the fields themselves have relatively limited nature conservation interest, apart from the fact that they support several pairs of skylarks. In contrast the hedgerows are of much greater interest. While short sections may have to be removed I have no reason to doubt that the remainder could be safely retained and with proper management could continue to provide an important habitat as well as acting as a wildlife corridor for common species like badgers and foxes. In my view, therefore, the impact on the nature conservation interest of the land is likely to be largely limited to a reduction in the number of skylarks in the area.
- 4.36.32. In reaching this conclusion, I note the suggestion that the area forms an important wildlife corridor between the Shrubhill Common Local Nature Reserve (LNR) and the open countryside to the north and west. However, the LNR is of particular interest because of the areas of chalk grassland it contains and its associated invertebrates, particularly butterflies. Since there are no similar areas in the adjoining countryside to the north or west it is unlikely that any of these species use the objection site to reach other sites nearby. Moreover, Long Chaulden and the adjoining adventure playground and car park already separate Shrubhill Common from the objection site. I doubt, therefore, that there is much interrelationship between the two sites. More common species like badgers, which would appear to commute between the two areas, should be able to adapt to the changed circumstances, particularly if reasonably wide bands of open land are left alongside the existing hedgerows.

- 4.36.33. Although the land is currently in agricultural use it is predominantly of grade 3b quality. The land forms part of two separate agricultural holdings but there is no evidence that development would have a detrimental impact on the viability of either holding. In the circumstances, I am not satisfied that the release of the land would have a critical impact on the role the Green Belt around Hemel Hempstead plays in retaining land in agriculture, forestry and related uses.
- 4.36.34. In conclusion, while I accept that the release of land would not have an impact on some of the Green Belt objectives, I consider it would have a serious impact on others. In particular, I find that it would result in a significant reduction in the opportunities for access to the open countryside for the local population. It would also, in my view, lead to a diminution the quality of the local landscape, which is located close to where many people live. Overall, therefore, I consider the release of the land would harm the positive role the Green Belt has to play in fulfilling the objectives identified in PPG2. This adds to my concerns regarding its impact on the main purposes of including the land in the Green Belt.

Sustainability considerations

- 4.36.35. Paragraph 68 of PPG3 indicates that where Green Belt boundaries have been tightly drawn there may be a case for reviewing these boundaries and planning for development where this would be the most sustainable of the available options. Effectively this is the approach that the Structure Plan Review has adopted. I have therefore considered whether the sustainability of the land at West Hemel Hempstead as a location for development would be sufficient to override the harm that I have identified would be caused to the Green Belt.
- 4.36.36. The Council’s original search appraisal of greenfield sites (CD43) identified West Hemel Hempstead as having the highest score in sustainability terms. The supplementary environmental appraisal (CD53), which was undertaken in December 1999 following the pre-inquiry changes, shows it as being in second place only one point behind the Gas Board site. The subsequent assessment of greenfield and objection housing sites using environmental sustainability criteria (CD53A), which was carried out in May 2000, shows West Hemel Hempstead as having a score of 14. This is 3 points below North East Hemel Hempstead (H27) and 2 points below the two sites at Leverstock Green (H16 and H50) and the sites at North Road, Northchurch (H53), Paradise Fields (H28) and Redbourn Road (H32), Hemel Hempstead, Watford Road, Kings Langley (H43) and north west of the Manor Estate (TWA6).
- 4.36.37. The site at West Hemel Hempstead is well over 1000 metres from a station. Although the southern parts of Fields A and B and Field C would be within 400 metres of an existing bus stop a substantial part of the development area would be a greater distance away. However, if bus services 2, 3 and 414 were re-routed through the new development and along The Avenue as the developers propose, I accept that residents of the new development would be within reasonable distance of a bus stop. Existing residents on the Fields End Estate would also have better access to public transport. However, this benefit would be balanced against the fact that services to some parts of Gadebridge would apparently be reduced.

- 4.36.38. Access to employment opportunities would, however, be poor with the nearest major employment areas being well over 2000 metres away. Although there is a bus service from Long Chaulden to the Maylands Industrial Estate I note that this is limited to some 4 services in the morning and 3 in the evening. It seems likely therefore that the development would generate significant levels of car traffic at peak hours.
- 4.36.39. Although parts of the land would be within 1000 metres of the Warners End and Chaulden local shopping centres, much of it would be beyond this distance. Moreover, CD43 indicates that a distance of 800 metres is more appropriate for local facilities. Virtually none of the site would be within this distance of the Warners End local centre. Field C and the southernmost parts of Fields A and B would be within this distance of the much smaller Chaulden local centre. However, the capacity of this centre seems limited, judging from its current level of use and the fact that the parking area is nearly always full.
- 4.36.40. More importantly the Chaulden local centre lies between the 110 and 115 metre contour whereas Fields A and B are predominantly between the 135 and 155 metre contours. There would therefore be a difference in height of between 20 and 40 metres between the two areas. In my view this is significant and is likely to discourage residents of the new development walking to the Chaulden centre. My view is reinforced by the advice in “Sustainable settlements” (CD86) which suggests that for every metre difference in height one should add 10 metres in distance. On this basis the Chaulden centre would be more than 800 metres from the nearest parts of Proposal sites H34 (Field B) and H51 (Field A) and over 1500 metres from the furthest points. I consider therefore that these areas of the site would have a relatively poor level of accessibility to local facilities.
- 4.36.41. In contrast the nearest point of Field C (H54), which is the area the Council propose to delete, would be just over 400 metres from the Chaulden centre and the furthest point would be around 900 metres, taking into account the difference in levels. I consider, therefore, that this area would be much better placed in terms of access to local shopping facilities. In respect of larger scale shopping facilities, however, I note that the site would be over 2 kilometres from the town centre and more than 3 kilometres from the superstores at Apsley and Jarmans Park. I consider, therefore, that any development of this site would be likely to generate longer vehicular journeys than other sites around Hemel Hempstead.
- 4.36.42. In my view the same applies in respect of access to the local schools. Of the four local primary schools Martindale JMI would be some 600 metres from the objection site, as measured from its nearest point to the nearest point of the school grounds. Using the same measure Micklen JMI would be 700 metres, Chaulden Junior and Infants 350 metres and Pixies Hill JMI 450 metres. All of these would therefore meet the Council’s specified distance of 800 metres. However, I note that the Council originally considered that the appropriate distance to a primary school was 600 metres (*see paragraph 11 of Appendix 2 to CD43.2*), which in itself is 200 metres more than the distance specified in “Sustainable settlements” (CD86). I therefore have some doubts of the appropriateness of the target distance chosen by the Council (*see paragraph 4.3.42 of my report*).
- 4.36.43. In any case the above measurements relate to the distance between the nearest points. The actual distance between the school buildings and any dwellings on the site would

be much greater. Apart from a small sliver of H54 none of the land would be within the 400 metres of a primary school which is the distance suggested in “Sustainable settlements”. The whole of H34 and H54 would be within 800 metres of a primary school but over half of H51 would be beyond this distance. Indeed if one adds in the factor of slope then over $\frac{3}{4}$ of H51 would be beyond even the distance specified by the Council. I consider, therefore, that the distance to facilities/services is generally poor.

- 4.36.44. The significant distance to local health services reinforces my view. The nearest doctor’s surgery would be between 700 to 1200 metres from the site. Moreover, it appears that the current surgery would probably be unable to cope with the additional patients. I note that it has been suggested that the surgery could be moved onto the site as part of the C6 proposal. However while this would provide a high level of accessibility for residents of the new development moving the surgery to what would effectively would be a more peripheral location would seriously disadvantage existing residents. As the current surgery is close to the Warners End local centre it would also be likely, in my view, to lead to a reduction in linked trips. I am not satisfied therefore that moving the surgery would be an appropriate solution in sustainability terms.
- 4.36.45. In the light of my comments on the impact of development of this land on the purposes of the Green Belt I would also question, the Council’s assessment of visual impact in relation to this site, particularly in respect of Field C. I am also doubtful, whether the site merited a tick in respect of its relationship to existing and proposed infrastructure, bearing in mind the nature of the surrounding road network. On balance, therefore I consider that the sustainability of West Hemel Hempstead as a site for housing development is much lower than the scores in CD53 and CD53A would suggest.

Alternative sites

- 4.36.46. Some objectors, including Lucas Aerospace (4089) and the Directors of Shendish Manor (4804) suggest that other greenfield sites, notably land at Breakspear Way and at Shendish, would be more appropriate locations for the proposed housing. While the development of land at Breakspear Way would not require land to be released from the Green Belt, I consider that it would be an even less sustainable location than West Hemel Hempstead, bearing in mind its poor relationship with existing facilities (*see section 7.x of my report*). I accept that the land at Shendish would have a higher level of accessibility but it would also have a very substantial impact on an area of attractive landscape. When this is considered together with the contribution it makes to the main purposes of the Green Belt, I am not satisfied that it would constitute a more appropriate location for development (*see section 4.33 of my report*).
- 4.36.47. However, the fact that neither of these sites would amount to a suitable alternative location for housing development does not mean, in my view, that no other suitable site exists. I have already indicated that I consider some additional housing could be achieved through increasing capacities on various housing proposal sites and extending others. When this is considered together with my recommendation that land adjoining the Manor Estate should be released from the Green Belt as originally proposed (*see 4.32.44*) and my conclusions in Chapter 7 regarding land at Marchmont Farm, I consider that there may be more suitable locations for accommodating the required housing.

Conclusions

4.36.48. In conclusion, I consider that the release of land at West Hemel Hempstead would seriously undermine both the main purposes for which it was included in the Green Belt and its objectives. Moreover, I find that a substantial part of the area has a poor level of accessibility to existing facilities. While the southern section of the site would be much closer to local services it would be much more prominent in the landscape. In my view therefore the land would not be a particularly sustainable location for housing development. Although neither Breakspear Way nor Shendish would constitute better locations, I consider that it may be possible to find other more suitable locations to accommodate the required housing. I therefore, recommend that in response to these objections the Council give very serious consideration to deleting the proposal to remove land at West Hemel Hempstead from the Green Belt.

(b) Retention of Phase III land in the Green Belt

4.36.49. In the light of the changes in national housing strategy advanced in PPG3 I consider that there is no longer any justification for identifying greenfield land for development which would not be required for development during the Plan period. Based on my findings in sections 7.4 and 7.5 of my report I am satisfied that development of sites included in the housing reserve would not be required. I appreciate that Policy 5 of the SPR allows for safeguarded land to be released in conjunction with Policy 8 releases but even if Phases I & II were retained in the Plan I see no justification for releasing land for Phase III at this stage. While I accept that it would be an accessible location I consider that its impact on the Green Belt and the wider landscape of the Bulbourne Valley would be substantial. I am not satisfied that this harm is outweighed by the need for additional housing land at the present time. I therefore, recommend that the land for Phase III be retained in the Green Belt in accordance with PIC7.

Recommendation

4.36.50. **The Council seriously consider deleting the proposal in paragraph 4.36 of the Plan to exclude land at West Hemel Hempstead from the Green Belt.**

4.36.51. **If the Council should determine not to delete the proposal to exclude land at West Hemel Hempstead from the Green Belt the Plan be modified in accordance with PIC7.**

4.37. POLICY 3: GREEN BELT (Boundaries: Kings Langley)

Objection

<i>Rep No.</i>	<i>Name</i>
1724	A E Dunn

Key Issues

(a) Whether the Green Belt boundaries around Kings Langley should be altered. (1724)

Inspector’s Conclusions

- 4.37.1. I appreciate the objector’s concerns regarding the principle of changes to the Green Belt boundary around Kings Langley. However, as I have already identified Policy 5 of the Structure Plan Review does provide for the possibility of some release of land taking place at Kings Langley in conjunction with the strategic housing allocation identified in Policy 8. It also allows for releases in respect of peripheral development under policies 6 & 7. The Council accepts that land at Kings Langley is not required to meet the strategic housing allocation. However, they consider that it is appropriate for Kings Langley to be identified as a settlement where limited development is appropriate under the terms of Policy 6 of the SPR. Within this context Policy 7 of the SPR provides for limited peripheral development where planned regeneration opportunities have been fully explored and it would provide demonstrable sustainability benefits.
- 4.37.2. Although it has been argued that there is more land available for housing within the existing urban areas I find little evidence to support this. I consider, therefore, that the Council has made all reasonable efforts to explore the opportunities for planned regeneration. For the reasons I outline in paragraphs 4.8.18 to 4.8.20 I consider that Kings Langley is a sustainable location for further development bearing in mind its location on a transport corridor. I consider, therefore that the identification of Kings Langley as a location for limited peripheral development accords with the objectives of Policy 7 of the SPR.
- 4.37.3. The Council now proposes to delete the larger proposed housing allocation at Rectory Farm (H55). I support this change for the reasons I set out in section 4.38 below. This would therefore only leave the very modest change proposed to the Green Belt boundary at Watford Road (H43). In my view this limited change would not undermine the purposes of the Green Belt in view of the small area of land involved and its sustainability as a location for housing. In the circumstances, I find that the change to the Green Belt boundary at Kings Langley proposed in the Composite Draft of the Plan would be acceptable. I therefore recommend that no modification be made to the Plan in response to objection 1724.

Recommendation

- 4.37.4. **No modification be made to the Plan in the light of objection 1724.**

4.38. POLICY 3: THE GREEN BELT (Boundaries: Rectory Farm, Kings Langley)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
59	Mrs J K Clay	1231	The Chiltern Society
63	G F Parsons	1508	Mrs P Hansard
67	Mr C and Mrs P McLaren	1512	Mr & Mrs G D Lambert
72	Mrs M J Parsons	1518	Kings Langley & District Residents' Association
76	Mrs S Ashman	1587*	Councillor Janet Anderson

85	Mr G Ansell	1594*	Mrs A Johnson
218	Ms M Batt	1655	Mr D Walker
222	Mr A T Yates	1660	Kings Langley Branch of Hemel H Conservative Assoc
246	King's Langley Liberal Democrats	1671	Mr & Mrs R G Prentice
250	Mr D K Peacock	1674	Mr P Witt & Ms S Wareham
256	Mr J L O Clay	1696	R F & P M Whitehorn
384	Mr & Mrs F J Burnell	1716	Kings Langley Parish Council
387	Mr D J Dell	1721	D Standen
390	Mrs M Colquhoun	1726	A E Dunn
395*	Ms I McGregor	1954	White Associates
402	R & S Garnett Harper	2130	Mr M A Copeman
407	Mr P G Coughtrey	2145	Mr C M Furness
413	A J Robinson	2843	British Waterways
449*	Mrs P A Elderkin	3232	Mrs J C Tuck
453	Mr G McKendrick	4090*	Lucas Aerospace
530*	Mrs A Taylor	4863 L	A Scott
537	Mrs N A Copeman	5148	Mr Tony McWalter MP
552	L G Preston	5792	Linden Homes South-East Ltd

Counter-objection

To pre-inquiry change 8

5590 PC Mr P Witt & Ms S Wareham

Key Issues

- (a) Whether or not the Green Belt boundary should be amended at Rectory Farm, Kings Langley. (59, 63, 67, 72, 76, 85, 214, 218, 222, 246, 250, 256, 384, 387, 390, 395, 402, 407, 413, 449, 453, 530, 537, 552, 1231, 1508, 1512, 1518, 1587, 1594, 1655, 1660, 1671, 1696, 1716, 1721, 1726, 1954, 2130, 2145, 2843, 3232, 4090¹⁶, 4863L, 5148, 5590PC, 5792)
- (b) If the Green Belt boundary is to be amended, what should the amended boundary be. (1674)
- (c) Is it appropriate for development at Rectory Farm, Kings Langley to be given preference over sites in Berkhamsted, particularly Lock Field at Northchurch (5792)

Inspector’s Conclusions

(a) The release of land at Rectory Farm

- 4.38.1. Most objectors consider that the release of land at Rectory Farm would cause significant harm to the Green Belt around Kings Langley. Many argue that there are other more sustainable sites available to accommodate the housing, including brownfield sites in Hemel Hempstead and infilling opportunities in Kings Langley. Increasing housing densities would also help to reduce need. They contend that housing development on the land would be a very prominent feature in the landscape and would extend the built up area of the village along the valley floor towards Hemel Hempstead. Some objectors also maintain that the new boundary proposed in the Plan would not be clear and defensible.
- 4.38.2. In response to these objections the Council now proposes under PIC8 to delete the proposal to exclude land at Rectory Farm from the Green Belt. The landowners object to this change on the basis that the development will be needed to meet the Structure Plan housing requirement. In their view the land serves none of the stated purposes of the Green Belt and would be a sustainable location for housing. They point out that unattractive buildings cover much of the land. The commercial activity in these buildings is a bad neighbour for adjoining houses. The farm is difficult to farm and

¹⁶ This objection once again raises the issue of settlement capacity studies for Hemel Hempstead, Berkhamsted and Tring. However as I have already covered this point in section 4.17 of my report I have not addressed this issue again.

inappropriately related to existing housing. Deleting the proposal would also deny an opportunity to provide additional open space for the village. They argue that even if the land is not required to meet current housing needs it should nevertheless be removed from the Green Belt and safeguarded for future development.

- 4.38.3. Turning first to the issue of housing need I am satisfied that sufficient housing land has been identified on the periphery of Hemel Hempstead to provide the strategic housing allocation of 1,000 dwellings required under Policy 8 of the SPR. I find no need therefore for the land to be released to meet the strategic housing provision. The Council however has identified Kings Langley as an appropriate settlement for limited additional development under Policy 6 and 7 of the SPR. I consider that this is an appropriate strategy bearing in mind the settlement’s location in a main transport corridor. The question is therefore whether the land at Rectory Farm would be required to meet the overall housing requirements for the remainder of the Plan period and if so whether it would comply with the criteria in Policies 5 & 7 of the SPR.
- 4.38.4. Although the objectors argue that there is brownfield land available within Hemel Hempstead to accommodate the required housing, the Plan already allocates most of the larger areas of vacant or redundant previously developed land within the town for housing. It also identifies a number of sites currently in employment use under Policy 33 that may make a contribution to the housing requirement. It seems to me therefore that the Council has explored most possibilities for urban regeneration. However, I accept that at the time of the Inquiry they had not completed a full urban capacity study. I have some doubts that this study will reveal significant additional land within the urban area, as being available for housing during the Plan period. Nevertheless, in the absence of such a survey I consider that it would be inappropriate to release land from the Green Belt unless there is clear evidence that it would be needed to meet housing requirements in the Plan period. To do otherwise would in my view directly conflict with the objectives of PPG3.
- 4.38.5. The Plan originally proposed the land at Rectory Farm as a housing reserve site that would be used for development after the Plan period and only brought forward under the specific criteria set out in Policy 18. Although I agree with the landowners that the Plan’s housing strategy relies too heavily on housing coming forward on unidentified sites, I consider there is scope to address this by increasing the density of housing on many of the identified sites in line with the aims of PPG3. There is also the opportunity for some identified sites within the existing urban area to be extended. In the circumstances, I am not satisfied that the provision of housing on land at Rectory Farm would be essential in order to meet housing requirements during the period up until 2011(*see section 7.4 of my report*).
- 4.38.6. The existing Green Belt boundary in this location follows the A4251 south to Rectory Road and then turns east into Gade Valley Close and Kings Meadow. Where the latter road turns south the boundary continues east to the Grand Union Canal, following the rear garden boundaries of 1 and 2 Kings Meadow and cutting across the side garden of 3 Kings Meadow. It then turns north along the western side of the canal for a short distance before turning east towards Primrose Hill. In my view this boundary is generally both readily recognisable and defensible, apart from the short section where it crosses the garden of 3 Kings Meadow.

- 4.38.7. The new boundary would cross the canal in the same location and then turn north along the eastern flank of the old poultry farm buildings. It would then turn westwards following the northern edge of the buildings, before turning northwards again at the end of the buildings to follow a rough track and a line of poplars for some 100 metres. At this point it would then cut back westwards across the open field to join the original boundary on the A4251.
- 4.38.8. Although the belt of poplar trees would form a recognisable feature, there would be nothing on the ground to define the section of the boundary that crosses the field to the A4251. In addition, there is currently no planting along the eastern flank of the old poultry buildings. Once these buildings were removed, therefore, there would be nothing to delineate this section of the boundary either. In my view, therefore, the new boundary would not accord with the advice in paragraph 2.9 of PPG2. I appreciate that the additional planting could take place on the new boundary but this would take some years to establish. I am concerned, therefore, that the proposed boundary would be much weaker than the existing one.
- 4.38.9. In respect of the impact on the Green Belt, the housing on this site would significantly extend the built-up area of the village along the floor of the Gade Valley, reducing the narrow strategic gap between Kings Langley and Nash Mills on the southern edge of Hemel Hempstead. Although the new housing would not be any closer to Hemel Hempstead than the existing housing on Coniston Road it would nevertheless reduce the limited area of open land between the two settlements. I consider, therefore, that development of the land would not only lead to a significant expansion of built development but it would also contribute towards the merging of Kings Langley and Hemel Hempstead contrary to the main purposes of the Green Belt.
- 4.38.10. I am also concerned that development of the land would erode the vulnerable green wedge between the development on the opposite side of the canal in Three Rivers District and the housing on the western side of the A4251 in Kings Langley. The sensitivity of this open gap is highlighted by its designation as a Landscape Development Area and the presence of an Article 4 direction, which controls certain forms of permitted development in order to safeguard the landscape of the area. I judge, therefore, that the release of this land would not only have a detrimental impact on the main purposes for which the Green Belt was established but it would also damage the landscape quality of the area contrary to the Green Belt objectives, identified in paragraph 1.6 of PPG2.
- 4.38.11. The site would be well located in terms of its accessibility to local bus routes and shops in the village centre. However, in view of the significant impact I consider its exclusion would have on the Green Belt and on the quality of the local landscape I am not satisfied that it would be a more sustainable location for housing than any of the other greenfield sites proposed in the Plan. In the circumstances I can see no justification for releasing this land from the Green Belt in preference to any of the other areas which are put forward for exclusion.
- 4.38.12. In relation to the site-specific issues, while the buildings are not particularly attractive, they do not look unduly out of place. They are some distance from the nearest dwellings and there is little evidence that the commercial activities on the site are causing serious disturbance to nearby occupiers. While, the land may be difficult to farm I am not satisfied that it is completely unviable for this use. Even if it was, I

consider that it could easily be put to other uses that would be appropriate within the Green Belt, particularly outdoor sport and recreation. Consequently, I find none of the site-specific matters raised are sufficient to justify the release of this land.

- 4.38.13. I appreciate that development would allow additional public open space to be provided in Kings Langley. However, while there is an existing deficiency of informal open space in Kings Langley (*see paragraph 12.28.2 of my report*), I do not consider that this warrants releasing land at Rectory Farm from the Green Belt in the absence of a clear need for its development for housing. I am not satisfied therefore, that the exceptional circumstances exist to justify excluding the land from the Green Belt as originally proposed in the Plan. In consequence, I support pre-inquiry change 8 and recommend that the Plan be modified accordingly. However, the Council may wish to consider making a minor amendment to the boundary to exclude that part of the curtilage of 3 Kings Meadow that falls within the Green Belt in order to provide a more defensible long-term boundary in this location.

(b) *Where should the boundary be drawn if the land is excluded*

- 4.38.14. The landowners suggest that the area proposed for exclusion should be increased to 7.4 hectares. In their view it would make more sense to extend the area east to the canal and north along the valley floor to a point some 380 metres north of Gade Valley Close, approximately opposite the boundary between 91 and 93 Hempstead Road. They consider that this would not prejudice the aims of the Green Belt and would provide an adequately defensible boundary.
- 4.38.15. To my mind the larger area proposed by the landowners, which would be more than double the area originally proposed in the Plan, would have an even greater impact on the open landscape of the valley floor. Whilst it would be no closer to Hemel Hempstead than the existing housing on the western slopes of the valley it would extend the built up area on the valley floor well beyond the existing development on the opposite side of the canal. In my view, therefore, it would result in a very substantial erosion of the important wedge of green space between Hemel Hempstead and Kings Langley contrary to the well established aims of the Green Belt.
- 4.38.16. Although the canal would provide a well-defined long-term boundary along the eastern side of the land, there is no readily recognisable feature marking the northern boundary. I consider, therefore, that the proposed alternative boundary would be neither clear nor defensible. This strengthens my concern about the release of this larger area. I do not consider that the undertaking of additional landscaping and/or the provision of public open space would outweigh the harm to the Green Belt.
- 4.38.17. In the light of my conclusions in Chapter 7, I can find no requirement for the release of this amount of land in order to meet housing needs that would arise during the Plan period. I note the suggestion that it would make sense to exclude more land than is currently required in order to provide land to meet future housing requirements in accordance with the advice in paragraph 2.12 of PPG2. However, in the light of the advice in PPG3 in respect of the sequential test for housing, I can see no justification for releasing land from the Green Belt where there is no clear evidence that it will definitely be required for development in the future.

4.38.18. My view is reinforced in this case by the comments of the panel who conducted the examination in public of the Structure Plan Review. They considered that in so far as substantial needs might arise in Dacorum after the end of the Plan period the solution might have to lie elsewhere (*see paragraph 9.24 of CD30*). This is a view I share. In my opinion, the decision to release substantially more Green Belt land than is required to meet current needs can only reasonably be made in the context of a further strategic review of housing needs for the whole county. Accordingly, I recommend that no modification should be made to the Plan in answer to objection 1674.

(c) *Should the site be given preference over development at Lock Field.*

4.38.19. Since both Rectory Farm and Lock Field, Northchurch were originally included within Part III of the housing schedule for development beyond the Plan period, the former was not given preference over the latter in the Deposit Draft. Moreover, the Council now proposes under PIC8 to delete this proposal, which I support. I therefore see no need to modify the Plan further to address this aspect of objection 5792.

Recommendation

4.38.20. **The Plan be modified in accordance with PIC8.**

4.38.21. **The Council gives consideration to amending the Green Belt boundary to exclude part of the curtilage of 3 Kings Meadow.**

4.38.22. **No modification be made in response to objection 1674.**

4.39. POLICY 3: THE GREEN BELT (Boundaries: Watford Road, Kings Langley)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
58	Mrs J K Clay	448	Mrs P A Elderkin
62	G F Parsons	456	Mr G C Barker
66	Mr C and Mrs P McLaren	535	Mrs N A Copeman
71	Mrs M J Parsons	542	Mr & Mrs Bowers
75	Mrs S Ashman	545	Mr I Lomas
80	Mrs I E Allen	548	Mrs C Lomas
83	Mr G Ansell	551	L G Preston
87	C & P Hawkes	1507	Mrs P Hansard
89	J & L King	1513	Mr & Mrs G D Lambert
91	Ms M Giffen	1517	Kings Langley & District Residents' Association
93	M H Fitzsimons	1586	Councillor J Anderson
95	Ms Joanne Smith	1593	Mrs A Johnson
97	R E C Smith	1650	Mr & Mrs M T J Webster
99	Ms Joyce Smith	1654	Mr D Walker
101	Mrs I Bond	1659	Kings Langley Branch of Hemel H Conservative Assoc
103	Mr S C Smith	1692	W S Upson
105	Mr P A Smith	1695	R F & P M Whitehorn
111	Mr V Goldblatt	1715	Kings Langley Parish Council
113	Mrs B Rands	1720	D Standen
115	A D Wood	1725	A E Dunn
120	Mrs H Smith	1980	Mr M Blunden
217	Ms M Batt	1982	Ms C Goddard
245	King's Langley Liberal Democrats	2129	Mr M A Copeman
249	Mr D K Peacock	2144	Mr C M Furness

255	Mr J L O Clay	2148	Mr R Wicks
383	Mr & Mrs F J Burnell	2150	Mr E Fry
389	Mrs M Colquhoun	3231	Mrs J C Tuck
394	Ms I McGregor	4091	Lucas Aerospace
399	Mr & Mrs M Gale	4856 L	Mrs S McLellan
404	R & S Garnett Harper	4860 L	Mr M J McLellan
406	Mr P G Coughtrey	4864 L	A Scott
410	Mrs G M Saunders	5793	Linden Homes South-East Ltd
412	A J Robinson		

Supports

117	Beechwood Homes	5046 L	Mrs A Taylor
1670	Mr & Mrs R G Prentice	5151	Mr Tony McWalter MP

Key Issues

- (a) Whether land at Watford Road, Kings Langley should be released from the Green Belt. (58, 62, 66, 71, 75, 80, 83, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 111, 113, 115, 120, 217, 245, 249, 255, 383, 389, 394, 399, 404, 406, 410, 412, 448, 456, 535, 542, 545, 548, 551, 1507, 1513, 1517, 1586, 1593, 1650, 1654, 1659, 1692, 1695, 1715, 1720, 1725, 1980, 1982, 2129, 2144, 2148, 2150, 3231, 4091¹⁷, 4856L, 4860L, 4864L, 5793)
- (b) Should the new boundary proposed in the Plan be redrawn to retain 71-75 Watford Road in the Green Belt. (1715)
- (c) Is it appropriate for development at Watford Road, Kings Langley to be given preference over sites in Berkhamsted, particularly Lock Field at Northchurch. (5793)

Inspector’s Conclusions

(a) The release of land at Watford Road

- 4.39.1. The objectors raise similar arguments in respect of this land to those mentioned in relation to the land at Rectory Farm. In particular it is argued that there are no exceptional circumstances to warrant the release of this land. Concerns are also raised about the development of the site in respect of traffic, affordable housing, loss of open space and privacy, the effect on badgers, the provision of primary school places, development on the floodplain and employment opportunities. I deal with these issues in section 7.37 of my report where I consider the objections to the designation of the land as a housing proposal site (H43).
- 4.39.2. The Council concedes that the release of this land is not required to meet the strategic housing allocation of 1,000 dwellings identified in Policy 8 of the Structure Plan Review. They argue, however, that Kings Langley is an appropriate settlement of limited additional development under the provisions of Policies 6 and 7 of the SPR and point out that in these circumstances Policy 5 of the SPR allows for Green Belt boundaries around such settlements to be reviewed.
- 4.39.3. Although Policy 5 of the SPR allows for the possibility of limited exclusions at Kings Langley, in the context of boundary reviews linked to Policy 8, I find no reason to doubt the Council’s assertion that the land is not required to meet the strategic housing allocation under Policy 8. In my view, therefore, the principal questions in this case are whether the release of this land would meet the criteria set out in Policies 5 and 7

¹⁷ This objection once again raises the issue of settlement capacity studies for Hemel Hempstead, Berkhamsted and Tring. However as I have already covered this point in section 4.17 of my report I have not addressed this issue again.

of the SPR and whether the need for the land for housing is sufficient to override the impact its development would have on the Green Belt.

- 4.39.4. Policy 5 of the SPR requires that individual adjustments to Green Belt boundaries that are linked to Policies 6 and 7 will need to be fully justified by reference to the criterion of exceptional circumstances. They will also need to demonstrate that they would contribute to sustainability objectives and must be part of a comprehensive planning approach to deliver these objectives. These criteria are reflected in Policy 7 in so far as it makes clear that limited peripheral development will only be acceptable where planned regeneration opportunities have been fully explored, it would provide demonstrable sustainability benefits and it has been planned in the context of the settlement as a whole.
- 4.39.5. Although it is argued that other more suitable sites exist within the urban area of Hemel Hempsted there is little evidence of significant additional land being available. I appreciate that as yet there has been no full urban capacity study, nevertheless I consider that the Council has undertaken considerable efforts to identify suitable previously developed land within the urban area. Moreover, I note that the Council’s housing strategy relies on some 48% of dwellings coming forward on unidentified sites within the existing urban area. This is a very significant element of the overall housing figure and when considered in conjunction with the identified brownfield sites would result in the Government’s target for the recycling of brownfield land being significantly exceeded. It seems unlikely therefore that this could be greatly increased. Indeed for the reasons I give in section 7.4 of my report I consider that the Council’s estimate of the number of dwellings likely to come forward on unidentified sites is overly optimistic given the nature of the area and past completion rates on such sites.
- 4.39.6. I accept that some additional housing could be achieved by increasing the densities on some of the identified sites, in line with the advice in PPG3 and by extending some sites, (e.g. H27 and TWA8). However, I am not satisfied that this would entirely offset the reduced number of dwellings that I believe would come forward on unidentified sites, let alone being sufficient to warrant a reduction in the number of identified sites.
- 4.39.7. I note the suggestion of the Kings Langley and District Residents’ Association (KLDRA) that it is not an adequate response to say merely that land is not available given the thrust of PPG3 and the support that is given for the use of compulsory purchase powers. However, land suitable for housing development needs to be identified before such powers can be brought into affect. Even where such land can be identified, it is unlikely that the use of such powers would be supported if the land were already in beneficial use.
- 4.39.8. Although arguments have been put forward that the amount of land in employment use could be further reduced, it is clear that substantial areas of employment land have already been identified for redevelopment for housing. For the reasons I set out in Chapter 8 of my report I consider it would be harmful to the long-term economic prosperity of the Borough to seek to reduce the amount of employment land still further. There is also a danger that this could, in itself, cause subsequent pressure to release land in the Green Belt.

- 4.39.9. While I have taken into account the evidence that the KLDRA gave on the availability of sites in Kings Langley, in relation to their objection to H43, I am not satisfied that all of these sites could be realised during the Plan period. The site in Rucklers Lane lies within the Green Belt and the site at Sunderlands Yard is in active commercial use and there is no indication that this is likely to cease. I am not satisfied, therefore, that there is a reasonable prospect of either of these sites being suitable for development during the Plan period. Although some of the garage sites that were mentioned may be suitable for development this would need to be considered against the need to ensure that adequate parking provision can still be provided in these parts of the village in order to avoid the danger of traffic congestion. In any event the Plan already provides for a significant number of dwellings to come forward on unidentified sites like these. In the circumstances, I am satisfied based on present evidence that the Council has adequately explored planned regeneration opportunities.
- 4.39.10. I note the suggestion that redevelopment and/or infill sites within the village would be sufficient to provide the number of dwellings expected to come forward from Kings Langley. However, even if this were the case, this is an unduly simplistic interpretation of the figures. Although the Council has indicated the approximate number of dwellings they consider will come forward on unidentified sites within the larger villages, this was not meant to imply that each village should provide precisely a third of this number. In my view such an approach would fail to take due account of the different sustainability credentials of each of the three settlements. Since Kings Langley is the only one of the three villages which lies within a major transport corridor I consider that it would be appropriate for it to take a far higher proportion of the total than either Bovington or Markyate.
- 4.39.11. In any case the figure relates solely to unidentified sites and does not take account of the need to identify specific housing sites in the Local Plan in order to meet the overall housing requirement for the Borough. Clearly it is reasonable that the vast majority of these sites should be in Hemel Hempstead as the Plan currently proposes, bearing in mind the size of that settlement. Some allocation should also be made in Berkhamsted. However, in the light of Kings Langley’s location in the main transport corridor I do not consider that it is unreasonable for it to be expected to accommodate a modest amount of peripheral development in order to meet the housing requirements for the remainder of the Plan period.
- 4.39.12. The site at Watford Road lies in close proximity to the railway station and a main bus route. It is also well located in respect of the nearby employment areas in Three Rivers District and to the shops in the village centre. It is less well placed in terms of access to local schools. However, in most other respects I consider that it is a very sustainable location for housing. In this regard I note that in the Council’s most recent assessment of greenfield and objection housing sites (CD53A) it achieved a score of 16 points, which was higher than many of the other greenfield sites included in the Plan. It would also have the added advantage of unlocking underused land within the existing settlement boundary for development. Overall therefore I consider that the release of this site would meet the aims of Policies 5 and 7 of the SPR.
- 4.39.13. Turning to the impact on the Green Belt, the existing boundary runs along the track between 35 and 37 Watford Road and then round the development in Rockcliffe Avenue. I accept therefore that it is currently well defined. The new boundary would run south along the Watford Road for some 200 metres and then cut back east along

the boundary between Nos. 75 and 77. It would then kink round behind No. 75, across the rear boundary of Amberley before turning north again behind 73 and 71 Watford Road. It would then turn westwards along the rear boundaries of Cherry Cottage, The Brambles and Dorrington before turning north again to follow the hedge line between the objection site and the open space to the east. At the northern end it would dog leg to the east to exclude a small wedge of land to the south of 28 Rockcliffe Avenue.

- 4.39.14. In so far as the new boundary would follow existing fences and hedgerows I accept that it would be as well defined as the existing boundary. I have some concerns regarding the logic of the proposed southern boundary but I deal with these in more detail under issue (b) below. I am much more concerned about the proposal to exclude a thin wedge of the woodland at the southern end of Rockcliffe Avenue. The boundary at this point would not be marked on the ground by any definable feature. While I appreciate that this alignment is put forward in order to provide for the potential of creating an access to Rockcliffe Avenue, there is no certainty that the land will be needed for this purpose. In the light of this and the absence of any readily recognisable feature defining the boundary at this point, I consider that it would be more sensible at this stage to retain this wedge of land in the Green Belt. If it should prove subsequently that the creation of an access along this alignment is required for highway safety reasons this would be likely to constitute the very special circumstances required to justify its construction.
- 4.39.15. Although development of this site would result in a modest extension of the built-up area south towards the M25 it would be screened from this viewpoint by the existing houses along Station Footpath. More importantly, the strategic open gap between Station Footpath and the M25 would be unaffected. Development would also extend the village east towards the buildings on the opposite side of the canal. However, the wedge of open space and woodland, which is owned by the Council and the adjoining lake, would still separate them. In the circumstances, I consider that the development of the site would have a very limited impact on the wider purposes of the Green Belt.
- 4.39.16. I appreciate that the Inspector who considered this land at the 1992 Inquiry reached a different conclusion. However, at that time there was no pressing need to find more housing land within the Borough. Moreover, the site he was considering was substantially larger as it included the open space and the lake to the east. In my view, therefore, the present situation is not directly comparable.
- 4.39.17. As the site is inaccessible to the public it does not contribute towards opportunities for access to the open countryside or for outdoor sport or recreation. Although it falls within a Landscape Development Area, in my view it is not an unduly attractive area. I consider, therefore, that its openness makes only a very small contribution to the character of the local landscape. Although badgers are present, it would appear that their activities are predominantly limited to the eastern edge of the site. In my view, therefore they are unlikely to be seriously affected by development of the site. The land is not presently in agricultural use and in view of its physical isolation is unlikely to be viable for such a use. I find, therefore, that the land plays little role in fulfilling the objectives of the Green Belt.
- 4.39.18. In the light of these findings and bearing in mind the clear need for additional housing land and the sustainability of Kings Langley as a location for limited peripheral development, I endorse the proposal to exclude land at Watford Road from the Green

Belt. However, I suggest that the small wedge of land south of Rockcliffe Avenue should be retained in the Green Belt. Subject to this amendment I recommend no other modification be made to the Plan in response to these objections.

(b) *Where should the Green Belt boundary be drawn*

- 4.39.19. Kings Langley Parish Council suggests that it would be more logical to draw the new boundary in a straight line between 69 and 71 Watford Road and across the rear boundaries of the properties on Station Footpath. The Council argues that since there is nothing to differentiate 71-75 Watford Road from the other properties to the north it would not be sensible for them to be retained in the Green Belt.
- 4.39.20. I agree that there is no significant difference in plot width or depth between 71, 73 and 75 Watford Road and the other dwellings immediately to the north. I can see no justification therefore for retaining these dwellings in the Green Belt merely for the purposes of achieving a straighter alignment to the boundary of the Green Belt. I therefore recommend that no modification should be made to the Plan in respect of this aspect of objection 1715.
- 4.39.21. However, I am concerned about the long-term defensibility of the southern boundary proposed in the Plan. Although No. 77 Watford Road has a slightly wider plot than the dwellings to the north there is otherwise little to differentiate it from the other houses in the row. As for the dwellings on Station Footpath, “Amberley” has a similar plot size to the houses on Watford Road and a shallower plot depth than any of them. While the other three houses to the east have larger plots the majority of the open land lies to the rear of the dwellings. Once H43 is developed this land would be effectively surrounded by built development. I note the Council’s view that retaining these properties in the Green Belt would act as a buffer. However, in my view the planting along the road to the Station already provides this. I consider, therefore, that Station Footpath would make a far more logical and defensible long-term boundary. I recommend, therefore, that Map 8 should be modified to show the revised Green Belt boundary running along Station Footpath.

(c) *Should the site be given preference over Lock Field*

- 4.39.22. In the light of the findings in the preceding paragraphs, I consider that it is reasonable for the Plan to propose a limited amount of peripheral development at Kings Langley. However, in the light of the greater range of services available in Berkhamsted I accept that in general terms it would be a more sustainable location for housing. I appreciate that under the pre-inquiry changes the Watford Road site would be likely to come forward before the sites identified in Berkhamsted. In my view this would be addressed by the inclusion of sites at Bank Mill Lane (H1) and Durrants Lane, Berkhamsted (H52) within Part II of the housing schedule as I have recommended in sections 7.17 and 7.45 of my report.
- 4.39.23. In contrast, I consider that the development of the site at Lock Field would cause significant harm to the Green Belt for the reasons I have identified in section 4.24 of my report. In the circumstances, I am not satisfied that it would be appropriate for it to be given preference over the development of the land at Watford Road, particularly as the site area of Lock Field is almost double that of the Watford Road site. I recommend no modification should be made to the Plan in response to objection 5793.

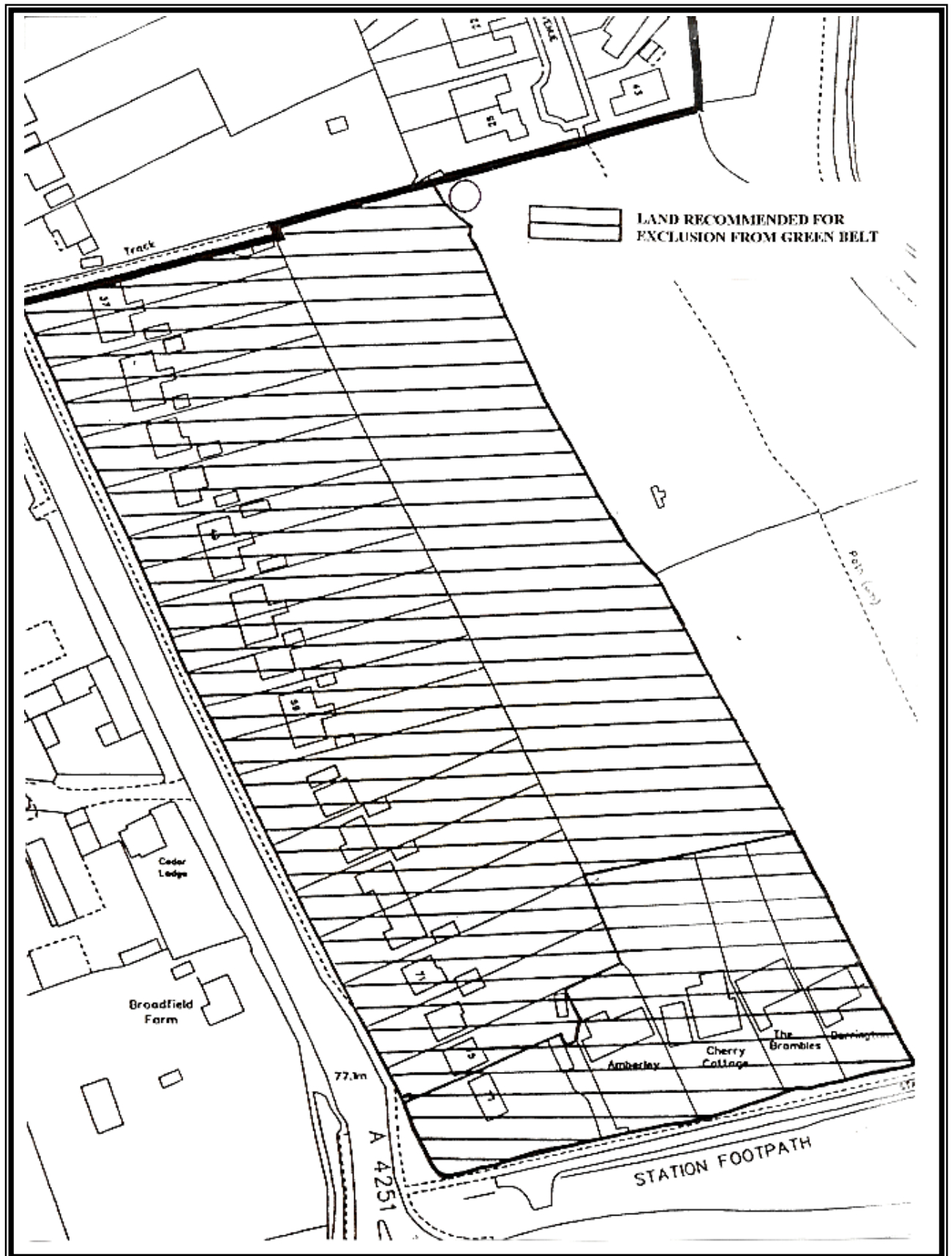


FIGURE 5

SCALE : 1:1250



**GREEN BELT BOUNDARY AT
WATFORD ROAD, KINGS LANGLEY**

Recommendation

4.39.24. The Plan be modified by amending Map No.8 in accordance with Figure 5 to:-

- (a) delete the wedge of land to the south of 28 Rockcliffe Avenue from the area to be excluded from the Green Belt;
- (b) include No. 77 Watford Road and the four adjoining properties on Station Footpath within the area to be excluded from the Green Belt.

4.40. POLICY 3: THE GREEN BELT (Boundaries: Markyate)

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
663	D M Rowland	1265	CPRE - The Hertfordshire Society
666	N J Holmes	2775	Mrs M Mitchell
670	Mrs L Penman	3209	Markyate Parish Council
671	T G Deakin	3827	Old Road Securities plc
674	Mr L Dumbleton	4727	Mr S W Biart
677	Mr & Mrs L Ward	4736	Gleeson Homes
680	I F Woolley	4783	Mr & Mrs J Armstrong
683	Mr & Mrs Stonelake	4887 L	Mr P Kosowycz
686	Mr & Mrs T James	4909 L	J M Plant
708	Mr & Mrs G Angel	4917 L	Mr & Mrs K Rangel
719	Mrs P M Copleston	5214	Miss M Williamson
778	E W Tomblin & Sons Ltd	5215	Mr & Mrs D M Robinson
780	Ms C Barrett	5216	W Mortimer
785	Mrs L Bates	5217	L & P Orr
788	D J, C A & S K Grace	5794	Linden Homes South-East Ltd

Supports

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
3	Mrs S Madel	1070	Markyate Society
4	Mr D Madel	1266	CPRE – The Hertfordshire Society
5	Mrs M Peterson	1639	W Pollock
6	R Peterson	2984	Mr & Mrs W Thomas
352	Mr P S Thriong	4046	HCC Environment Department
691	Mrs L Howell	5149	Mr Tony McWalter MP
710	Mr D Shillitoe		

Key Issues

General

- (a) How closely the outer boundary of the Green Belt should follow the Chiltern Area of Outstanding Natural Beauty boundary. (4783)
- (b) Does the inner boundary of the Green Belt make adequate provision for future development. (4727, 4783)
- (c) Should greenfield sites at Markyate be able to come forward for development before land at Berkhamsted (specifically Proposal H53). (5794)

Specific sites

- (d) Whether land at Buckwood Road (Proposals H44 and H45) should be included in the Green Belt extension around Markyate. (663, 666, 670, 671, 674, 677, 680, 683, 686, 708, 719, 785, 788, 1265, 4736, 4887L, 4909L, 4917L, 5214, 5215, 5216, 5217)

- (e) Whether land rear of Pickford Road and Farrer Top (Proposal H56) should be included in the Green Belt extension around Markyate. (666, 719, 3209, 4736, 4909L, 4917L, 5214)
- (f) Whether land north of Buckwood Road should be excluded from the Green Belt extension around Markyate. (3827)
- (g) Whether land south of Buckwood Road should be excluded from the Green Belt extension around Markyate. (4783)
- (h) Whether land at Manor Farm should be excluded from the Green Belt extension around Markyate. (780)
- (i) Whether an area at Foxdell Farm, Luton Road should be excluded from the Green Belt extension around Markyate. (2775)
- (j) Whether land at Cheverell’s Green should be excluded from the Green belt extension around Markyate. (778, 4783)
- (k) Whether land to the south west and south east of Dammersley Close should be excluded from the Green Belt extension around Markyate. (4736)

Inspector’s Conclusions

General

(a) *The relationship of the Green Belt boundary and the AONB*

- 4.40.1. Policy 5 of the Structure Plan provides for the Green Belt in Hertfordshire to be extended to include an area in the neighbourhood of Markyate. However, it makes clear both in the text of the Policy and on the Key Diagram that this area will be bounded by the existing Green Belt to the east, the Chilterns AONB to the west and the County boundary to the north. In contrast the Deposit Draft of the DBLP proposes a much larger extension. Map 10 and the Proposals Map show the area to be added as substantially overlapping the boundary of the Chilterns AONB. This would incorporate some 1.3 additional square miles of land to the south and west of the village within the Green Belt.
- 4.40.2. The Borough Council argues that this extension is justified in order to protect against the development pressures emanating from Luton. However, while the text of paragraph 113 of the Explanatory Memorandum is somewhat ambiguous, in respect of the purpose the extension was intended to serve, the wording of Policy 5 and the Key Diagram of the SPR are, in my view, unmistakable as to the area of the extension. I consider, therefore, that extending the Green Belt further west than proposed in Policy 5 of the Structure Plan would only be justified in exceptional circumstances.
- 4.40.3. I note the Council’s contention that it is necessary to extend the Green Belt to the west of Markyate to effectively contain any development within the village. However, circumstances have not changed in this regard since the Structure Plan Review was adopted in 1998. There is no indication that the EIP panel considered that it was necessary to extend the Green Belt further west than the edge of the AONB in order to achieve these aims. I appreciate that the County Council supports the alignment of the boundary proposed in the Deposit Draft. However, it is clear from their representations that they acknowledge the alignment would not accord with the adopted Structure Plan. While I accept that the boundary of the AONB could be modified outside the Development Plan process I consider that this is extremely

unlikely. In the absence of any indication that such an eventuality would occur I am not satisfied that it amounts to the exceptional circumstances necessary to justify adopting a different boundary to that clearly specified in the Structure Plan.

- 4.40.4. Since Luton lies to the north east of Markyate it is the land to the north and east of the settlement that is likely to be under most significant pressure. This area would fall within the extension to the Green Belt proposed in the SPR. The presence of the AONB should, in my opinion, be sufficient to constrain development to the south and west of the village. Indeed, the recent changes to national policy in respect of major development in AONB’s have made the situation in this respect even stronger than it was at the time of the Structure Plan Review. Accordingly, I can find no justification in principle for extending the Green Belt further than is provided for in the Structure Plan in order to contain development at Markyate. In my view, extending the area beyond the AONB boundary to the west would only be warranted where this was essential in order to achieve a defensible long-term boundary for the Green Belt.
- 4.40.5. The northern stretch of the AONB boundary is plainly defined by Millfield Lane, Caddington Common and Luton Road and the adjoining tree belts. I am satisfied, therefore, that these roads would constitute a clear and defensible new boundary to the Green Belt in this location. The proposed Green Belt boundary to the north east of Markyate, which runs along the A5, would also, in my view, be sufficiently secure in the longer term.
- 4.40.6. I am rather more concerned about the defensibility of the boundary to the south east of the settlement. Here the edge of the AONB runs along a field boundary and public footpath approximately half way between the A5 and Friendless Lane to the south. Although hedging and trees currently define sections of this boundary there are substantial gaps in this line of vegetation particularly at a point half way between Markyate and Flamstead where the boundary crosses an arable field. In my view, therefore, this alignment would not meet the objectives of paragraph 2.9 of PPG2, which states that Green Belt boundaries should be clearly defined.
- 4.40.7. Although there is another footpath and hedgerow a short distance further west the latter also has substantial gaps. The nearest readily recognisable feature to the west of this is Friendless Lane. In my view this would form a far more clearly defined long-term boundary in this location. I note the objector’s suggestion that the alignment of the boundary should follow Friendless Lane for its entire length south into Flamstead. However, in my view it would be more logical for the boundary to continue south along Pletley Hill to Trowley Bottom as proposed in the Plan. My view is reinforced by the fact that the existing Green Belt boundary along the western side of Flamstead is not well defined at some points.
- 4.40.8. At the northern end, I consider that Pickford Road and the rear boundaries of properties flanking the road would provide a clear and defensible boundary. The only exception to this is the section of the boundary at Little Cheverells. In the light of my recommendation in paragraph 4.8.33 of my report regarding modifying the settlement boundary at this point I consider that in the interests of consistency Little Cheverells and the adjoining properties should also be excluded from the Green Belt.
- 4.40.9. In conclusion, therefore, I find that the extension to the Green Belt at Markyate proposed in the Deposit Draft, does not conform to Policy 5 of the adopted Structure

Plan Review. In my view, there are no exceptional circumstances that would warrant extending the Green Belt beyond the boundary of the AONB to the west of Markyate. However, in the light of the poorly defined alignment of the AONB boundary to the south of Markyate I consider that extending the Green Belt to Friendless Lane would provide a better long-term Green Belt boundary. In my view this constitutes a sufficiently exceptional circumstance to warrant departing from the boundary stipulated in Policy 5 of the SPR. I therefore, recommend that the Map No. 10 and Proposal Map 5 should be modified in accordance with Figure 6.

- 4.40.10. In reaching this conclusion I appreciate that under the terms of Policy 5 the Council could have considered washing the Green Belt over the village. However, in the light of the Council’s decision to propose limited expansion of the village such an approach would not have accorded with the advice in paragraph 2.11 of PPG2. It would also have been inconsistent with the way the other large villages in the Borough have been treated. I find therefore that the exclusion of the built-up area of the village from the Green Belt is entirely appropriate.

(b) *The inner boundary and future development*

- 4.40.11. Paragraph 2.8 of PPG2 cautions against drawing boundaries excessively tightly around existing built-up areas. It is apparent that the drawing of tight boundaries around other settlements in the Borough has made it increasingly difficult for the Council to maintain the degree of permanence that the Green Belt should have. I can therefore understand the objectors’ desire to avoid boundaries being drawn too tightly around Markyate. However, if the alignment I have recommended above were adopted the Green Belt would only abut Markyate on three sides. More importantly it would also leave some areas of open land on the edge of Markyate, including the recreation ground, the school, Peggy’s Field (H56) and the small field at Cheveralls Green outside both the AONB and the Green Belt.
- 4.40.12. Since Markyate would not be a sustainable location for significant additional development, due its poor transport links and the limited capacity of existing services, I consider this should be sufficient to avoid the need to make subsequent changes to the Green Belt in order to accommodate future development. In the circumstances, I find that the revised boundary should ensure that the required degree of permanence could be achieved for the Green Belt at Markyate. I recommend, therefore, that no further modification should be made to the Plan in the light of these objections.
- 4.40.13. In reaching this conclusion, I have noted the suggestion in objection 4727 that more land to the south of the village should be excluded. However, in my view the double hedgerow to the south of Dammersley Close forms a clear and defensible boundary in this location. The nearest identifiable feature to the south of this, which might reasonably be considered as an alternative boundary, is the hedgerow abutting the southern end of the adjoining field. However, this lies more than 250 metres south of the existing edge of the built-up area.
- 4.40.14. I can see no justification for excluding such a sizeable area of land. Not only would development of this land amount to a very substantial enlargement of the settlement, it would also be unsustainable in my view due to the distance from the local school and other community facilities. In addition, it would result in a significant elongation of the village south along the Ver Valley towards Flamstead. I consider, therefore, that

its exclusion could potentially contribute towards the two settlements merging, especially in the light of the extensive band of existing development south-east of the A5 at Friars Wash. I do not consider, therefore, that it would be appropriate for further land to the south of Markyate to be excluded from the Green Belt.

- 4.40.15. I appreciate that the Council may consider that some of the open areas on the edge of the village, which would not be included in the Green Belt if my recommendation were adopted, constitute an important recreational and/or amenity resource that needs to be safeguarded. However, I am satisfied that this could be achieved, if necessary, by designating such areas as open land under the provisions of Policy 110. Indeed, as Markyate is the only town or large village in the Borough for which there is no open land strategy I consider that such an approach would be sensible.

(c) *Whether sites at Berkhamsted should take precedence over sites at Markyate*

- 4.40.16. I have already addressed this issue in paragraphs 4.6.4 to 4.6.10 of my report. As the provision of housing land at Markyate is intended solely to meet locally arising needs, I am not satisfied that there is any justification for giving preference to the development of land at Lock Field, Northchurch. I therefore recommend that no modification should be made to the Plan in response to objection 5794.

Specific sites

(d) *Land at Buckwood Road, H44 and H45*

- 4.40.17. For the reasons I have already given in paragraphs 4.40.1 to 4.40.9 I do not consider it would be appropriate for the Green Belt to be extended to the west of Markyate. I appreciate local residents’ concern about the development proposed at Buckwood Road. However, while I share their concerns, I do not consider that Proposals H44 and H45 constitute sufficiently exceptional circumstances to justify increasing the size of the Green Belt extension beyond that provided for under Policy 5 of the adopted Structure Plan. In the circumstances, I recommend that no modification should be made to the Plan in answer to these objections.

(e) *Land at Pickford Road and Farrer Top, H56*

- 4.40.18. I acknowledge the concerns raised by Markyate Parish Council and others regarding the land at Pickford Road/Farrer Top, known locally as Peggy’s Field. However, this land is screened from the adjoining open fields to the west by a dense hedgerow, which in my view provides a clear and defensible boundary. While I consider that the problems of access, ownership and potential loss of open space are sufficient to conclude that there is little realistic prospect of the land coming forward for development during the present Plan period, it is possible that in the longer term these issues could be resolved. When this is considered alongside the advice in paragraph 2.8 of PPG2 in respect of establishing boundaries that will endure, I conclude that the exclusion of this land from the proposed extension to the Green Belt would be appropriate. I, therefore, recommend no modification be made to the Plan in the light of these objections.

(f) Land north of Buckwood Road

- 4.40.19. This objection relates to some 4 hectares of land to the west of Housing Proposal site H45. If my recommendation in paragraph 4.40.9, regarding the proposed Green Belt boundary, were adopted, land to the west of Markyate, including the objection site, would not be included in the Green Belt. This change would effectively answer the objection. Having said this I am not satisfied that the land would be suitable for housing either on its own or in conjunction with the proposed adjoining site (H45) for the reasons I set out fully in paragraphs 7.39.24 to 7.39.21 of my report. I, therefore, recommend no further modification should be made to the Plan in response to objection 3827.

(g) Land to the south of Buckwood Road

- 4.40.20. This objection relates to an area of land to the west of Housing Proposal site H44 and is consequential on objection 4785, which seeks the realignment of the boundary of H44 with the western boundary of H45 (*see section 7.38 of the report*). For the reasons I have already given in paragraphs 4.40.1 to 4.40.10 I do not consider it would be appropriate for this land to be included in the Green Belt. I am satisfied that the amendment I have recommended in paragraph 4.40.9 would address this aspect of objection 4783. I see no need, therefore, for any further modification to the Plan.

(h) Land at Manor Farm

- 4.40.21. This land, which is some 1.5 hectares in extent, lies at the northern end of the High Street opposite Markyate Cell Park. Again in the light of my findings in paragraph 4.40.1 to 4.40.10 I do not consider that this site should be included in the Green Belt, as it lies to the south west of the A5(T) within the AONB. I am satisfied that the modification I have recommended in paragraph 4.40.9 would address objection 780.

(i) Land at Foxdell Farm, Luton Road

- 4.40.22. This site lies over 1 kilometre to the north east of the village, adjoining an isolated cluster of dwellings located along Luton Road and Caddington Common. Not only would this be a completely unsustainable location for further development, in my opinion, but it would also lie within the important open gap between Markyate and Luton. It is precisely this vulnerable area that the extension to the Green belt is designed to protect. Although the objection site is not unduly prominent from nearby roads and footpaths, excluding this parcel of land would serve to consolidate development within the strategic gap between Luton and Markyate, contrary to the aims of Policy 5 of the adopted Structure Plan Review. I recommend, therefore, that no modification should be made to the Plan in answer to objection 2775.

(j) Land at Cheverells Green

- 4.40.23. Objection 4783 relates to a single field of approximately one hectare, which lies immediately to the south of a property known as “Frindles” on the western side of Pickford Road. Objection 778 refers to a larger area covering land to the east of Pickford Road between “High Oaks” and Friendless Lane and land on the western side of the road between “Frindles” and Roe End Lane.

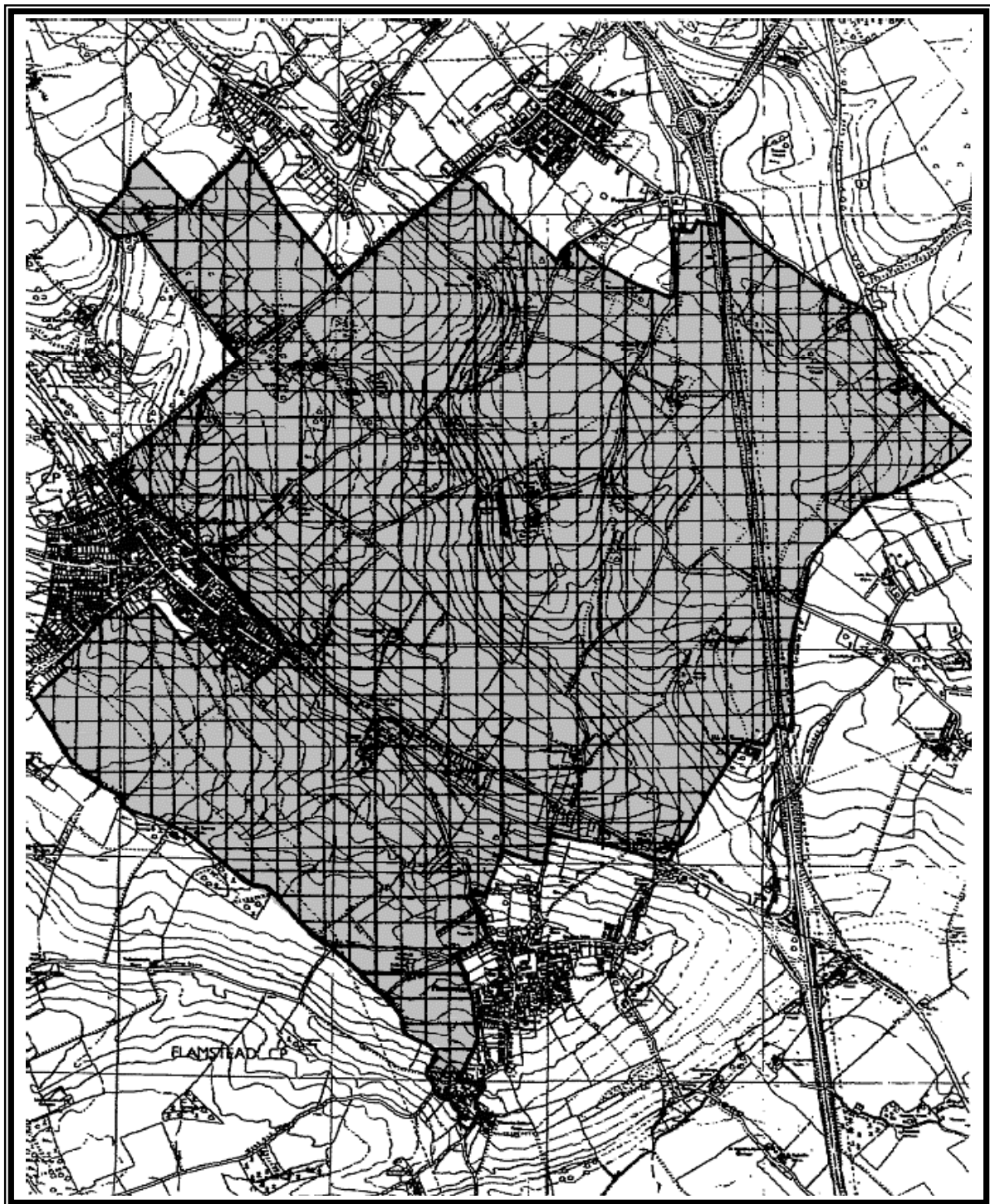


FIGURE 6

NOT TO SCALE



GREEN BELT EXTENSION AT MARKYATE

4.40.24. If my recommendation in paragraph 4.40.9 is adopted the two areas referred to by the objectors would fall outside the Green Belt. I am satisfied, therefore, that the proposed modification would meet these objections. However, this does not mean that I consider this area to be suitable for further development. Indeed, in view of the distance of the land from the village centre and the lack of a regular bus service along Pickford Road, I find it would be an unsustainable location for housing. I, therefore, recommend that no further modification should be made to the Plan in response to objections 778 and 4783.

(k) Land adjacent Dammersley Close

4.40.25. This objection relates to a sizeable area of land to the south west and south east of Dammersley Close. In view of the distance from the village school and other community facilities I consider that the land would be an unsustainable location for additional housing development. The nearest defensible boundary on the southern side of the village, other than the one proposed in the Plan, would lie more than 250 metres from the edge of the built-up area. Not only could the exclusion of this land result in a very significant extension of the village, contrary to the strategies of both the Local and Structure Plans, but it could also lead to a substantial encroachment of the village into the open countryside between Markyate and Flamstead. I do not consider, therefore, that it would be appropriate for this land to be excluded from the extension to the Green Belt. Consequently, I recommend that no modification should be made to the Plan in answer to objection 4736.

Recommendation

4.40.26. The Plan be modified by amending the Green Belt boundary shown on Map No.10 and Proposals Map 3 so that it runs south east along Millfield Lane and Caddington Common, then south west along Luton Road and Church End, south east along the A5(T), south west along the track adjacent Dammersley Close and then north west along the edge of the built up area before skirting around the open space at Peggy’s Field and continuing south west again along the rear boundaries of properties in Pickford Road and along the road itself before turning south east along Friendless Lane and Pletley Hill to join the existing boundary at Trowley Bottom (See Figure 6).

**4.41. POLICY 3: THE GREEN BELT
(Boundaries: Tring)**

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
3078	Mr C Selly	3766	The Tring Park Estate
3243	A Frazier	3801	Mrs C Kent, Mr M Trojacek & Mrs P Carlsson
3244	A Frazier	3828	Old Road Securities plc
3710	Silvermere Developments		

Supports

4280	Royal Court Residents’ Association
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Key Issues

- (a) Whether the sustainability of Tring as a location for additional development justifies the inner Green Belt boundary around the town being reviewed. (3243)
- (b) Should land at the following locations around Tring be removed from the Green Belt:-
 - (i) Between Station Road and Marshcroft Lane; (3078)
 - (ii) at Gamnel Farm, New Mill; (3244)
 - (iii) at New Mill; (3710)
 - (iv) to the south of Park Street; (3766)
 - (v) fronting Park Road; (3801)
 - (vi) between Station Road and Cow Lane. (3828)

Inspector’s Conclusions

(a) Sustainability of Tring and general review of the Green Belt boundary

- 4.41.1. Policies 5, 6 and 7 of the adopted Structure Plan Review allow for the Green Belt boundary at Tring to be reviewed where exceptional circumstances exist and where it would contribute to sustainability objectives. However, the EIP panel considered that Tring was not a sustainable location for further significant development and I share this view. As the existing station is some distance outside the settlement and bus services are limited in the evenings and weekends the accessibility of the settlement is not as high as Hemel Hempstead or Berkhamsted. More importantly, the evidence suggests that the capacity of local services, particularly local schools, is extremely limited. I seriously question, therefore, Tring’s suitability as a location for even limited peripheral development.
- 4.41.2. I acknowledge that Appendix 7 of the Council’s Technical Report (C43.1) indicates that if Tring were to meet its theoretical share of the proposed new housing provision some 570 dwellings would need to be allocated on green field sites around the town. However, I do not consider this would be necessary in order to maintain the vitality of the settlement or the surrounding area. More importantly, the housing requirement for the Borough can adequately be met through sites identified in Hemel Hempstead, Berkhamsted and Kings Langley. In my view these are all more sustainable locations. In the circumstances, I am not satisfied that the allocation of green field sites for housing in Tring would provide demonstrable sustainability benefits for the town particularly in view of the limited capacity of existing services and the sensitive nature of the surrounding landscape.
- 4.41.3. In reaching this conclusion, I note that the town currently suffers from a high level of out-commuting. However, there is no certainty that the release of additional land from the Green Belt would do anything to address this. No evidence has been supplied to indicate that there is a significant latent demand for employment land in the town. More importantly, there is no proof that the kind of firms that might be attracted to this location would match the available labour skills of the town’s population. It is just as possible therefore that the provision of additional employment land could lead to an increase in people commuting into Tring to work. Consequently, I find that the

alleged sustainability advantages of Tring do not amount to the exceptional circumstances that are required to justify revisions to the existing Green Belt boundary. I, therefore, recommend no modification should be made to the Plan in response to objection 3243.

(b) *Removal of land around Tring from the Green Belt*

(i) *Between Station Road and Marshcroft Lane*

4.41.4. This objection relates to 3 large fields between Station Road and Marshcroft Lane to the east of Tring. The area covers some 13.75 hectares in total. The objector suggests that the release of this land would be beneficial in providing additional space for employment uses, which would help reduce the current high level of out-commuting from the town. For the reasons I give in paragraph 4.41.3 above, I am not satisfied that the release of this land would actually achieve this objective. In any case, even if some additional employment land was required in Tring I am not persuaded that an area of anything like this scale could be justified bearing in mind the current population of the town and changing employment patterns in the area. In the light of the limited capacity of existing services in the town I do not consider that it would be appropriate for the area to be developed for housing either.

4.41.5. In my view the land helps to restrict the outward growth of Tring east towards Tring Station and Aldbury. It also helps to safeguard an attractive area of countryside from encroachment. I find, therefore, that it makes an important contribution to the main purposes of the Green Belt. In view of its landscape quality I also believe it has a role to play in meeting at least one of the Green Belt objectives. The existing Green Belt boundary along the rear of properties on Grove Road and Marshcroft Lane is, in my opinion, clear and defensible. I can see no advantage, therefore, in moving the boundary some 200 metres to the east. I am not satisfied, therefore, that the exceptional circumstances exist to warrant releasing the land from the Green Belt. I recommend that no modification should be made in response to objection 3078.

(ii) *Gammel Farm, New Mill*

4.41.6. The objection site comprises a mainly rectangular field of about 2.5 hectares, which lies between the Bulbourne Road (B488) and the Grand Union Canal on the north eastern edge of Tring. To the south west the site abuts existing development on Tring Ford Road and Bulbourne Court. A single row of housing faces the site across Bulbourne Road to the south east. To the north east stands Gammel Farm and its associated outbuildings. The rear part of the site falls within the Chilterns AONB.

4.41.7. The objector argues that Tring is a sustainable location for limited additional peripheral development. He also contends that the objection site is suitable for release as it is well related to the existing pattern of development and visually contained. The site is claimed to have no special scenic qualities and is currently unused and subject to trespass and fly tipping.

4.41.8. Although Policies 5, 6 and 7 of the adopted Structure Plan Review allow for the revision of Green Belt boundaries at Tring under certain criteria, I am not satisfied that these criteria would be met in this case. The site is a considerable distance from Tring Station. While the site lies close to a number of bus routes, services would appear to

be generally of low frequency on weekdays and extremely limited in the evenings and at weekends. I accept that there is a grocery shop and Post office within reasonable walking distance but the main shopping area of the town centre would be almost 1½ kilometres away. The nearest primary school at Grove Road would be just over the 800-metre distance specified in the Council’s sustainability assessment. However, for the reasons I give in paragraph 4.3.42 of my report I consider that this distance is on the limit of acceptability. In any case the evidence would suggest that virtually all the schools in Tring, including Grove Road, are at or close to capacity and there seems to be limited scope for their expansion. I am not satisfied therefore that there would be sufficient capacity to accommodate housing development on this site in addition to the housing expected on identified and windfall sites within the existing urban area. I conclude, therefore, that development of the land would not contribute to sustainability objectives as required by Policy 5 of the SPR.

- 4.41.9. Although the land in question is not particularly attractive I consider that it still serves to contain the existing urban area and safeguard the countryside to the north and east from encroachment. I find, therefore, that it continues to serve a valid Green Belt purpose. I note the suggestion that the land is no longer viable for farming use. However, little substantive evidence has been produced to support this. Even if this were true, it seems to me that the land could easily be put to another appropriate use, bearing in mind its reasonably flat topography.
- 4.41.10. I have taken account of the objector’s contention that development of the front part of the land would enable the rear area to be laid out as open space and a clear boundary established for the AONB. However, while this would undoubtedly be beneficial I am not satisfied that these benefits would be sufficient, in themselves, to amount to the exceptional circumstances necessary to justify amending the boundary of the Green Belt. Consequently, I recommend no modification should be made to the Plan in response to objection 3244.

(iii) New Mill

- 4.41.11. This objection relates to another sizeable area of land on the north eastern edge of Tring. It consists of 2 large fields, with a total area of some 14.5 hectares, situated directly to the east of Grove Road and south of Bulbourne Road. The current Green Belt boundary, which has been established for some time, follows the rear boundaries of properties on Bulbourne Road and the northern end of Wingrave Road. It then cuts back to follow the hedge line along Grove Road before skirting round the housing at Netherby Close and Hollyfield Close. The proposed new boundary would continue along Bulbourne Road for some 80 metres before turning south east to follow the eastern field boundaries in a straight line to the rear of properties in Netherby Close.
- 4.41.12. For the reasons I have already given in the preceding paragraphs of this section I do not consider that Tring is a sustainable location for the significant additional development which this site could clearly accommodate. More importantly, this land continues to restrain the expansion of Tring to the north east. It therefore helps to prevent the possibility of Tring merging with Bulbourne and safeguards the adjoining attractive landscape from encroachment. I find, therefore, that development of this land would seriously undermine the main purposes of the Green Belt. In addition, I consider that development would also seriously detract from the landscape of the area, which is designated as a Landscape Conservation Area, due to the elevated topography

of the land, particularly at its northern end. In conclusion, I can find no exceptional circumstances to justify excluding this land from the Green Belt and I recommend that no modification should be made to the Plan in answer to objection 3710.

(iv) *South of Park Street*

- 4.41.13. This objection relates to a small parcel of land of just over 0.15 hectares in extent. The site lies on the southern side of Park Street immediately to the west of No. 20, Carpenters Yard and the public footpath to Tring Park. At present the Green Belt boundary runs along Park Street before turning south along the footpath and then east around Carpenters Yard. The objector argues that the land would be appropriate for building a single house or a small development of houses particularly as the open grassland to the south is likely to be developed as an additional car park and picnic site for the Tring Zoological museum.
- 4.41.14. Although modest in size the site is largely wooded and together with the adjoining woodland to the west provides an attractive rural buffer to the southern edge of the built-up area of the town. I am satisfied therefore that its openness makes a significant contribution to the Green Belt. While it appears that an aviary may previously have stood on this site, it would appear to have occupied only a very small part of the land and has long since been demolished. I do not consider therefore that the site constitutes previously developed land as defined by Annex C of PPG3.
- 4.41.15. I note that planning permission was given in 1992 to develop the adjoining land as a car park and picnic area for the museum. However, this was granted on the basis of very special circumstances and has yet to be implemented. Even if the adjoining land is developed it is likely, in my view, to remain predominantly open in character. I am not satisfied, therefore, that the circumstances outlined by the objector are sufficiently exceptional to warrant amending the Green Belt boundary to exclude this site. Accordingly, I recommend that no modification should be made to the Plan in response to objection 3766.

(v) *Fronting Park Road*

- 4.41.16. This land lies to the south of Park Road, east of Woodland Close and the adjoining Great West Plantation and to the north of the cluster of dwellings at Home Farm. There are a number of mature trees on the land particularly along the Park Road frontage and the access to Home Farm. The original objection site was divided into four parcels. A triangular paddock lying between a semi-detached bungalow, known as Little Furlongs, and the access to Home Farm; a smaller rectangular paddock to the west of this, within which there is a dilapidated single storey structure; a larger rectangular paddock between this and the access to White Cloud House; and a predominantly wooded area to the west of this access. The subsequent representations, however, exclude the latter area and I have considered the objection on this basis.
- 4.41.17. For the reasons I have already given I see no justification for the built-up area of Tring to be extended in order to accommodate additional housing. In my view this land helps to restrict the growth of Tring into the adjoining countryside to the south, which lies within the Chilterns AONB. Although buildings and trees partly contain the land it remains predominantly open in character. I find, therefore, that it continues to make a contribution to the main purposes of the Green Belt.

4.41.18. I note the contention that the buildings and structures on the land detract from the character of the area. However, they are generally small in scale and are not in my view particularly unsightly. In any case as PPG2 makes clear the quality of the existing landscape is not material to the continued protection of the Green Belt. I appreciate that the A41 now lies only a short distance to the south of the site effectively dividing this land from the remainder of the AONB. However, as the road is in a cutting at this point the site remains visually linked with the attractive open landscape to the south of the A41. In my view development of the objection site would lead to an unfortunate consolidation of the existing built development to the south of Park Road. I consider that this would be harmful to both the Green Belt and the AONB. I, therefore, recommend that no modification should be made to the Plan in the light of objection 3801.

(vi) Between Station Road and Cow Lane

4.41.19. This objection involves a triangular area of open land of just over 2.5 hectares in extent, sandwiched between Station Road to the north, Cow Lane to the south and the woodland surrounding Pendley Manor to the east. It falls within the Chilterns AONB. The current Green Belt boundary follows the southern side of Cow Lane turning east into Station Road for a short stretch before turning north to follow the rear boundaries of properties on Grove Road. The proposed boundary would instead continue along the southern edge of Station Road before cutting south west along the edge of the woodland at Pendley Manor to rejoin the existing boundary on Cow Lane.

4.41.20. The objector argues that the land does not contribute to the openness, functioning or integrity of the Green Belt and relates more closely to the built-up area than to the adjoining countryside. It should, therefore, be released from the Green Belt in order to meet the Borough’s housing requirement. It is also suggested that some of the remaining housing allocations in Tring are unlikely to come forward during the Plan period. I deal with the issues of the housing requirement and the likelihood of the identified housing proposals being implemented in Chapter 7 of my report. At this point, therefore, I have concentrated on the implications of the release of this land on the Green Belt and its role in respect of Tring.

4.41.21. The site is separated from the built-up area by the existing roads, which form a clear and defensible boundary to the Green Belt at this point. While the woodland to the east would also form a reasonably well-defined boundary, I consider that development of this site would involve the extension of the built-up area of the town into the countryside to the east. In my view, this area serves an important purpose in separating Tring from the development around Tring Station and from Aldbury. I find therefore that the land makes a valuable contribution to the Green Belt. The loss of its open character would also, in my view, detract from the character of the AONB.

4.41.22. Although the site is relatively well located in terms of a number of existing services and facilities, it would be at least a kilometre from the shops in the Town Centre and even further from the main employment areas. I am not persuaded therefore that it would be the most sustainable location for development on the edge of the town even if I were satisfied that limited peripheral development was justified in Tring. However, I do not consider that it is warranted in view of the limited capacity of existing services to accommodate such development. Moreover, even if the objector

was right about the prospects of the remaining identified sites in Tring coming forward during the Plan period, this would only create a shortfall of around 30 dwellings. This would be insufficient reason to justify releasing more than 2.5 hectares of land on the periphery of the town bearing in mind that an area of that size could accommodate 75 or more houses. Nor, do I consider that there is any justification at this stage for providing safeguarded land around Tring as there is no evidence that further peripheral development will be required in the future. The objector does not persuade me, therefore, that the required exceptional circumstances exist in this case to warrant modifying the Green Belt boundary along the lines suggested. I recommend that no modification should be made to the Plan in response to objection 3828.

Recommendation

4.41.23. **No modification be made to the Green Belt boundary around Tring in response to these objections.**

4.42. POLICY 4 : SELECTED SMALL VILLAGES IN THE GREEN BELT

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
447	Mr A Horton	3701	Silvermere Developments
585	The House Builders Federation	3845	Mr C A Bryant
1850	Countryside Agency	3846	Mr G Giddings
1955	White Associates	4047	HCC Environment Department
3079	Mr C Selly	4482	S Seager
3080	Mr C Selly	5009 L	Mr P Radford
3236	Community Development Agency for Hertfordshire	5060	Tring Environmental Forum

Supports

1267	CPRE – The Hertfordshire Society	1884	Chiltern District Council
1649	Flaunden Parish Council	3738	Government Office for East of England
1847	Countryside Agency		

Supports for pre-inquiry changes

For pre-inquiry change 9

5387 PC CPRE – The Hertfordshire Society

Key Issues

Policy and background

- (a) Is the policy too restrictive, particularly in respect of the type of infilling permitted, or should limited market housing also be permitted. Does it accord with the advice in PPG2 and Policy 6 of the Structure Plan or should parts of the settlements be inset to allow for infilling (585, 1955, 3701, 4047).
- (b) Should there be a more defined hierarchy of villages to achieve the volume of unidentified housing sites referred to in Policy 17 (3701).
- (c) Is the extent of infilling that would be permissible too vague. Should maps to indicate the areas acceptable for infilling accompany the policy (5060).
- (d) Whether the policy needs to be amended to ensure that affordable housing units are also provided where residential schemes take place under either criterion (a) *“the replacement of*

existing buildings” or criterion (c) “changes of use to residential provided no essential local service is lost” (3236).

- (e) Should the background to the policy make explicit reference to the advantages that can flow from the preparation of Village Design Statements (1850).

Individual settlements

- (f) Whether areas of Bourne End should be excluded from the Green Belt or should the village be defined as a selected small village in order to allow infilling (447, 3845, 3846).
- (g) Whether the boundaries of Chipperfield should be extended at Kings Lane, Dunny Lane, Scatterdells Lane and at Chapel Croft to allow for residential development (4482, 5009L).
- (h) Should Wigginton be given comparable treatment to Aldbury (3079).
- (i) Should the village boundary at Wigginton be extended northwards along the Twist to include the buildings at Park Farm (3080).

Inspector’s Conclusions

Policy and background

(a) Restrictiveness of the Policy and conformity with PPG2

General introduction

- 4.42.1. The 4 objections raise three broad areas of concern. The first is whether the policy, particularly clause (b), is unduly restrictive and whether or not it accords with the advice in PPG2 and with Policy 6 of the Structure Plan. The second is whether it is reasonable to restrict infilling within the settlements to that which meets local needs only; and the third is whether the limitations on the numbers and location of infill dwellings are appropriate. I deal with these matters in turn below.

Restrictiveness and conformity with national advice and the Structure Plan

- 4.42.2. The House Builders Federation (585) suggests that Policy 4 confuses the approach in PPG2 (CD2) with the advice in PPG3 (CD3), which allows for exception sites for affordable housing. It argues that if limited infilling is acceptable it should be available on the open market. In contrast the County Council (4707), while it also maintains that the Council’s approach is confused, believes that clause (b) allows for market housing contrary to Policy 6 of the Structure Plan. It contends therefore that the villages should either be inset or clause (b) should be deleted altogether.
- 4.42.3. PPG 2 sets out three different approaches towards dealing with development in existing settlements in the Green Belt. Where no development is proposed the village should be washed over. Where infill development is proposed the settlement can either be washed over or inset. In contrast where limited development or limited expansion is proposed the village should be inset.
- 4.42.4. The Council has chosen to allow only limited infill development and to wash the Green Belt over the villages, effectively continuing the approach of the adopted Plan. In my view this is the most appropriate approach as it reflects the continued pressure on the Green Belt in Dacorum and the contribution the settlements make to the

openness of the Green Belt. However, it sensibly allows for a limited range of developments to meet local needs within the identified settlements. Unlike the smaller unidentified settlements the selected villages generally have a limited range of facilities and services. Limited infill development for local needs within them would therefore be relatively sustainable. I agree with the Inspector who considered this policy in 1992 that widening the scope for other development beyond this would harm the character of these rural settlements and weaken the underlying Green Belt policy.

- 4.42.5. In my view, there is no justification for the villages to be inset instead. PPG2 leaves the option of insetting or washing the Green Belt over an infill settlement completely open. It makes no attempt to define the circumstances in which either of these approaches would be appropriate. Nor does it define the nature or extent of infilling that should be permitted. I see no reason therefore to conclude that the Council’s decision to continue to wash the Green Belt over these 4 settlements is contrary to the objectives of PPG2.
- 4.42.6. I appreciate that paragraph 3.4 separately identifies limited infilling and limited affordable housing for local community needs under development plan policies. However, while on the face of it this would appear to imply that PPG2 envisages that the limited infilling in existing villages will consist of market housing, I am not satisfied that this is what was intended. When one looks at paragraph 13 to Annex A of the previous version of PPG3 (CD3) it makes clear that it was for local planning authorities to judge whether low cost housing development for community needs would fall within the scope of existing policies.
- 4.42.7. Although the 1992 version of PPG3 has now been superseded and Annex B of the new version (CD3A) does not contain the same statement I consider the earlier advice still carries weight in this particular context. The advice remains in Annex E of PPG2, which has not been cancelled or amended. I find therefore that it continues to be relevant, particularly in interpreting the advice in paragraph 3.4 of PPG2.
- 4.42.8. In any case, clause (b) does not totally preclude market housing. It merely requires that the developer prove that the development meets a local need of the village or adjoining countryside. I am not persuaded therefore that the Council’s decision to limit residential development to local needs conflicts with the advice in paragraph 3.4 of PPG2.
- 4.42.9. Neither do I believe it confuses the advice in PPG2 and PPG3. The rural exception policy in PPG3 is clearly intended to apply to remoter rural areas of the Green Belt, which would only apply to limited areas of Dacorum. There is no indication in either PPG2 or PPG3 that the rural exception policy was intended to rule out the provision of limited affordable housing within the remit of established policies. Indeed the advice in paragraph 13 of Annex A of the earlier PPG3 would seem to suggest otherwise.
- 4.42.10. To my mind the policy does not conflict with Policy 6 of the Structure Plan either. This states that in smaller Green Belt settlements development will only be allowed to support the facilities and services needed and meet employment and housing needs for that settlement and its surrounding area. This directly accords with the wording of Policy 4 of the Local Plan. While paragraph 120 of the Structure Plan identifies affordable housing as one of the types of development that would fall within the category of a genuine local need, this is only one of the examples given. Policy 6

itself, just like Policy 4 of the Local Plan, does not identify the specific types of development that would fall within the category of a proven local need.

- 4.42.11. I understand the County Council’s concern regarding the workability of clause (b). However, I consider it is appropriate for Policy 4 to maintain a degree of flexibility at the local level. Although it may be difficult to establish that open market housing will meet a genuine local need, I do not believe this should be ruled out in principle. There may be occasions where there is a proven local need for housing, other than for agricultural workers or to provide affordable housing. For example housing may be justified to provide accommodation for people employed in a local business. In my view this is best assessed at the time rather than ruling it out at this stage. In the circumstances, I do not consider it is either necessary or appropriate to delete clause (b) as the County Council suggests.
- 4.42.12. I appreciate that it would be difficult to provide market housing in such a way that the local need can continue to be met in the future, as required by clause (b) of Policy 4. However, I do not believe that it would be entirely unworkable and the Council conceded this when responding to objection 1955. There is some evidence of a need for smaller dwellings in the villages and if this local need cannot be met through the provision of affordable housing then consideration may need to be given to other methods of provision to meet this need, including market housing.
- 4.42.13. In the light of this, I believe it would be better if the phrase ‘infilling by general market housing is not acceptable’ was deleted from paragraph 4.40. Clause (b) already restricts housing to that which would meet local needs and the supporting text gives examples of the types of development that will normally be acceptable. I see no need therefore to include a blanket prohibition on all market housing. In my view schemes ought to be judged on their merit against the criteria in clause (b). I therefore recommend that the supporting text in paragraph 4.40 be modified accordingly.

Local needs justification (the need for market housing)

- 4.42.14. As to the suggestion that the infilling should allow specifically for market housing, I note that Policy 6 of the Structure Plan limits development in smaller Green Belt settlements to those necessary to meet the employment and housing needs of that settlement and the surrounding area. In my view, therefore the restriction on new residential development under clause (b) of Policy 4 to that which would meet a local need of the village or surrounding countryside is in conformity with the Structure Plan. While there may be little difference in physical terms between general infill housing and a scheme that meets local needs only, it is necessary in my view to look at the wider implications.
- 4.42.15. Where development opportunities in a settlement are extremely restricted in order to protect the character and openness of the Green Belt it seems to me that it would be sensible for priority to be given to those who need to live and work there. Indeed such an approach would be more sustainable. The alternative of allowing general market housing in these villages would be likely to result in local needs having to be met on less suitable sites outside the settlements or in the nearby towns or large villages. This would not only compromise the openness of the Green Belt but would probably lead to an increased use of the car. It would therefore be in direct conflict with the principle thrust of current government policy. In the circumstances, I find that the Council’s

approach strikes a reasonable balance that will not only safeguard the openness of the Green Belt but will also protect the character of the villages.

The definition of infilling

- 4.42.16. Silvermere Developments (3701) object to the definition of “small scale residential infilling” and the limitations imposed on such infilling and suggest that a greater degree of residential development will be necessary in the villages if the Council is to achieve its target for unidentified sites. White Associates (1955) also share this view. However, even were I to accept that the target for unidentified sites within smaller villages and the countryside was unlikely to be met, I do not consider allowing further development in the Policy 4 villages would be an appropriate response. In my view such an approach would be in direct conflict with the Government’s objective of encouraging a more sustainable pattern of development for the future.
- 4.42.17. In this regard the recently issued version of PPG3 (CD3A) primarily seeks to direct new residential development to existing urban areas. Although the 4 villages are not particularly remote from the main towns and larger villages in Dacorum, public transport to them is poor. While most have some facilities and services, these are fairly limited. None of the villages have substantial employment opportunities. There also seem to be some problems with school capacity, although it is possible that this could be resolved. It seems likely therefore that significant additional development in the villages would lead to increased use of the car. Such a scenario would be contrary to both the aims of national and Structure Plan policy. In the circumstances, I consider the Council are right to limit new house building in these villages to “small-scale residential infilling” or replacement of existing buildings.
- 4.42.18. White Associates (1955) also argue that recognised housing associations are unlikely to be interested in developments of only 2 houses. The limitation will therefore result in an inadequate level of affordable housing to meet the needs of the local rural population. An alternative figure of 6 dwellings is suggested as being more appropriate. The objector also argues that limiting infill developments to a small gap in an otherwise built-up frontage is unreasonable since the existing pattern of development in the villages varies. Alternative patterns of infill development could therefore be equally in keeping with the character of the existing settlement.
- 4.42.19. I appreciate that in the past many housing associations have found it more practicable to undertake developments of 6 or more affordable dwellings. Such an approach clearly has advantages in terms of both the funding and viability of new projects and facilitating their subsequent management. To some extent this has been borne out by the schemes for affordable housing that have been undertaken in the villages so far, particularly that at Chipperfield.
- 4.42.20. However, the Council point out that some associations are prepared to take on smaller numbers of dwellings, including individual houses within villages. In my view this approach may well become commoner as the availability of land becomes increasingly more restricted. In the circumstances, while I accept that restricting infill to a maximum of two extra dwellings may limit the amount of affordable housing that is provided under Policy 4, I do not believe it would make such provision completely unrealistic. In any case where a clear need for more affordable housing can be demonstrated Policy 26 allows for exceptions to be made.

- 4.42.21. More importantly, I note that paragraph 3.4 of PPG2 refers to “limited infilling” rather than merely infilling. I appreciate that it does not define a target figure for individual schemes. However, it seems to me that a limit needs to be set somewhere. Having looked at the settlements covered by Policy 4 in some detail, I believe that larger infill developments of up to 6 dwellings could have a significant impact on the openness of the Green Belt as well as on the character of the villages. In these circumstances, I consider that the Council is justified in setting a limit of 2 extra dwellings for infill schemes within these settlements.
- 4.42.22. I do not accept, however, that a similar restriction is warranted in respect of the conversion of existing houses to flats, as this is likely to have a far lesser impact on the Green Belt. Moreover, it would accord with the Government’s objectives of making better use of existing housing stock. In this regard I note that the Council now propose under FC17 to delete the conversion of houses to flats from clause (b) and to insert a new clause (c) for conversions which would not be limited to two extra dwellings. I consider this is a sensible amendment to the Policy and I therefore support it.
- 4.42.23. However, I see no need for the reference to Policies 25 and 26 to be inserted at the end of clause (b). The types of acceptable development are already identified in the supporting text, or will be with the adoption of FC18. Moreover, Policy 26 is intended in my view to cover affordable housing which would constitute an exception to other policies, including Policy 4. I do not consider therefore that the additional reference is either necessary or appropriate.
- 4.42.24. Turning to the location of the infill, while I appreciate the Council’s desire to restrict insensitive “backland” developments, I consider limiting development to gaps in an otherwise built-up frontage is unduly restrictive. Many of the villages are characterised by a much more complex pattern of development, especially close to their core. Within this context new infill development could in some cases be accommodated on “backland” sites without detriment to the character of the village or to the openness of the Green Belt. In my opinion, clause (i), which requires development to be sympathetic to its surroundings, is a sufficient safeguard against poorly designed or visually damaging schemes. Consequently, I see no need for the additional limitation set out in clause (iii), which in my view imposes a potentially harmful rigidity on future infill schemes. I therefore recommend that the Plan be modified by the deletion of clause (iii).

Conclusion

- 4.42.25. In conclusion on issue (a), I consider that Policy 4 is not unduly restrictive and that it accords with the aims of PPG2. However, it would be improved by FC 17 (excluding the references to policies 25 and 26). I also support the insertion of a reference to agricultural/forestry workers dwellings in paragraph 4.40 as proposed by FC 18. It would be sensible, however, not to unnecessarily limit the ability of clause (b) of the policy to meet local needs. I, therefore, recommend that the final sentence of paragraph 4.40 be deleted.
- 4.42.26. I am satisfied that limiting new residential development to that which meets local need is appropriate and complies with Policy 6 of the Structure Plan. I see no need to widen the definition of infill development or to increase the size of schemes permitted under

clause (b) since I consider that such an approach would be detrimental to the openness of the Green Belt and contrary to the objectives of sustainable development. However, I consider that the restriction of infilling to a small gap in an otherwise built-up frontage is unduly onerous bearing in mind the character of the villages. I therefore recommend that clause (iii) be deleted.

(a) *Need for a hierarchy of villages*

4.42.27. Judging from previous building rates it seems probable that the Council’s expectations for new housing within smaller rural settlements and the countryside during the Plan period will be met. While the building rate in Policy 4 villages may have been fairly low since 1991, I am not persuaded that the overall building rate within the rural area will decline substantially over the next ten years. Consequently, I am satisfied that the Council’s assumptions under Policy 17, in respect of the number of units likely to come forward from the smaller villages and rural area are not totally unrealistic.

4.42.28. Even if they were, I do not believe this would warrant establishing a more defined hierarchy of villages in order to provide for a greater volume of development within some of them. To do so would in my opinion be totally contrary to the thrust of PPG3 which seeks predominantly to concentrate new housing in or on the edge of existing urban areas to ensure a more sustainable pattern of development. I consider that encouraging a greater volume of development within any of the Policy 4 villages would be an unsustainable policy taking into account the lack of local employment, the limited services and the relatively poor level of public transport availability within these settlements.

4.42.29. In the circumstances, I believe the most appropriate approach to addressing any shortfall in unidentified sites, should this arise, would be to increase provision within or on the edge of the existing urban areas rather than encouraging further growth of the smaller villages. On this basis, I find no reason to justify the inclusion of a more defined hierarchy of villages within the Plan. I therefore recommend no modification be made to the Plan in the light of this objection.

(b) *Definition of areas of infilling*

4.42.30. The reference in PPG2 to the need to define infill boundaries to avoid dispute was not, in my view, intended to mean that each area of infill has to be individually identified in the Local Plan. I consider it sufficient for the Plan to establish the general area of the village within which infill will be acceptable in principle. The Proposals Maps define clear boundaries for all 4 villages. These generally equate with the built-up core of the village where infilling is likely to have the minimum impact on the openness of the Green Belt. I am satisfied, therefore, that the approach the Council has adopted accords with the advice in PPG2. I see no need, therefore, to modify the Plan in response to this objection.

(c) *Replacement dwellings, changes of use and affordable housing*

4.42.31. The Council’s housing needs survey shows that 19.4% of households in the rural area are in need of affordable housing. Since some 76% of existing dwellings within the Policy 4 villages are privately owned, it is clear that there is a very limited supply of affordable housing currently available in these settlements. Moreover, in light of my

findings in paragraph 4.42.20 it seems likely that the number of additional affordable houses coming forward through new infill development may be limited. In these circumstances, I can understand the objector’s desire to see both the replacement and the change of use or conversion of existing buildings making a contribution to the supply of affordable housing.

- 4.42.32. Circular 6/98 makes no reference to the provision of affordable housing in respect of these forms of development. However, it does make clear that local planning authorities should ensure there is a mix of dwelling types and sizes whether through new house building or conversions. In principle, therefore I see no reason why the provision of affordable housing should not be considered equally material in respect of developments that involve the replacement or conversion of existing buildings.
- 4.42.33. The Council proposes under PIC 27 to introduce an additional lower threshold for affordable housing within Policy 21. The new threshold, which is set at 0.2ha or 5 dwellings, would relate to both the smaller villages covered by Policies 4 and 6 and the rural area in general. Circular 6/98 allows local authorities to set lower limits for settlements with a population of 3000 or less. I consider that the setting of a lower threshold for the smaller settlements within Dacorum accords with this advice. More importantly, I consider that 0.2ha or 5 dwellings would constitute an appropriate threshold for these villages for the reasons I set out in paragraphs 7.8.139 to 7.8.149 of my report.
- 4.42.34. I note the objector’s suggestion that the threshold could be set in the region of 2 to 5 dwellings. However, while I acknowledge the limited availability of land within the villages, I consider that a threshold of below 5 dwellings would be likely to have an impact on the viability of some redevelopment schemes. In my view, this could undermine local attempts to get rid of non-conforming uses or replace unsightly buildings, which may bring considerable benefits to the villages. Moreover as Policy 4 restricts new infill development to that which meets local needs some affordable housing will already arise from this source. I do not consider therefore that the shortfall in affordable housing within the villages will be of such significance as to warrant setting the threshold below 5 dwellings bearing in mind the possible impact this could have on the villages’ character.
- 4.42.35. In my view the suggested additional threshold in Policy 21 will apply equally to replacement schemes or changes of use of existing buildings to residential. Consequently, I see no need to modify the wording of Policy 4 in this regard. However, I believe it would be sensible for the background text to be amended to draw attention to the fact that Policy 21 will apply in respect of any development within either categories (a), (c) or (d) which exceeds the relevant threshold. I recommend that the Plan be modified accordingly.

(d) *Village design statements*

- 4.42.36. I have no doubt that the production of village design statements, whether undertaken by local people themselves, as the Countryside Agency suggest, or by the Council, would be of considerable benefit. They would enable more detailed guidance to be given on the local character of each village and the design considerations that need to be taken into account in new development. Such statements could usefully be adopted as supplementary guidance. I therefore fully support PIC9.

Individual Settlements

(e) Bourne End

- 4.42.37. Bourne End consists of a small and relatively scattered ribbon of development along the main road together with a number of houses and other buildings along the lane that leads to Bourne Mills. Unlike the villages included in Policy 4, it has very few facilities or services apart from a petrol station, a public house, a hotel and a village hall. I do not consider, therefore, that it is comparable with Chipperfield, Flamstead, Potten End or Wigginton, which are all larger settlements.
- 4.42.38. More importantly the Green Belt in this section of the Bulbourne valley serves a number of extremely important purposes. In particular it prevents the neighbouring towns of Hemel Hempstead and Berkhamsted from merging and helps to check their unrestricted sprawl. In view of the limited size of Bourne End and the scattered nature of development within it, I consider that further infilling would have a seriously damaging impact on the openness of the Green Belt in this strategic location. In the circumstances, I do not consider it would be appropriate for Bourne End to be included within the list of settlements to which Policy 4 applies. I therefore recommend no modification be made to the Plan in the light of these objections.
- 4.42.39. In reaching this conclusion I have noted the objectors’ comments that further development at Bourne End would make it a more sustainable community. However while I accept there is some local employment available at Bourne Mills and the adjacent Service Area I doubt that the modest growth that is envisaged within Policy 4 villages would be likely to lead to the provision of further community facilities or to the regeneration of the settlement. In the circumstances, I do not consider the benefits of further growth would be sufficient to outweigh the serious harm to the Green Belt.

(g) Chipperfield

General

- 4.42.40. Chipperfield is a disparate settlement with a number of outlying clusters or ribbons of development to the south-west, north, north-east and south-east of the village core. However, the centre of the village is generally of a much higher density, particularly between Croft Lane and Langley Road and south of Kings Lane. It is this area which is included within the village boundary shown on the Proposals Map.
- 4.42.41. Mrs Seager (4482) urges the Council to relax their stringent opposition to house building within Chipperfield. She suggests that 3 additional areas outside the current village boundary be considered for the development of small dwellings so as to provide suitable property for the children of existing villagers to buy. Mr Radford (5009L) advocates that his land on Chapel Croft ought to be included within the village boundary. I have therefore carefully considered whether any of these areas should be included within the village for the purposes of Policy 4.

Kings Lane

- 4.42.42. This area which lies to the east of Kings Lane between Langley Road and Nunfield consists of a large open field. Although it is close to the centre of the village and well located in respect of existing village facilities it is separated from the built-up area by the highway and a stout hedge and fence. Consequently, I find the field forms part of the open countryside surrounding the settlement. In my view development of this area would result in a serious encroachment into the countryside contrary to the objectives of Green Belt policy.

Dunny Lane

- 4.42.43. This area lies to the west of the main village on the southern side of Dunny Lane. Apart from the Church to the west there is no other built development along the southern side of this stretch of Dunny Lane. Further residential development in this location would, therefore, encroach into the wedge of open land on the southern side of the lane. In my view, this would have a substantial impact on the openness of the Green Belt, especially since the land rises up from the lane.

Scatterdells Lane

- 4.42.44. This area lies much further from the core of the village at the western end of Scatterdells Lane. It would, therefore, be poorly located in respect of existing facilities. It is bounded on the road frontages by a high hedge and is predominantly rural in character. In my opinion it clearly forms part of the countryside rather than part of the village. As the land to the south-west, north-west and south-east is largely open I do not consider that development of this site would constitute infilling. More importantly, it would serve to consolidate the existing ribbon of development along Scatterdells Lane. In my opinion, this would be seriously detrimental to the continued openness of the Green Belt in this location.

Ackwell Simmons Yard, Chapel Croft

- 4.42.45. This site lies to the north of Chapel Croft and directly abuts the existing village boundary. Planning permission was granted for 7 industrial units on this site in March 2000. Permission has since been given on appeal for the development of two houses on the site. However permission for a larger development of 6 dwellings was dismissed at the same time.
- 4.42.46. The existence of a large irregular brick building and a large open sided steel-framed structure on the eastern side of the site means that part of the site is built-up. However, similar large agricultural buildings exist elsewhere on the edge of the village. I do not consider the presence of these buildings is sufficient, in itself, to justify including the site within the village boundary.
- 4.42.47. More importantly, the remainder of the site, although used in part for commercial storage, is largely open in character. I consider, therefore, that the site continues to make an important contribution to the openness of the Green Belt. In addition, it helps to preserve the open character of this part of the Conservation Area.

- 4.42.48. I appreciate the site is largely screened from the surrounding countryside by trees but equally it is screened from the adjoining dwellings to the south-east which lie within the existing village boundary. I am not persuaded therefore that the existing trees along the northern and western boundary form a more appropriate village boundary.
- 4.42.49. Both the redevelopment schemes that have been approved involve buildings being sited on the eastern part of the site only. The new buildings would have a smaller footprint than the existing structures. Consequently, they would have less impact on the Green Belt. I do not consider, therefore that either of these permissions is sufficient to justify the whole site being included within the village boundary.
- 4.42.50. I have considered whether it would be appropriate to include the eastern part of the site only. Neither of the approved schemes had been granted full planning permission by the time the Inquiry closed and there was no indication that either had been implemented at the time of my last visit. I am not satisfied, therefore, that at this stage there is sufficient certainty that either scheme will be built. In the circumstances, I do not consider that it would be appropriate to amend the village boundary in the light of these permissions. However, the Council may wish to review the situation if and when either of these schemes is actually implemented.
- 4.42.51. In any case there would be no boundary between the built up part of the site and the open area to the west. Infilling of this area or the area between the 2 proposed houses would undoubtedly reduce the openness of the Green Belt. I do not consider therefore that it would be appropriate for the village boundary of Chipperfield to be extended to include Ackwell Simmons Yard.

Summary

- 4.42.52. I understand Mrs Seagar’s desire to ensure the future vitality of the village. However, Policy 4 already allows for small scale infilling within the main part of the village to meet local needs. I am not satisfied from the limited evidence before me that there is an overriding need to make provision for additional land for affordable housing within Chipperfield, bearing in mind that planning permission was given recently for 6 affordable units outside the existing village boundary.
- 4.42.53. None of the 3 sites she suggests fall within the village core. Neither do they form a small gap in an otherwise built-up frontage. As such I find that they do not constitute infill sites. In my view the individual character of these sites is such that their development would undoubtedly diminish the openness of the Green Belt in this location. In the circumstances, I do not consider it would be appropriate to extend the village boundary to include any of these sites.
- 4.42.54. Similarly, I do not consider it would be appropriate at this stage to include any of Ackwell Simmons Yard within the village boundary, although the Council may wish to review this if and when the approved housing scheme is completed. In conclusion I consider that the village boundary for Chipperfield should not be extended to cover any of the sites referred to by the objectors. I, therefore, recommend no modification be made in the light of objections 4482 and 5009L.

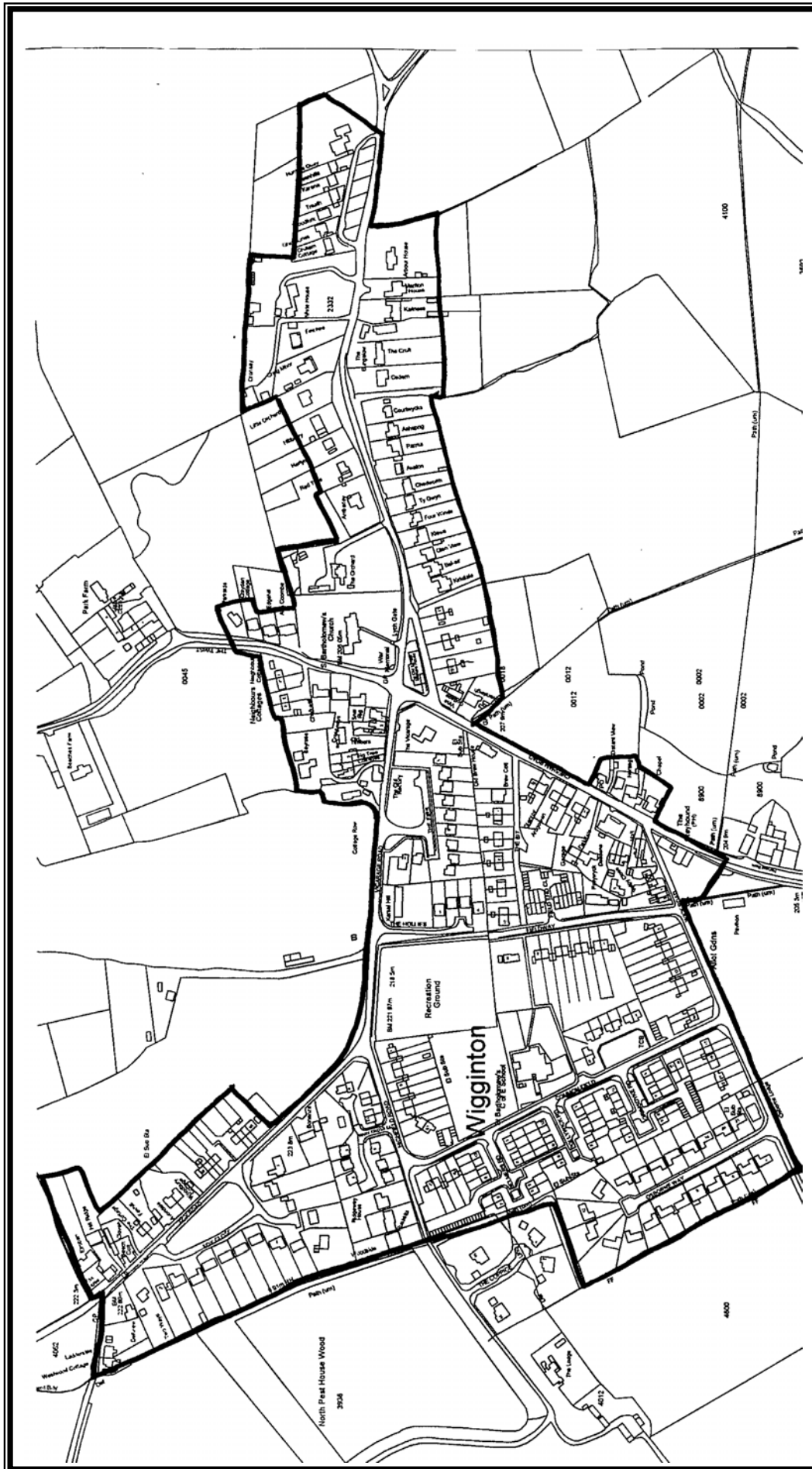
Wigginton

(h) Comparable treatment with Aldbury

- 4.42.55. The objector argues that the selection of villages is arbitrary and that it would be more appropriate for Wigginton either to be listed under Policy 6 or given similar treatment to Aldbury. However, I consider the Council is right to treat small villages within the Green Belt under a separate policy from small villages within the rural area since different policy considerations apply. In my view, their approach accords with national policy as laid down in PPG2 (CD2) and PPG7(CD6). I appreciate that Aldbury has more extensive facilities than Wigginton but I do not consider that this justifies Wigginton being given comparable treatment. To do so would differentiate it from other Green Belt villages and lead to a serious inconsistency in the development strategy for the Borough.
- 4.42.56. While additional development within the Green Belt villages might reduce the impact on the Green Belt arising from the expansion of Hemel Hempstead, I doubt that the effect would be substantial. When one also takes into account the fact that further development in the villages would also be likely to reduce the openness of the Green Belt, I consider any benefit would be minimal. More importantly, I consider that encouraging additional development in Green Belt villages would be totally at odds with national and Structure Plan policy which seek to encourage sustainable development within or on the edge of existing urban areas as a priority.
- 4.42.57. I appreciate that Wigginton has recently lost its Post Office and shop but it is unlikely in my view that further modest development would be sufficient to ensure the return of such facilities. I am not persuaded therefore that there is any justification for treating Wigginton differently to the other Green Belt villages. In the circumstances, I recommend no modification be made to the Plan in the light of this objection.

(i) Village boundary

- 4.42.58. The objector argues that the village boundary has been drawn too tightly and that Park Farm and its front paddock should be included. In response the Council has suggested under FC22 that the boundary should be further tightened to exclude 2 properties on The Twist as well as part of the rear gardens of a number of properties on Hemp Lane and The Twist.
- 4.42.59. Since Park Farm continues to be separated from Parkside to the south by a large open field I do not believe it can be said to form part of built-up core of the village, despite the recent residential conversion of the barns. I have no doubt that further infilling in this area would cause substantial harm to the openness of the Green Belt. I therefore support the continuing exclusion of Park Farm from the defined village boundary.
- 4.42.60. However, I have some reservations about the Council’s attempt to redraw the boundary under FC22. I can see no real justification for excluding Parkside and Clayden Cottage on The Twist. These properties are similar in character to the adjacent residential properties to the south and have smaller plots than many other properties in the village. However, I accept that the rear garden of Clayden Cottage is largely open and should therefore be excluded. Similarly the area to the rear of Edgehill and Ash Combe, which forms an extension to the cemetery, is open in



VILLAGE BOUNDARY FOR WIGGINTON



FIGURE 7

SCALE : 1:5,000

character and relates more closely to the surrounding countryside than the village. Consequently, I agree that the boundary should be varied to exclude this area also.

- 4.42.61. As for the exclusion of the rear gardens of the other properties on Hemp Lane, I consider the rear of The Orchard although open in character is screened from the land to the north by a conifer hedge. As the garden to the rear of the dwelling contains a number of small buildings I consider that it is appropriate for it to be included within the village boundary. The area to the rear of Amberley and Red Tiles is more open in character and is therefore rightly excluded in my view. I consider, therefore, the boundary as it relates to The Orchard should remain as shown on the Proposals Map.
- 4.42.62. In contrast although the long rear gardens of Harlyn, Hillberry and Little Orchard also have clearly defined rear boundaries for the most part, I find they make a significant contribution to the openness of the Green Belt. Infilling or further development within this area would therefore be unacceptable in my view. Consequently, I consider the boundary should be redrawn as proposed.
- 4.42.63. I therefore support the amended boundary proposed under FC22 insofar as it relates to the land to the rear of Edgehill and Ash Combe on The Twist and Harlyn, Hillberry and Little Orchard on Hemp Lane. However, I do not support the changes proposed in respect of Parkside, Clayden Cottage and The Orchard.
- 4.42.64. I have carefully considered whether the boundary is too tightly drawn at any other location within the village. Although the 4 new houses on The Coppice strictly form part of the village, they were granted planning permission as an exception to Green Belt policy. I have no doubt that further infilling between them would be damaging to the openness of the Green Belt. In this instance therefore I consider that the Council is justified in not including The Coppice within the village boundary.
- 4.42.65. In contrast I believe the exclusion of Hunters Quay at the other end of the village is not warranted. Although this property has a large side garden, it clearly forms a contiguous part of the ribbon of development along Hemp Lane. In my view therefore it would be more appropriate for it to be included within the village boundary. I therefore, recommend the village boundary be modified in accordance with Figure 7 rather than as proposed by FC22.

Recommendation

4.42.66. **The Plan be modified as follows:-**

- (a) Policy 4 be amended by:-**
 - (i) altering clause (b) in accordance with FC 17, subject to the omission of the reference to Policies 25 & 26;**
 - (ii) Adding a new clause (c) in accordance with FC17;**
 - (iii) Renumbering the remaining clauses;**
 - (iv) Deleting clause (iii);**
- (b) Paragraph 4.39 be amended to make clear that the lowest threshold for affordable housing set out in Policy 21 will apply to development permitted under clauses (a), (c) and (d) of Policy 4;**

- (c) Reference to agricultural/forestry workers dwellings be added to paragraph 4.40 in accordance with FC18;
- (d) the last sentence of paragraph 4.40, which states “Infilling by general market housing is not acceptable”, be deleted;
- (e) an additional paragraph on Village Design statements be added in accordance with PIC9;
- (f) the village boundary for Wigginton be altered as shown in Figure 7.

4.43. POLICY 5 : THE RURAL AREA

Objections

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
779	E W Tomblin & Sons Ltd	3783	Mrs S Gregory
1056*	Ministry of Agriculture, Fisheries & Food	3793	Mr & Mrs M Tomlinson
1078*	Thames Water Property Ltd	3818	Mr D Chandler
1912	British Telecommunications plc	3852	Mr S Hinchliff
3702	Silvermere Developments	4316	Mrs A J Nobbs
3703	Silvermere Developments	4800	Castle Cement Ltd
3742	Government Office for East of England		

Counter-objections

To pre-inquiry change 10

5711 PC Castle Cement Ltd

Supports

1268	CPRE – The Hertfordshire Society	3237	Community Development Agency for Hertfordshire
1848	Countryside Agency	3739	Government Office for East of England
1885	Chiltern District Council		

Supports for pre-inquiry changes

For pre-inquiry change 10

5293 PC	East of England Tourist Board	5388 PC	CPRE – The Hertfordshire Society
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Key Issues

Policy and background

- (a) Should clause (ii), which refers to redundant buildings, be amended to reflect Government advice in PPG7. (1056, 3742)
- (b) Ought the policy to expressly allow for the redevelopment of existing non-residential buildings for employment or residential purposes. (1912)
- (c) Whether the policy should be amended to encourage redevelopment of “brownfield” sites that are considered to be eyesores. (3702)
- (d) Is the list of acceptable uses in the policy adequate or should it be extended to cover essential utility services. (1078)
- (e) Should the types of new building permitted be extended to include infilling of existing residential curtilages and if so whether the policy ought to be amended to allow for limited residential development. (3852)
- (f) Ought the policy to encourage organic farming. (4316)
- (g) Should the policy allow for temporary, large-scale buildings. (4800)
- (h) Does mineral extraction include chalk quarrying (4800, 5711PC).

- (i) Whether the policy takes sufficient account of current government guidance on farm diversification.

Specific sites

Long Marston

- (j) Is the village a sustainable location for further development (3703, 3783, 3793, and 3818).
- (k) Should land at Astrope Lane, Marston Place and Tring Road be excluded from the Rural Area (3703, 3783, 3793, and 3818).
- (l) Does the village boundary need to be amended at any other location.

Markyate

- (m) Should land at Cheverell’s Green be excluded from the Rural Area (779).

Inspector’s Conclusions

Policy & Background

(a) Redundant buildings

- 4.43.1. PPG7 makes clear that it should not normally be necessary to consider whether a building is no longer needed for its present purposes. In the circumstances, I find that it is inappropriate for Policy 5 to refer to the reuse of redundant buildings only. I, therefore, support PIC10, which proposes the deletion of the word “redundant” and its replacement with the word “rural”.
- 4.43.2. However, while this change will go some way to addressing these objections it fails to take into account the concerns raised about the limitation on reuse of existing buildings to those that are “worthy of retention”. PPG7 makes clear that there should be no reason for preventing the conversion of rural buildings for business re-use subject to the advice in annex G. In these circumstances it seems to me that the requirement for the buildings to be “worthy of retention” adds a vague and unnecessary hurdle, particularly as the background text gives no definition of what is meant by this term. I consider that it would be better to omit these words from Policy 5 and to rely instead on Policies 91 and 106 to establish the detailed criteria for the acceptable re-use of existing buildings. I therefore recommend that Policy 5 be modified in accordance with PIC10 and by the deletion of the words “which are worthy of retention”.

(b) Redevelopment of non-residential buildings

- 4.43.3. This objector raises a concern about the future of the telephone exchange at Little Gaddesden arguing that Policy 5 is excessively restrictive since it would not permit the redevelopment of the building for employment or residential purposes. I accept that Policy 5 does not allow for the general redevelopment of redundant non-residential buildings. However, it would permit the redevelopment of the telephone exchange for various other uses normally considered appropriate in the countryside. It also permits the re-use of non-residential buildings subject to the criteria in Policy 106. It seems to me therefore that there is already considerable scope for the redevelopment or reuse of the telephone exchange.

- 4.43.4. While PPG7 makes clear that in many rural areas, provision needs to be made for new buildings, it also stresses the need for buildings in the open countryside away from existing settlements or from areas allocated for development to be strictly controlled. Little Gaddesden is not within an area allocated for development. Since it not only falls within the AONB but also has extremely limited facilities and relatively poor public transport, unlike the villages included in Policy 6, I consider that the Council’s strategy of strictly controlling further development within it is correct. In my view this approach accords with the strategy of the Structure Plan.
- 4.43.5. To modify the policy to allow for redevelopment of an existing building within the rural area for general employment or residential use would significantly widen the latitude for further development within the rural area. To my mind this would not only be contrary to the objectives of PPG7 but also to the overall strategy of the Structure and Local Plans. Moreover, in view of the limited range of facilities existing within non-specified settlements like Little Gaddesden I consider that encouraging further new development within these settlements would conflict with the aims of the government’s policy of encouraging a more sustainable pattern of development. Taking all these factors into account I do not consider it would be appropriate to widen the terms of Policy 5 to permit the redevelopment of existing commercial buildings other than allowed for under the provisions of Policy 34. I therefore recommend no modification should be made to the Plan in the light of objection 1912. However, in my view Policy 5 does need to be amended to take account of the proposed changes to Policy 34.

(c) *Redevelopment of eyesores*

- 4.43.6. While current government policy encourages the re-use of “brownfield” sites this is linked with the clear objective that such development will be sustainable. In general terms I do not consider that the redevelopment of “brownfield” sites within the wider rural area would be particularly sustainable, bearing in mind the lack of available services and the fact that there is unlikely to be a choice of modes of transport.
- 4.43.7. I appreciate that redevelopment may achieve the removal of an eyesore. However, this is not the only way of achieving this end. Grants can in some cases be obtained for the reclamation of land. In many other cases sites will blend in with the landscape over time through the process of natural regeneration. In any case, I am not satisfied that the rural area of Dacorum Borough has such a significant number of eyesores as to justify departing from the normal approach to development in the countryside. I see no reason, therefore, for the Plan to be modified in response to objection 3702.

(d) *Essential utility services*

- 4.43.8. Policy 5 already allows for the provision of utility services to meet a proven need of the local community. However, the Council now accepts that there may be a need for essential services that do not relate to the needs of the local rural community. They therefore propose under FC23 to introduce a separate category of acceptable development to cover essential utility services. This change would appear to address the objection.

- 4.43.9. To my mind the proposed modification is a sensible one since there may well be occasions where long distance services, which serve the urban area, have to be laid through the countryside. Providing these are constructed in such a way as to have no significant impact on the character or appearance of the countryside I consider it reasonable for Policy 5 to permit such development. I therefore support FC23.
- 4.43.10. In reaching this conclusion, I have noted the suggestion that Policy 5 ought to be consistent with Policy 3. Clearly, in the light of my recommendation that the reference to essential utility services be deleted from Policy 3, the two policies will no longer be consistent if they are modified as suggested. However, I do not believe that consistency is necessary in this case since the restrictions on development within the Green Belt are far stronger than in the rural area generally. Indeed it is the only area of planning control where there is a presumption against inappropriate development. I consider, therefore that it is entirely appropriate for Policy 5 to make provision for essential utility services even though Policy 3 does not.

(e) *Limited residential development (Infilling of residential curtilages)*

- 4.43.11. In view of my concerns about the sustainability of further development within the rural area and in the non-specified settlements in particular, I do not consider it would be appropriate for Policy 5 to allow for limited residential development as suggested by the objector. Not only would this be damaging to the character of the rural area in general it would also, in my view, be contrary to the thrust of national and Structure Plan policy which seek to limit residential development outside identified settlements.
- 4.43.12. I appreciate that there are a number of dwellings in large plots within the non-specified settlements, particularly at Little Gaddesden. However, I consider that these large open plots often make a significant contribution to the rural character of the area. Further infilling within them would in my view lead to a damaging sub-urbanisation of the countryside. This would not only cause harm to the rural area but in most cases would either detract from the character of the AONB, as at Little Gaddesden, or would undermine the openness of the Green Belt, as at Bourne End. In the circumstances I do not consider that it would be appropriate to amend Policy 5 to allow for infill development within non-specified settlements such as Little Gaddesden. I therefore recommend that no modification be made to Policy 5 in the light of objection 3852.

(f) *Organic farming*

- 4.43.13. While I appreciate the objector’s desire to see organic farming supported, I do not consider that such a policy would be appropriate in a local plan. Use of land for agriculture is not, in itself, development. The Council therefore effectively has no control in land use terms over whether land is farmed organically or not. I appreciate that new buildings on an organically farmed holding may need planning permission in some instances. However Policy 5 already supports these providing they do not have a significant impact on the character or appearance of the countryside. In the circumstances, I do not consider there would be any merit in modifying Policy 5 in order to give greater encouragement to organic farming. Consequently, I do not support objection 4316.

(g) Temporary large-scale buildings

- 4.43.14. I have no doubt that large-scale buildings, even when only erected for a temporary period, will often cause significant harm to the character of the rural area. I appreciate that in some situations such as within a quarry the visibility of such a building may be less pronounced. However, I do not consider that on its own this is sufficient reason for allowing the erection of larger-scale buildings as a matter of principle. Even though a building may not be prominent in the landscape it can still erode the rural character of the area. I consider, therefore, the Council is right to limit new buildings in the countryside to those that are small-scale.
- 4.43.15. In any event the erection of large-scale buildings in connection with quarrying activities often constitutes permitted development. Schedule 2, Part 19 Class A of the GPDO permits the erection of processing plant, which is required for the winning or working of minerals on land in or adjacent to and belonging to a quarry. Class B also gives permitted development rights for other uses that utilise minerals produced at the site including secondary industry. It seems to me therefore that large-scale buildings that are directly related to the quarrying, processing or utilisation of chalk will normally be permitted under the provisions of the GPDO, providing they are sited in or adjacent to the quarry.
- 4.43.16. I appreciate that Policies 20 & 22 of the Minerals Local Plan (MLP) (CD66) allow for the removal of these permitted development rights but it is clear that this will only be done in exceptional circumstances. I see no need therefore to amend the Local Plan to make provision for the erection of such buildings. It would not be appropriate for the Local Plan to seek to extend rights to erect large-scale temporary buildings in connection with mineral extraction beyond that provided for in the MLP. Such a modification would result in a clear conflict within the Development Plan for the area. In the circumstances, I am satisfied that Policy 5 should not make specific provision for the erection of large-scale buildings.

(h) Mineral extraction

- 4.43.17. Chalk is listed in table 1 of MPG1, as well as being more extensively referred to in MPG10. Although the MLP does not specifically recognise that part of the quarry at Pitstone that falls within Hertfordshire as a mineral extraction site, it does identify other sites where chalk has or will be extracted. It is clear therefore that both nationally and at Structure Plan level chalk is considered to be a mineral. Since chalk is also mentioned in Policy 96 of the DBLP, it is clear that it also constitutes a mineral at the local level. I am satisfied, therefore, that the quarrying of chalk within Dacorum would be covered by clause (c) of Policy 5.
- 4.43.18. I note the objector’s suggestion that this clause ought to be amended to make specific reference to chalk quarrying on a registered Interim Development Order site. However, Policy 5 is a general policy, which is intended to cover all forms of development in the rural area, including all forms of mineral extraction. I can find no justification for singling out one form of extraction over another. In my view there will be no conflict with Policy 96 if it is modified in accordance with PIC159. In the circumstances, I find the objector’s proposed additional wording would add nothing of value to Policy 5. I therefore recommend no modification be made to the Plan in the light of objections 4800 and 5711PC.

(i) Farm diversification

- 4.43.19. Although no objection has been raised in respect of this issue, I am concerned that Policy 5 in its present form takes insufficient account of recent national advice on farm diversification, particularly amended paragraphs 2.8 and 3.4 of PPG7. Amongst other things this advice stresses the need for local planning authorities to be supportive of well-conceived farm diversification schemes. It also states that local planning authorities should set out in their development plans the criteria to be applied to planning applications for farm diversification projects.
- 4.43.20. I appreciate that in many cases such schemes will involve the reuse of existing buildings, which is already covered by the Plan. However, paragraph 3.4B makes clear that in some instances new buildings may also be acceptable. Policy 5 currently makes no specific provision for farm diversification, particularly in respect of new buildings. In the circumstances, I consider that it should be amended to make clear that development associated with well-conceived farm diversification schemes would be acceptable providing it is consistent in scale with its rural location.
- 4.43.21. I recommend therefore that a new clause should be added to the uses listed in the first part of Policy 5 to cover this. In order to show that a scheme is well-conceived and would conform to national policy I believe the clause should require an acceptable farm diversification project to form part of an approved farm management plan and to demonstrate that it is necessary to the continuing viability of the farm business. I am satisfied that the issue of consistency of scale is already adequately addressed by the provisions of Policy 106 in respect of reuse of existing buildings and by clause (a) of Policy 5 with regard to new buildings. However, the Council may wish to consider whether a separate policy outlining more detailed criteria for farm diversification projects is required.
- 4.43.22. In addition to the changes to the Policy it will also be necessary, in my opinion, to make some amendments to the background text to refer to the increased support for farm diversification projects that is contained within the revisions to PPG7. It will also be necessary to explain the process of how farm management plans will be approved and how this will relate to the submission of a planning application for a farm diversification project. Since the Council may wish to give some further thought to the best means of achieving this I shall leave the exact wording of the revised background text to their discretion.

Specific sites

Long Marston

(j) Is the village a sustainable location for further development

- 4.43.23. Although the objections listed under this issue are in fact site-specific the objectors have all raised general points relating to the definition of the village boundary at Long Marston and the suitability of the village for limited additional development. Most of these issues have also been raised in respect of Policy 6. I have therefore considered the question of whether Long Marston would be an appropriate location for further development at this point in my report.

- 4.43.24. The objectors point out that there are employment opportunities at Marsworth Aerodrome Industrial Estate and the village has the benefit of an infants school and shopping facilities. They also draw attention to the station at Cheddington. Consequently, they maintain that Long Marston is a sustainable location for further development, which would help to support existing facilities.
- 4.43.25. Although some 300 people are currently employed at Marston Aerodrome, the Industrial Estate is situated some distance from the nearest settlement, being $\frac{3}{4}$ mile to the east of Long Marston and around $\frac{1}{2}$ mile to the west of Cheddington. The employees’ journey to work is therefore likely, in my opinion, to generate significant levels of car usage, particularly in view of the extremely limited bus service.
- 4.43.26. There is no evidence that either the Industrial Estate or any of the existing firms based on it has the capacity to expand significantly. Neither is there any evidence before me as to where the existing employees currently live. Many may already live in Long Marston or Cheddington. Even if they do not I am not persuaded that they would necessarily move to Long Marston if more houses were built in the village. In any case, I doubt this would lead to a more sustainable pattern of travel, bearing in mind the distance of the estate from the village and the frequency and times of existing bus services. I do not consider, therefore, that on its own the presence of the industrial estate at Marston Aerodrome is sufficient to make Long Marston a sustainable location for further development.
- 4.43.27. As the station at Cheddington is over 2 miles from the village and there is a very limited bus service to it, I consider it is unlikely to make a significant contribution to reducing the car usage of those living in Long Marston. I am not satisfied therefore that the village is a sustainable location in transport terms. It is certainly less sustainable in my view than the settlements identified under Policies 1 and 2 of the Plan. My view is strengthened by the fact that the nearest secondary school is located in Tring.
- 4.43.28. I appreciate that the village has a primary school and limited shopping facilities. However, while the school currently has some limited additional capacity and the school role is expected to fall slightly there is no evidence that the small shortfall in pupils is likely to lead to closure of the school in the foreseeable future. Similarly there is no direct evidence that the viability of the existing shop/post office is under threat. I am not persuaded, therefore, that there is sufficient evidence at present to demonstrate that limited additional development is required to maintain the vitality of the village or surrounding area.
- 4.43.29. However, while I see no immediate need for further housing in Long Marston, there is no doubt that rural facilities generally are under continuing pressure. This is clearly demonstrated by the fact that at least one other village in the Borough has experienced the loss of existing facilities in recent years. I appreciate that Long Marston is rather more remote from other rural settlements in the Borough. Nevertheless, I have some concern as to whether the small-scale development envisaged in the village during the Plan period will be sufficient to sustain the existing services in the longer term.
- 4.43.30. I appreciate that Long Marston is a less sustainable location for new housing than those proposed in the towns and large villages. However, Paragraph 70 of PPG3 makes clear that villages may be suitable locations for accommodating additional

housing where it can be demonstrated that this will support local services, such as schools and shops which would become unviable without some modest growth. Structure Plan policy 6 also allows for limited growth of some settlements in order to maintain their viability. Although the Council argues that additional development would not ensure the viability of existing services, there is little evidence that they have done any detailed research in respect of this issue. In the absence of such research I remain concerned regarding the longer-term picture for the rural villages, especially in respect of Long Marston.

- 4.43.31. In reaching this conclusion I have taken into account both the fact that there has been very limited development in Long Marston since the early 1980’s and the Council’s assessment of development opportunities in Long Marston (LPA Doc NO.208 DBC2). However, I consider that the development of a number of the potential sites identified by the Council would either be impractical or damaging to the character of the village. I therefore find its figure of 20 to 30 dwellings to be unrealistic. In my view the potential is likely to be closer to the 14 dwellings suggested by the objectors. This reinforces my concern that the extent of development likely to occur in Long Marston over the Plan period may be insufficient to maintain the vitality of the settlement and surrounding area in the longer term.
- 4.43.32. In the circumstances, while I am not satisfied that the evidence is sufficient to recommend a modification being made to the current Plan, I believe that the Council ought to undertake a comprehensive appraisal of the rural villages covered by Policy 6 at an early stage of the next review. In my opinion, such a study is essential in order to establish whether or not limited additional development outside the proposed village boundaries will be required in the longer term in order to maintain the vitality of the villages and surrounding area.

(k) *Land at Astrope Lane, Marston Place and Tring Road*

Astrope Lane

- 4.43.33. This site consists of an area of agricultural land on the edge of the village. In my view, it clearly forms part of the countryside. There is no evidence that additional greenfield development is currently required to support the viability of existing village services. I accept therefore that it is appropriate for this site to be retained as part of the rural area at the present time. Consequently, I recommend no modification be made to the Plan in the light of objection 3703.
- 4.43.34. However, in my view, this site does have some advantages. In particular it is centrally located close to the school and not far from the other facilities in the village. If the comprehensive study, referred to in paragraph 4.42.32, should determine that in the longer term there is a need for modest additional development in Long Marston to support local services, I would recommend that this site is reconsidered along with any others the Council consider might be suitable.
- 4.43.35. In reaching this conclusion, I have noted that the site also lies within an Area of Archaeological Significance. However, this appears to be true for the whole of the northern part of the village and surrounding fields. I do not consider therefore that, by itself, this should rule out this site from being given further consideration should it be

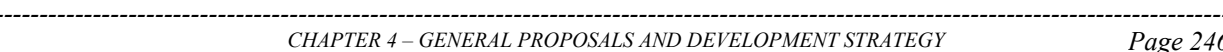
established that some additional development is necessary to safeguard the viability of existing services in Long Marston in the longer term.

Marston Place

- 4.43.36. Although the objector argues that this site forms part of the village, I find that it is physically and visually contiguous with the open countryside to the south being open grazing land. It is prominent from Astrope Lane to the south and is crossed by 2 public footpaths. In my opinion, it relates more closely in character to the surrounding rural area than to the village. I do not consider, therefore, that the village boundary should be extended to include this site. My view is reinforced by the damaging impact that I believe development on this site would have on both the setting of All Saints Church and on the wider Conservation Area. I therefore recommend no modification be made to the Plan in response to objection 3783.

Tring Road

- 4.43.37. There are 2 objection sites on Tring Road, both of which are located to the south of the village boundary. The first consists of a 2 storey detached dwelling (‘Sunnymead’) standing on a large plot of some 0.27 ha (0.67 acres). The second is an L-shaped piece of land, of around 0.5 ha (1.25 acres), which lies immediately to the south of ‘Sunnymead’ and to the north and west of 5 Tring Road.
- 4.43.38. Although ‘Sunnymead’ lies immediately to the south-east of a continuous line of dwellings, which run southwards along Tring Road, there is a significant gap of some 25 metres between the last dwelling in the line and the dwelling at ‘Sunnymead’. There is a similar gap between ‘Sunnymead’ and its southern boundary. The plot is therefore far more spacious than any of the neighbouring properties to the north. In my view this distinguishes it from the built-up frontage to the north and imparts a more rural character to the site. The open land on the opposite side of Tring Road further enhances this. In view of this more open character I consider it is appropriate for ‘Sunnymead’ to remain outside the village boundary for Long Marston.
- 4.43.39. Turning to the site adjacent 5 Tring Road, this is far more open in character. Although there are a number of small buildings adjacent the northern boundary these take up only a very small part of the site. The rest of the site is open and largely rural in appearance. I do not consider therefore that it falls to be considered as a ‘brownfield’ site. Even if it did I am not satisfied that this would justify its inclusion within the village boundary bearing in mind the significant gaps in the frontage to the north and the contribution the site makes to the rural character of the area.
- 4.43.40. I conclude, therefore that the village boundary should not be extended to cover either ‘Sunnymead’ or the land adjacent to 5 Tring Road. My view is strengthened by the fact that even if further development in Long Marston was justified this site is unlikely to be the most sustainable location in view of the distance from the school and the other facilities within the village. Accordingly, I recommend no change be made to Policy 5 in the light of objections 3793 or 3818.



Other locations

4.43.41. Although I have recommended no change to the village boundary in respect of the specific Objection sites above, I am concerned that in some locations the boundary is drawn too tightly, particularly at Chapel Lane. In my view it would be more appropriate for the site of the original ‘All Saints’ church and the development at Marston Place and Old Church Farm to be included within the boundary, since these form part of the village’s historic core. My view is reinforced by the recent conversion of many of the farm buildings at Marston Place as this gives them a more residential character. I also consider that it would make more sense for the new church and churchyard to be included within the village since they clearly form an integral part of the village’s character. I am satisfied that such extensions would not lead to damaging infill development since the character of the area would be adequately safeguarded by the provisions of Policies 6 and 116. I therefore recommend that the village boundary for Long Marston be modified in accordance with Figure 8.

Markyate***(m) Cheverells Green***

4.43.42. I consider the area of Cheverells Green which lies to the south of Friendless Lane rightly forms part of the rural area for the reasons I have already set out in paragraphs 4.8.25 to 4.8.28 of my report. Accordingly I recommend that no modification be made to the boundary of Markyate in the light of objection 779.

Recommendation

4.43.43. **The Plan be modified as follows:-**

- (a) **Clause (e) be amended and a new clause (f) be added in accordance with FC23;**
- (b) **the insertion of an additional clause after clause (f) as follows:-**
 - ‘(g) uses associated with a farm diversification project that forms part of an approved farm management plan, which can be demonstrated to be necessary for the continuing viability of the farm business;’**
- (c) **the deletion of the phrase:-**
 - “ Existing buildings which are worthy of retention may be reused: i.e.”**
 - and its substitution with the following phrase:-**
 - ‘Existing buildings may be reused in the following circumstances:’**
- (d) **the deletion of the word “redundant” and its replacement with the word “rural” in accordance with PIC10;**
- (e) **the addition of a further criteria for new buildings as follows:-**
 - ‘(e) small-scale development or redevelopment on land with established employment generating uses under Policy 34.’**
- (f) **Amend the background text in paragraph 4.45 to include reference to the support for farm diversification projects within revised PPG7. In addition, insert additional text to explain the process by which farm management plans will be expected to be submitted for approval;**
- (g) **alter the village boundary for Long Marston, shown on Proposals Map 1, in accordance with Figure 8 of this report.**

4.43.44. In addition, the Council:-

- (i) consider whether a new separate policy setting out detailed criteria in respect of farm diversification schemes would improve the Plan;
- (ii) undertake a detailed study of Aldbury, Long Marston and Wilstone at an early stage of the next review of the Plan, in order to establish whether limited additional development outside the village boundaries shown on the proposals maps is necessary to maintain the vitality of these villages and surrounding rural area in the longer term;
- (iii) if the study listed under (ii) above indicates that limited additional development would be appropriate in Long Marston, give consideration to whether land at Astrope Lane would be an appropriate location for such development along with any other site the Council considers may be suitable.

4.44. POLICY 6 : SELECTED SMALL VILLAGES IN THE RURAL AREA**Objections**

<i>Rep No.</i>	<i>Name</i>	<i>Rep No.</i>	<i>Name</i>
1579	Chilterns Conference	3238	Community Development Agency for Hertfordshire
1851	Countryside Agency	3704	Silvermere Developments
1935	H & I Glasser Ltd	3785	Mrs S Gregory
1936	H & I Glasser Ltd	3794	Mr & Mrs M Tomlinson
2844	British Waterways	3819	Mr D Chandler
2969	English Heritage	4790	The National Trust - Thames & Chilterns
3081	Mr C Selly	5017 L	Aldbury Parish Council

Counter-objections

To pre-inquiry change 12

5722 PC H & I Glasser Ltd

Supports

1079	Thames Water Property Ltd	1886	Chiltern District Council
1269	CPRE – The Hertfordshire Society	3740	Government Office for East of England
1849	Countryside Agency		

Supports for pre-inquiry changes

For pre-inquiry change 11

5389 PC CPRE – The Hertfordshire Society

For pre-inquiry change 12

5390 PC CPRE – The Hertfordshire Society

Key Issues**General Policy issues**

- (a) Should development in Policy 6 villages be small-scale. (1936, 3704, 3785*, 3794*, 3819*)
- (b) Does the label ‘Selected Small villages’ adequately distinguish these settlements from the remaining villages and hamlets in the rural area. (1936)

* The related site specific objections in respect of land at Marston Place and Tring Road are dealt with under Policy 5 (see paragraphs 4.42.36 to 4.42.40)

- (c) Whether the policy should refer to the historic character of small villages. (2969)
- (d) Whether a threshold should be set for affordable housing in small-scale developments in these villages. (3238)
- (e) Whether the last sentence of the Background should be clarified as referring to Policy 6 of the Structure Plan 1998. (3238)
- (f) Whether the Background should refer to the preparation of village design statements by local communities. (1851)

Individual settlements

Aldbury

- (g) Is the village suitable for further development or should it receive special consideration. (1579. 4790)
- (h) Should the text highlight particular constraints applicable to the settlement. (2969)
- (i) Whether the policy would have an adverse impact on the character of the village. Does the Policy make sufficiently clear the form of development that would be permitted. In particular would development be permitted outside the village envelope (5017L).
- (j) Should any housing development at Aldbury be concentrated on providing affordable housing for local people. (5017L)

Wilstone

- (k) Whether the boundary of the village should be extended on the western side of Tring Road to include The Mill and other properties. Is the amended boundary proposed by PIC12 appropriate. (1935, 5722PC)
- (l) Should the village boundary be extended on its northern side to include land adjoining the Grand Union Canal (Aylesbury arm). (2844)
- (m) Are there any other sites that should be included within the village boundary.

Wigginton

- (n) Whether Wigginton should be treated as a Policy 6 village. (3081)

Inspector’s Conclusions

General Policy issues

(a) *Whether development in selected villages should be small-scale*

- 4.44.1. Although the objectors accept that the scope for additional development in Aldbury is likely to be limited, they contend that there is scope for further development in Long Marston and Wilstone. They argue therefore that the opportunities for development will vary, and that it is inappropriate to restrict new building in all the villages to “small-scale development” only. The Council maintains that since only small-scale opportunities exist for new building the wording of Policy 6 is suitable.
- 4.44.2. The villages in Policy 6 constitute third tier settlements in the overall development strategy. In view of their rural situation, limited services and poor level of public transport I am satisfied that none of the villages constitute sustainable locations for

extensive additional development. The question, therefore, is what level of development is likely to be appropriate in these settlements during the Plan period.

- 4.44.3. Neither Policy 6 nor its background text gives any definition of what is meant by “small-scale development”. It appears that this choice of words came originally from Policy 52 of the previous Structure Plan. This terminology has not been carried forward into the 1998 SPR (CD32). Policy 6 of the current SPR allows other settlements to be selected beyond the Green Belt where limited development may be appropriate to maintain the vitality of the area.
- 4.44.4. However, the Local Plan already identifies the large villages covered by Policy 2 as “areas of limited development opportunity”. In my view, therefore, the use of the word ‘limited’ in Policy 6 to define the appropriate level of development could cause confusion. It would also fail to distinguish that a greater degree of restraint is appropriate within the smaller rural villages due to their size and the extent of their existing infrastructure. More importantly, there is little positive evidence that a greater level of development is required at the present time to maintain the vitality of these settlements. In these circumstances, I believe it would not only be unsustainable to allow a greater level of development within these settlements but it would also be damaging to the rural character of the area. I consider it appropriate, therefore, for Policy 6 to permit small-scale development only. Accordingly, I find no reason for modifying the Policy in response to objections 3704, 3785, 3794 and 3819.
- 4.44.5. Nevertheless, while I appreciate that what constitutes “small-scale development” will ultimately need to be considered in context, I believe it would be helpful if the Plan gave clearer guidance as to what the Council would normally define as “small-scale” development within these villages. In my view, therefore, the supporting text to Policy 6 should be modified to include a general definition of “small-scale development”. In addition, in the light of the wording of Policy 6 of the SPR, I consider that Policy 6 of the Borough Plan ought to be amended to make clear that small-scale development will be permitted only where it would help to maintain the vitality of the area.

(b) *Appropriateness of defining settlements as ‘Selected Small Villages’*

- 4.44.6. Policy 6 of the Structure Plan makes clear that settlements can be selected in local plans where limited development may be appropriate to maintain the vitality of the area. Aldbury, Long Marston and Wilstone are clearly far smaller in size than Bovingdon, Kings Langley or Markyate and have far fewer facilities. Nevertheless, in my view, some limited development is appropriate within them. In these circumstances, I consider that the reference to ‘Selected Small Villages’ is entirely appropriate.
- 4.44.7. This title clearly distinguishes them from other smaller settlements, like Little Gaddesden and Nettleden, which have not been selected for further development. In my view the objector’s alternative of referring to the Policy 6 villages as ‘intermediate settlements’ has no real advantages. Indeed since there are effectively 4 tiers of settlements, i.e. towns, large villages, small selected villages and non-selected villages, the alternative title could actually increase the potential for confusion about the settlement hierarchy. Consequently, I find no justification for modifying the Plan in the light of objection 1936.

(c) *Historic character of the villages*

- 4.44.8. I acknowledge that all 3 villages are covered in part by Conservation Areas and that there are a number of listed buildings within them. Consequently, I accept the historic character of these villages is important, particularly with regard to Aldbury. However, historic interest is just one element of the wider character of a settlement. In my view, it would be wrong within a strategic policy to single out one element of the many facets that go to making up the character of a settlement. The Policy already stresses that development should not damage the character of the settlement. I am satisfied that this, together with Policies 114, 115 and 116, would be sufficient to safeguard the historic character of these villages.
- 4.44.9. I am concerned, however, about the use of the word ‘rural’ to define the character of the existing villages. This appears to suggest that this is the only element of character that the policy will seek to safeguard. In my view it would be better to refer to character without limitation since this would allow all aspects of the settlement’s character to be properly considered. Accordingly I would recommend that Policy 6 be amended by the deletion of the word “rural”.

(d) *Threshold for affordable housing in rural villages*

- 4.44.10. Since the housing needs survey indicates that there is a significant need for low-cost housing within the rural area I can understand the objector’s concern to maximise the opportunities for new development in the villages to bring forward affordable housing. The Council is now proposing under PIC27 to introduce a lower threshold of 0.2ha or 5 dwellings for affordable housing in smaller villages. I deal with this change under Policy 21 (*See paragraphs 7.8.139 to 7.8.149*). If this change is adopted this will clearly go some way to meeting the objectors concerns. Policy 21 also makes clear that the Council will consider the provision of affordable housing a material consideration in considering applications for new development. The Council also intends to undertake further borough-wide housing needs studies on a regular basis in order to monitor the level of need. I see no need therefore for any change to Policy 6 in the light of this part of objection 3238.
- 4.44.11. However, I believe it would be helpful if consideration was given at an early stage to identifying the level of need for affordable housing in the northern part of the Borough. Apart from the scheme in Flamstead, little detailed consideration appears to have been given to defining the actual level of need for affordable housing within this area. It seems to me that until the extent of need within the rural area is more narrowly defined it will be difficult to determine what level of affordable housing ought to be provided in specific settlements. I would therefore recommend that the Council undertake a detailed study of affordable housing needs within the northern part of the Borough, including the settlements of Aldbury, Long Marston, Markyate and Wilstone.

(e) *Clarification of Background in respect of ‘Policy 6’*

- 4.44.12. The Council contends that the reference in paragraph 4.49 is to Policy 6 of the Deposit Draft and not to Policy 6 of the Structure Plan as the objector appears to believe. I accept that the Council’s interpretation is correct. However, in the light of the reference to Policy 6 of the Structure Plan in paragraph 4.48 of the Plan I can

understand why the confusion may have arisen in the objector’s mind. In order to avoid such confusion arising in the future I consider it would be helpful if the text was amended to make clear that the reference in paragraph 4.49 is to Policy 6 of the Local Plan. I recommend, therefore, that the text of paragraph 4.49 be modified by the insertion of the words “of this plan” after the words ‘Policy 6’.

(f) Village Design Statements

- 4.44.13. I have already addressed this issue under Policy 4. For the reasons I set out in paragraph 4.41.36 of my report I consider that a reference to village design statements would be helpful. I, therefore, support PIC11 and recommend that the Plan be modified accordingly.

Individual settlements

Aldbury

(g) Suitability for further development

- 4.44.14. There is no doubt that Aldbury has considerable character, which is recognised by its inclusion within the AONB and the designation of most of the village as a Conservation Area. However, I do not believe that, in itself, this is sufficient reason to restrict all further development within the settlement. With a population of over 753 people it is a sizeable village. It also has a good level of local facilities and a reasonably regular bus service to Tring and a less frequent service to Berkhamsted on weekdays and Saturdays. In the circumstances, I find that in principle it is a sustainable location for further small-scale development. Accordingly, I consider it is appropriate for it to be identified as a selected small village under Policy 6.
- 4.44.15. I appreciate that the level of development that may actually be achievable will be limited by virtue of its particular character. However, having looked around the village I am satisfied there is some scope for additional small-scale development within the village boundary. Providing such development is sensitively designed I do not believe it would detract from the character of the village. In any case, the wording of Policy 6 will only permit new development where it does no damage to the existing character of the settlement. I am satisfied therefore that Policy 6 would provide an adequate safeguard for Aldbury.
- 4.44.16. The alternative of including the settlement within the Rural Area under Policy 5, as suggested by the objector, would not be logical. Not only is the village much larger than any of the other non-selected settlements but it also has a much better level of services. In these circumstances, I do not consider it would be appropriate to restrict development within the village solely to the categories of appropriate rural development identified in Policy 5.
- 4.44.17. Since the area of open land between the village and the Ashridge estate lies outside the village boundary it falls within the remit of Policy 5. Permission is only likely to be granted therefore for development that is appropriate in a rural area. Consequently, I do not consider that the inclusion of Aldbury as a Policy 6 settlement will have a detrimental impact on the Ashridge Estate.

- 4.44.18. I note the suggestion that any development in Aldbury should be in the long term context of the rural community and the countryside, but I believe this is already adequately addressed by Policy 6 in its present form. In the circumstances, I see no need for any modification to the Plan in the light of objections 1579 or 4790.

(h) *Need to highlight constraints*

- 4.44.19. For the reasons I have already identified in paragraph 4.44.8 I do not consider it necessary to single out the issue of historic character. For similar reasons I do not believe it would be appropriate to identify the particular constraints of an individual settlement within the wording of Policy 6. In my view such detailed considerations are more appropriately addressed within supplementary guidance rather than within a strategic local plan policy.
- 4.44.20. However, in view of the particularly attractive character of Aldbury, I believe it would be helpful if the supporting text was modified to highlight its importance. In particular attention ought to be drawn to its location within the AONB and the number of listed buildings within it. The Council should also in my view consider undertaking a Conservation Area appraisal of the village in order to guide subsequent development. Accordingly I recommend that the supporting text to Policy 6 should be amended in the light of objection 2969.

(i) *Form of development and its impact on the village*

- 4.44.21. Policy 6 makes clear that development will only be permitted where it would not damage the character of the existing village or the adjoining countryside. I am satisfied therefore that the inclusion of Aldbury within Policy 6 should not have a harmful impact on its character.
- 4.44.22. I can understand the Parish Council’s concern about the form that future development within Aldbury will take and the lack of any detailed guidance. However, I do not consider that it would be appropriate for this level of detail to be included within what is a strategic policy. In my view it would be more sensible for detailed criteria for acceptable development to be issued in the form of supplementary guidance. The best approach would be for the Parish Council to undertake a Village Design Statement in co-operation with the Borough Council. This would be supported by PIC11.
- 4.44.23. The remaining concern about whether the Policy would mean that development might take place outside the village boundary is, in my opinion, unjustified. The supporting text makes clear that Policy 6 only applies to land within the village boundary. Development outside the boundary would therefore be governed by Policy 5, which is far more restrictive. Consequently, I see no need for any modification to Policy 6.

(j) *Affordable housing in Aldbury*

- 4.44.24. The Council has already made some moves to address this concern by introducing a lower threshold for affordable housing in rural villages under Policy 21 (PIC27). I accept that by itself this may not be enough in respect of some settlements. However, in the absence of any detailed evidence as to the extent of the need for low-cost housing within the Policy 6 villages I do not consider it would be appropriate to make any modifications to Policy 6 or its supporting text in the light of this objection.

- 4.44.25. Nevertheless, as I have previously indicated in paragraph 4.43.11 of my report, I believe it would be sensible for an assessment of housing needs within the northern area of the Borough to be undertaken at an early stage. Hopefully this will help to identify the level of need in the individual settlements, including Aldbury, and enable the Council to take a more proactive stance in bringing forward schemes to address any shortfall that is identified.

Wilstone

(k) Village boundary at Tring Road

- 4.44.26. The Council proposes under PIC12 to modify the boundary of the village to include the Mill, St Cross Church and Paddock Cottage in order to bring forward an additional Housing Proposal Site for 10 houses (H49A). Since this would result in the development of previously developed land I support this change. Not only will this assist the vitality of the village, owing to its sustainable location in the centre of the settlement, but it will also result in the removal of unsightly buildings, which will improve the appearance of the Conservation Area. The additional inclusion of the church and Paddock Cottage constitutes a sensible rounding off of the boundary.
- 4.44.27. However, the proposed modification would not meet the objection in full as the objector also seeks to have the land to the north of the Mill included within the village boundary¹⁸. While the grassed plot adjoining 13 Tring Road is open in character it is a prominent feature from the main road through the village. More importantly, it is completely screened from the adjacent countryside to the west by an evergreen hedge. I consider, therefore, that it forms an integral part of the village both physically and visually. My view is strengthened by the fact that the approved scheme for the development of the Mill site will involve the construction of an access road across this plot. This will increase its integration with the village.
- 4.44.28. I appreciate the Council’s concerns about the possible impact of any development on the character of the village and on the adjoining listed building but in my view Policy 6 already provides an adequate safeguard. This would be further reinforced in this instance by Policies 115 and 116. I believe, therefore, the grassed plot should form part of the village and I recommend the boundary be modified accordingly.
- 4.44.29. Kingfishers is a modern dwelling on a small plot. It has, in my view, a largely suburban character. Although there is very little residential development along Sandbrook Lane, Kingfishers is mirrored on the opposite side of the lane by another residential property known as “Berrywicke”. Unlike Kingfishers, the latter property is included within the village boundary. I can see no logical justification for the difference in approach. In my view Kingfishers relates more closely in character to the village than to the surrounding open land and it is well integrated with the settlement. It would therefore make more sense for the property to lie within the settlement boundary. I, therefore, recommend the boundary of the village be modified accordingly to include it.

¹⁸ This land includes The Old Cow House and its surrounding garden, the grassed plot between the church and 13 Tring Road, and Kingfishers on Sandbrook Lane.

- 4.44.30. I am far more concerned about the suggestion that land at the Old Cow House be included. Although the building has been converted to residential use it was originally an agricultural building. While it is possible to see the roof of the structure from the centre of the village, the property is generally well screened along its western and southern boundaries. It therefore has little direct physical or visual interconnection with the built-up core of the village.
- 4.44.31. More importantly, the building is located hard against the eastern boundary of the plot with the remainder of the land being completely open in character. Although the land is laid out as garden, its western boundary is unscreened. Its character is therefore dominated by the open countryside immediately to the west. Taking all these factors into account I find that its inclusion within the rural area is appropriate. In consequence, I recommend that no modification be made to the boundary in respect of the land at the Old Cow House.
- 4.44.32. In reaching this conclusion I have taken account of the suggestion that development in Wilstone over the life of the Plan period should not be excessively constrained. However, there has already been a significant amount of development in Wilstone over past years, including a substantial number of barn conversions and the development of 10 dwellings at Chapel Fields. Permission has now been given for a further 13 dwellings on the Old Mill site. In my view this provision, together with the potential for small-scale infilling, should be sufficient to maintain the vitality of the area in accordance with Policy 6 of the Structure Plan. In the absence of any clear evidence of a substantially greater need, I am not satisfied that there is any justification for extending the boundary further to accommodate more development.
- 4.44.33. I note the suggestion that the boundary should be defined by land uses. However, while I accept that land-use can be an important consideration, I consider that other factors, including its physical and visual character are equally, if not more, important in determining whether land should be included within the village or within the rural area. In conclusion therefore I recommend that the boundary of the village be modified in accordance with PIC12 subject to the additional inclusion of the grassed plot adjoining 13 Tring Road and Kingfishers. I recommend that no change should be made to the boundary in respect of the Old Cow House.

(l) *Land adjacent the Grand Union Canal*

- 4.44.34. The site in question forms a triangle of land between the northern boundary of the village and the canal. Although there is rubble and other debris littered over part of the site, it is largely open and rural in character. It is separated from the residential properties to the south-west by a thick deciduous hedge. In my view, therefore, it relates more closely in appearance to the open land on the opposite side of Tring Road. Including this land within the village would extend the settlement significantly northwards leading to a more sprawling form of development out of keeping with the cohesive pattern of the built-up area. Consequently, I share the view of the 1993 Inspector that this would cause substantial harm to the rural setting of the village and set an undesirable precedent for further development.
- 4.44.35. I conclude, therefore, that the Plan is correct to define the land as part of the Rural Area. I find insufficient evidence to warrant its inclusion within the village boundary.

Accordingly, I recommend that no modification be made to be Plan in the light of objection 2844.

(m) Other sites within the village

- 4.44.36. Although I do not agree that land-use should be the chief criteria for determining the village boundary, I have some sympathy with the views expressed in objection 1935. In particular, I agree that the definition of the village boundaries, particularly in Wilstone, seems to have been unduly influenced by the Council’s desire to prevent further development. Less attention appears to have been paid to a site’s individual character or its relationship both physically and historically to the settlement. While, I concede that it is important to protect the character of the surrounding countryside, the character of the existing village is, in my opinion already adequately protected by Policy 6. I see no justification therefore for omitting land from the village merely because development of the site would detract from the character of the village.
- 4.44.37. In my view it is necessary to take a rather broader perspective in defining which areas form part of the village and which are truly part of the rural area. I believe this is best determined by looking at the history of the settlement and the visual and physical inter-relationship of specific sites with the core of the village. When one considers the boundary of Wilstone on this basis I believe the objectors are right to say that the boundary is too tightly drawn.
- 4.44.38. For instance, in my opinion, there is little justification for excluding the properties on the north side of Chapel Lane. With the building of Chapel Fields and the conversion of barns at Chapel End Farm, these buildings appear visually and physically to form an integral part of the village. Similarly, while I can understand the reasons why the Council considered it appropriate to exclude the Recreation Ground, I am not persuaded it was appropriate to exclude the Village Hall. This not only forms a prominent visual feature within the village it is also an important community facility. It seems to me therefore that it would be appropriate for it to be treated as part of the village rather than as part of the Rural Area. My view is strengthened by the fact that there is a clear boundary between it and the more open area of the Recreation Ground, which lies to the north.
- 4.44.39. I conclude, therefore, that the village boundary for Wilstone is unnecessarily constrained and that it should be amended to include both the properties on the north side of Chapel Lane and the Village Hall. I recommend that in addition to the changes at Tring Road (*see paragraph 4.44.33*) the village boundary shown on the Proposal Map 1 should be modified to include the village hall and properties on the north side of Chapel Lane as shown of Figure 9. The Council ought also to consider whether any other property should be included within the settlement boundary in the light of my comments in paragraph 4.43.37.

Wigginton

(n) Should Wigginton be a Policy 6 settlement

- 4.44.40. Wigginton falls within the Green Belt and not within the Rural Area as defined under Policy 5. In the circumstances, I consider it is more appropriate for Wigginton to be covered by Policy 4 of the Plan rather than Policy 6 for the reasons I have already

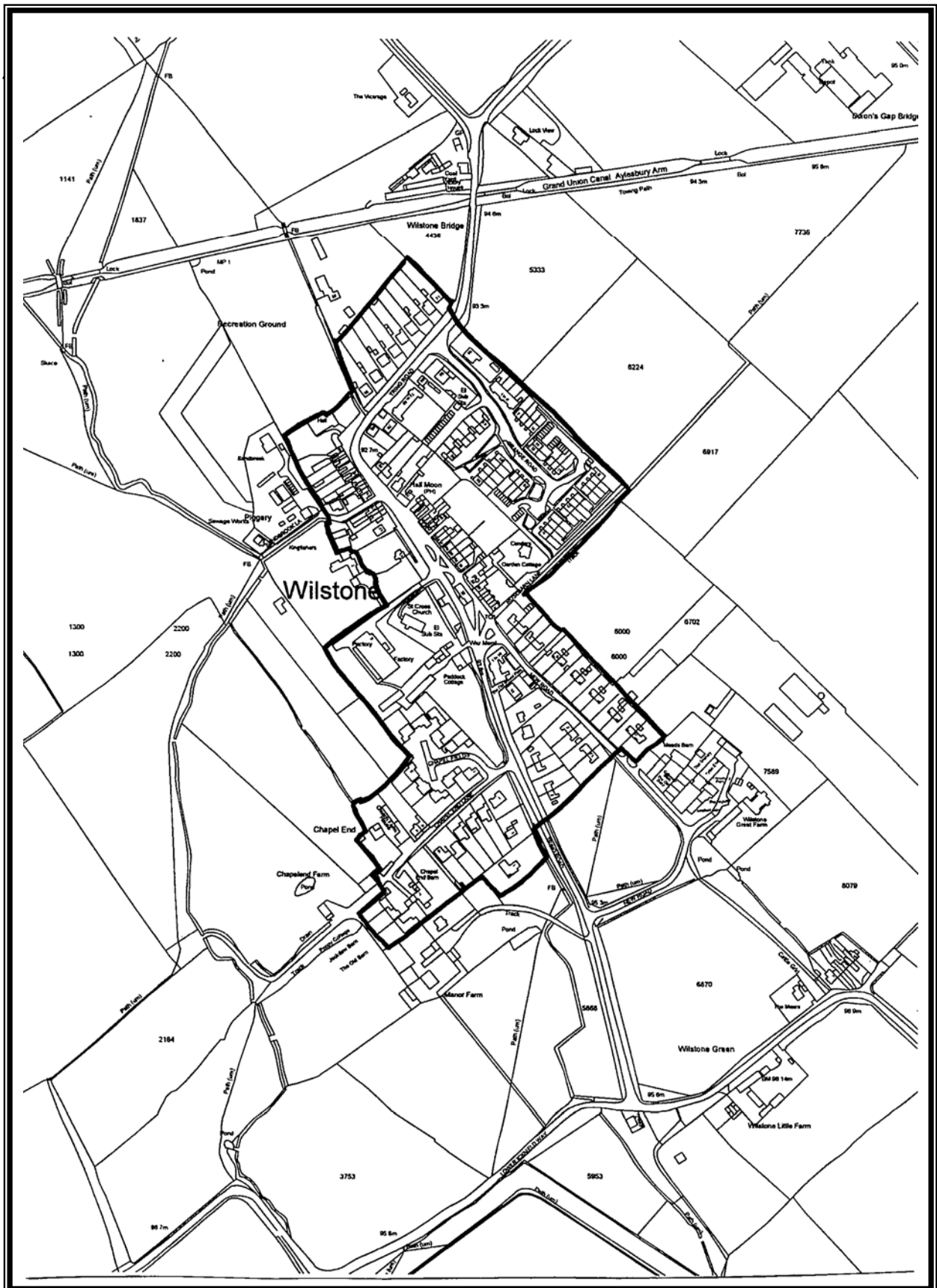


FIGURE 9

SCALE : 1 : 5,000



VILLAGE BOUNDARY FOR WILSTONE

identified in paragraphs 4.42.55 to 4.42.57 of my report. Consequently, I recommend no modification be made to the Plan in the light of objection 3081.

Recommendation

4.44.42. The Plan be modified as follows:-

(a) Policy 6 be amended to read:-

“Small-scale development for housing, employment and other purposes will be permitted in Aldbury, Long Marston and Wilstone provided that it:-

- (i) helps to maintain the vitality of the settlement and/or the surrounding rural area;**
- (ii) causes no damage to the existing character of the village and/or the adjoining countryside.**

(b) The background text to Policy 6 be amended as follows:-

- (i) a general definition of what is meant by “small-scale development” be inserted;**
- (ii) paragraph 4.49 be altered by the deletion of the sentence “Policy 6 does not therefore apply” and the substitution therefore of the following sentence:-
“Policy 6 of this Plan does not therefore apply to these settlements.”**
- (ii) additional text be added to draw attention to the particular importance of Aldbury along the following lines:-
“As Aldbury is the only one of the 3 villages that falls within the AONB and has a higher proportion of listed buildings than the other settlements development opportunities are likely to be more limited. Special regard will need to be had to its character and setting in the siting and design of any new development”**
- (iii) insert a new paragraph on Village design statements in accordance with PIC 11;**

(c) The village boundary of Wilstone, as shown on Proposals Map 1, be altered in accordance with PIC12 and Figure 9 of this report.

4.44.43. In addition, the Council undertake the following studies:-

- (a) a survey of housing needs in the northern part of the Borough including the settlements of Aldbury, Long Marston, Markyate and Wilstone;**
- (b) a conservation area character appraisal of Aldbury.**

END OF CHAPTER 4