

Participant Statement: Issue 2

The Distribution of Development (Settlement Hierarchy) and the Green Belt

Grand Union Investments and Dacorum Borough Council

September 2012

Issue 2: The Distribution of Development (Settlement Hierarchy) and the Green Belt

Question 2.1: What evidence led to the inclusion of each of the settlements within each category (Table 1)? Does the sustainability appraisal support the chosen hierarchy?

- 1) The comments below review information and evidence produced since representations were submitted on the pre-submission Core Strategy (CS) in December 2011.
- 2) The NPPF (159) clearly indicates that development should be directed towards locations of housing demand.
- 3) As identified in GUI's response to Issue 1, DBC have failed to explain at each stage of the Core Strategy process (and in their supporting Sustainability Appraisals) the reasons for the choice made in relation to not fully meeting assessed housing needs or testing reasonable growth alternatives.
- 4) By the time the emerging Core Strategy was published in June 2009, the RSS had been successfully challenged and the policy specifically referring to the level of housing allocated and greenfield expansion around Hemel Hempstead had been struck through (due to a flawed SEA procedure). At this point, DBC should have fully re-considered the options that were available to them in the absence of this RSS policy and ensured those options were suitably informed by a SHMA and population projections across the borough at settlement level.
- 5) As a result, DBC have not prepared a strategy which seeks to meet objectively assessed development needs, particularly housing, as required by the NPPF(47 and 159). Nor, does it provide evidential justification for the level of growth concentration at Hemel Hempstead, which appears to be a pre-determined strategy at the outset of the CS process.
- 6) Savills' "Housing Demand & Socio-Economic Assessment – Update August 2012" (appended to GUI's response to Issues 6 and 11), concludes that the current focus of housing development on Hemel Hempstead will have a detrimental effect in achieving the objective of meeting local housing needs in other settlements in the borough, particularly Berkhamsted. It also concludes that focus of housing development on Hemel Hempstead is greater than the natural population growth of the town, which could exacerbate potential impact on existing local infrastructure.

- 7) Notwithstanding the concentration of growth planned for Hemel Hempstead; the issue is a local one towards the development needs of Berkhamsted town itself.
- 8) The local housing demand connected to the town is not reflected in the settlement hierarchy. The reasons why DBC have not properly identified the supply and demand position with the town and why a much higher level of housing provision should be identified at Berkhamsted, as set out in GUI's PSs for Issues 6 and 11.
- 9) In relation to the definition of "Market Towns", Tring should not be considered within the same category as Berkhamsted. Historically, DBC have recognised this. Adopted Dacorum's Local Plan (2004) states at Policy 2 that "*Tring is the smallest town and the most constrained. Very limited opportunities are likely in Tring.*"
- 10) The Emerging Core Strategy (and supporting Sustainability Appraisal) published in June 2009 acknowledges that Berkhamsted is the "*second highest ranking settlement*" within the borough that "*would normally accommodate a significant share of growth relative to Tring and the other large villages.*" Further, DBC's Emerging Core Strategy (June 2009) identified the overall vision of Berkhamsted in creating a "*vibrant market town*" as "*an important town*" to the borough.
- 11) The Authority themselves therefore appear confused on what the future role of Berkhamsted should be and have been inconsistent in their approach. The current identification of Berkhamsted, Tring and Large Villages as "Areas of Limited Opportunity" is not considered to represent the most appropriate strategy when considered against the reasonable alternatives.
- 12) GUI have recommended that there should be a new insertion to CS Table 1 to identify Berkhamsted as a Large Market Town. This accords with the NPPF which emphasises the need to boost housing supply to meet local housing need and demand.
- 13) In conclusion, the CS Plan housing distribution policies are found:
 - Unjustified
 - Not effective
 - Not consistent with the NPPF
- 14) GUI recommend policy changes to draft CS1, draft Table 1 and draft map 1 Key Diagram as per Dec 2011 representations and for ease of reference as appended to Appendix 1 of this PS.

Question 2.2: Is the site selection process based on appropriate criteria?

- 1) GUI acknowledges that draft Policy CS2 (B) identifies a series of sustainability criteria to be met and which are considered a reasonable approach for considering extensions to defined settlements more generally. However, as GUI's December 2011 representations explain, one of the critical amendments required relates to ensuring that the most effective use of land contributes towards meeting local housing needs and demand, in accordance with the NPPF (159).

Question 2.3: What is the justification for holding local allocations in reserve? What will be the process for bringing forward their release and is it set out in sufficient clarity?

- 1) To provide certainty, DBC should identify a suitable and deliverable supply of housing land to meet housing needs in accordance with NPPF (47Greenfield allocations should therefore not be "held in reserve until needed"; particularly given the current pressing need for new housing now to meet current and expected housing demands within the Plan period.
- 2) The draft CS plan repeatedly refers to the fact that the Site Allocations DPD will identify the extent of site boundaries for Local Allocations and other strategic sites and that the delivery of Local Allocations as "reserve" sites will be triggered by the production of the SA DPD. This completely defeats the CS aim which is to provide certainty on how much development can come forward at these site locations and when they will be delivered. That the is role of the CS not any subsequent plan in delivering housing needs and demands now and during the plan period across the borough.
- 3) Sites considered suitable to contribute to the housing trajectory should be delivered to meet current housing needs and demand. Footnote 11 of the NPPF states that to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.
- 4) To hold these sites in reserve will simply sterilise housing delivery.
- 5) In conclusion, the CS Plan housing distribution policies are found:
 - Unjustified
 - Not effective

- Not consistent with the NPPF

Question 2.4: Have the proposed amendments to the green belt boundary been properly justified and has the Council's approach heeded national guidance? What are the exceptional circumstances that exist to justify such revisions?

- 1) In terms of DBC's perceived green belt constraint, whilst the NPPF reiterates the great importance of Green Belt, it envisages Green Belt boundaries being altered where necessary as part of the review of Local Plans. DBC have not undertaken any up to date or comprehensive review of the Green Belt across the borough to determine whether all the land within its designation fulfils Green Belt purposes; the degree of significance which should be attached to various parts of the Green Belt; or the extent to which some of the development in the Green Belt promote sustainable patterns of development.
- 2) No comprehensive Green Belt review has been undertaken around the town to assess appropriate locations for the town's expansion to accommodate future housing needs. Importantly, DBC's rejection of alternative sites put to them to consider as part of the SHLAA process has not been properly justified by any technical analysis to understand the development and transportation impact of the proposals at those locations.
- 3) DBC have instead accepted and rejected specific sites (to include Land South of Berkhamsted) but in the context of the Council's strategy to constrain housing growth and not as part of any objective Green Belt review.
- 4) The NPPF indicates that Green Belts can be established in exceptional circumstances (NPPF 82). These circumstances can relate to housing need and demand.
- 5) The Core Strategy does not seek to meet objectively assessed development needs, particularly housing, as required by the NPPF (159). There is an existing and future housing need in the borough now which represents very special circumstances required to release Green Belt land for sustainable development. Land South of Berkhamsted offers a unique opportunity (as supported by various technical documents) and should be recognised in the CS Plan as a new site allocation. These issues are set out in detail under Issue 6 regarding housing provision and in the attached Housing Demand & Socio-Economic Assessment – Update August 2012.

Question 2.5: Paragraph 83 of the National Planning Policy Framework refers to the permanence of the Green Belt in the long-term so that they should be capable of enduring beyond the plan period and paragraph 85 refers to the identification of safeguarded land. How

does the Core Strategy address the possible need to safeguard land? Should a review of the complete green belt boundary have been undertaken, including an assessment of whether or not there are any major developed sites (other than those in Table 2) that should be identified? Can the Council be confident that the green belt boundary will not have to be altered at the end of the plan period?

- 1) The NPPF (83) makes clear that any review of the Green Belt boundaries should have regard to their intended permanence in the long term so they are capable of enduring beyond the plan period.
- 2) In the absence of a proper assessment of long term housing need or a comprehensive review of Green Belt boundaries, the Core Strategy does not sufficiently address the possible need to safeguard land.
- 3) A robust assessment of longer term development needs and a complete review of the Green Belt boundary is therefore essential to make the Core Strategy sound.
- 4) Land South of Berkhamsted offers a unique opportunity to meet the future housing needs of the town, whilst providing durable Green Belt boundaries in the long term. GUI has asked the Inspector and DBC how they wish to comment on Green Belt alteration to accommodate the site's allocation.
- 5) NPPF (85) indicates that in defining Green Belt boundaries, Authorities should:
 - (1) "meet identified requirements for sustainable development" – DBC have not achieved this as per points made above in relation to identifying future housing requirements and at Issue 6.
 - (2) "not include land which it is unnecessary to keep permanently open" – Land South of Berkhamsted is considered necessary for development to meet a critical housing need at the town and the purposes of including the land within Green Belt is considered not to serve a purpose (with reference to Savills Planning Document at paragraph 5.43 and 5.45 and GUI's Ps on issue 11 at paragraphs 28 and 35).
 - (3) and (4) safeguard land for longer term housing development – DBC should not be safeguarding land around the town but instead identifying deliverable land now to meet future housing needs and demand.
 - (5) "satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period" – with reference to points 25 and 26 above.

(6) “define boundaries clearly, using physical features that are readily recognisable and likely to be permanent” – Land South of Berkhamsted is defined by defensible boundaries with clear physical features: to include the site’s southern boundary as the A41; its eastern and western boundaries as local roads and to the north where there exists established recreational and education development (pre-Green Belt designation development).

6) In conclusion, the CS Plan Green Belt policies are found:

- Unjustified
- Not effective
- Not consistent with the NPPF

7) GUI recommended policy changes to include recognition of Land South of Berkhamsted as a new site allocation in their policy recommendations to draft policy CS4 and more specifically recommended policy and text change to the Berkhamsted chapter at their PS for Issue 11.

Question 2.6: How and when will settlement boundaries be reviewed?

1) As above under Q2.5. DBC have not provided any clear guidance on how or when the settlement boundaries will be reviewed to accommodate local allocations, only that this will be reviewed when the Site Allocations DPD will be published. This provides no certainty in 1) the timing of the review of settlement boundaries and 2) the delivery of local allocations to provide new homes.

Question 2.7: Should limited infilling in selected small villages in the green belt be restricted to only affordable housing for local people? Paragraph 54 of the NPPF suggests that consideration be given to allowing some market housing to facilitate the provision of significant additional affordable housing. Should this approach be more clearly reflected in the Core Strategy?

1) No Comment.

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APPENDIX 1

**GUI RECOMMENDATIONS ON POLICY - DRAFT CS1, DRAFT TABLE 1
AND DRAFT MAP 1 KEY DIAGRAM, AND DRAFT CS4**

Villages as "Areas of Limited Opportunity" is not considered to represent the most appropriate strategy when considered against the reasonable alternatives.

Draft policy CS1 is not effective as it would not deliver the quantum or distribution of housing needed in the Borough to meet natural population and household growth.

Draft policy CS1 is not consistent with national policy because it does not represent a basis for deciding where the planned location of new housing is distributed.

It is strongly recommended, therefore, that CS policy recognises Berkhamsted as an important market town which could accommodate sustainable, strategic development growth complementary to the future role of Hemel Hempstead.

Berkhamsted should not therefore be defined as an "Area of Limited Opportunity" but instead under the definition as an "Area of Strategic Development Opportunity." Draft CS1 should be amended as such to reflect this position to ensure it is sound and in accordance with PPS1, PPS3, PPS12 and the official Draft NPPF.

On the above basis, it is also recommended that (1) Table 1 of the CS is amended (as recommended below); (2) Map 1, the Key Diagram is amended (as recommended below).

It is also recommended that (1) "Dacorum 2031: A Vision" (paragraph 5.1; at page 33) of the Pre-Submission CS (2) the strategic objectives (at paragraph 6.2 of the CS) and (3) strategic objectives as set out at page 51 of the draft CS - are all amended to acknowledge that Berkhamsted is an important market town and an "Area of Strategic Development Opportunity" in accommodating new strategic development in the form of a sustainable, urban extension to the south of the town.

5. Please set out what change(s) you consider necessary to make the Core Strategy legally compliant or sound.

Your response should have regard to the test that you have identified in Q3 above where this relates to soundness. You will need to say why this change will make the Core Strategy legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the reasons set out above, the following additional text as illustrated below (in bold and italics and strikethrough for deletions) is recommended in relation to draft policy CS 1 and draft Table 1:

Policy CS1: Distribution of Development

Decisions on the scale and location of development will be made in accordance with the settlement hierarchy in Table 1.

Hemel Hempstead, will be the ~~principal~~ focus for homes, jobs and strategic services, with the emphasis upon:

- a) retaining the separate identity of the town;
- b) enhancing the vitality and attractiveness of the town centre in accordance with policy CS33;
- c) maintaining a balanced distribution of employment growth, with growth and rejuvenation in the Maylands Business Park;
- d) maintain the existing neighbourhood pattern;
- e) making best use of existing green infrastructure; and
- f) locating development a safe distance from hazardous installations.

Any new development should:

- i. be based on the neighbourhood concept;
- ii. provide its own infrastructure; and
- iii. support relevant town-wide needs.

Berkhamsted is an important Large Market Town (as defined in Table 1) in the borough and as such is identified as an "Area of Strategic Development Opportunity". This will allow the town to provide for new homes to meet its housing needs and demands and provide for employment and enhanced town centre and local facilities, services and retail provision. A Housing Allocation has been identified to the south of the town (the extent of the land is defined by a red line boundary identified on the Vision Diagram for Berkhamsted and Concept Plan) which will assist in meeting the housing demands of the town whilst also assisting in meeting the Council's overall vision and local objectives of the town itself.

The market towns and Tring as a Small Market Town and Large villages (as defined in Table 1) will accommodate new development for housing, employment and other uses, provided that it:

- a) is of a scale commensurate with the size of the settlement and the range of local services and facilities;
- b) helps maintain the vitality and viability of the settlement and the surrounding countryside;
- c) causes no damage to the existing character of the settlement or its adjoining countryside; and
- d) is compatible with policies protecting the Green Belt and Rural Area.

The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities causes no damage to existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt area and Chilterns Area of Outstanding Natural Beauty will be supported.

Table 1: Settlement Hierarchy

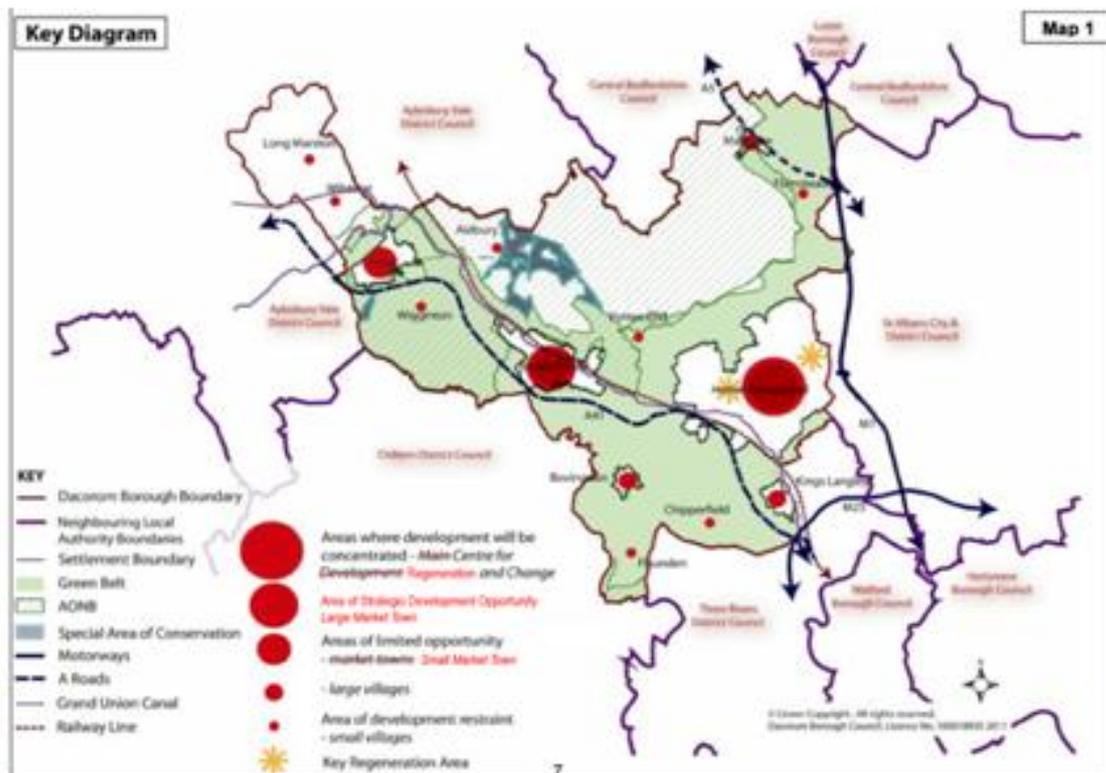


Table 1: Settlement Hierarchy			
Areas where Development will be Concentrated			
1.	Main Centre for Development Regeneration and Change	Hemel Hempstead	Hemel Hempstead will be the focus for housing development within the borough, providing sufficient new homes to meet the natural growth of its population. The town will also accommodate substantial employment growth. The regeneration of the Maylands Business Park will continue, assisted by an Area Action Plan. Particular emphasis will be placed upon creating an attractive and vibrant town centre through further regeneration and redevelopment. Its new town neighbourhood structure will be reinforced and enhanced. Substantial improvements will be made to the image and quality of the New Town's built environment and public spaces.
Areas of Strategic Development Opportunity			
2.	Large Market Town	Berkhamsted	<i>Berkhamsted, as an important market town in the borough, is identified for new homes, employment and enhanced town centre and local facilities, services and retail provision which will be met by the town's regeneration and strategic new development to the south of the town. The southern expansion of the town will assist in meeting the future local housing needs and demands whilst also assisting in meeting the Council's vision and local objectives for the town itself.</i>
Areas of Limited Opportunity			

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2 3	Small Market Town	Berkhamsted Tring	Market towns Tring and larger villages have an important role in meeting housing needs and providing employment opportunities and services, both for their residents and adjacent rural communities. The general approach in these locations will be to support development that enables the population to remain stable, unless a small element of growth is required to support local community needs.
3 4	Large Village	Bovingdon Kings Langley Markyate	
Areas of Development Restraint:			
4 5	Small Village within the Green Belt	Chipperfield Flamstead Potten End Wigginton	These are the least sustainable areas of the borough, where significant environmental constraints apply. These include areas of high landscape quality, such as the Chilterns Area of Outstanding Natural Beauty, and the countryside between settlements. This needs to be protected to ensure its rural character is retained and settlements keep their separate identities.
	Small Village within the Rural Area	Aldbury Long Marston Wilstone	
5 6	Other small villages and the countryside		

Recommended Change to Map 1 Key Diagram



Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further comments. After this stage, further submissions will only be at the request of the Planning Inspector, based on the matters he/she identifies for examination.

6. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

5. Please set out what change(s) you consider necessary to make the Core Strategy legally compliant or sound.

Your response should have regard to the test that you have identified in Q3 above where this relates to soundness. You will need to say why this change will make the Core Strategy legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the reasons set out above, the following additions (indicated in bold and deleted in strikethrough) are considered necessary in order to make the Core Strategy sound:

Policy CS2: Selection of Sites

Development Sites will be chosen in accordance with the following sequence and priorities:

.....

B: Extensions to defined settlements (i.e. local allocations, see Policy CS3)

The development of any of these sites must:

- (a) allow good transport connections (see Policy CS8);
- (b) have full regard to environmental assets, constraints and opportunities;
- (c) **Ensure the most effective use of land which will contribute towards local housing and socio-economic needs and demands, responsive to local population and household growth of that settlement;**
- (d) respect the local character and landscape context;
- (e) accord with the approach to urban structure (see Policy CS4); and
- (f) comply with Policy CS35 regarding infrastructure delivery and phasing.

Policy CS3: Managing Selected Development Sites

~~Local Allocations will be held in reserve and managed as countryside until needed.~~

The release of Housing Allocations for development will be guided by:

- (a) the availability of infrastructure in the settlement;
- (b) **the relative need and demand for development at that settlement based on a robust examination of natural population and household growth;**
- (c) the benefits it would bring to the settlement **to include new and improved transportation and social infrastructure provision;**
- ~~(d) the intended release date set out in the Site Allocations DPD~~

Policy CS4: The Towns and Large Villages

Development will be guided to the appropriate areas within settlements.

.....

In town centres and local centres a mix of uses is sought. The following uses are encouraged:

- (a) shopping uses (including financial and professional services and catering establishments);
- (b) compatible leisure uses;
- (c) business uses, including offices;
- (d) residential uses; and
- (e) social and community uses.



In open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies.

Urban extensions to Hemel Hempstead and Berkhamsted in the form of Housing Allocations will accommodate residential development in order to contribute towards local housing and socio-economic needs and demands.

Mixed-use development will be supported where it supports the principles of sustainable development and does not conflict with other policies.

In all areas, ancillary uses will be acceptable and protected, provided that they support the primary function of that area.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further comments. After this stage, further submissions will only be at the request of the Planning Inspector, based on the matters he/she identifies for examination.

6. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

Please note representations made in writing carry the same weight as those made via the oral examination.

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

It is necessary as the above relates to important changes to the Core Strategy Plan in relation to future development growth across the borough.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.



Dacorum's Local Planning Framework

**Core Strategy - Pre-Submission
Representation Form – Additional Sheet**

Please use a separate sheet for each representation

Ref:
(For official use only)

For help answering these questions please refer to the Explanatory Notes with the Full Form

Name or Organisation

Savills on behalf of Grand Union Investments