

# Statement of Common Ground

**Development growth at Berkhamsted**

**Land south of Berkhamsted**

**Grand Union Investments and Dacorum Borough Council**

October 2012

## 1) Introduction

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- 1) The Core Strategy Inspector, David Hogger, has indicated that it would be helpful to all parties to co-ordinate the production of succinct statements of common ground to establish areas of agreement between the hearing participants and Dacorum Borough Council.
- 2) This statement has been prepared to highlight matters that will assist the Inspector in understanding the substantial material produced to support the allocation of Land South of Berkhamsted. This statement includes:
  - The evidence submitted by the objector.
  - What critical areas are in agreement.
  - What critical areas are in dispute.

## 2) Description of the site

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- 1) The site is located at the southern edge of Berkhamsted. It forms part of the A41 Corridor; the main highway linking Berkhamsted and Hemel Hempstead. The site lies within the green belt. It is bounded by the A41 as its southern site boundary. The site's northern boundaries adjoin the urban edge of Berkhamsted and to the east and west lies Chesham Lane and Swing Gate Lane which form site boundaries for the majority of the land promoted. Land immediately to the north of the site comprises existing education and recreational development including Ashlyns School.
- 2) The land occupies some 44 hectares (109 acres) and the attached red line plan at **Appendix 1** identifies the extent of ownership under consideration.
- 3) Grand Union Investments (GUI) are the landowners of the site and have control of the entire estate as illustrated on the appended Plan (Appendix 1).
- 4) The majority of the site is in agricultural use (Grade 3).
- 5) Berkhamsted railway station is located to the north of the town. The nearest part of the site is 1.8km away and the furthest part of the site is 2.4km away. Therefore, these parts of the site are within the "preferred maximum" walking distance for commuting of 2km as given by the IHT

document Providing for Journeys on Foot (IHT, 2000). They are however above the 500m “desirable” distance and 1,000m “acceptable” distance. Vehicular, pedestrian and cycle access to the station is via Lower Kings Road and Station Road and there are vehicular pick up and set down areas on both the northern and southern sides of the station.

### 3) Matters of agreement

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The areas of agreement between both parties are set out below.

#### Planning History

- 6) In 1996, the Dacorum Borough Local Plan was considered at a public local inquiry and the Inspector considered an objection at the time which sought to exclude land at Swing Gate Lane from the green belt (i.e. the larger parcel of land in GUI ownership to the south of Upper Hall Park). The Inspector stated that the bypass at the time (the A41) had altered the physical appearance of that part of the town and that the site was not of high landscape quality. Notwithstanding this, he considered that the release of the site from the green belt and its development for housing could not be justified at that time given the absence of a strategic need for more housing. An extract at **Appendix 2** is provided from the Inspector’s report.

#### GUI’s proposal

- 7) Savills produced a document entitled ‘Housing and Socio-economic Assessment’ (dated Dec 2011) and an update of this document entitled ‘Housing and Socioeconomic Assessment – update 2012’ (dated September 2012) - both of which provide evidence on the latest ONS population and household projections. DBC agree that these are one of a number of projections that need to be taken into consideration. These projections include:
- ONS 2008-based sub national population projections to 2033
  - ONS 2010-based sub national population projections to 2031
  - DCLG 2008-based sub national household population projections to 2031
  - ONS 2011 Census, initial results
- 8) Various technical assessments have been undertaken on behalf of GUI to support proposals at Land South of Berkhamsted. These technical assessments which are appended to Savills

'Planning Document' (dated December 2011) in the form of various Technical Appendices and as set out below;

- Appendix 1 – Red line ownership plan and illustration of concept plan and description (Savills)
  - Appendix 2 – Housing and Infrastructure Delivery Trajectory Plan (HIDT) (Savills, WT Partnerships, Alan Baxter Associates)
  - Appendix 3 – Landscape and Heritage Assessment and Archaeological Assessment (desktop) (Churchman Associates)
  - Appendix 4 – Ecological Assessment Summary Report (ESA)
  - Appendix 5 – Energy and Sustainability Assessment (Max Fordman)
  - Appendix 6 – Preliminary Utilities Assessment (Max Fordman and Glanville)
  - Appendix 7 – Transportation Assessment and Bus Strategy (Alan Baxter Associates)
  - Stakeholder consultation report (Quatro)
- 9) DBC's SA Addendum (June 2012) acknowledges that the *"other three directions for growth at Berkhamsted are less suitable for development due to their strong landscape constraints"*.
- 10) The proposals incorporate a local village centre, comprising small shops and offices, leisure and community uses to include a new school, new and improved outdoor sports pitches to satisfy deficiencies in the town and meet the needs of existing and new residents of the town. DBC's SA Addendum June 2012, Appendix 3, Section 2.5 indicates that the proposals would provide social and economic benefits to include meeting CS and SA objectives in providing of new private and affordable housing, creating sustainable prosperity and growth, fairer access to services and revitalising town centres. The assessment also acknowledges that new residents' spending power to the High Street would improve the local economy. It further states that the provision of the local centre with local community *facilities "should provide a positive effect on community identify and participation."* An extract of the SA Report is appended at **Appendix 3**.
- 11) A new link road is proposed with a new bus link or improvements to the existing bus services. The SA Addendum site assessment indicates that the local centre could reduce need to travel for some day to day needs and as a result help reduce emissions and car borne traffic more generally to the High Street. The negative scores in the assessment relate to: landscape, ecological and archaeological impact and transportation impact which GUI have addressed in their technical evidence. The remaining negative scores relate to 1) employment provision and

2) noise impact. An extract of the SA Report is appended at **Appendix 3**. The role of the SA in the choice of sites is explained in the forward to the Compendium of SAs regarding the assessment of sites and local allocations (Examination Document CS19).

- 12) Savills produced a HDT (as detailed above) which provides detail in terms of how the proposed development will come forward. It provides information on Savills' assessment of current and expected market conditions. It proceeds with identifying and assessing social and transportation infrastructure requirements and how these measures will be delivered throughout the phased development.
- 13) As an internal exercise GUI have instructed Savills to undertake a development appraisal to determine the viability levels of the development over the period of time forecasted. This is to support their assumptions in terms of commercial deliverability. DBC do not dispute development will be viable and deliverable (pages 88-89, Assessment of Potential Sites (June 2012) (Examination Document HG15)).

## 4) Matters in dispute

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- The role of the Spatial Strategy in meeting housing demand and need.
- The level of housing demand and need in Berkhamsted.
- The appropriateness of the site in meeting future housing demand and need in the town.
- The sustainability credentials of land at South Berkhamsted.
- The level of housing and economic development proposed, and the degree of flexibility required.
- The role of local allocations in meeting shortfalls in housing supply.

## 5) Declaration

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The contents of this document are agreed for the purposes of Dacorum Borough Council's Core Strategy Examination.

Signed on behalf of Participant Grand Union Investments (GUI)



Position...Director at Savills Planning and Regeneration

Date .....28<sup>th</sup> September 2012

Signed on behalf of Dacorum Borough Council



Position Strategic Planning and Regeneration Officer (Strategic Planning)

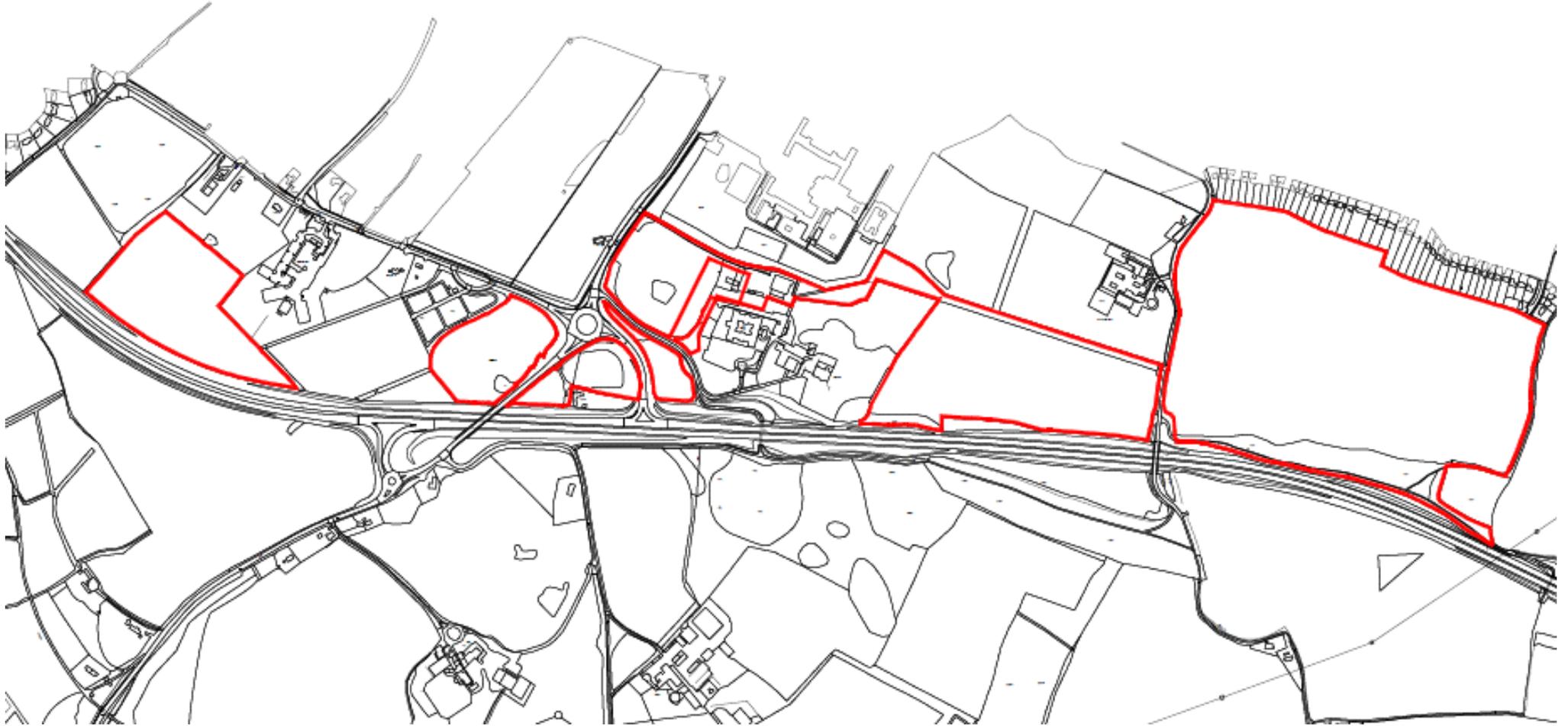
Date . 1<sup>st</sup> October 2012

# Appendix 1: Red Line Plan

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**Appendix 1 : Land to the South of Berkhamsted Ownership Plan – Grand Union Investments**





## Appendix 2: Extract from Previous Inspector's Report

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consolidating development in this prominent ridge-top location where previously approved planning policies have sought to resist further expansion. Moreover, I do not consider that the establishment of a completely new Green Belt boundary well beyond the existing clearly defined limits of the town represents the sort of minor readjustment envisaged by the Secretary of State when approving the 1986 Structure Plan.

3.34 Although The Plantation could provide a visual barrier to development, in my view it does not represent an unbroken or firm enough boundary to endure in the longer term or safeguard the adjoining field extending to Durrants Lane from development in the future. Whilst I agree that, by itself, the release of this land would not lead to the merging of settlements or seriously undermine the other important functions of the Green Belt, as the Council says, it is important to recognise the cumulative impact that such incremental releases would have on the overall character of the town and the surrounding countryside.

3.35 As regards the other circumstances advanced in this objection, I note that the County Council proposes to build an elderly persons home on the school playing fields, but this scheme is subject to considerable objections not only on Green Belt grounds but also because of traffic, landscape and the loss of playing fields. A final decision on this project had not been made by the end of the inquiry. Whilst I recognise that the school playing fields could be replaced on the land to the west of this objection site, this could be undertaken without releasing this objection site from the Green Belt and allocating it for housing purposes.

3.36 I am aware of the physical changes that have occurred to the land beyond Shootersway as a result of constructing the new by-pass. Whilst the topography and existing vegetation limits views of the objection site from this direction, any development on this site would be particularly conspicuous from Shootersway and Coppins Close. The circumstances of this site are markedly different from the Coppins Close development, since that site was bounded by existing development on two sides, a playing field and a thick hedge (since thinned out) and could properly be considered as a rounding-off of the built-up area. The objection site has no frontage development along Shootersway and in my view would be seen as a prominent extension of the urban area into the adjoining countryside. I also understand that different considerations applied as regards housing requirements.

3.37 As regards the overall adequacy of housing land supply and the situation of Berkhamsted, I consider this question in more detail in Section 5. Suffice it to say at this stage that in general terms sufficient land has been identified to meet strategic housing requirements, with some land in reserve, and there is no pressing need to develop this site to meet current housing requirements. I note the Secretary of State's previous view when considering the development of this site and I can see no fundamental change in circumstances or any exceptional reasons to justify amending the Green Belt boundary now in this locality.

#### Recommendation

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3.38 *I RECOMMEND that no changes be made in respect of this objection.*

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#### LAND AT SWING GATE LANE, BERKHAMSTED

Objection: 399 Legal & General Assurance Ltd

3.39 This objector argues that exceptional circumstances justify excluding this site from the Green Belt and allocating it as a reserve site for housing, namely the construction of the by-pass which has transformed the appearance of the area and provides a defensible long-term boundary to the urban area.

Main considerations and Inspector's conclusions

3.40 This land comprises some 18ha of agricultural land on the south-eastern fringes of Berkhamsted lying between the existing urban area and the new by-pass. The present Green Belt boundary runs along the rear boundaries of the properties fronting Upper Hall Park which in my view forms a clearly defined, firm and defensible limit to the built-up area. In its present open and undeveloped condition, the site contributes to one of the primary purposes of the Green Belt, namely preventing the outward spread of the urban area and safeguarding the adjoining countryside from encroachment.

3.41 The new by-pass has altered the physical appearance of this fringe of the town, but the road lies some 300m from the present limits of the built-up area and is separated from the site by mature woodland. The release of this site would constitute a substantial extension of the urban area, noticeably encroaching into the adjoining countryside, where development would be conspicuous from the surrounding area and from further down the valley on this prominent ridge top location. The nature of Swing Gate Lane and its junction with the A41 may also create access difficulties.

3.42 As for the need for Berkhamsted to provide opportunities for post-2001 housing, in my view this is a matter for a future review of the Structure Plan to determine, but the release of a large site such as this from the Green Belt could well prejudice the consideration of other strategic options for development in this locality. I deal with the role of Berkhamsted in terms of housing provision in further detail in Section 5, but bearing in mind the strategic value of the Green Belt in this locality and in the overall context of development restraint, I do not consider that there is any overriding need to release this site from the Green Belt to make provision for longer term development needs which have yet to be determined.

3.43 I note that the land is not of high landscape quality and is included within a Landscape Development Area, but as PPG2 implies, the condition or environmental quality of a site is not a reason to amend the Green Belt boundary or allow development. Rather than being seen as a minor alteration to rectify an anomaly or replace a weak and ill-defined Green Belt boundary, I consider this objector's proposal would represent a major addition to the built-up area of Berkhamsted which cannot be justified at this time.

Recommendation

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3.44 *I RECOMMEND that no changes be made in respect of this objection.*

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BRITISH TELECOM REPEATER STATIONS:  
NORTHCHURCH RECREATION GROUND & GARDEN FIELD LANE, BERKHAMSTED

Objections: 606/609 British Telecommunications plc

3.45 The objector is concerned that the future use of these sites and buildings for telecommunications purposes should not be precluded by Green Belt designation.

Main considerations and Inspector's conclusions

3.46 Each of these sites contains a very small building located within a tightly defined curtilage, adjoining in the one case an arable field and in the other case a recreation ground. The objector accepts that it would be inappropriate to realign the settlement boundary to include these small sites within the urban area and agrees that reuse for alternative purposes is probably out of the question due to their small size.

# Appendix 3: Extract from DBC's SA Addendum 2012

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- The assessment of the third option for growth was considered at the same level of detail as the other options. The Supplementary Issues and Options – Growth at Hemel Hempstead (November 2006) considered a significantly higher housing level for the Borough (18,000 between 2001 and 2031), as then potentially required by the RSS.

The SA review identifies that the Core Strategy would be remedied by the inclusion of the Land South of Berkhamsted as a Local Allocation, pointing out that the SA/SEA analysis undertaken by Savills on the site and its alternatives shows that it performs better than other potential directions of growth in Berkhamsted as well as the two larger proposed greenfield allocations in Hemel Hempstead. As identified in our comments relating to Section 5 we agree that the other three directions for growth in Berkhamsted are less suitable for development due to their strong landscape constraints. However, we do not agree that this means that developing the Land South of Berkhamsted should be taken forward, as sites in Hemel Hempstead have been shown by the ongoing sustainability appraisal process to be more sustainable options. The SA work supports the settlement hierarchy which directs the largest amount of growth towards Hemel Hempstead – an approach that continues to be supported by the Regional Spatial Strategy (post legal challenge).

#### **Appendix 1: Initial Ranking Assessment of Alternative Green Belt, Greenfield Sites in Berkhamsted, October 2011**

This appendix is related to site selection methodologies and is not specific to the Sustainability Appraisal.

#### **Appendix 2: Land South of Berkhamstead (Be/h2)**

See section 5 comments above.

#### **Appendix 3: Berkhamsted Options for Growth**

See section 5 comments above.

#### **Appendix 4: Review of Hemel Hempstead Draft Local Allocations**

For responses to the alternative assessments provided in Appendices 2 -4, see comments for Section 5 above.

## 2.5 Land south of Berkhamsted

SA Objectives (Abridged)	
1. Biodiversity	x
2. Water quality/quantity	-
3. Flood risk	-
4. Soils	x
5. GHG Emissions	✓
6. Climate Change Proof	-
7. Air Quality	?
8. Use of brownfield sites	x
9. Resource Efficiency	-
10. Historic & Cultural Assets	x
11. Landscape & Townscape	x
12. Health	?
13. Sustainable Locations	✓
14. Equality/ Social Inclusion	✓
15. Good Quality Housing	✓
16. Community Identity and Participation	✓
17. Crime and Fear of Crime	-
18. Sustainable Prosperity and Growth	✓
19. Fairer Access to Services	✓
20. Revitalise Town Centres	✓

Adverse effects have been forecast for the biodiversity; soils; and use of brownfield sites objectives. The site is greenfield within the Green Belt, and its development would therefore result in loss or damage of habitats, including potential effects on two wildlife sites, as well as soil sealing. Developing at this site would also affect the 'Green Gateway' and could impact upon the transition area from urban to countryside, therefore affecting local landscapes.

Part of the option is located in an area of archaeological significance and therefore adverse effects have been identified for historic and cultural assets. Additional uncertain effects are also identified for the whole site, as the County Archaeologist has identified that there is a potential that archaeological remains are present in the area between the A41 and Berkhamsted, including the possibility of nationally important remains that may be worthy of preservation in situ.

With regard to greenhouse gas emissions, a mixed assessment has been forecast. This option is located some distance from the town centre and the gradient between the town centre and the site is likely to discourage walking and cycling, which could result in increased car use and growth in the level of greenhouse gas emissions. In addition, the scale of development at this site is out of scale with the employment opportunities in Berkhamsted and therefore it is likely that many of the new dwellings will be occupied by commuters to other towns/areas for work. Whilst the site is situated within 2km of the railway station there remains the likelihood that a high proportion will commute to work by private car. This has resulted in negative effects being identified for the greenhouse gas emissions objective. However it is also recognised that a circular bus route is proposed within the scheme, so this could increase use of public transport over private car use, depending on the uptake of this mode. In addition, there are also plans for a local centre which could provide the amenities required, thereby reducing the need to travel for some day to day needs. These factors could help reduce the growth in emissions and thereby positive effects have been forecast in relation to these mitigatory factors.

Uncertain effects have been identified for air quality due to the uncertainties in relation to increased car use and uptake of public transport. The large number of new dwellings proposed for this site could exacerbate the air quality issues in Northchurch, where an Air Quality Management Area (AQMA) was designated in 2011 for part of the High Street. Additional traffic created by any development at Land South of Berkhamsted could add to the existing problems.

A3-5

As the site is located at a distance from the town centre this could discourage walking and cycling thereby having an adverse effect on health. The site's location near to the A41 could result in noise levels that could also adversely affect health and wellbeing. There are plans for enhanced sports facilities, however it is uncertain what these facilities will be and whether they would encourage residents to have more active lifestyles.

Positive effects have been forecast against the majority of the social and economic objectives, including the housing; sustainable prosperity and growth; fairer access to services; and revitalise town centres objectives. The site will provide a large amount of new housing, including a proportion of affordable housing and the provision of this additional housing means there would be more residents in the community making facilities and shops more viable. This would help support the local economy. The provision of a new local centre, with local community facilities, should have a positive effect on community identity and participation.

## 2.6 Land at the former airfield, Bovingdon

SA Objectives (Abridged)																			
1. Biodiversity	2. Water quality/quantity	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Use of brownfield sites	9. Resource Efficiency	10. Historic & Cultural Assets	11. Landscape & Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity and Participation	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
x	-	-	x	x	-	x	✓	-	?	x	?	x	?	✓	-	x	✓	✓	✓

Adverse effects have been forecast for biodiversity, as a result of the northern section of the site being greenfield and the southern section being within or adjacent to a high value local wildlife corridor. Adverse effects have also been forecast for soils as a result of soil sealing; landscape & townscape as the site is located within the Green Belt; and air quality and greenhouse gas emissions as the site is located at a distance from the village centre facilities and is separated from the village by a busy road, which could discourage cycling and walking. In addition, there is traffic congestion in the village, which may increase with more people locating to the area, and this could result in a decline in local air quality and increased greenhouse gas emissions.

Part of this site is currently in low grade use (a speedway track and a derelict WWII building) which provides opportunities for development to make environmental improvements. As a result positive effects have been identified for use of brownfield sites. However, the site's location on the WWII airfield and the potential for prehistoric and Roman sites to be found, means that there may some risk that archaeological remains that are worthy of preservation in situ, may be present. Uncertain effects have therefore been forecast for historic and cultural assets.

Positive effects have been forecast for some of the social and economic objectives. For example the provision of additional housing would mean that there are more residents in Bovingdon, making facilities and shops more viable. This would help with the local economy. In addition, developing this site would also provide some affordable housing. However,