

**NORTH HERTFORDSHIRE LOCAL PLAN EXAMINATION: MATTER 10: HOUSING
ALLOCATIONS AND SETTLEMENT BOUNDARIES: TOWNS: BALDOCK**

Statement from CPRE Hertfordshire

1. I am Stephen Baker, DMS, BSc, Dip TP, MRTPI, Planning Manager at Campaign to Protect Rural England Hertfordshire (CPREH).
2. This statement supplements our original representations on Chapter 4 of the Proposed Submission North Hertfordshire Local Plan (the Plan), including on Policy SP14 and Site Allocation Policy BA1, which still apply, and seeks to address the Inspector's questions as set out in his Schedule of Matters and Issues.
3. CPREH's statement on Matter 3, and our original representations on Policy SP8 are also directly relevant to this issue, because the demonstration of the existence of exceptional circumstances for releasing land from the Green Belt in principle, is a pre-requisite for each specific site allocation in the Green Belt and for any consequent alterations to Green Belt boundaries.
4. In our statement on Matter 3 we showed that the Council has failed to demonstrate that all of the identified 'housing need' is either acute or intense. In our original representations on Policy SP5 and paragraph 4.53 of the Pre-Submission Plan we showed that the Council relies entirely on the assumption in its Green Belt Background Paper, that all of the identified 'housing need' is acute or intense, as this must be shown if the Calverton judgement is used to assess whether exceptional circumstances exist in principle for removal of sites from the Green Belt.
5. Consequently our objections in principle apply to all four sites, BA 1 to BA 4 identified in the Inspector's Schedule, because exceptional circumstances have not been demonstrated, and these objections do not therefore need to be repeated for each individual allocation.

Inspector's Issues and Questions

Site BA1:

Issue 10.2: Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

6. This allocation is not justified because of the impact on the Green Belt that is addressed below under Issue 10.4, and because the need for the development does not outweigh the harm to the countryside and the community in and around Baldock.
7. The site occupies a very large area of attractive countryside on rising land to the north east of the town that is prominent in views from transport routes and in particular from the Chalk escarpment overlooking the town from the south and east, as confirmed by the Landscape Study (CG16a). That Study states that the area is coherent and largely comprised of undulating historic and unusual countryside in the Bygrave area. The Site Appraisal analysis (HOU13) concludes that the area is not suitable for major development on this scale.
8. Most of the site is Grade 2 agricultural land quality and within the definition of 'best and versatile agricultural land' that paragraph 112 of the NPPF states Council's should avoid allocating for development in Local Plans (CG16a and HOU13).
9. In addition to important ecological, cultural and hydrological impacts that would have to be addressed, the addition of 6,500 more people to the town on this site alone is likely to cause traffic congestion that can only be resolved by highway works of detriment to the historic fabric of the town. The Council's site assessments already confirm that the A507 roman road and White Horse Road / Royston Road junction in the Conservation Area is at capacity, and this junction is the principal access to the nearby town centre.
10. CPREH considers that development on the scale proposed at site BA1 and the directly related adjacent 20 hectare Employment site (BA10) is not justified in terms of the adverse local impacts that would arise.

Issue 10.4: (The site is comprised of land in the Green Belt). a) Do the exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?

11. There are no circumstances set out in the Plan or the Council's evidence submitted with the Plan which outweigh the presumption against such development in the Green Belt established by NPPF paragraph 14 and footnote 9, and in the context of the guidance

provided by the Calverton court case on the scope of considerations that should be taken into account when seeking to identify such circumstances.

12. The Site Allocation proposal for site BA1 in Policy SP14 and its supporting text make no reference whatsoever of the requirement to demonstrate the existence of exceptional circumstances for removal of the site from the Green Belt, referring only to what is proposed and where, and the Council's perceived beneficial (but not negative) results of the proposed development.
13. It is our understanding that in the absence of evidence of exceptional circumstances for the removal of this site from the Green Belt the proposed allocation is by definition both unjustified and contrary to national policy and therefore unsound.
14. The only considerations put forward by the Council for the existence of exceptional circumstances for changing the established, permanent Green Belt boundaries in the District, relate to a general conclusion that all boundaries must be reviewed because all of the assessed housing need in the District has to be met in the District and that the locations proposed in the Plan are the most appropriate even if they are in the Green Belt.
15. CPREH has set out in detail why in principle this approach is not consistent with national policy as set out in the NPPF and subsequent Government statements. National Planning Policy on this matter has been clearly restated on many occasions by the Government of the day since the NPPF was published, and the appendices to our statement on Matter 3, letters from Government between 2014 and this year, all emphasise the importance of the constraint imposed by national policy for the protection of the Green Belt and that housing need and/or demand are not in themselves an exceptional circumstance that would justify the removal of land from the Green Belt.

Issue 10.4: b) What is the nature and extent of the harm to the Green Belt of removing the site from it?

16. The nature of harm in this location would be threefold; the loss of countryside due to encroachment of Baldock; the further sprawl of the town northwards into that countryside; and the removal of the incentive and pressure for urban regeneration through recycling of land within the towns enclosed by Green Belt in the District and the London Green Belt as a whole.

17. The extent of harm in geographical terms to the first two Green Belt purposes above is significant because of the size of the proposed allocation, but for the removal of the regeneration incentive it would be Green Belt wide, because the purpose applies to the Metropolitan Green Belt as a whole.
18. In terms of severity of impact, the Green Belt Review notes that loss on this scale in this location would have a significant negative impact.

Issue 10.4: c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?

19. The impact on the purpose of assisting urban regeneration cannot be ameliorated, as the development would take place entirely outside the existing urban fabric.
20. The impact on the spread of the town into the countryside would not be ameliorated because the proposed new Green Belt boundary is around the site allocation and the development would be permanent. None of the site would retain the character or status of, or function as, Green Belt.
21. All the Council could achieve in future would be to ensure that there was no further loss of Green Belt status of the adjacent land. Clearly the construction of 2,800 houses outside the current Green Belt boundary does not improve that current boundary, so attempts to design new defensible boundaries further out into the countryside do not constitute amelioration or impact reduction.

Issue 10.4: d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?

22. All land in the Green Belt contributes equally to the Green Belt purpose of assisting urban regeneration by encouraging the recycling of urban land, according to its extent, so the Green Belt adjacent to the proposed allocation would continue to contribute to this purpose.
23. The loss of Green Belt on the scale proposed in this location would certainly undermine the function of the Green Belt which is to keep the area of the proposed site allocation permanently open. Furthermore, once the principle is established that an area of Green Belt can be removed from it and developed solely because of housing demand, adjacent

areas of Green Belt come under threat from the 'hope value' that landowners will put on the land.

24. Past Planning history from the first round of county development plans included landowners leaving Green Belt land on the edges of towns to degrade without any investment in its management in the hope that planning authorities would allow development in future, and it was only through the resolute defence of the Green Belt by generations of local authority councillors and officers that such pressures were resisted, supported by detailed government policy and guidance.
25. Government policy and guidance is not so detailed or forthright now, but ministers have repeatedly stated that Green Belt policy is effectively unchanged, and that in the local plan context 'exceptional circumstances' must exist for land to be taken out of the Green Belt. North Hertfordshire District Council has failed to demonstrate such circumstances, and allowing this site to be removed and developed would therefore undermine not only the Green Belt function of the adjacent Green Belt land but the wider Green Belt designated to prevent such proposals.

Sites BA2, BA3 and BA4

26. These three allocations are referred to together because all three have a similar relationship to the town and the recently constructed Baldock bypass, in that they lie on the edge of the town and within the bypass. The bypass is however routed some distance from the town and does not have any impact on the contribution of the land between it and the town to Green Belt purposes or the function of the Green Belt as a whole.

Issue 10.2: Are all of the proposed housing allocations justified and appropriate in terms of the likely impacts of the development?

27. These allocations are not justified because of the impact on the Green Belt that is addressed below under Issue 10.4, and because the need for the development does not outweigh the harm to the countryside and the community in and around Baldock.
28. The sites lie within an area of attractive open countryside that is prominent in views from transport routes and in particular from the Chalk escarpment overlooking the town from the south and east, as confirmed by the Landscape Study (CG16a). That Study states that the whole area is coherent and largely comprised of undulating countryside east of the town. The Landscape Study's evaluation for the whole area is to conserve and

restore it and that it is of moderate to high sensitivity with open views that 'are particularly sensitive to development'.

29. All of the sites are Grade 2 agricultural land quality according to the Land Classification Map for the East of England, and within the definition of 'best and versatile agricultural land' that paragraph 112 of the NPPF states Council's should avoid allocating for development in Local Plans (HOU13).
30. There are also potential ecological, heritage and hydrological impacts that would have to be addressed at these sites, as recognised in the Plan.

Issue 10.4: (The site is comprised of land in the Green Belt). a) Do the exceptional circumstances exist to warrant the allocation of the site for new housing in the Green Belt? If so, what are they?

31. There are no circumstances set out in the Plan or the Council's evidence submitted with the Plan which outweigh the presumption against such developments in the Green Belt established by NPPF paragraph 14 and footnote 9, and in the context of the guidance provided by the Calverton court case on the scope of considerations that should be taken into account when seeking to identify such circumstances.
32. The Site Allocation proposals for sites BA2 to BA4 and the supporting text in the Baldock part of Chapter 13 in Section Four of the Plan, make no reference whatsoever of the requirement to demonstrate the existence of exceptional circumstances for removal of the site from the Green Belt, referring only to what is proposed and where.
33. It is our understanding that in the absence of evidence of exceptional circumstances for the removal of these sites from the Green Belt the proposed allocations are by definition both unjustified and contrary to national policy and therefore unsound.
34. The only considerations put forward by the Council for the existence of exceptional circumstances for changing the establish permanent Green Belt boundaries in the District, relate to a general conclusion that all boundaries must be reviewed because all of the assessed housing need in the District has to be met in the District and that the locations proposed in the Plan are the most appropriate even if they are in the Green Belt.
35. CPREH has set out in detail why in principle this approach is not consistent with national policy as set out in the NPPF and subsequent Government statements.

Issue 10.4: b) What is the nature and extent of the harm to the Green Belt of removing the site from it?

36. The nature of harm in these locations would be similar to those set out for site BA1. They are threefold; the loss of countryside due to encroachment of Baldock; the further sprawl of the town eastwards into that countryside; and the removal of the incentive and pressure for urban regeneration through recycling of land within the towns enclosed by Green Belt in the District and the London Green Belt as a whole.
37. The extent of harm in geographical terms to the first two Green Belt purposes above is significant because of the scale of the proposed allocations for around 500 dwellings in total, but for the removal of the regeneration incentive would be Green Belt-wide, because this applies to the Metropolitan Green Belt as a whole.
38. In terms of severity of impact, the impact would be incremental, with each individual site contributing together to a major impact on the Green Belt locally and as a whole.

Issue 10.4: c) To what extent would the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest reasonably practicable extent?

39. As is also the case with site BA1, the impact on the purpose of assisting urban regeneration cannot be ameliorated, as the development would take place entirely outside the existing urban fabric.
40. The impact on the spread of the town into the countryside would not be ameliorated because the proposed new Green Belt boundary is outside the site allocations and the development would be permanent. None of the sites would retain the character or status of, or function as, Green Belt.
41. All the Council could achieve in future would be to ensure that there was no further loss of Green Belt status of the adjacent land between the town and the bypass. Clearly the construction of 500 houses outside the current Green Belt boundary does not improve the current boundary, so attempts to design new defensible boundaries further out into the countryside do not constitute amelioration or impact reduction.

Issue 10.4: d) If this site were to be developed as proposed, would the adjacent Green Belt continue to serve at least one of the five purposes of Green Belts, or would the Green Belt function be undermined by the site's allocation?

42. All land in the Green Belt contributes equally to the Green Belt purpose of assisting urban regeneration by encouraging the recycling of urban land, according to its extent, so the Green Belt adjacent to the proposed allocations would continue to contribute to this purpose.
43. The loss of Green Belt on the scale proposed at these three sites would certainly undermine the function of the Green Belt which is to keep the area of the proposed site allocations permanently open. Furthermore, once the principle is established that an area of Green Belt can be removed from it and developed solely because of housing demand, adjacent areas of Green Belt come under threat from the 'hope value' that landowners will put on the land.
44. This is a particular risk for sites BA3 and BA4, where the Council proposes to remove a further area of land from the Green Belt without demonstrating any exceptional circumstances for doing so in the absence of any need to remove the land to meet an acute or intense development need.
45. Allowing these sites to be removed and developed would therefore undermine not only the Green Belt function of the adjacent Green Belt land but the wider Green Belt designated to prevent such proposals.