

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

**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 SP17 and Site Allocation Policy HT1, 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 sites HT1 to HT3, and HT6 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. No further comments are considered necessary on site HT2.

## Inspector's Issues and Questions

### Site HT1:

#### **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 10.9, and because the need for the development does not outweigh the harm to the countryside and the community in and around Hitchin and Letchworth.
7. The site occupies a very large area of very gently undulating farmland to the north east of the town that is part of the broad swath of land separating Hitchin from Letchworth, and prominent in views from transport routes, especially the adjacent railway and from Letchworth overlooking the east of Hitchin from the north-east. The Landscape Study (CG16a) states that the area is vulnerable to development in this core area between Hitchin and Letchworth, which are close together at this point.
8. 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.
9. CPREH considers that development on the scale proposed at site HT1 is not justified in terms of the adverse local impacts that would arise.

#### **Issue 10.9: (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?**

10. 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.
11. The Site Allocation proposal for site HT1 in Policy SP17 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.

12. 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.
13. 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.
14. The only reference in the text of the Plan to any form of justification for the proposal is a statement (paragraph 4.202) that the site 'provides an opportunity for a strategic-scale site on the edge of Hitchin to address locally arising needs' without making any reference to the requirement to demonstrate that the undefined 'locally arising needs' must be shown to be acute or intense and otherwise comprise an exceptional circumstance for taking the land out of the Green Belt.
15. CPREH has set out in detail why in principle the Council's 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 last 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 10.9: 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 fourfold; the loss of countryside due to encroachment of Hitchin; the further sprawl of the town north-eastwards into that countryside; the reduction in the narrow gap between the built up areas of Hitchin and Letchworth; 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 three 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 that purpose applies to the Metropolitan Green Belt as a whole.

18. In terms of severity of impact, CPREH considers that the loss of this site from the Green Belt will be particularly severe because of the almost totally open character of the landscape between the two towns either side of Stoffold Road at this point, and the proposed projection of the area to be removed from the Green Belt into this sensitive gap. In our view, this would have a significant negative impact on the Green Belt.

**Issue 10.9: 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. Neither would it be possible to reduce the impact of the reduction of the gap that prevents the merging of Hitchin and Letchworth, which is already under threat visually.

22. 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 700 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 10.9: 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?**

23. 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.

24. 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.
25. 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.
26. This is a particular risk with site HT1, where the Council proposes to redraw the Green Belt boundary to follow the original line of the London to Cambridge railway. Unfortunately this leaves a wedge of Green Belt abutting the adjacent industrial area between that route of the railway and the new railway loop to the north next to the proposed HT1 development area.
27. Allowing site allocation HT1 to be removed and developed would in our view undermine not only the Green Belt function of the adjacent Green Belt land but the wider Green Belt designated to prevent such proposals.
28. 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.

**Site HT3 and HT6:**

29. These two allocations are referred to together because CPREH has similar concerns about them because of their relationship to the current Green Belt boundary and their landscape setting.

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

30. These allocations are not justified because of the impact on the Green Belt that is addressed below under Issue 10.9, and because the need for the development does not outweigh the harm to the countryside.

31. The sites lie on the western edge of Hitchin in an area of attractive countryside that is currently under consideration for inclusion within the Chilterns Area of Outstanding Natural Beauty by Natural England. (ED 48)

**Issue 10.9: (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?**

32. 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.

33. The Site Allocation proposals for sites HT3 and HT6 and the supporting text in the Hitchin part of Chapter 13 in Section Four of the Plan, make no reference whatsoever to the requirement to demonstrate the existence of exceptional circumstances for removal of these sites from the Green Belt, referring only to what is proposed and where.

34. 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.

35. 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.

36. 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 10.9: b) What is the nature and extent of the harm to the Green Belt of removing the site from it?**

37. The nature of harm in these locations are threefold; the loss of countryside due to encroachment of Hitchin; the further sprawl of the town westwards 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.

38. The extent of harm in geographical terms to the first two Green Belt purposes above is less than for the other Green Belt sites proposed for removal from the Green Belt around Hitchin, but for the removal of the regeneration incentive it would be Green Belt-wide, because that purpose applies to the Metropolitan Green Belt as a whole.

39. 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 10.9: 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?**

40. As in the case of site HT1, the impact on the purpose of assisting urban regeneration cannot be ameliorated, as the development would take place outside the existing urban fabric.

41. 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.

42. 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 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 10.9: 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?**

43. 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.
44. The loss of Green Belt proposed at these two sites would 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.
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.