

REPRESENTATIONS TO DACORUM LOCAL PLANNING FRAMEWORK SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT EXAMINATION

HARROW ESTATES (REPRESENTOR ID 868800)

- 1.1 This Statement sets out Harrow Estates' response to the questions and issues raised and, where appropriate, explains why the plan is not considered to be sound as presented. A series of amendments to address deficiencies with respect to soundness are suggested within Harrow Estates' representations to the Pre-Submission Site Allocations Development Plan document (September 2014) and its representations to the Focused Changes to Pre-Submission Site Allocations DPD (September 2015). Both of these documents are provided at Appendix A to this statement.

Matter 1 – Legal compliance, including duty to cooperate

1) Overall legal compliance

- 1.2 Whilst Harrow Estates do not wish to provide a response to Question 1, it reserves the right to make future representations in respect of the issues raised.

2) Compliance with Statement of Community Involvement

- 1.3 Whilst Harrow Estates do not wish to provide a response to Question 2 at this stage, it reserves the right to make future representations in respect of the issues raised.

3) Policy guidance omissions

- 1.4 Whilst Harrow Estates do not wish to provide a response to Question 3 at this stage, it reserves the right to make future representations in respect of the issues raised.

4) Sustainability Appraisal process

Sustainability Appraisal – reasonable alternatives (Sites - general)

- 1.5 The Site Allocations Development Plan Document (SADPD) has been subject to a multi-staged Sustainability Appraisal/Strategic Environmental Appraisal (SA/SEA) undertaken between 2006 and 2016. This included an initial appraisal of 173 potential development sites, the findings of which are set out in Examination Document SA16¹. This states that this document does not form part of the formal SA/SEA reporting process rather has been produced to contribute to the plan making process by providing independent appraisal of the issues discussed, with a view to guiding the production of the preferred options towards contributing to sustainable development principles².
- 1.6 Document SA16 presents a high level appraisal of whether the individual sites being considered are subject to specific environmental designations which could constrain their ability to deliver a sustainable form of development. This does not in itself satisfy the SA/SEA criteria nor is the presence of such environmental designations a valid basis for concluding that a site does not constitute a 'reasonable alternative' which should be appraised as part of the ongoing SA/SEA process.

¹ Sustainability Appraisal and Strategic Environmental Assessment Working Note on Initial Issues and Options (December 2006)

² Examination Document SA16 paragraph 1.1

- 1.7 A similar approach was taken in the updated SA/SEA in 2008 and 2014 (Examination documents SA14 and SA21 respectively) which considered additional sites on the same basis.
- 1.8 Only through the SA of the Pre-Submission DPD (September 2014) (Examination document SUB20) is a comprehensive SA/SEA of the proposed site allocations undertaken based on a Sustainability Appraisal Framework developed in accordance with the Planning Practice Guidance. However, only sites proposed for allocation are subject to this assessment on the basis that there are no 'reasonable alternatives' available to consider.
- 1.9 Examination Document SA22³ seeks to justify this approach by reference to the adopted Core Strategy (CS) and the fact that, to be considered a 'reasonable alternative', a site must be in conformity with the CS as the parent document of the SADPD. As such, section 2.3.3 of Examination Document SA22 confirms that a number of sites were not taken forward for further assessment due to a range of 'exclusionary criteria' partly dictated by the CS (being located in the Green Belt for example). It refers to this a 'site sieving' process.
- 1.10 In the case of sites assessed as part of the 2006 and 2008 exercise, these were discounted as reasonable alternatives before the CS was adopted or at an advanced stage of production and before specific sites for release from the Green Belt had been identified through the CS. Such sites were not in conflict with an adopted CS at the point of their assessment.
- 1.11 It is clear from Examination Document SA22 that such sites were discounted as not representing reasonable alternatives prematurely. This represents a significant procedural flaw in the SA/SEA process.

Sustainability Appraisal – reasonable alternatives (do not progress plan)

- 1.12 Harrow Estates' representations to the Pre-Submission SADPD set out its concerns regarding the progression of the Local Plan Review which the Core Strategy committed the Council to. These also set out that the Pre-Submission SADPD's failure to make the same commitment to the review renders the plan unsound on the basis that it is not positively prepared.
- 1.13 The review to which the CS commits is critical to ensuring the Borough has a deliverable plan in place to bring forward its short, medium and long term development requirements in a managed and controlled manner as needed to deliver sustainable and well planned growth alongside critical social, community and physical infrastructure.
- 1.14 The need for this review has been exacerbated by events since the adoption of the Core Strategy. Housing delivery between 2012/13 and 2015/16 has totalled just 1,517 units compared to 1,981 predicted to be delivered within the CS over the same timeframe (an under delivery of 23%). This undermines the Council's proposition that delivery over the early years of the plan would be broadly in line with the 2008-based CLG projections of c540 units per annum; a point which the Core Strategy Inspector placed significant reliance on in finding the plan sound, subject to an early review.
- 1.15 The publication of the South West Hertfordshire Strategic Housing Market Assessment (February 2016) adds further weight to the case for an urgent review of the plan. This indicates that the annual level of housing need in the Borough stands at 756 dpa for the period 2013-2036. Whilst this figure has not yet been tested at Examination, it is based on

³ Sustainability Appraisal Report Addendum (May 2016)

more up-to-date information and assessment in general accordance with the guidance in the PPG. In the circumstances, it is clear that the starting point for assessing the housing requirement for the purposes of the imminent Core Strategy review will be substantially higher than the 540 dpa indicated by the CLG 2008-based projections.

- 1.16 Given both the requirement for an early review of the plan and the absence of any tangible progress having been made towards undertaking this review, a 'reasonable alternative' for the purposes of the SA/SEA must be that the SADPD is not progressed but rather the Council proceed immediately to progressing the CS which is already behind schedule.
- 1.17 The requirement to consider this as a reasonable alternative is confirmed by the Planning Practice Guidance which states that '*The sustainability appraisal needs to compare all reasonable alternatives including the preferred approach and assess these against the baseline environmental, economic and social characteristics of the area **and the likely situation if the Local Plan were not to be adopted.***⁴' (our emphasis).
- 1.18 The imperative of considering, through the SA/SEA process, the alternative scenario of the plan not being adopted is even greater in Dacorum given the context presented above and the need for an urgent and early review of the CS.
- 1.19 Failure to consider the scenario of not progressing with the SADPD as part of the SA/SEA process would, in any circumstances, represent a procedural deficiency in the production of the plan. The circumstances presented in the case of this particular DPD, including the fact that it is the daughter document to a plan which is in increasingly urgent need for review and evidence of a growing gap between the level of development which the Core Strategy can deliver and the Borough's development needs, further highlights the deficiency in the approach to assessing reasonable alternatives as required as part of the SA/SEA process.

Sustainability Appraisal – reasonable alternatives (Allocation L/4)

- 1.20 The proposed allocation of the Dunsley Farm site to provide replacement playing pitches for Tring High School was first put forward through the Focused Changes to Pre-submission Site Allocations DPD (September 2015). Up to this point in time no sites had been considered by the Council for this purpose.
- 1.21 In contrast to the Local and Strategic Allocations identified in the SADPD, the adopted CS does not provide any restrictions as to where allocations of this type should be delivered. There is therefore a requirement for a broad consideration of potential sites and a range of 'reasonable alternatives' must be assessed in order for the plan to satisfy the 'justified' test of soundness and SA/SEA requirements.
- 1.22 In this instance, there is no evidence presented by the Council that any potential alternative sites for this allocation have been considered at any stage in the process of preparing and consulting upon the DPD. This clearly renders Proposal L/4 unsound on the basis that it cannot be justified when considered against the reasonable alternatives. The failure to

⁴ Planning Practice Guidance (CLG) Paragraph: 018 Reference ID: 11-018-20140306
<http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-local-plans/>

consider alternative sites also represents a procedural and legal deficiency in the plan in contravening the requirements of the PPG relating to the SA/SEA process.

Sustainability Appraisal – reasonable alternatives (Allocation LA5)

- 1.23 The LA5 allocation includes an increased residential capacity of up to 200 homes, the development of a traveller's site and a standalone extension to the Tring Cemetery. As a result of the proposed increase in capacity, development is now proposed within the Chilterns AONB and will involve the release of more Green Belt land than was assumed to be required when this site was considered for release through the CS Examination.
- 1.24 The proposal is very clearly contrary to the CS in this regard. A Statement of Common Ground (SOCG) was signed by the Local Authority and the site owner regarding the LA5 allocation and presented to the CS Examination confirming that there would be no development in the AONB as part of the delivery of this allocation. The allocation was found to be sound by the Inspector on this basis.
- 1.25 The proposal to now develop within the Green Belt deviates from this. The implication of this for the soundness of the SADPD overall is considered in Harrow Estates' Matter 11 statement. However, at this point it is important to raise that to satisfy SA/SEA requirements, this deviation should have been considered through the SA/SEA process and assessed against reasonable alternatives. These reasonable alternatives would clearly include the option of delivering the LA5 allocation without developing within the AONB (as the Council committed to through the CS Examination) and without utilising additional Green Belt land. The failure to consider this reasonable alternative represents a procedural deficiency in the SA/SEA.

Sustainability Appraisal – reasonable alternatives (Future allocations)

- 1.26 Whilst the current SADPD is constrained by the provisions of the CS, there is now a very clear overlap between the process of producing the SADPD and undertaking the CS review, particularly in terms of the publication of key evidence to inform the latter. To this extent, it is important that the SADPD looks ahead to the CS review to ensure the latter can move forward on a sound and clear policy basis thereby avoiding further delay.
- 1.27 Harrow Estates' statements on Matters 2 and 4 set out a case for the SADPD identifying sites that might be allocated and brought forward for development immediately upon completion of the CS review. Given the context in which the SADPD is being produced, the need for an imminent review of the CS and the emerging evidence which will inform this review, at the very least consideration should have been given to this suggested approach in progressing the SADPD. Whilst accepting that the SADPD is bound by the provisions of the CS, this would not itself preclude the identification of future potential sites on the basis suggested above.
- 1.28 The identification of such sites would clearly represent a reasonable alternative to the approach taken reflecting that the SADPD will not deliver the growth which the Borough needs over the plan period as set out above.

5) HRA

- 1.29 Whilst Harrow Estates does not wish to provide a response at this stage, it reserves the right to make future representations in respect of Issue 5

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**Appendix A HARROW ESTATES
REPRESENTATIONS TO THE
PRE-SUBMISSION SITE
ALLOCATIONS DPD
(SEPTEMBER 2014) AND TO THE
FOCUSED CHANGES TO THE
PRE-SUBMISSION SITE
ALLOCATIONS DPD
(SEPTEMBER 2015)**

Harrow Estates PLC

Representations to Dacorum Site
Allocations DPD

October 2014

Turley

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Appendix 1: Representation Form

Appendix 2: Land North of Station Road, Tring : Plans

Contact: Sam Ryan

3 November 2014

1. Introduction

1.1 These representations to the Site Allocations DPD [Pre-Submission Plan] are made on behalf of Harrow Estates plc.

1.2 In summary, the representations demonstrate that the draft plan is not sound in that it is **not**:

- **Positively prepared:** the plan is not positively prepared in that it does not aim to meet the Full Objectively Assessed Need (FOAN) for housing in the borough generally or the housing needs of Tring in particular. While the Site Allocations DPD is consistent with the policies of the Core Strategy the council has acknowledged that plan does not meet the FOAN and is to be subject of an early partial review. The Site Allocations DPD should, similarly, make reference to an early review for consistency and to ensure that sufficient land is brought forward in a timely manner to maintain the momentum of development and meet the longer term housing needs of the borough.
- **Justified:** in that it does not present the most appropriate strategy for delivering the development needs of the borough, particularly in Tring. The development parameters for the proposed Local Allocation (LA5) fail to reflect constraints that if properly applied would be likely to result in a reduced housing yield from the site.
- **Effective:** the housing allocations that have been identified in Tring will not meet the vision or key objectives for the town. This will only be achieved through a review of the Green Belt and release of additional development sites as a consequence of the partial review of the Core Strategy. The Site Allocations DPD should recognise this process and identify potential areas of search for expansion of the town and allocation in the development plan partial review.

The formal representation forms are attached at Appendix 1

2. Representations

Background

2.1 The Dacorum Borough Council Core Strategy was adopted in September 2013. At the EIP into the plan, the council acknowledged that it had not identified the Full Objectively Assessed Needs (FOAN) for housing in the borough; nor had it carried out a robust and comprehensive Green Belt review.

2.2 At the recommendation of the EIP Inspector, a Main Modification was introduced prior to adoption of the Core Strategy committing the LPA to undertake an early partial review of the plan to assess the FOAN and explore the opportunities for Green Belt release to accommodate that housing need. The council aims to complete that review and adopt the revised plan in 2017/18. In the meantime, the Site Allocations DPD is being prepared in accordance with the policies of the Core Strategy. This is clearly set out in the Providing Homes Issues Paper:

“Sites are allocated to achieve the requirements of the Core Strategy. However the Core Strategy was only found sound on the basis of an early partial review which will in fact be a Local Plan dealing with both strategy and allocations. Thus if full objectively assessed need indicates an increase in the housing requirement then Site Allocations will need to increase too unless full objectively assessed need cannot be achieved for other policy constraint reasons as indicated in the NPPF at paragraph 47”¹

2.3 While the Core Strategy indicates that evidence gathering to inform the partial review will commence in 2013²; to date there has been limited progress. The council has not released any new evidence and, indeed, it is understood that the critical reports comprising the up-date of the SHMA and Phase 2 Green Belt study are still at the early stages of commissioning and will not be available (at least) until the summer of 2015.

2.4 In the meantime, the Site Allocations DPD is proceeding on the basis of the Core Strategy housing target of 430dpa. Notably the EIP Inspector had indicated that the housing requirement could be 540dpa based upon the latest CLG Household Projections:

“..there is no substantive evidence that would lead me to conclude that the starting point should not have been the CLG (2008 based) projection of 13,457 dwellings [equivalent to c.540dpa] as implicitly accepted by the Council in paragraph 3.21 of HG16. This figure provides an appropriate foundation for the initial assessment of housing provision....”³

2.5 Despite recognising that there was strong evidence to indicate that the FOAN would be higher for the borough the Inspector found the [Core Strategy] plan sound. In making his judgement he was satisfied that the short term housing supply would be sufficient to ensure that there would be no shortfall in the early years in advance of the review:

¹ Providing Homes Issues Paper, paragraph 2.20

² Core Strategy, paragraph 29.8

³ EIP Inspector's Report, paragraph 14

“A number of respondents to the MM consultation raised concerns regarding the appropriateness of relying on an early review of the CS as a means of securing a sound document. In other circumstances I may well have attached more weight to these concerns but at Dacorum there are two important factors. First the housing shortfall is about 15% and, more importantly, there would be a general over-supply of housing in the short to medium term, especially over the next three years (as identified in the updated Trajectory)”⁴.

Tests of Soundness

Is the Plan Positively Prepared?

- 2.6 The Framework requires development plans to be ‘positively prepared’; that means ensuring that they are based on a strategy which seeks to meet objectively assessed development and infrastructure needs.⁵
- 2.7 In this case, the draft Site Allocations Plan is not ‘positively prepared’ since it will not meet the FOAN for housing in the borough, whether assessed on the basis of the Core Strategy Requirement or a new (increased) figure identified by the EIP Inspector that is anticipated to arise from the partial review of the plan.

Housing Land Supply

- 2.8 Paragraph 6.15 of the draft Site Allocations DPD sets out the level of housing completions that have taken place since the start of the plan period. There have been 2,993 completions between 2006 and 2014; this is an average rate of 374dpa and a shortfall against the Core Strategy target of 447 dwellings [(430 x 8) minus 2,993].
- 2.9 Notably, housing completions have fallen significantly in the past two years; 509 dwellings completed over the two year period at an average of 255dpa. This is considerably lower than projected when the Core Strategy EIP Inspector considered the housing supply position in 2012 and found that an oversupply was likely in the early years of the plan period. The EIP Inspector’s conclusions (as referred to in paragraph 2.5 above) were based on the housing trajectory appended to the Core Strategy which anticipated the completion of 766 dwellings (384dpa) over the same period and a rapid rise in development thereafter.
- 2.10 The housing trajectory now contained in the appendix to the draft Site Allocations DPD rolls back the projected sharp increase in housing completions across the borough and anticipates c.3300 units (650dpa) being delivered in the next 5 years. However, as evidenced above, there is no guarantee that the housing trajectory is an accurate representation of what will actually be delivered in the borough. In Dacorum there must be significant doubt of development proceeding as the council anticipates particularly since the actual level of housing commitments is currently just 2,168 dwellings (including sites awaiting completion of a S106)⁶.
- 2.11 On the basis of those current commitments the implication for the 5-year land supply position is set out below:

⁴ EIP Inspector’s Report, paragraph 29

⁵ Framework paragraph 182

⁶ Draft Site Allocations DPD, paragraph 6.15

Annual Requirement	430 (Core Strategy)
Annual requirement x 5 years	2,150
5% Flexibility Allowance	108
Shortfall 2006 – 2014	447 [(8 x 430) minus 2,993]
Total Requirement	2,705 (2,150 + 108 + 447)
Average Annual Requirement	541 (2,705 ÷ 5)
Total Supply	2,168
Shortfall	537 (2,705 minus 2,168)
No. of years supply	4.0 years (2,168 ÷ 541)

2.12 This is the best case for the council, since it takes into account all commitments, and has been calculated using the annual housing target figure set out in the adopted Core Strategy. Should that housing target increase in accordance with the 2008 CLG Household Projections, as anticipated likely through the partial review of the plan, then the shortfall could be significant. By way of example the following calculation is based on the CLG figure:

Annual Requirement	540 (2008 CLG Household projections)
Annual requirement x 5 years	2,700
5% Flexibility Allowance	135
Shortfall 2006 – 2014	1,327 [(8 x 540) minus 2,993]
Total Requirement	4,162 (2,700 + 135 + 1,327)
Average Annual Requirement	832 (4,162 ÷ 5)
Total Supply	2,168
Shortfall	1,994 (4,162 minus 2,168)
No. of years supply	2.6 years (2,168 ÷ 832)

2.13 Even if the housing trajectory contained in the draft Site Allocations proves to be accurate and 3,300 dwellings are delivered over the next 5 years as a result of the emerging supply on allocations in the plan, there will still be a significant shortfall against the FOAN that is likely to arise from the partial review.

2.14 It is clear that the draft Site Allocations DPD is not planning positively to address the housing requirement either in the short term or across the plan period and is unsound in this respect.

Flexibility

2.15 In light of the Wokingham decision⁷ it is acknowledged that the role of the Site Allocations DPD is to make allocations consistent with the adopted Core Strategy. However, in this case the adopted Core Strategy clearly accepts the FOAN has not been met and points to an early partial review to make the plan sound throughout its lifetime. It is the Objector's case that for the Site Allocations DPD to be sound it must also make a similar commitment.

2.16 Such an approach has recently been recommended by the EIP Inspector into the Bolton Site Allocations DPD. In that case, the borough council had prepared and adopted a Core Strategy in advance of publication of the Framework. The council has since accepted that the plan may not meet the FOAN and work currently being carried out by the Combined Greater Manchester Authorities may result in a higher housing target in the borough. In the circumstances, the Inspector into the Site Allocations EIP has recommended a Main Modification committing to monitoring the performance of the plan:

*'Should the delivery of the plan consistently fall below a range of the set targets, then consideration would have to be given to whether a development plan review should take place. **The AMR will consider this on an annual basis.**'*⁸[our emphasis]

2.17 In Bolton, the Inspector recommended monitoring the performance of the plan on an annual basis to ensure that housing (and other development) targets are being met. The circumstances in Dacorum are similar to those in Bolton and a commitment to on-going monitoring of performance is essential particularly as:

- The Core Strategy EIP Inspector's acceptance of 'soundness' was on the basis of him being satisfied there was a sufficient short term deliverable supply; and
- The council's commitment to an early review;

However,

- There is clear evidence that housing land supply targets have not been met and there has been slippage in the housing trajectory
- Completions are expected to continue to fall below the requirement, increasing the shortfall year-on-year; and
- There is now concern that the development plan review is slipping⁹ and a revised Core Strategy [Local Plan] may not be in place by 2017

2.18 By the time that the partial review is adopted, the housing shortfall will be significant on any measure.

2.19 In order to address this issue, the Site Allocations DPD should commit to annual monitoring and adopt a positive and pro-active strategy towards consideration and

⁷ Gladman Developments Ltd v Wokingham Borough Council 11 July 2014

⁸ Bolton Site Allocations Main Modifications Report modification MM1

⁹ See paragraph 2.3 above

identification of other sites that might be allocated and brought forward for development immediately upon completion of the partial review of the plan. It is only through such an approach that there is any prospect of the borough achieving its housing targets and maintaining the momentum for delivery over the entire plan period.

Is the Council's Approach Justified or Effective?

2.20 The adopted Core Strategy sets out a strategy of allocating development according to the settlement hierarchy. That means directing the majority of new housing development to Hemel Hempstead, with smaller allocations to the market towns of Berkhamsted and Tring reflecting their important role in meeting housing needs and providing employment opportunities and services.

2.21 Policy CS1 of the Core Strategy states that:

The market towns and large villages will accommodate new development for housing, employment and other uses, provided that it [inter alia]:

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;

2.22 Table 8 of the plan sets out the 'prospective distribution of housing' across the borough indicating that Tring will accommodate 480 dwellings over the plan period. It is important to note that this is not a policy 'requirement'. It is simply a reflection of the council's assessment of both the level of housing generated from the chosen population growth scenario and the perceived capacity of the town having regard to Green Belt, AONB and other constraints. Notwithstanding this, the housing sites identified in the draft Site Allocations plan for Tring to meet the 480 dwelling target over the plan period are not considered to be sufficient.

2.23 Housing allocations proposed in Tring are limited to four sites comprising the draft Local Allocation (LA5) and three small brownfield sites in the town; altogether those sites have the capacity to deliver 230 – 259 units. The largest allocation at Icknield Way requires land to be removed from the Green Belt under the Local Allocations policy in the Core Strategy. It is noted that this is the only Local Allocation that is proposed to be brought forward for early development in the plan period in recognition of the very limited supply of housing sites and opportunities in Tring.

2.24 It is the Objector's case that the scale of new housing development proposed for Tring is not justified and will fail to deliver the vision and objectives of the adopted Core Strategy as set out in section 22 of that plan. In particular:

- The extremely low level of housing development will not even meet the needs of natural population change in the town. This is evidenced in the council's "2009 Population: Background Note for the Core Strategy" which confirms that the level of new housing allocated to Tring was based on the scenario of maintaining the existing population level. The alternative natural growth or zero-net migration scenario would have generated a requirement for 936 dwellings to be delivered in

and around Tring across the plan period¹⁰. Rather than helping to maintain the vitality and viability of the town, this small amount of house building will actually result in decline, reduced support for local shops and services and a reduction in vitality and viability. Further, the provision of just 480 units is highly questionable in light of on-going discussions for extension of Crossrail to Tring Station which will have the effect of placing further demands for housing in the town

- Only one large housing site is proposed (draft allocation LA5); while it is expected to deliver 40% affordable housing, this will equate to no more than c.70 units in a town where mean house prices put the opportunity for home ownership beyond the range of many, particularly young couples and families. It is notable that the recent Inspector's Report¹¹ into the CIL Charging Schedule states that the Icknield Way allocation has compromised viability. While the developer backing that site did not make representations to the CIL there is a possibility that there will be a negotiation for a lower affordable housing contribution through the planning application process. As a consequence, it is clear that the plan fails in its objective of meeting housing needs in Tring, with wider adverse social and economic implications from a failure to attract or retain young families
- The majority of housing will be delivered on just one site (the Local Allocation at Icknield Way). The opportunities for windfall housing sites in the town are extremely limited due to the tight urban grain with the result that there will be little range and choice of new housing and the developer of the Icknield Way site will have a virtual monopoly over house building, limiting choice and exerting (upwards) control over new house prices in the town
- There is a need to provide expansion land for Tring High School which serves the town and surrounding villages; this is likely to require the provision of off-site playing fields. The Core Strategy indicates that an appropriate site will be allocated in the Site Allocations DPD. However, no such allocation appears in the draft plan. Even if the Icknield Way were capable of physically accommodating the school playing fields, it would not be appropriate for them to be delivered in that location given its remoteness from the High School
- Similarly, given the tight grain of development in the town, the Core Strategy recognises the need to identify additional areas of open space and recreational facilities to serve the population of Tring. However, no such allocations appear in the draft plan. The Icknield Way allocation may provide some opportunities for recreational provision, but that could further reduce the scope for built development on that site

Land at Icknield Way

2.25 Turning specifically to the draft Local Allocation at Icknield Way (policy LA5); the Objector considers the quantum of housing development implied by the illustrative masterplan for that site is over estimated for the following reasons:

¹⁰ Population Background Paper, Table 4

¹¹ Inspector's Report into the Dacorum CIL Charging Schedule, paragraph 35

- The masterplan indicates that some essential facilities comprising a site for travellers, a NEAP to serve the development and an extension to Tring Cemetery will all be accommodated within that part of the site lying in the Chilterns AONB. Those proposals are contrary to the Statement of Common Ground (signed by the borough council and Cala Homes) submitted to the Core Strategy EIP confirming the allocation would not lead to development in the AONB. The uses should be wholly contained within that part of the site lying outside the AONB boundary; this would have the effect of reducing the available area for housing development on the Icknield Way site
- The masterplan effectively comprises a further expansion of the Icknield Way site into the Green Belt over and above what was considered appropriate at the Core Strategy EIP. Neither the draft plan nor the supporting evidence base provides any Very Special Circumstances to justify this further encroachment into the Green Belt particularly where the development will narrow the gap with Aston Clinton and the land is dually constrained by the Chilterns AONB
- Paragraphs 5.52 and 5.53 of the draft plan indicate that there are *operational disadvantages* to expansion of the Cemetery onto immediately adjacent land (i.e. outside the AONB). However, those disadvantages are not explained and do not provide adequate justification for expansion into the AONB
- The masterplan shows new residential development being constructed adjacent to the boundary with Tring Cemetery which is a registered heritage asset. There is no evidence that due consideration has been given to the relationship between that housing and the Cemetery both in terms of impact on the setting of the heritage asset and the quietude currently enjoyed by visitors to it. A degree of appropriate separation, including landscaping, needs to be afforded between the new built development and the Cemetery which may reduce the overall quantum of housing on the Icknield Way site
- Finally, the masterplan includes a small area of land for employment development as expansion of the adjacent Icknield Way Industrial Estate; 0.75ha of land is identified for employment purposes. This scale of employment land is considered wholly inadequate for Tring in the context of the overall Core Strategy requirement to deliver 131,000sqm (net) new commercial space over the plan period. The Icknield Way Allocation is currently the most suitable site in Tring to accommodate new modern business premises; given the projected growth in jobs in the borough additional land should be reserved within the Local Allocation to meet future employment needs.

2.26 Overall, it is clear that the draft masterplan for the Icknield Way Allocation does not take into full account the landscape, visual, heritage or economic constraints that are both relevant directly to the site and to the vitality and viability of Tring. Should those constraints be addressed in a sensitive and appropriate manner consistent with the Framework it is clear that the developable area for housing on the site outside the AONB will be significantly reduced.

2.27 The allocations identified in the draft plan do not provide the most appropriate strategy, nor will they be effective in ensuring that the development needs of Tring are met. In order to be consistent with the Core Strategy the plan should:

- Recognise that the housing target for Tring needs to be increased in order to maintain the nature and role of the town; and this is likely to require the release of some land from Green Belt
- Identify sites / areas of search suitable for allocation in the partial review of the development plan
- Ensure that development on the Local Allocation at Icknield Way is sensitively planned having regard to environmental constraints and the need to make provision for additional employment land to meet future needs
- Specifically, allocate land to accommodate off-site playing fields for Tring School, and recreational facilities for the town.

Development Plan Review

2.28 It is most likely that the partial review of the Core Strategy will result in the housing target for the borough increasing. There should be a particular emphasis on ensuring that any increase in housing is distributed so as to ensure that an appropriate scale of development is delivered in the market towns commensurate with their role in meeting housing employment and service needs for their local area. This will require the release of land from Green Belt particularly around Tring where the settlement boundary and tight urban grain is already a significant constraint to meeting development needs.

2.29 In identifying sites for release from the Green Belt the council will need to have regard to a variety of issues: not only the role that the land plays in meeting Green Belt objectives, but also other environmental and technical constraints. It is essential that the phase 2 Green Belt study considers all of those issues in the context of potential development parcels that are of a suitable scale related to the size of the settlement.

Land at Station Road, Tring

2.30 The objector owns land lying to the north of Station Road, Tring. The land is roughly triangular in shape, c.52ha in area and abuts the existing eastern edge of the settlement. While lying within the adopted Green Belt the site has no other environmental/policy designations or technical constraints that would militate against future release for development; in particular:

- Unlike the majority of land in the north of the borough the land lies outside the Chiltern's AONB and is not subject to the additional [national and local] policy constraint that such designation affords
- The site lies within short walking distance of Tring Station and on a bus route, ensuring the site is situated in a highly sustainable location and appropriate for residential development. The eastern edge of the town should be the main focus for growth to ensure that housing development in the town takes full advantage of

the existing rail connectivity and potential expansion of Crossrail as a sustainable mode of travel to work

There are a number of opportunities for access into the site, for vehicles from Station Road, and pedestrian/cycle links to Marshcroft Lane and the Grand Union Canal

- The site lies on the eastern edge of the town directly opposite Pendley Manor which is identified in the Core Strategy as the eastern boundary of Tring¹²
- The site is not in a conservation area nor does it contain any listed buildings. While the listed Pendley Manor lies to the south of Station Road, the site is of sufficient scale to ensure the setting of the Manor can be significantly enhanced and improved through developing the land
- There is scope to accommodate new playing fields for Tring School on part of the site; this is the only viable location in relatively close proximity to the school
- While there are some archaeological remains on the site, these are limited to crop markings in a single location and can be retained within open space as part of any future development. This situation differs markedly from other potential alternative development sites around the town (e.g. south of Station Road / Dunsley Lane) where there are significant archaeological constraints
- The land does not form any part of a key biodiversity area or strategic wildlife corridor. However, there are significant opportunities to enhance the ecological value of the site through retention and appropriate management of existing mature trees and hedgerows, and significant new planting on the edge of the development area
- The overall land parcel can be flexibly divided, using existing field boundaries if required, to provide an urban expansion of an appropriate scale having regard to the development needs of the town. Given the scale of land available, a substantial belt of planting can also be provided on the edge of the development area creating a softer urban edge to the town and improving views from the elevated areas of the AONB to the east
- A range of technical studies and reports have been prepared to demonstrate that the site is not within a flood risk area and there are no insurmountable technical constraints to development

Plans showing opportunities and constraints and landscape management objectives for the site are attached at Appendix 2.

The land to the north of Station Road, Tring should be acknowledged in the Site Allocations Plan as a potential opportunity for expansion of the settlement following the partial review of the Core Strategy.

¹² Core Strategy paragraph 8.24

3. Modifications Requested to make the Plan Sound

3.1 The Site Allocations Plan should be modified as follows:

- (i) Section 2 of the plan should include specific reference to the proposed partial review of the Core Strategy and the likelihood that this will increase the housing target for the borough. Reference should also be made to the importance of ensuring the appropriate distribution of housing to the market towns to maintain their vitality and viability. This is important in order to ensure that the market towns fulfil their long term function as key settlements serving a wider rural hinterland. This is likely to result in a need to release land for development from the Green Belt, particularly around Tring
- (ii) Include a commitment to the on-going monitoring of the performance of the plan and include measures to increase the supply of land for house building in the event that development targets are not being met
- (iii) Make a commitment to commencing work to identify additional sites that can be brought forward immediately in order to maintain the momentum of development in circumstances where the partial review is unduly delayed. In section 13, acknowledge that land to the north of Station Road in Tring represents a potential option as a future allocation for housing and infrastructure development to meet the needs of the town in the plan period, including short term needs
- (iv) Review the masterplan for the Local Allocation at Icknield Way (LA5) to fully and sensitively take account of site constraints (AONB) and the need to make proper provision for future employment land in the town
- (v) Acknowledge the potential role land north of Station Road can play in accommodating off-site playing fields to facilitate the expansion of Tring School as part of a wider development on site

Appendix 1: Representation Form



Dacorum's Local Planning Framework

Site Allocations - Pre-Submission

Representation Form

(office use only)

Received:

Post/Email/ In Person

Recorded:

Acknowledgment sent:

Please return to Dacorum Borough Council, by 5.15pm on Wednesday 5 November 2014. Representations received after this time will not be considered.

By post to: Strategic Planning & Regeneration, Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1HH or

By e-mail to: strategic.planning@dacorum.gov.uk

If you have any queries, please contact the Strategic Planning Team on 01442 228660.

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). **Please fill in a separate sheet for each representation you wish to make.**

Part A

Personal Details* (see note below)

Agent's Details (if applicable)

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in column 2. We only need your job title or organisation if you are responding on behalf of a company/organisation.

Title	Mr	Mrs
First Name	Tim	Sam
Last Name	Noden	Ryan
Job Title (where relevant)	Planning Manager	Director
Organisation (where relevant)	Harrow Estates Plc	Turley
Address Line 1	Bridgemere House	1 New York Street
Line 2	Chester Road	
Line 3	Preston Brook	Manchester
Post Code	WA7 3BD	M1 4HD
Telephone Number		0161 233 7676
E-mail Address (where relevant)		sam.ryan@turley.co.uk

Please note that your comments and personal details will be available for public inspection (apart from telephone numbers and email addresses) and therefore cannot be treated as confidential. **Your name and address must be completed for your representation(s) to be considered.**

Part B – Please use a separate sheet for each representation

Name or Organisation

Harrow Estates Plc

1. To which part of the Site Allocations does your representation relate? *(Please specify the paragraph number and/or policy reference which you wish to comment on)*

Paragraph

Policy

SA1

Other

Are you (tick one)

Supporting

Objecting

2. Do you consider that the Site Allocations is: *(Please refer to accompanying explanatory notes)*

(a) Legally compliant

Yes

No

(b) Sound

Yes

No

*If you have entered **No** to Q2(b) please continue to Q3. In all other circumstances please go to Q4.*

3. Do you consider that the Site Allocations is unsound because it is not: *(Please refer to accompanying explanatory notes).*

(a) Justified

✓

(b) Effective

✓

(c) Consistent with national policy

✓

4. Please give details of why you consider the Site Allocations is not legally compliant or is unsound. *Please be as precise as possible.*

If you wish to support the legal compliance or soundness of the Site Allocations, please also use this box to set out your comments.

See attached document

(Continue on a separate sheet /expand box if necessary)

5. Please set out what change(s) you consider necessary to make the Site Allocations

legally compliant or sound.

Your response should have regard to the test that you have identified in Q3 where this relates to soundness. You will need to say why this change will make the Site Allocations legally complaint 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.

(Continue on a separate sheet /expand box if necessary)

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.

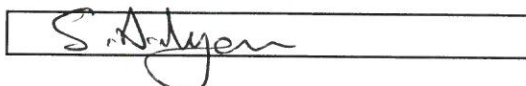
7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

The extent to which the plan fails is unsound and requires modification should be the subject of detailed scrutiny and debate at EIP.

(Continue on a separate sheet /expand box if necessary)

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.

Signature:



Date:

04/11/2014

Thank you for your comments.

Notification Request

Please complete the following if you wish to be notified of any of the following:

I request to be notified of:

The submission of the Site Allocations for independent examination

The publication of the recommendations of any person appointed to carry out the independent examination of the Site Allocations

The adoption of the Site Allocations

Please specify the address to which the notification should be sent to if it is different from the one given on the front page.

Please issue to agent

Part B – Please use a separate sheet for each representation

Name or Organisation

Harrow Estates Plc

1. To which part of the Site Allocations does your representation relate? *(Please specify the paragraph number and/or policy reference which you wish to comment on)*

Paragraph

Policy

LA5

Other

Are you (tick one)

Supporting

Objecting

2. Do you consider that the Site Allocations is: *(Please refer to accompanying explanatory notes)*

(a) Legally compliant

Yes

No

(b) Sound

Yes

No

*If you have entered **No** to Q2(b) please continue to Q3. In all other circumstances please go to Q4.*

3. Do you consider that the Site Allocations is unsound because it is not: *(Please refer to accompanying explanatory notes).*

(a) Justified

(b) Effective

(c) Consistent with national policy

4. Please give details of why you consider the Site Allocations is not legally compliant or is unsound. *Please be as precise as possible.*

If you wish to support the legal compliance or soundness of the Site Allocations, please also use this box to set out your comments.

See attached document

(Continue on a separate sheet /expand box if necessary)

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

Your response should have regard to the test that you have identified in Q3 where this relates to soundness. You will need to say why this change will make the Site Allocations legally complaint 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.

See attached document

(Continue on a separate sheet /expand box if necessary)

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.

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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.

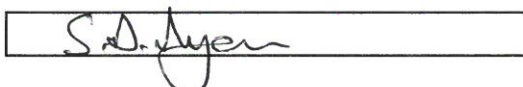
7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

The extent to which the plan fails is unsound and requires modification should be the subject of detailed scrutiny and debate at EIP.

(Continue on a separate sheet /expand box if necessary)

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.

Signature:



Date:

04/11/2014

Thank you for your comments.

Notification Request

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The publication of the recommendations of any person appointed to carry out the independent examination of the Site Allocations

The adoption of the Site Allocations

Please specify the address to which the notification should be sent to if it is different from the one given on the front page.

Please issue to agent

Part B – Please use a separate sheet for each representation

Name or Organisation

Harrow Estates Plc

1. To which part of the Site Allocations does your representation relate? *(Please specify the paragraph number and/or policy reference which you wish to comment on)*

Paragraph

Policy

Other

Section 6

Are you (tick one)

Supporting

Objecting

2. Do you consider that the Site Allocations is: *(Please refer to accompanying explanatory notes)*

(a) Legally compliant

Yes

No

(b) Sound

Yes

No

*If you have entered **No** to Q2(b) please continue to Q3. In all other circumstances please go to Q4.*

3. Do you consider that the Site Allocations is unsound because it is not: *(Please refer to accompanying explanatory notes).*

(a) Justified

(b) Effective

(c) Consistent with national policy

4. Please give details of why you consider the Site Allocations is not legally compliant or is unsound. *Please be as precise as possible.*

If you wish to support the legal compliance or soundness of the Site Allocations, please also use this box to set out your comments.

See attached document

(Continue on a separate sheet /expand box if necessary)

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

Your response should have regard to the test that you have identified in Q3 where this relates to soundness. You will need to say why this change will make the Site Allocations legally complaint 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.

See attached document

(Continue on a separate sheet /expand box if necessary)

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.

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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.

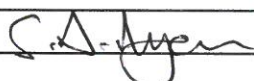
7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

The extent to which the plan fails is unsound and requires modification should be the subject of detailed scrutiny and debate at EIP.

(Continue on a separate sheet /expand box if necessary)

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.

Signature:



Date:

04/11/2014

Thank you for your comments.

Notification Request

Please complete the following if you wish to be notified of any of the following:

I request to be notified of:

The submission of the Site Allocations for independent examination

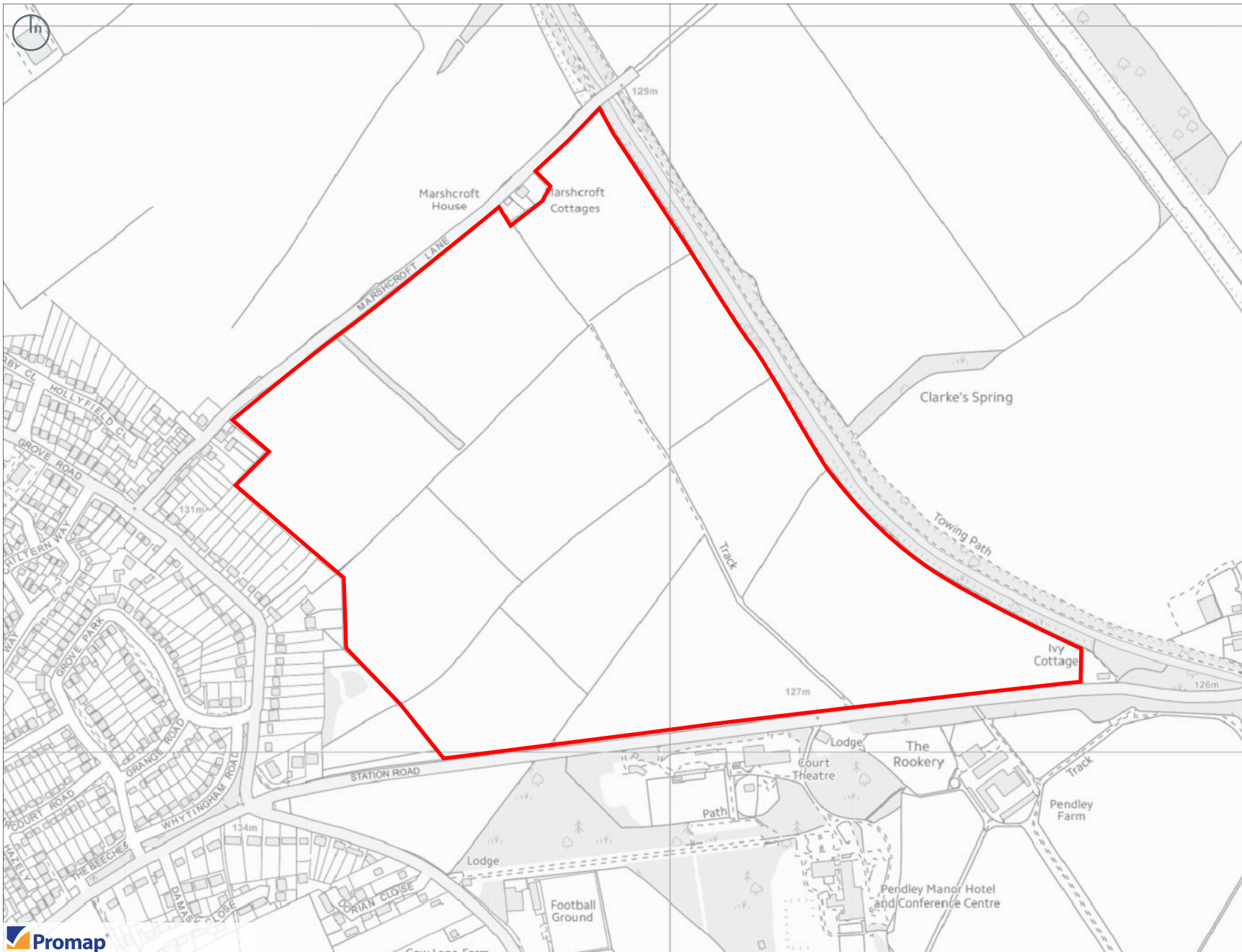
The publication of the recommendations of any person appointed to carry out the independent examination of the Site Allocations

The adoption of the Site Allocations

Please specify the address to which the notification should be sent to if it is different from the one given on the front page.

Please issue to agent

Appendix 2: Land North of Station Road, Tring : Plans



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This drawing is for illustrative purposes only and should not be used for any construction or estimation purposes.

DO NOT SCALE DRAWINGS.

No liability or responsibility is accepted arising from reliance upon the information contained within this drawing.

Site boundary

Client:
Harrow Estates PLC

Project:
Station Road, Tring

Drawing:
Site Location Plan

Scale:
1:7500 (A4)

Status:
Final

Drawing Number:
0001

Project Number:
HARM2006

Date:
Nov 2014

Revision:
-



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Turley



LEGEND

- | | | | |
|-----------------------------|---|----------------------------|--------------------------------|
| | Site Boundary | | AONB |
| | Area covered by Article 4 Direction | | New residential development |
| | Grand Union Canal and associated towpath in cutting | | Parkland style estate railings |
| | Area of Archaeological Significance | | Site of old track |
| | Potential Movement Routes | | |
| | Potential Access Points | | |
| Public Rights of Way | | Proposed Vegetation | |
| | Footpath | | Prominent Trees |
| | Bridleway | | Hedgerows |
| | Restricted Byway | | |
| | Shared cycleway / Pedestrian footpath | | |

Landscape Management Proposals

- ① Hedge removal to open parcel. See arboricultural survey for possible constraints, as hedgerow may be subject to hedgerow regulations 1997.
- ② Hedge planting - native species/local provenance. Suggested 5m buffer.
- ③ Hedge reinforcement- native species/local provenance. Gap up and infill gaps. Widen to 5m where necessary.
- ④ Adjust management from grassland to woodland to create an area of woodland - native species/local provenance.
- ⑤ Land parcel to remain in current agricultural practice.
- ⑥ Open/restore routes along linear tree belts.
- ⑦ Avenue tree planting to create formal vistas - native species/local provenance.
- ⑧ Land parcel to remain in agriculture.
- ⑨ Arboricultural consultant to recommend works to boundary trees to enhance avenues and encourage formative growth.
- ⑩ Site of old track to be enhanced to form route through Public Open Space

Project: **Tring**

Client: **Harrow Estates**

Date: **September 2013**





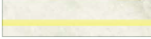















Scale: **See Bar Scale**

Status: **Final**





LEGEND

-  Site Boundary
-  Views
-  Tring Railway Station
-  AONB
-  Area covered by Article 4 Direction
-  Grand Union Canal and associated towpath in cutting
-  Extent of land form associated with Grand Union Canal. Canal and towpath are within cutting, spoil has been used to raise adjacent land levels.
-  Railway Line
-  Extent of land form associated with Railway Line. Railway is within cutting, spoil has been used to raise adjacent land levels.
-  Open Land
-  Area of Archaeological Significance
-  New residential development
-  Shared cycleway / Pedestrian footpath
-  Prominent Trees
-  Hedgerows
-  Parkland style estate railings
-  Site of old track
- Public Rights of Way**
-  Footpath
-  Bridleway
-  Restricted Byway

Project: **Tring**

Client: **Harrow Estates**

Date: **June 2012**

Scale: **See Bar Scale**

Status: **Final**



14 September 2015

Delivered by email

Strategic Planning Team
Planning, Development and Regeneration
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
HP1 1HH

Dear Sir/Madam

DACORUM BOROUGH COUNCIL – CONSULTATION ON FOCUSED CHANGES TO THE PRE SUBMISSION SITE ALLOCATIONS DOCUMENT FOR DACORUM

On behalf of our client, Harrow Estates Plc, we have reviewed the above document and would like to take this opportunity to provide the following comments:

Introduction

You will be aware that we have been liaising with the LPA for some time regarding land to the north of Station Road, Tring and submitted representations to:

- Site Allocations DPD (Pre-Submission Plan) in November 2014, and
- The Call for Sites in March 2015

The representations provide commentary on the approach being adopted by Dacorum Borough Council with respect to the Site Allocations DPD and set out the clear case for allocating additional land to meet the particular housing development needs of Tring. The representations also demonstrate that land north of Station Road is sustainable and comprises the most appropriate location to meet that requirement.

The comments in this letter supplement and support the detailed representations previously made.

Amendment MC12

Harrow Estates Plc **supports** the addition of the proposed additional text at paragraph 3.9 which makes specific reference to the Government's consideration of extending the current Crossrail project into Hertfordshire, to stations including Hemel Hempstead, Berkhamsted and Tring.

In particular, the Crossrail project provides an important opportunity for investment and development at Tring Station. Dacorum Borough Council should encourage the proposal to ensure that future development in Tring is supported by sustainable transport links across the UK; it is appropriate, therefore, that such opportunity is reflected in the development plan.

1 New York Street
Manchester
M1 4HD

T 0161 233 7676 turley.co.uk

The train station is a key facility in Tring, making the town a sustainable and desirable location for future development. The Crossrail project will provide a significant improvement in transport links into central London making sites in close proximity to the station even more sustainable and appropriate to accommodate the future development needs and growth of the town.

Proximity to the station should, therefore, be a primary consideration for the Council when allocating sites for development in Tring. Land to the north of Station Road has clear advantage to benefit from both existing transport links via bus and rail, and the potential Crossrail investment making it the prime candidate for allocation in the emerging development plan documents. Accordingly, the following additional text should be added:

*The Government is considering extending the current Crossrail project into Hertfordshire to stations including Hemel Hempstead, Berkhamsted and Tring. Should this scheme go ahead, it is expected to lead to reduced journey times and extended services into London without the need to change at Euston. The project could result in significant new investment in the railway stations, particularly at Tring Station, **and provide opportunities for sustainable growth. This will be an important consideration in identifying potential sites for future housing development**' [proposed new text in bold].*

Amendments MC60 and SC10

Harrow Estates Plc supports the plan's recognition that the expansion of Tring High School can be accommodated through the provision of detached playing fields (paragraph 7.7) and that this is important to provide the necessary social infrastructure that will support growth of the town. Nevertheless, they **object** to the specific allocation of land at Dunsley Farm for that purpose.

It is recognised that there are no sites within the town that would be capable of accommodating playing fields for the school and it will be necessary to identify land outside the settlement boundary; that is within the Green Belt.

The recent Court of Appeal judgement in the Gedling case makes clear that paragraph 89 of the Framework refers to **new buildings** related to a range of uses, including sport and recreation facilities, and not to a change of use of land for those purposes.

*"The second bullet point of paragraph 89 of the NPPF cannot be read as covering a material change of use of land to use as a cemetery. Paragraph 89, as its opening sentence makes clear, lays down a general rule that the construction of new buildings in the Green Belt is inappropriate development: "building" for this purpose has the wide meaning given by section 336 of the Town and Country Planning Act 1990. The various bullet points are exceptions to that general rule and are therefore likewise concerned only with the construction of new buildings. Thus the second bullet point covers the construction of a building (for example, a café) as an appropriate facility for an existing cemetery, but it does not cover a material change in the use of land so as to create a new cemetery."*¹

Consequently, it will be necessary to demonstrate very special circumstances for allocating the land for pitches and to test potential sites against the five purposes of Green Belt. While proximity to the High School is clearly an important consideration, sites should also be assessed in terms of landscape and environmental policies, as necessary; and the approach to site selection can only be fully justified through a consideration of all reasonable alternatives.+

¹ R on the Application of Timmins & Anr v Gedling Borough Council & Anr, paragraph 30. [Case Number: C1/2014/1517]

The site advocacy document submitted for land to the north of Station Road identifies that site as a potential location for the school playing fields as part of a sustainable expansion of the town. While land at Dunsley Farm lies in similar proximity to the school, it has other environmental constraints that make it less suited to accommodate the proposed playing fields. The delivery of playing fields at Dunsley Farm could potentially give rise to adverse impacts on the site's significant archaeological and heritage interest, recognised by the County Archaeologist and the Hertfordshire Gardens Trust, and its ecological value by virtue of its proximity to a Countryside Wildlife Site. These potential impacts need to be considered and compared against the options of locating the playing fields in reasonably alternative locations, such as within a sustainable urban extension on land to the north of Station Road.

Dunsley Farm is located within a strategic gap which is identified as important to maintain as open land in the Green Belt to protect the separation of Tring and Berkhamsted. It is, therefore, also important to consider whether the delivery of playing fields in this location would harm this important Green Belt function and whether there are reasonable alternatives that would have less impact on the Green Belt.

In light of the above, Harrow Estates Plc considers that the council has not considered all reasonable alternative to justify the allocation and further assessments are required to support the proposed change SC10. Consequently, it **objects** to the proposed allocation and requests its removal at this stage.

Notwithstanding, text could be introduced into the body of the Site Allocations DPD which recognises the need for the provision of detached playing fields for the High School on land currently outside the settlement boundary and confirms that their location will be determined through the forthcoming Single Local Plan informed by a comprehensive Green Belt assessment. The text could also make reference to the fact that it may be appropriate for those playing fields to form part of a sustainable urban extension to the town.

LA5 West Tring

Page 7 of the amendments to the Map Book indicates further proposed changes to the boundary of the Green Belt west of Tring to include both the extension to the cemetery and the Traveller Site as part of the LA5 allocation. Each of those uses comprises inappropriate development in the Green Belt; for cemeteries this was confirmed in the Court of Appeal decision in the Gedling case referred to above.

DCLG's recently issued planning policy for Traveller Sites also makes clear that they are also inappropriate development in the Green Belt and that boundaries should only be altered in exceptional circumstances to accommodate them; it states:

"Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only. However, the plan should also make clear that land removed from Green Belt should only be used for the purposes so identified; a further modification is required to that effect".²

The Traveller Sites policy identifies a key issue in respect of the proposed amendments to the LA5 allocation in that the plan should be explicit in stating that the additional land to be removed from the Green Belt to accommodate the cemetery and traveller site should be for the proposed uses only. Harrow

² DCLG – Planning Policy for Traveller Sites, paragraph 17 (August 2015)

Estates Plc, therefore, **objects** to the proposed map changes unless a further modification to the plan is included to that effect.

Providing Homes – Table 3

We note that the document fails to provide full details of the 5 Year Housing Supply (5 YHLS) [Table 3]. This is a significant omission given the importance that the Core Strategy EiP Inspector (and subsequently the High Court) placed on the council's claim of having a deliverable housing supply to make the Core Strategy 'sound' pending an early review of the plan. A further column should be inserted in Table 3 clearly identifying the contribution of each claimed source to the 5 YHLS and providing the reader with further clarity on the Council's housing provision over the plan period.

Green Belt

The proposed focussed changes include various amendments affecting the Green Belt; including new allocations within the Green Belt (MC60 and SC10) and modifications to the Green Belt boundary (LA5). All of the proposed changes require justification to demonstrate very special circumstances and should be linked to a robust review of the Green Belt that sets out a clear assessment process including review of all suitable alternatives.

The council has already committed to undertaking a review of Green Belt as part of an early review of the Core Strategy and preparation of a single Local Plan. Given the extent of evidence required to meet the relevant tests to justify those proposed focussed changes it would be appropriate for such decisions to be deferred as part of the wider review / new plan process.

I trust that these comments will be taken into account in your consideration of the Focused Changes document. Should you have any queries regarding the comments provided, please do not hesitate to contact me.

Yours sincerely



Sam Ryan
Director

Sam.ryan@turley.co.uk

Turley
1 New York Street
Manchester
M1 4HD

T 0161 233 7676