



Dacorum Local Plan Emerging Strategy for Growth 2020-2038

Consultation Comments form



Please return to Dacorum Borough Council, by 23:59 Sunday 7th February 2021
Comments received after this time will not be considered.

By online consultation portal: if you have internet access, it is recommended that you make your representations online at:

<https://consult.dacorum.gov.uk/kse/event/35755>

Alternatively you can respond by: saving and completing this form and returning by

Emailing this form to: responses@dacorum.gov.uk

or posting this form to: Strategic Planning and Regeneration, Dacorum Borough Council,
The Forum, Marlowes, Hemel Hempstead, Herts HP1 1DN

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

This questionnaire needs to be read in conjunction with the Local Plan Emerging Strategy for Growth 2020-2038 consultation documents.

You do not need to answer every question - just those that are relevant to you or that you have a view on.

Personal Details

Please note that * denotes mandatory fields

Individual's Personal Details		Agent's Details (if applicable)	
Title			
Name*	Clerk to the Council Ms L Housden		
Organisation	Tring Town Council		
Address *			
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(This is the Council's preferred method of contact)

Please note: Your name and comments will be made available for public inspection (your address, telephone number and email address will not be made public) and therefore cannot be treated as confidential. Your name and address must be completed for your comments to be considered.

Please indicate if you wish to be notified of future Local Plan and Planning Policy Documents consultations.

YES I would like to receive future notifications

Signed *✓ Housdon (clock to Council)*.

Date *9/2/21*

Local Plan Emerging Strategy for Growth 2020-2038

Vision and Strategic Objectives

Question 1: Do you think the overarching vision, the vision for Dacorum's places and the strategic objectives are right for the Borough?

(please select one answer)

Yes

No



Please provide your comments on the Vision and Strategic Objectives.

(Please add extra pages if required)

See attached representations

Local Plan Emerging Strategy for Growth 2020-2038

The Sustainable Development Strategy

Question 2: Do you have specific comments about the Sustainable Development Strategy?

(please select one answer)

Yes ☒ No

Please provide your comments below and attach any supporting evidence.

(Please note you will be able to comment on individual sites in Question 5: Proposals and Sites)

*Please indicate clearly which part of the Sustainable Development Strategy you are commenting on
(please add extra pages if required)*

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. Other strategies have been insufficiently explored before proposing draft Policies such as SP2, SP3, SP4, SP6.

Local Plan Emerging Strategy for Growth 2020-2038

Guiding Development

Question 3: Do you have specific comments about any of the Guiding Development policies?

(please select one answer)



Yes No

Please provide your comments below and attach any supporting evidence.

Please indicate clearly which of the Guiding Development policies you are commenting on (please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. The supporting evidence in relation to draft Policy DM50 is not available.

Local Plan Emerging Strategy for Growth 2020-2038

The Delivery Strategies

Question 4: Do you have specific comments about any of the Delivery Strategies?

(please select one answer)



Yes No

Please provide your comments below and attach any supporting evidence.

(Please note - you will be able to comment on individual sites in Question 5: Proposals and Sites)

Please indicate clearly which of the Delivery Strategies you are commenting on (please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed – see in particular the representations upon draft Policies SP23, SP24 & SP25

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Proposals and Sites

Question 5: Do you have specific comments about any of the Proposals and Sites?

(please select one answer)



Yes No

Please provide your comments below and attach any supporting evidence.

Please clearly indicate which of the Proposals and Sites you are commenting on (please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. See in particular TTC's representations to allocations Tr01, Tr02, Tr03 & Tr06. The findings of the various Green Belt assessments, especially in relation to site allocation Tr03 have been overridden.

Local Plan Emerging Strategy for Growth 2020-2038

Proposals and Sites

Question 5A: Are there any other sites that you think should be included in the Plan?

(please select one answer)

Yes No ☒

Please tell us about any other sites that you think should be included in the Plan and explain why.

If you are suggesting other sites to be included in the Plan please provide a **RED LINE BOUNDARY MAP** of the site along with any other supporting evidence

N/A

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Sustainability Appraisal

Question 6: Do you have any comments on the Sustainability Appraisal that accompanies the Plan?

(please select one answer)



Yes No

Please provide your comments on the Sustainability Appraisal and attach any supporting evidence.

Please indicate clearly which part of the Sustainability Appraisal you are commenting on (please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. The impact of this level of development upon the Beechwoods SAC has not been assessed. Furthermore, the information regarding existing and proposed traffic levels is not yet available.

Local Plan Emerging Strategy for Growth 2020-2038

Evidence Base

Question 7: Do you agree that the Evidence Base that accompanies the Plan is adequate, up-to-date and relevant?

(please select one answer)

Yes No ☒

Please provide your comments on the Evidence Base and attach any supporting information.

Please indicate clearly which part of the Evidence Base you are commenting on (please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. The impact of this level of development upon the Beechwoods SAC has not been assessed. Furthermore, the information regarding existing and proposed traffic levels is not yet available.

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National Policy and Guidance

Question 8: Do you think the Plan is consistent with the National Planning Policy Framework (NPPF) and supporting guidance?

(please select one answer)

Yes No ☒

Please provide your comments on the Plan's consistency with the National Policy Framework (NPPF) and supporting guidance.

(Please add extra pages if required)

See attached representations – It is TTC's view that the overall strategy of directing so much growth to Tring is flawed. As currently drafted, the emerging Local Plan is not 'Justified' by evidence, 'Effective', or 'Consistent with national policy'. In respect of the extensive and unnecessary Green Belt releases; potential impacts upon heritage assets, the AONB & the SAC; and the profligate use of high quality agricultural land; the emerging plan cannot be said to be in accordance with the NPPF.

Local Plan Emerging Strategy for Growth 2020-2038

Any other comments on the Emerging Strategy for Growth

Question 9: Do you have any other comments on the Plan?

(please select one answer)



Yes No

Please provide any other comments on the Plan and attach any supporting evidence.

(Please add extra pages if required)

See attached representations.

DACORUM LOCAL PLAN (2020 - 2038) EMERGING STRATEGY FOR GROWTH

REPRESENTATIONS BY TRING TOWN COUNCIL

1. Introduction & Background

- 1.1. Tring Town Council (TTC) provides a valuable service for the community and represents the Town's interests in various ways. Working effectively and professionally with both the Borough and County Councils as well as other stakeholders, we ensure that the interests and assets of Tring are protected. Part of our role is to enhance and promote the cultural life and wellbeing of Tring. We seek to improve the local environment, raising standards of recreational facilities and helping to meet the community's needs. Part of this function involves commenting upon planning applications which affect the Town and participating in the process of emerging development plans.

2. Overview

- 2.1. We have reviewed the draft Emerging Strategy document which is now out for consultation and, in short, are very concerned at the level of growth (particularly the quantity of housing) that the emerging Plan is expecting Tring to accommodate. The Emerging Strategy (see draft Policy SP2) proposes at least 16,596 new houses within the Borough, of which 2,700 (some 16%) are to be directed to Tring. The origin of the 16% figure is unclear, but it is a considerable increase upon the 4% which were directed to Tring within the Core Strategy. The Borough's "*Settlement Hierarchy*" (draft Policy SP3) is otherwise unchanged and in the case of many of the other settlements in the Borough, the percentage of the overall housing allocation are little changed, or even reduced, from those in the Core Strategy. Tring's growth is to be met mostly via a number of large site allocations upon what is currently Green Belt, adjoining the boundary of the Chilterns Area of Outstanding Natural Beauty (CAONB). Two areas of Chiltern Beechwoods Special Area of Conservation (SAC) are just outside the Town and the Town Centre itself is a Conservation Area. It is TTC's view that other, less sensitive, locations in the Borough ought to be considered much more thoroughly as destinations for growth before allocating such major development towards Tring. Many other locations in the Borough are equally accessible (say Kings Langley, which has a rail station and is much closer to the M25), but although may also be within the Green Belt, they are not close to the CAONB and so not such sensitive locations in relation to landscape impact.
- 2.2. According to the 'Settlement Hierarchy Study' of October 2017 (see paragraph 3.4.7) which is included as part of the current emerging plan's Evidence Base:

“Tring sits below the two preceding towns in terms of scale. It is a compact town surrounded by the Green Belt with the CAONB running east-west along its southern fringes and northern tip. The level and range of services and facilities to be found in the town is much more modest, but it does include a supermarket and secondary school. It has a built-up historic core encompassing the town centre. Employment opportunities are much more dispersed across the settlement, although the main focus is on Icknield Way. Tring is unusual in that the train station serving the town is located outside of its boundary(). The town is set to grow modestly on its western edge through Local Allocation LA5 (up to 200 homes)”. [* Our highlighting - It is nearly 3kms from the Town Centre to the Station].*

- 2.3. The accompanying ‘Settlement Profiles Paper’ (also within the emerging plan’s Evidence Base) put the 2011 population of the Town at 11,713 (which itself was a ‘modest’ 0.7% increase since the 2001 Census population of 11,635) living within 4,829 households. This gave an average household size in 2011 of some 2.43. The combination of ‘Known Commitments’ (313 dwellings), ‘Local Plan Strategic Allocations’ (2,274 dwellings) and some 144 new dwellings on ‘Windfall sites’ means that there will be an addition of some 2,700 households to the Town, representing an increase by 2038 of nearly 56% and a population increase of something in the region of 6,500 people. This will inevitably lead to a considerable increase in car-borne traffic.
- 2.4. Also, within the Evidence Base for the Emerging Plan is a ‘Topic Paper’ in respect of ‘The Chilterns Beechwoods SAC’. In its ‘Introduction’, this document makes the point that *“the need for homes, employment land and associated infrastructure is much higher than faced by previous Plans yet this has to be planned for in the context of the same extensive planning and environmental constraints”* (SAC Topic Paper, paragraph 1.1). Paragraph 4.4 of this Topic Paper says that *“Natural England have advised the Council that the key issues that the HRA [Habitats Regulations Assessment] will likely need to address include recreational pressure and air quality pressures at the Chilterns Beechwoods SAC”*. However, the SAC Topic Paper has already made it clear (at paragraph 1.3) that the process of HRA and Appropriate Assessment necessary to inform the final version of the Local Plan has yet to be undertaken. Consultants are still to be appointed to undertake this exercise and *“no HRA documents are published alongside the draft Local Plan for consultation”*. The outcomes of this exercise are therefore unknown. Issues such as air quality and recreational impact have been highly relevant to the delivery of new housing close to SACs elsewhere (see for instance at Epping Forest where this issue has persisted since 2018). The matter should certainly be fully considered prior to determining a Local Plan strategy that directs 16% of its new housing to Tring, increasing the number of its households by over 55%.

3. Relevant Government Policy

- 3.1. Before setting out the substance of our objections we set out some of the relevant Government policy from the National Planning Policy Framework (NPPF):
- 3.2. **Soundness** - To be found 'sound' the Local Plan needs to comply with the NPPF, specifically paragraph 35, which requires Plans to be:

"a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs¹⁹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework".

"31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals".

"32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements¹⁷. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)".

- 3.3. In relation to the promotion of **sustainable development** the NPPF says:

"7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.

11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

*“Footnote ⁶ The policies referred to are those in this Framework (rather than those in development plans) relating to: **habitats sites** (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; **land designated as Green Belt**, Local Green Space, an **Area of Outstanding Natural Beauty**, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change” (our highlighting).*

117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land⁴⁴.

122. Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

123. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)".*

3.4. On the matter of **Green Belts** the NPPF says at paragraph 133:

".....The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

3.5. Paragraph 134 continues: "Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land".*

3.6. Although Green Belt boundaries can be amended via the process of the preparation of a local plan, paragraph 137 of the NPPF says:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and underutilised land;*
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground”.*

3.7. On the matter of Green Belt release, paragraph 138 says:

“.....Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”.

3.8. **AONB & Countryside** - None of the allocated sites is actually within the scope of the CAONB (however, the three largest allocations all adjoin it and use its boundary to delineate their scope), and the Government policy reads:

“170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land [defined in the NPPF’s Glossary as “Land in grades 1, 2 and 3a of the Agricultural Land Classification”], and of trees and woodland”.*

“171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework ⁵³ [Footnote ⁵³ - Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”].

“172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas.....” [the original statutory purpose of the AONB designation is “to conserve and enhance the natural beauty of the area” and Section 85 of the Countryside & Rights of Way Act requires that in exercising or performing any functions affecting land in AONBs, relevant authorities ‘shall have regard’ to this purpose].

“174. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and*
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.*

“176. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;*
- b) listed or proposed Ramsar sites⁵⁹; and*
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites”.*

“177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”.

- 3.9. There is also policy in the NPPF regarding the treatment of **heritage assets** which will be relevant here, such as paragraphs 184 & 185 which state:

“These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations....”.

“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.....”:

- 3.10. Because of their importance, paragraph 194 of the NPPF states:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional* ⁶³.

⁶³ *Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets”.*

3.11. Chapter 7 of the NPPF is entitled “Ensuring the vitality of town centres” and LPAs are urged to “support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation” (see NPPF, paragraph 85). Town centres should be allowed to “grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;.....[and LPAs should]....recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites”.

3.12. Paragraph 87 of the NPPF says:

“When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored”.

4. TTC’s Representations Upon the Emerging ‘Dacorum Strategy for Growth’

i. The Overarching Draft Environmental policies

4.1. The emerging plan sets out a number of overarching principles for guiding development proposals in the Borough, as follows:

- Draft Policy SP1 (“Sustainable Development in Dacorum”) requires all development to “contribute to the delivery of sustainable development objectives set out in the NPPF”.
- Draft Policy DM27 (“Landscape Character and Chilterns Area of Outstanding Natural Beauty”) requires all development to “.....help conserve, restore or enhance the prevailing quality, character and condition of Dacorum’s natural and historic landscape”.

2. Permission for major developments in the Chilterns Area of Outstanding Natural Beauty (AONB) will be refused unless exceptional circumstances prevail as defined by national planning policy. Planning permission for any proposal within the AONB, or affecting the setting of the AONB, will only be granted when it:

- a. conserves and enhances the Chilterns AONB’s special qualities, distinctive character, tranquility and remoteness in accordance with national planning policy and the overall purpose of the AONB designation;*

- b. is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment;*
- c. does not negatively impact on the skyline views of the scarp slope;*
- d. meets the aims of the statutory Chilterns AONB Management Plan, making practical and financial contributions towards management plan delivery as appropriate;*
- e. complies with the Chilterns Building Design Guide and technical notes by being of high quality design which respects the natural beauty of the Chilterns, its traditional built character and reinforces the sense of place and local character; and*
- f. avoids adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated.*

- Policy DM28 (“Protection of Sites”) states that:

“1. Important nature conservation sites, habitats and sites of geological and geomorphological interest will be protected, maintained and enhanced.

2. Development proposals which are likely to cause harm to sites of nature conservation or geological interest will only be permitted in exceptional circumstances where the need for the development significantly and demonstrably outweighs the harm and where:

a. all necessary measures to mitigate the impact have been put in place; and.....for sites of International importance.....there are no suitable alternatives to the proposal.....

- Draft Policy DM31 (“Chilterns Beechwoods Special Area of Conservation”) expects all relevant development proposals to:

“have regard to the reasons for the SACs designation and its conservation objectives.....Where there are grounds to believe that the SAC be affected by proposed development, applicants must establish the extent of potential impact. This evidence should inform appropriately designed plans and mitigation measures. Proposals must demonstrate that any effects of development would not be adverse to the integrity of the SAC”.

- Draft Policies DM43 (“Historic Environment”) and DM46 (“Conservation Areas”) require development proposals affecting the setting of historic assets “to preserve and where appropriate enhance the historic environment of Dacorum”.

- 4.2. All of the above over-arching policy statements should apply as equally to the Borough’s own plan-making, as to the operation of its development control function, but particularly when the quantum of housing development being contemplated is of such a large scale.

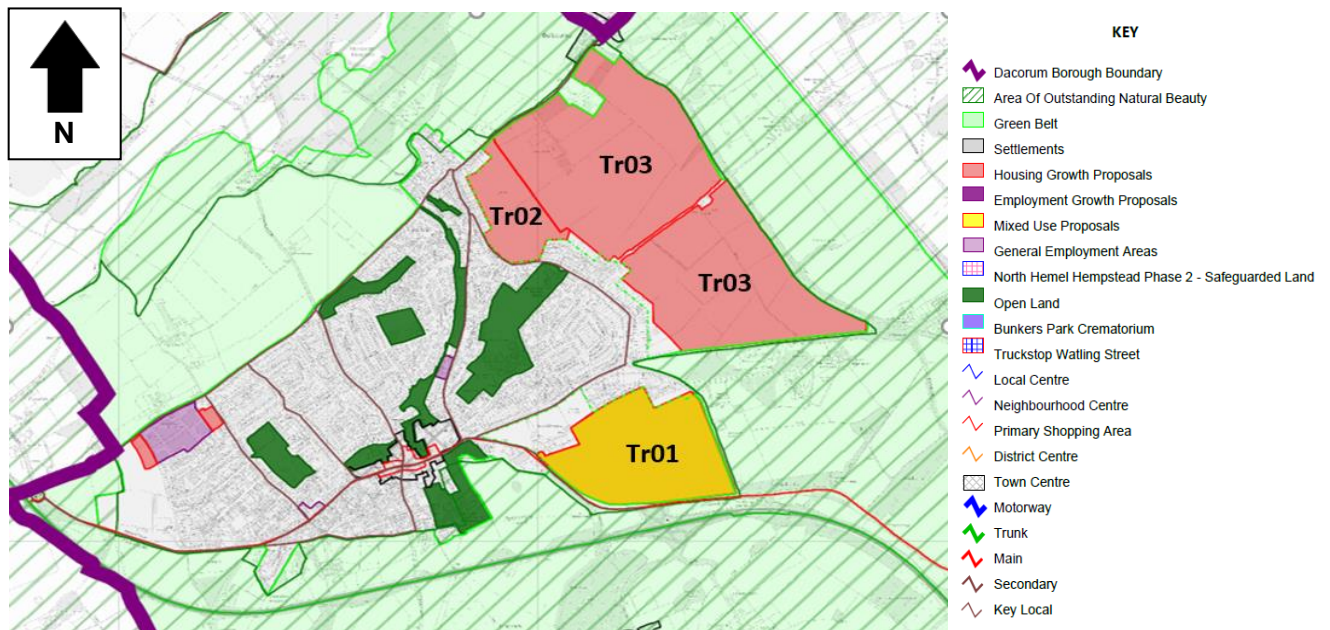
ii. The Major Allocations Proposed For Tring

- 4.3. The combination of increased Borough- wide housing figure, as well as the increased percentage being ascribed to Tring, necessitates consideration of significant releases of Green Belt land under the terms of draft Policies SP4 (*“Delivering The Housing Strategy”*), SP23 (*“Delivering Growth in Tring”*), SP24 (*“Delivering Growth in East Tring”*) & SP25 (*“Delivering Growth at South East Tring”*). Policy SP6 (*“Delivering the Retail and Leisure Strategy”*) allocates further development to Tring both to the Town Centre (Tr06 High Street/Brook Street) and potentially to Growth Area Tr01, in the form of an additional out-of-centre convenience outlet.
- 4.4. The main housing allocations are annotated as sites Tr01-03 and together total nearly 145 hectares of Green Belt land; see below (the total proposed for Green Belt release in the emerging plan amounts to about 170 hectares, although this also involves land for schools and employment purposes):

	Residual Site Area (Has)	Units allocated to each site	Dwgs per Ha
Tr01 - Dunsley Farm	27	400	15
Tr02 - New Mill	14.7	400	27
Tr03 - East of Tring	103.11	1,400	13.6
Tr04 - Icknield Way*	1.0	50	50
Tr05 - Miswell Lane	0.64	24	38
Tr06 - High St/Brook St	0.95	Not known	
Total on allocated sites	146.4	2,274	15.5

* Tr04 – Icknield Way is effectively carried over from Allocation LA/5 of the Site Allocations Plan, albeit repurposed from employment land to housing.

- 4.5. The table above schedules the main allocations in Tring and calculates the equivalent of the allocation in terms of the number of dwellings per hectare. Land for some 2,274 houses is identified in the draft Emerging Strategy, which equates to an overall density of less than 16 dwellings to the hectare. As a development density the figure would probably be viewed as very low and out of step with Government policy in the NPPF, which recommends refusal in cases where proposals *“fail to make efficient use of land”* (see NPPF, paragraph 123c). The impact of building at such low densities also means that the land take is very significantly increased to accommodate Tring’s allocation of new dwellings.

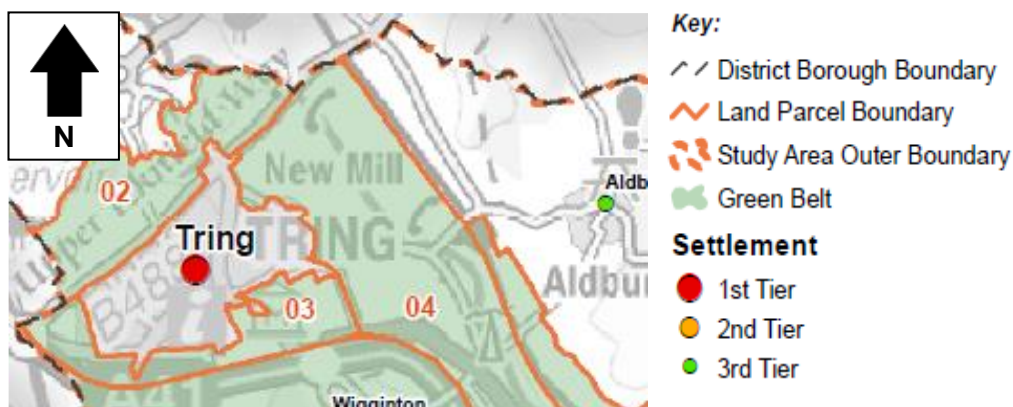


Extract from the draft Dacorum Emerging Strategy's Key Diagram showing Tring's Main Allocations

4.6. The Green Belt in this Borough has been subject to a number of reviews and assessments over recent years. 'Stage 1' was carried out in November 2013 by SKM for Dacorum Borough Council, St Albans City and District Council and Welwyn Hatfield Borough Council. Since then, Arup has been commissioned by Dacorum to carry out 2 reviews of Green Belt in the Borough. These were the:

- 'Stage 2 Green Belt Review and Landscape Appraisal Report', which was published in December 2016 (referred to here as the 'Arup 2016 Report'); and
- 'Stage 3 Green Belt Review - Final Report, 27 August 2020 (referred to here as the 'Arup 2020 Report').

4.7. **Stage 1** Divided the Green Belt of the subject Councils into 'parcels' and assessed how well each 'parcel' was meeting the 5 Green Belt purposes. The relevant 'parcels' for this part of Dacorum were GB03 ("Green Belt Land South West of Tring") & GB04 ("Green Belt Land North of Tring").



Extract from the Strategic Parcel Plan at page 4 of the Stage 1 Green Belt Review Purposes Assessment 2013

- 4.8. **GB03** - In summary, in respect of this 'parcel', the report found that it was making a:

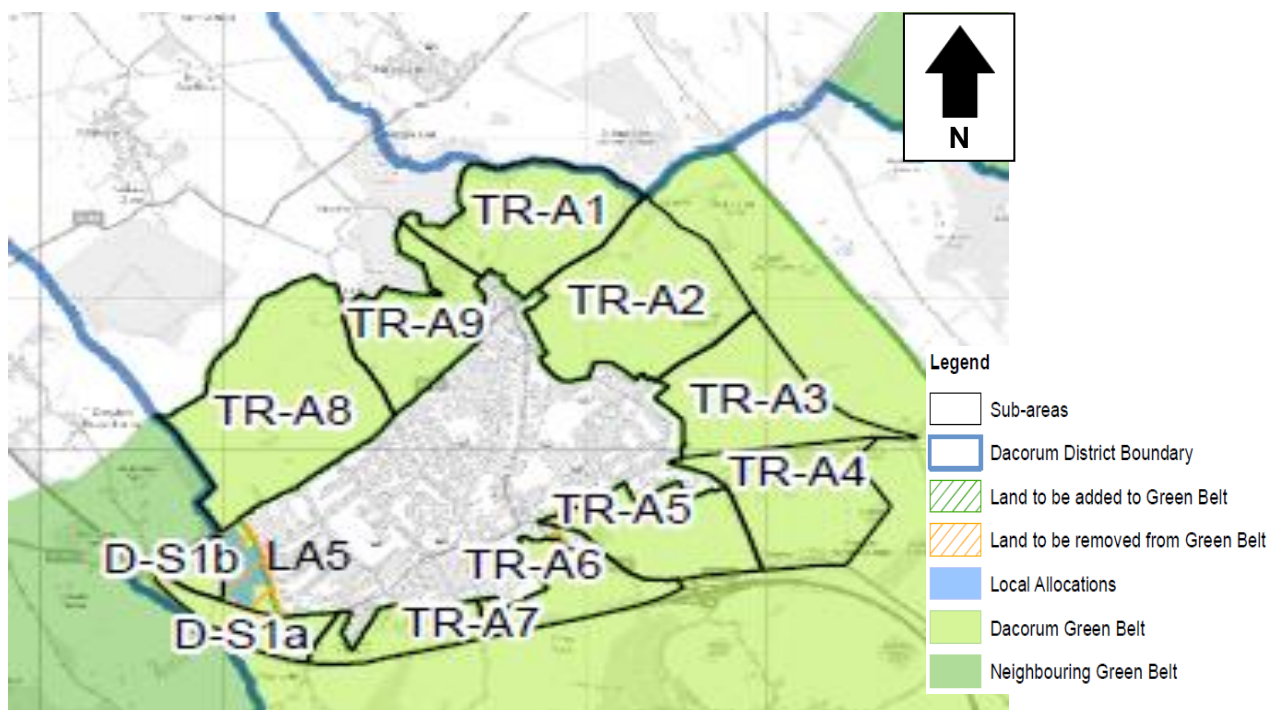
"Significant contribution towards preserving the setting of Tring and Tring Park. Partial contribution towards preventing merging (providing strategic gap between Tring and Berkhamsted) and maintain the existing settlement pattern. Overall the parcel contributes significantly towards 1 of the 5 Green Belt purposes".

- 4.9. In particular it was found that overall, this 'parcel' performed a 'significant' role in *"preserving the setting and special character of historic towns"* (however, an element to the west of the 'parcel', what subsequently became allocation LA/5 in the previous 'Site Allocations Plan', could be released without harm to Green Belt objectives).

- 4.10. **GB04** - In summary, in respect of this 'parcel', the report found that it was making a:

"Significant contribution towards preventing merging (providing strategic gap between Tring and Berkhamsted) and safeguarding the countryside. Partial contribution towards preserving the setting of Dudstell. Overall the parcel contributes significantly towards 2 of the 5 Green Belt purposes" (The two 'significant' purposes being: *"preventing neighbouring towns from merging"* and assisting in *"safeguarding the countryside from encroachment"*).

- 4.11. **Stage 2** - Further detailed assessment of Dacorum's Green Belt was carried out by Arup and the Borough was further divided into 'sub-areas'. The allocations at New Mill and East of Tring fall into 'sub-areas' TR-A2 & TR-A3 for the purposes of Arup's 2016 assessment. The land at Dunsley Farm was given the 'sub-area' address of TR-A5.



4.12. Table 5.2 *“Overall Categorisation of Sub-Areas following Purposes Assessment”* found that both sub-areas TR-A2 & TR-A3 were *“Strongly Contributing”* to the *“Strength of Green Belt against NPPF Purposes”*. Whilst the overall contribution of sub-area TR-A5 to Green Belt purposes was assessed as *“moderate”*, there were many sub-areas in other parts of the Borough, such as Kings Langley and the Bovingdon Airfield where the contribution to Green Belt objectives was considered to be either *“weak”* or *“weakest”*. Only relatively small portions of TR-A2 (broadly equating to the New Mill allocation) and the northern sector of TR-A5 (the allocation at Dunsley Farm) were found to include elements of ‘weaker’ Green Belt, where some boundary amendments might therefore be considered without compromise to wider Green Belt objectives.

4.13. In respect of Sub-area TR-A3 specifically, Arup’s 2016 report found:

“Purpose 1 - As a result of the highly open character of the sub-area with few defensible boundaries to contain development, its release would constitute outward sprawl of the large built-up area of Tring beyond its hard edge. It may also compromise the ability of surrounding Green Belt to meet this purpose.

Purpose 3 - The whole of the sub-area retains an unspoilt, open and rural character and its release would represent severe encroachment into the countryside. It would also reduce the ability of surrounding Green Belt to meet its purposes.

4.14. Furthermore, the Arup study determined that, for part of TR-A2 and all of TR-A3 (the northern and southern parts of what is now allocation Tr03 of the Emerging Strategy):

“the majority of the sub-area is constrained, being classified as Grade 2 Agricultural Land”
and

“Almost the entire sub-area is constrained, being classified as Grade 2 Agricultural Land. Additionally, the south western corner, and eastern boundary – Grand Union Canal – are designated Local Wildlife Sites. The western boundary is an Area of Archaeological Significance” (Annex Report 3 - Non-Absolute Constraints Proformas, pages 62 & 64).

4.15. As a result, the 2016 Arup Report reached the unequivocal ‘Conclusion’ that redesignating the Green Belt in relation to sub-area TR-A3 *“would compromise the ability of the wider Green Belt to meet its purposes”*. It then recommended that the sub-area be *“exclude[d] from further consideration”* (Page A19, Arup Stage 2 ‘Green Belt Review and Landscape Appraisal Report’ - Published December 2016).

- 4.16. **Stage 3** – this Stage of the Green Belt Review assessed the potential housing and employment site allocations and advised upon any boundary revisions that might be necessary around the six main settlements including Tring. Arup also carried out *“a complementary but parallel work stream assessing landscape / visual impacts of the potential housing and employment sites....”* (see below).
- 4.17. **Arup ‘Dacorum Borough Landscape Sensitivity Study’** of April 2020 (the version available from the Council’s website is marked ‘Draft’) – This document also considered the various Green Belt releases around Tring and assessed their *“sensitivity to change”*. Dunsley Farm, New Mill (and ‘Land south of Gammel Farm Bulbourne Road’ which has not been allocated in the emerging plan) were all considered to be ‘moderately’ sensitive to change, whereas the ‘Land to the East of Tring’ was assessed as being *“Moderate-High”* in its sensitivity. The draft Study explained that this latter rating was *“primarily a result of the intervisibility with the Chilterns AONB, large area of open agricultural land and lack of intrusive urbanising influences which creates a high scenic quality”*.
- 4.18. In the assessment of *“Overall landscape sensitivity”* (see page 206 ‘Dacorum Borough Landscape Sensitivity Study’ - Draft Report April 2020) the report found:
- “the parcel is assessed as having a Moderate-High overall sensitivity to change arising from residential and mixed-use development. This is due to the landscape’s level of susceptibility and the fact that the parcel provides a setting for the Chilterns AONB.*
- The landscape sensitivity in the fields of Marshcroft Lane south is also assessed as having Moderate-High sensitivity to change, but for different reasons to the rest of the parcel. There is reduced intervisibility caused by the lower and flatter topography and surrounding vegetation but there is a more intricate field pattern so is more sensitive in terms of scale, pattern and cultural pattern compared with the land north of Marshcroft Lane”.*

iii. Analysis of the proposed Tring allocations in the light of the evidence

- 4.19. According to paragraphs 7-9 of the NPPF *“the purpose of the planning system is to contribute to the achievement of sustainable development....[and]... the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways”*. It must also be remembered that the *“presumption in favour of sustainable development”* does not apply in every case, and, amongst the exceptions are, where the land in question is Green Belt, AONB, SAC, or subject to heritage designation (NPPF, paragraph 11 - Footnote 6, as well as paragraphs 170-177 & 194).

- 4.20. Paragraphs 31 & 32 of the NPPF require that *“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence....[and]...Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements.....[demonstrating]...how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued”*.
- 4.21. It is a statutory requirement of the AONB designation for an LPA *“to conserve and enhance the natural beauty of the area”*, and the choice of development sites (and the delineation of their boundaries), has been done purely by reference to avoiding the landscape designation, rather than concern for the impact on setting. In addition, the assessment of possible impacts upon the nearby SAC from the level of proposed growth ascribed to Tring has not been done. As a result, the current Strategy would certainly fail the NPPF’s ‘environmental objective’ and probably also the ‘social objective’ by failing to consider the impact of promoting such a major change in the population level of the Town. The proposed strategy of devolving some 16% of the Borough’s new housing to Tring seems to be based upon the findings of the ‘Settlement Hierarchy Study’ concerning the Town’s good transport links. However, as we pointed out above, that document notes the considerable distance of the railway station from the Town Centre. The distance between the station and the location of the major allocations would also militate against users from walking, so much of the 55% population increase would be likely to be making use of private cars for most trips.
- 4.22. Another failing of the Evidence Base appears at paragraph 21.18 (which leads into draft Policy DM50 *“Transport and Movement”*) where the comment is made that:
- “We are continuing to develop the transport proposals that will be included within the Plan. These are being informed by detailed County-wide COMET transport modelling to identify pressure points across the network in addition to the detailed Sustainable Transport Strategies that have been prepared for Hemel Hempstead, Berkhamsted and Tring which set out detailed proposals for transport interventions. These will be developed with the County Council and other relevant bodies and fed into the Infrastructure Delivery Plan and into site specific policies for development. The exact transport interventions and the timing of delivery will be detailed in the next stage of the Plan”*.
- 4.23. This again shows the lack of assessment into the traffic levels already existing in the Town and how these are likely to change with the significant population increases proposed.

- 4.24. The *“fundamental aim”* of Green Belt is to *prevent urban sprawl by keeping land permanently open*” (NPPF, paragraph 133) and paragraph 134 continues *“Green Belt serves five purposes”* (which among other things include ‘checking unrestricted sprawl’ and *“safeguarding the countryside from encroachment”*). Paragraph 123 of the NPPF warns that, in cases *“where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”* The very low densities proposed in the emerging plan are inefficient and so require the release of considerable quantities of Green Belt land from places such as the outer edge of Tring, increasing sprawl and subsuming settlements that currently have a separate identity (such as Bulbourne and the area around the Station). Before considering development in the Green Belt LPAs should firstly assess all other options, including making better use of existing urban land (see NPPF such as paragraph 137).
- 4.25. Overall, from reading the first two Green Belt assessments (Parts 1 & 2), one can only conclude that all of the land identified for release in the latest draft Plan’s major allocations for Tring (sites TR01, TR02 & TR03) is considered to be performing an important Green Belt role. Whereas, partial amendments to the Green Belt boundary in respect of both TR01 & TR02 might be made without compromise to wider objectives (they could not in respect of Tr03 at all), this is the not the same as allocating the entirety of both ‘sub-areas’ for major built development. There is also little evidence that DBC has looked more widely to meet its housing commitments upon less sensitive land. We mentioned above the possibility of considering Green Belt releases around Kings Langley and in view of recent problems on the ‘high street’, the option of the possible repurposing of retail sites within Hemel Hempstead Town Centre must now also be robustly assessed.
- 4.26. The suitability of the largest three allocated sites in Tring is also questionable in respect of a number of other elements of Government policy. The NPPF advises that where agricultural land is to be taken for major development, the use of land of poorer quality is preferred (see NPPF, paragraph 171). However, most of the land being allocated under Tr02 & Tr03 is Grade 2 agricultural land (defined in the NPPF’s ‘Glossary’ and paragraph 170 as being the ‘Best and Most Versatile’). Furthermore, there are known archaeological deposits upon the southern element of Tr03 and the NPPF warns that, because heritage assets are *“irreplaceable”*, there must be *“clear and convincing justification”* for any harm or loss of significance.

- 4.27. Currently, it is not clear whether any detailed archaeological assessment of this allocation has been carried out, but in cases where the development involves destruction of assets of the “*highest significance*” (which can include non-designated heritage assets of archaeological interest) the required justification “*should be wholly exceptional*” (see NPPF, paragraph 194).
- 4.28. The potential benefit to the vitality from the promotion of residential development into the Town Centre is insufficiently recognised (see for instance NPPF paragraph 85) within the emerging plan’s Policy SP6. None of the Town Centre allocations envisage residential-led development within the list of appropriate uses. Site Tr06 is also a sensitive site in heritage terms, with the Tring Local History museum located there. It may not easily lend itself to development as a supermarket, which to meet operator requirements needs a functional building. More work needs to be done upon this site as it is in multiple ownership (TTC, Dacorum Borough and the County Council) and thought must also be given to the impact of any relocation of the Auction Rooms upon the rest of the Town Centre (the operation brings in a great many visitors as well as provides employment). The proposal for a new convenience goods store at the Dunsley Farm Growth Area (Growth Area Tr01) may not meet with the terms of the sequential test in that it is not well connected to public transport or to the rest of the Town Centre.

5. Concluding Remarks

- 5.1. To be found “*sound*” the emerging Local Plan needs to comply with the NPPF, specifically paragraph 35, which requires plans are ‘Positively prepared’; ‘Justified’ (i.e. based on evidence); ‘Effective’; and ‘Consistent with national policy’ (i.e. prepared in accordance with the policies in the NPPF). As currently proposed, the Emerging Strategy’s allocations around Tring will be none of those things.
- 5.2. Some key evidence is not yet available, for instance, that in relation to the impact upon the Beechwoods SAC or the traffic information and in other respects the evidence from assessment has been ignored (such as the clear advice in the 2016 Arup Report not to proceed with what is now allocation Tr03). Two independent assessments of these overall land ‘parcels’ and sub-areas have found that they are performing a significant Green Belt role and although the Green Belt might be amended in relation to small parts of the land, there is no evidence, which would support their wholesale release. It is TTC’s firm view that other development alternatives in the Borough have not been adequately assessed.

- 5.3. Furthermore, the evidence for the derivation of the 16% share of the total new households over the plan period is not made available either and insufficient thought has been given to the social impact of a Strategy which will lead to the population of the Town rising by 55% in less than 18 years.
- 5.4. Aside from Green Belt restrictions, there are other limitations upon the development of these allocated land parcels, such as impact upon the setting of the adjacent nationally important CAONB, archaeological constraints and considerable losses of high quality agricultural land. As an aside, the intended development densities put forward in the Emerging Strategy would suggest a profligate use of land.
- 5.5. The bar in respect of Green Belt release tends to be set quite high by Inspectors, see for instance the situation with St Albans' latest emerging plan. As you may be aware, in that case, the Inspectors halted the Public Examination and then informed the authority that the plan was likely to be found 'unsound'. Amongst the various reasons given, was the emerging Plan's over-reliance on a few very large strategic Green Belt allocations, rather than focussing upon more, smaller, releases. To be successful with large scale releases in front of an Inspector it has to be shown that there are 'exceptional circumstances' applying and then, that all means of meeting that requirement have been properly explored, **before** resorting to taking land out of the Green Belt.
- 5.6. We trust that the above comments will be viewed as helpful and that the next phase of the Emerging Strategy will address these various lacunae before being set in front of the Secretary of State.

Tring Town Council

9th February 2021