

## Issues for Marshcroft

### Introduction

1. COG was formed to coordinate the local community response in opposition to the Redrow proposals for 1400 units on land east of Tring; comprising Grove Fields RA, The Chiltern Society and CPRE Hertfordshire.
2. COG appeared as a Rule 6 party and were legally represented, and provided two expert witnesses; on landscape and planning matters.
3. The Applicant's case was based almost entirely on demonstrating the "very special circumstances" which are required by the National Planning Policy Framework (NPPF) to overcome the clear position stated in the NPPF that development is inappropriate in the Green Belt.
4. The Applicant fielded sixteen expert witnesses to present what they regarded as an unassailable list of "very special circumstances (vsc)" to justify the inappropriate development.
5. This is becoming a regular tactic by developers in places where the Local Plan is regarded as out-of-date, as in Dacorum. This leads to planning by application rather than through the Local Plan process.
6. The key set of vsc presented by the Applicants related to the lack of a five year housing land supply in the Local Plan, and specific housing shortages, including affordable housing, self and custom build, and elderly persons housing.

### COG position.

7. The proposed development has no support in the adopted Local Plan which remains the statutory plan in force.
8. The Local Plan is delayed but that is a result of the Local Plan process, not in spite of it. The Local Plan is the core of the planning system and development contrary to it erodes trust and undermines the plan led process.
9. There are multiple ways to increase the provision of housing but only one way to protect the Green Belt; not to build on it.
10. The Government is very clear that Green Belt should be maintained and enhanced and it is a critical asset, both locally and nationally.

11. The importance of the Green Belt in this location is hugely increased by its immediate proximity to the Chilterns Area of Outstanding Natural Beauty (AONB), a protected area of national importance.
12. COG challenges the Applicant's case for vsc on six main grounds.

### **Affordable housing**

13. The high proportion of affordable housing proposed by the Applicant appears commendable but it effectively omits social rented accommodation which is the overwhelming need. It was accepted by the Applicant's witness that nearly 90% of the "affordable housing" will be out of financial reach of those in need of social rented accommodation.
14. In any case, no viability evidence was presented by the Applicant to accompany the offer of affordable housing. We only have Redrow's consultant's assertions that the level of affordable housing will be offered.

### **Landscape, character and visual form**

15. Landscape character is a resource that once lost cannot be realistically recovered. When views are compromised, they cannot be re-established.
16. The Applicant accepts that there is harm caused by the proposed development to landscape character and views. Harm to landscape character and visual outlook is distinct from harm to the Green Belt and the AONB.
17. The Applicants did not explicitly consider landscape and harm issues in their planning balance, despite these issues being raised by COG in their statement of case. There will be major harm to the character of the area, both during and after construction and on the views from the Chilterns AONB and this accepted by the Applicants.
18. Such impacts should have been considered by the Applicant in their planning balance and they were not.
19. The Applicant's consultants asserted that there is a strong urban influence on the site. This is clearly incorrect; the urban edge is only on the western boundary with some scattered development to the south.
20. The landscape harms are many, long-lasting and severe, including to the agricultural fields, Tring Hills, Aldbury Scarp and for pedestrians on the Ridgeway and Grand Union Canal.

### **Harm to the setting of the AONB**

21. The site immediately adjoins the AONB and forms the backdrop to impressive and important views of the Chilterns. The proposed development will affect views from both within and outside the AONB and lead to loss of openness in the AONB setting.

#### **Green Belt.**

22. The two defining features of the Green Belt are the absence of development and its permanence. There is definitional harm to the Green Belt, and to its spatial and visual openness.

23. There will be harm to four purposes of the Green Belt:

- control of growth of London as a global city
- prevention of encroachment of development into the countryside
- impact on the character of a historic town
- encouragement of developers to use previously developed land.

24. Constant applications on the Green Belt can lead to its “death by a thousand cuts”. Constant approvals encourage further applications on protected land.

#### **Very special circumstances (VSC)**

25. The Applicant regards vsc as a mechanistic exercise of adding up suggested benefits to overcome harm. Benefits which mitigate a development’s own impact should not be considered again at the harm caused.

26. Many of the benefits proposed would be anticipated of any development of the magnitude proposed. They are not specific to this location where considerable harm has been demonstrated.

27. In the final accounting, this is a matter of judgement, not a mechanistic balancing exercise and many of the benefits are inadequate and inappropriate in this location.

28. This is a huge application which will harm the character of the area forever, and strikes at the heart of the reasons for designation of countryside to be protected in the first place.