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Standing up for Hertfordshire's countryside

Laura Webster
Planning Casework Unit
Department for Levelling Up, Housing and
Communities
Laura.webster@levellingup.gov.uk

Our Ref:

Your Ref:

26th January 2024 (by email)

Dear Laura Webster,

APP/A1910/W/22/3309923

**Land Bounded By Bulbourne Road And Station Road, Bisected By Marshcroft Lane, Tring,
Hertfordshire, HP23 5QY Application Ref: 22/01187/MOA**

I write on behalf of the Rule 6 Combined Objectors Group of CPRE Hertfordshire – the
Countryside Charity, The Chiltern Society and Grove Fields Residents Association

Thank you for giving us the opportunity to comment on the updated National Planning Policy
Framework (NPPF) and the Housing Delivery Test figures published on 20 December 2023 and
19 December 2023 respectively in relation to APP/A1910/W/22/3309923.

1. In our closing to the Inspector we stated that:

35. Development covering in excess of 50 hectares in the Green Belt should be the
exception, never expected. As stated at the opening the NPPF as a high level
document, the Green Belt (alongside local green space) sits upon the apex of
priorities as a nationally significant asset. No other planning consideration enjoys
a higher status within planning. Very special circumstances are required to justify
inappropriate development on the green belt.

36. Therefore, this case comes down to one simple question of judgement: are
there very special circumstances that warrant permission notwithstanding the
importance of the Green Belt? Very special circumstances will not exist unless the
benefits of a proposal *clearly* outweigh the harms; or in other words, benefits
clearly outweighing the harms are necessary for permission, but not sufficient—
you must look at all the circumstances. As stated in opening, that phrase 'very
special circumstances' should not be reduced to an evidential hurdle but given its

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proper meaning and the importance of keeping land *permanently* open must be consciously considered in your assessment.

2. The changes to the NPPF only reinforce the importance of the Green Belt:
 - a. There is no requirement for Green Belt to be reviewed or changed when plans are being prepared or updated. Development upon the Green Belt is now essentially a choice that rests with the democratically accountable local authority.
 - b. Thus, any assessment of very special circumstances, which remains the test for this case must grapple with the desire that the Green Belt is to be left permanently open and that the clear steer from the NPPF that Green Belt boundaries are not routinely up for review or alteration.
 - c. Accordingly, the exceptionally high hurdle that the appellant must surmount in demonstrating very special circumstances has not diminished in any way but, if anything, is now more challenging.
3. With regard to the housing delivery figures, it was a point of agreement amongst all sides at the Inquiry that the local authority had not met its housing targets and the latest figures do not, in our view, materially affect that consideration. But we would wish to point out that Dacorum's 2022 housing delivery was materially affected by the moratorium on planning permissions imposed by Natural England on Dacorum Borough Council. This moratorium was in place for most of 2022 and related to the need to put into place an agreed Mitigation Strategy to protect the Chilterns Beechwoods Special Area of Conservation (SAC) from further damage, as required by UK law.

Yours sincerely,





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Hertfordshire

Chris Berry
Planning Manager
CPRE Hertfordshire
For and on behalf of the Combined Objectors Group