

Statement by
Keep Chiswell Green

to the
Bricket Wood Inquiry

**with regard to the outline application for
the demolition of existing buildings, the construction of up to
115 dwellings, the creation of a new access and associated highways
improvements at**

**Land at Bricket Wood Sports and Country Club
Paintball Site & Bricket Lodge, Lye Lane, Bricket Wood**

PINS Ref : APP/B1930/W/24/3338501

LPA Ref : 5/2022/2443

1. Thank you, Sir, for permission to address you and this inquiry. My name is Shirani St Ledger McCarthy, and I represent a local, volunteer-led campaign group called Keep Chiswell Green.
2. Keep Chiswell Green was formed two and a half years ago to oppose inappropriate development in the Green Belt in our area. The group has the support of 98% of local residents, based on door-to-door canvassing of 1,000 of the 1,250 households in the village of Chiswell Green. We also have support from the other villages in the Parish and from across the wider District area.
3. Although the appeal site is categorised as being within the Bricket Wood area, St Stephen Parish is made up of the three distinct villages of Bricket Wood, Park Street (which includes How Wood) and Chiswell Green.
4. Mr Hughes states in his Proof of Evidence for the Council (CD 9.2 p11 para 2.16) *“The location of the appeal site is outside any settlement and remote from most facilities necessary to support day to day occupation of dwellinghouses, including schools, community facilities, leisure centres, supermarkets, libraries etc.”*
5. Keep Chiswell Green concurs with this assessment and considers that the application site could just as easily be categorised as part of Bricket Wood, How Wood or Chiswell Green.
6. More particularly, however, the location of the appeal site – distinct from each of the three villages - means that a grant of permission to develop the site would create a *de facto* hole in the Green Belt.

The lack of control, infrastructure and services caused by speculative development

7. The Green Belt land which separates the three villages is under considerable pressure from speculative development, to the point that, in places, the Green Belt



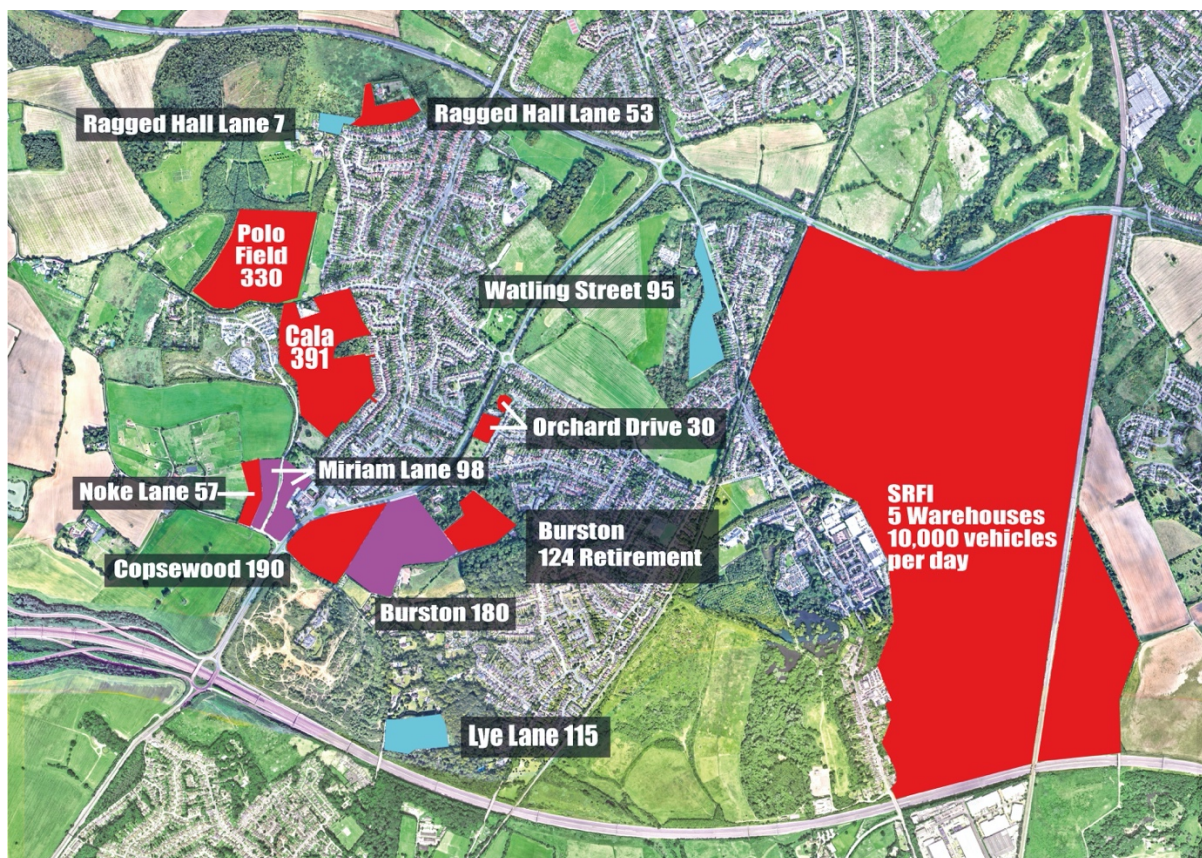
separation between Chiswell Green and How Wood consists merely of the grass in the central reservation and on the verges of the dual carriageway that separates the two villages.

8. Physical proximity, the locations and directions of roads and country lanes, and the position of the M25 which bisects the Bricket Wood area, cause some locations to face more towards one village than another. Local residents would tend to consider that anything north of the M25 is How Wood, Park Street or Chiswell Green, anything south of the M25 is Bricket Wood. Local residents would therefore consider the section of Lye Lane where the appeal site is located as facing How Wood or Chiswell Green, not Bricket Wood, hence Keep Chiswell Green's interest in this appeal.
9. The St Albans District, like all areas in the Metropolitan Green Belt, is a target for speculative development. The pressure on St Albans is worse than average due to the age of our local plan, and so our District is inundated with speculative applications from national developers as well as those based locally.
10. This – an aerial view of Chiswell Green, How Wood and Park Street now





will become this



■ approved ■ at appeal ■ allocated in the draft local plan

11. The map above shows the extent of speculative development in Chiswell Green and Park Street. The Council has speculative applications for approximately 3,000 dwellings in process at the moment across the District, of which 1,575 are in or face towards Chiswell Green. This represents a 126% increase in the size of Chiswell Green but it will not bring the investment in infrastructure that will benefit local people - existing or new.

12. The GP surgery that serves the whole area (Midway) is expanding to the limit of its site, but only in order to be able to cope with its current patient list. Where are the additional 4,000 residents that will be generated by these developments going to find a GP? Not anywhere near enough to access the services by active travel.

13. The nearest dental practice that may consider taking on new patients is in St Albans town centre – the dental clinic in Chiswell Green offers specialist dental services only, and the dental practice in Bricket Wood is closed to new patients.
14. The application for Land South of Chiswell Green Lane (the Cala site) offered land for a school, but the reducing birth rate – now at 1.49 (according to the latest ONS figures) and a long way off the 2.2 it needs to be for our population to be self-sustaining – means that the existing primary schools in the area have capacity.
15. The secondary schools, however, do not, with significant numbers of pupils in the St Albans District being disappointed again this year with the school to which they had been assigned. But the land offered by Cala Homes is not sufficient to accommodate a secondary school, and the Local Education Authority knows that the reducing class sizes now coming through the primary schools will feed into the secondary schools within 7 years. There is then no value in building another secondary school.

The impact of committed traffic and traffic from this development will be severe

16. Of greater concern, however, are the additional 3,000 vehicles that these 1,575 new dwellings will generate. They will be combined, not just with the traffic generated by the existing population, which has one of the highest car ownership figures in the county, but also with the estimated 10,000 vehicles a day which are expected to be generated by the Strategic Rail Freight Interchange terminal nearby when that becomes operational. Already, local roads are grid-locked during the morning and evening rush hours, and whenever there are problems on the M25 or M1 in the area, and an estimated 25% of these vehicles are expected to take the A414/A405 southbound from the SRFI site to access the M25.
17. The Watford Road through Chiswell Green is the busiest B-road in the county, and the 18th busiest road overall, which is pretty good going, considering the county also houses the M1, M25, A1M, A414 (including the old M10 section), A10 and A405 (HCC A414 Corridor Strategy Technical Report Sept 2019 p15).



18. An additional 5,500 vehicles in Chiswell Green and Park Street will be controlled by the imposition of traffic lights in various locations – particularly on the A405 and in the middle of Chiswell Green.

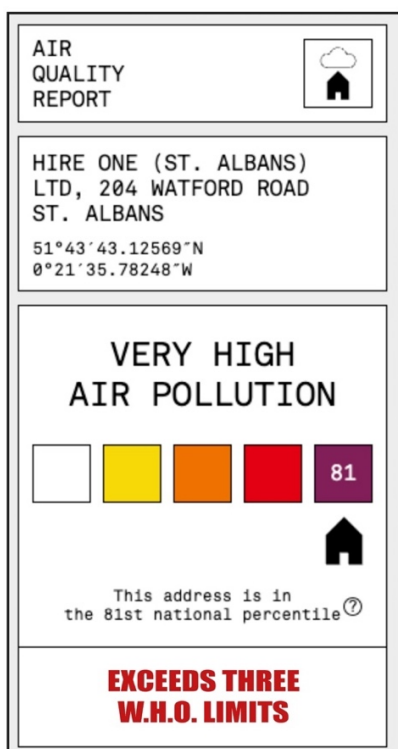


Planned road modifications on A405

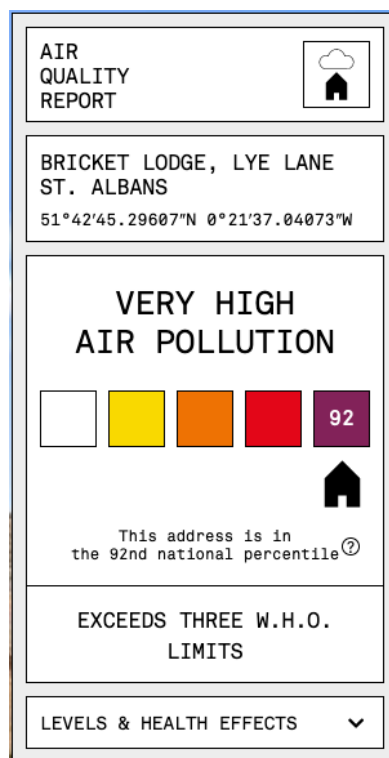


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and in the centre of Chiswell Green

19. But vehicles cause emissions - emissions that cause air pollution – and these emissions are worse when the vehicles are idling, like at traffic lights. Already the levels of toxic particles PM2.5, PM10 and NO₂ exceed the World Health Organisation maximum limits all over St Stephen Parish (data from Imperial College, London and AddressPollution.org)



In the centre of Chiswell Green



At Bricket Lodge, Lye Lane

<u>Location</u>	<u>Air Pollution</u>	<u>PM 2.5</u>	<u>PM10</u>	<u>NO₂</u>
Chiswell Green Hire One	81 st percentile	11.35 mcg/m ³	18.03 mcg/m ³	24.67 mcg/m ³
Bricket Lodge, Lye Lane	92 nd percentile	11.65 mcg/m ³	20.34 mcg/m ³	28.53 mcg/m ³
World Health Organisation upper limits		5 mcg/m ³	15mcg/m ³	10mcg/m ³

20. Air pollution is one of the biggest public health hazards of our time and is responsible for tens of thousands of premature deaths in the UK. The ultra-fine particles found in vehicle emissions can lodge in the brain and in other organs causing serious risk to health. In a World Health Organisation study, 19.9% of strokes in the study were attributed to exposure to concentrations of PM2.5 exceeding 10 mcg/m³ for a period of a year or more.
21. Unsurprisingly, given its proximity to the M25, the air pollution at Bricket Lodge is at the 92nd percentile – only 8% of the country has air pollution that is more toxic than there.
22. Legislation with the nickname Ella’s Law is currently making its way through Parliament. The Clean Air (Human Rights) Bill formalises the right of all members of the public to clean air. The Green Belt is what cleanses our air. A carbon sink, such as forests or grasslands, captures and stores carbon from the atmosphere, counteracting global warming and cleansing toxins from the air.
23. In April 2024, the European Court of Human Rights ruled that the Swiss Government’s climate policies violated human rights. The judgement said that the right to a private and family life meant that states are obliged to protect their citizens from the “serious adverse effects” of climate change (House of Commons Library, “A new precedent for climate change in human rights law”, 1st May 2024).
24. Equally, the residents of St Stephen Parish want their rights considered when decisions are being made that will have consequences for their health and the quality of their lives. The addition of over 1,500 new dwellings, all on Green Belt land, but without the infrastructure necessary to accommodate the 4,000 new inhabitants, will impact the lives of all residents – new and existing, old and young. The addition of thousands more vehicles, and forcing them to idle at traffic lights while pumping out toxic emissions, will have a serious impact on the health of all who live in the Parish. The destruction of even more Green Belt will result in higher levels of air pollution.

25. Yes, our District has failed to meet its housing target, derived through the Standard Method, but our District is 80% Green Belt. 30 years ago, the District was 85% Green Belt. The Green Belt is being steadily eroded. If the emerging local plan is adopted, a further 2,000 acres of Green Belt will be developed over the life of the plan *in addition* to all the land sacrificed to speculative development. The Standard Method does not take into consideration the limitations on planning authorities operating in areas with a high proportion of Green Belt. The Standard Method and the 5 purposes of the Green Belt do not take into consideration climate change or the health benefits of the Green Belt. The Standard Method considers the future – it deals with predictions, estimates, projections. The Standard Method isn't fighting for people who don't have anywhere to live now; the Homelessness Strategy document in front of you in the Core Documents (CD 8.4 St Albans Council Homeless Strategy 2022-25 p5) highlights that 197 people in the 2020/21 year were in need of housing in this District. I recognise that these figures are now outdated, but if we were even to triple it, that's 600 people in the District in need of housing - not the 15,096 households that we are told we need to provide for. We understand the need to think about tomorrow, but we also need to think about today.
26. Inspector Coyne, I represent the ordinary residents who live in Chiswell Green. We are not planning experts or lawyers, but we live here. When this inquiry finishes, and all the parties go home, we are the ones left to live with the consequences of the decisions taken about this application, and all the others that pass through this room.
27. For this reason, I have come here today to put in front of you certain aspects of the application that I don't think already have been :
28. The paintball business offers sport and recreation – a facility that has been enjoyed by local residents, including many teenagers for whom there can otherwise be limited opportunities for recreation, and those who have travelled significant distances to enjoy the opportunity for over 20 years. The loss of the paintball site, in our opinion, would constitute a harm in the planning balance.

29. The site is in poor condition with rubble and items that appear to have been dumped. However, the paintball operation occupies more than half of the site and comprises largely temporary structures which, in order to change the experience of the game for participants, are required to be temporary. It appears to us, then, that more than half the site maintains the openness expected of a Green Belt site.
30. The most recent Green Belt Review of the District, conducted by Ove Arup in 2023 (CD 8.11.1 p576), assessed the site as comprising approximately 8% of built form. Keep Chiswell Green considers that development without planning permission should not be taken into account, and would invite the Inspector to view the site as if the unlawful development were not present. To take account of development without permission would create an “open season” with landowners and developers building anywhere they wished without permission in order to achieve the site designation that suited them. Chiswell Green and St Stephen Parish already has a numerous other examples of Green Belt sites which are clearly being “prepared” to be presented as “damaged” and therefore suitable for housing developments.

Importance of the Green Belt Review

31. The Arup Green Belt Review was commissioned by St Albans City and District Council in order to address the failings highlighted in the previous Green Belt Review conducted by SKM in 2013 (CD 8.10) and 2014 (now superseded). While the 2013 assessment of strategic parcels was considered to have merit, the 2014 assessment of sub-parcels was considered by the Planning Inspectorate on examination of the then draft local plan not to have considered small enough areas. The 2023 Arup Green Belt Review (CD 8.11 and CD 8.11.1) was commissioned to focus on a granular assessment of sub-areas within strategic land parcels.
32. Whilst the Green Belt Reviews were commissioned to provide evidence to feed into decisions with regard to areas to be released from the Green Belt through the process of the local plan, Inspector Boniface and the Secretary of State agreed in their decision to allow the appeals for the Land to the South and Land to the North of Chiswell Green Lane (CD 5.2 p4 para 17) “...that the Green Belt Review is a material

consideration relevant in considering Green Belt matters in the district, and that the relative suitability of strategic sub-area S8 (which both appeals sites fall within), as defined by the Green Belt Review, is an important consideration.” In this situation, they were referring to the 2013 SKM Review as the 2023 Arup Review had not been published by the time of the Inquiry. However, this clarifies the situation with regard to the thoughts of the Secretary of State – that, although a Green Belt Review may have been commissioned to provide evidence for the formulation of a local plan, it is still a material consideration when considering other Green Belt matters in the District. This is reiterated by Inspector Boniface at IR531: “However, the GB Review is clearly a material consideration relevant in considering Green Belt matters in the district ...”

33. In further support of our assessment of the site as an important Green Belt site, the Arup Green Belt Review concludes (Appendix 1 p577) :

“Overall, the sub-area does not play an important role with respect to the strategic land parcel, however if released in isolation or in combination, is likely to significantly harm the performance of the wider Green Belt.”

34. I notice that Mr Parker for the Appellant has submitted the Chiswell Green Decisions with a Preface Note to say that each scheme was considered to be inappropriate development on a greenfield site and that it was concluded that Very Special Circumstances existed. The details of the two Chiswell Green applications are very different to this one, in particular that the two Chiswell Green sites were located on or very close to the urban settlement edge and to the village centre.

35. Additionally, the Inspector and then the Secretary of State relied very heavily on the 2013 SKM Green Belt Reviews which have been partly or completely superseded by the Arup Green Belt Review which was published after the Inquiry. There was a clear difference in assessment of the Green Belt parcel and the sites between SKM and Arup, meaning that SKM promoted the parcel as a key location for development, whereas Arup does not. It cannot therefore be transposed to the Lye Lane site.



36. We are aware that the current direction of travel of appeals decided since the Chiswell Green decisions in March appears to be in favour of the appellant, and we fully understand our District's failure to have met their Objectively Assessed Housing Need target for many years. I don't know the NPPF as well as you all do – I'm not a planner or a lawyer – but I don't believe I have seen or heard of anything in the NPPF or in the PPG that says that every site that comes forward must be approved until the OAHN target is met.

37. In conclusion therefore, Sir, we invite you to consider the quantum of development that has already been approved, that is being considered at appeal, or has been allocated in the draft local plan, and to conclude that the benefits that might result from the approval of this site would not *clearly* outweigh the harms.

Thank you for your attention.

Keep Chiswell Green

Chiswell Green

13th June 2024