

**RESPONSE TO  
ST ALBANS CITY AND DISTRICT COUNCIL  
REFERENCE PLANNING APPLICATION  
5/2022/0927**

**Statement by  
Jed Griffiths MA DipTP FRTPI  
On behalf of  
Keep Chiswell **Green****



**KEEP CHISWELL **GREEN****

## **Introduction**

1. Keep Chiswell Green (KCG) is a local volunteer-led campaign group, formed in response to the planning applications submitted for development of the Metropolitan Green Belt to the west of Chiswell Green, and the numerous proposals put forward for development of this land under the St Albans City and District Council's "Call For Sites" in preparation for the next Local Plan. KCG can confidently say it represents the overwhelming majority of residents of Chiswell Green, based on 99.5% of residents who have supported us through our door to door canvassing of in excess of 950 properties in the village at the time of writing.
2. This statement has been prepared by Jed Griffiths MA Dip FRTPI (the consultant) on behalf of Keep Chiswell Green. It has been compiled in response to a planning application (LPA reference 5/22/0927) for development on land to the south of Chiswell Green Lane, Chiswell Green, Hertfordshire. The description of the proposed development was as follows:

*"Outline application (access sought) – Demolition of existing structures and construction of up to 391 dwellings (Use Class C3), provision of a new 2FE primary school, open space provision and associated landscaping, internal roads, footpaths, parking, cycleways, drainage, utilities and service infrastructure, new access arrangements, and offsite highways works including new parking, footpath cycle path and highway arrangement works to Chiswell Green Lane, Watford Road, Long Fallow, Forge End and Farringford Close at Land South of Chiswell Green Lane, St Albans, Hertfordshire."*

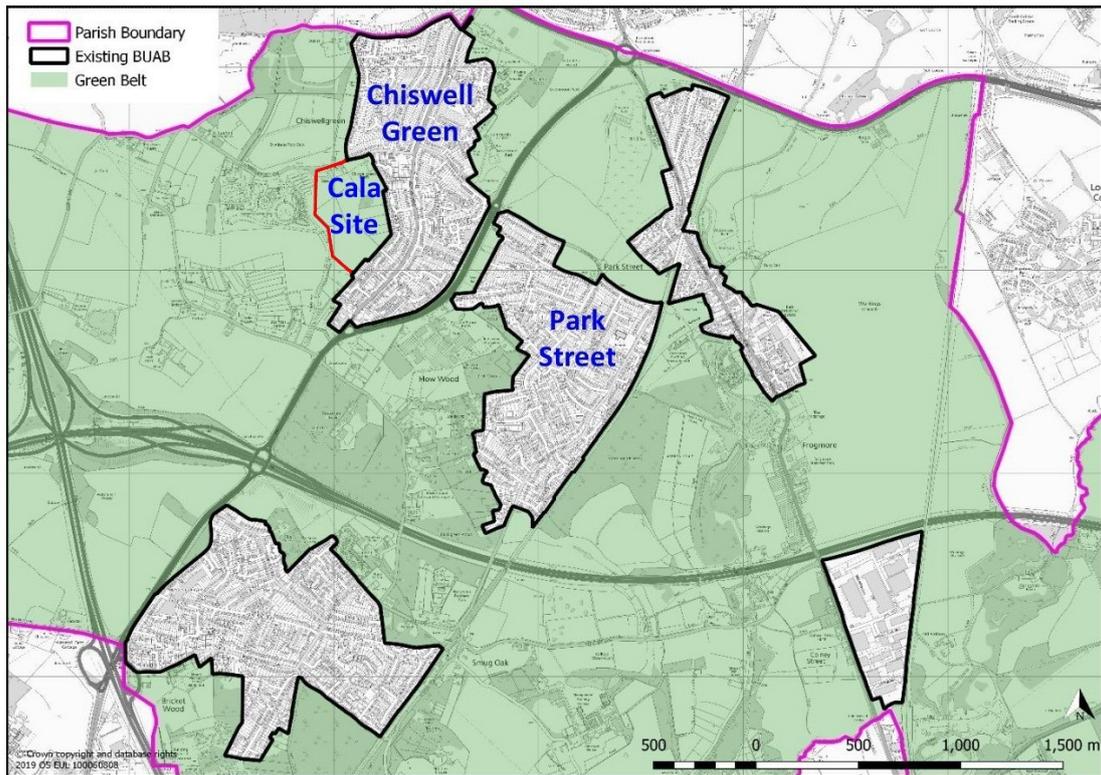
3. The proposals are summarised more precisely in paragraph 1.7 of the applicant's Planning Statement. KCG has given careful consideration to the planning application and the supporting documentation, which is summarised in paragraph 1.9 of the Planning Statement. As the applicant explains in paragraph 1.10 of the Statement, at this stage they are seeking outline approval to establish the principle of the development. Nevertheless, the material supporting the application is very detailed, with no less than 18 background items listed in the Statement. The volume and complexity of this information has raised a number of concerns with local residents and community groups. The comments from KCG, which embrace the issues raised within the community, are set out in this statement under the following headings:
  - Policy Context
  - Green Belt
  - Land as an essential natural asset

- Transport
- Facilities and Services
- Summary and Conclusions

A number of photographs and documents are referred to in this statement and form part of the KCG response to the planning application. Where these are not included in the body of this document, they are included as an appendix to the statement.

### **Policy Context**

4. In Section 5 of the Planning Statement, the applicant sets out the current policy context relating to the proposed development. It is noted that, under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of planning applications shall be made in accordance with the development plan, unless material considerations indicate otherwise. The current development plan for the area consists therefore of the adopted St Albans District Local Plan Review 1994 and adopted Hertfordshire County Council Minerals and Waste Plans.
5. The Planning Statement also notes the emergence of the draft St Stephen Neighbourhood Plan (SSNP 2019-2036), which was subject to referendum on 5<sup>th</sup> May 2022. Over 82% of the vote was in support of the plan, which is expected to be “made” by St Albans City and District Council on 20<sup>th</sup> July 2022. Under the provisions of Section 3 of the Neighbourhood Planning Act 2017, the policies of the SSNP can now be considered as part of the statutory development plan for the area.
6. In paragraph 5.4 of the Planning Statement, the applicant notes that the application site is shown on the SSNP policies map as being *within* the Built-up Area Boundary (BUAB) of Chiswell Green. It is therefore concluded by the applicant, by reference to Policy S1 of the SSNP, that the site will be supported for development. In the view of KCG and the Parish Council, this is incorrect. Figure 4.1 of the St Stephen Neighbourhood Plan shows the current Built-Up Area Boundary line which clearly demonstrates that the proposed site is *not within* the current Built-Up Area Boundary.



7. National planning policy requires that Neighbourhood Plans must be in general conformity with the adopted development plan for the area. Planning Practice Guidance advises that Neighbourhood Plans cannot generally allocate sites for housing, although they can indicate aspirational sites for future iterations of the Local Plan. Reference to the Housing Report, produced by the SSNP Steering Group, shows that a very detailed study was undertaken of potential housing sites in St Stephen Parish. Of 77 sites studied, only six locations were indicated as potentially suitable for development. These were also shown in the original draft of the SSNP – five are for housing and one for a care home. At no place in the SSNP is the application site specifically allocated for housing.

8. At a number of points in their submissions, the applicant points out that the St Albans District Local Plan 1994 is out of date and is inconsistent with government planning policy as expressed in the National Planning Policy Framework (NPPF). The question of inconsistency is addressed in paragraph 5.6 of the Planning Statement, with reference to the NPPF, paragraph 11(d), which states as follows:

*“(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii. any adverse effects of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in this Framework taken as a whole.”*
9. By highlighting the above passage, the applicant maintains that there is “a presumption in favour of sustainable development” for the application site. This view is firmly rejected by KCG. On the one hand, it is a fact that many of the policies in the St Albans District Local Plan Review 1994 are out-of-date. On the other hand, there are a number of “saved” policies which were recognised by the then Secretary of State in a Direction on 14<sup>th</sup> September 2007. These are still highly relevant and are used by the City and District Council as a basis for decision-making. The most important of these is Policy 1 Metropolitan Green Belt.
10. The NPPF paragraph 11 also refers to the grant of permission unless the application of policies that protect assets or areas of particular importance provides a clear reason for refusal. Footnote 7 to the NPPF lists the areas or assets of importance which includes Green Belt. From this, it is clear that the Green Belt is the key policy consideration in the determination of this application.
11. The applicant also refers to what they term as the “Emerging Policy and Evidence Base” (paragraphs 5.17 – 5.21 of the Planning Statement), including the draft St Albans Local Plan, which was withdrawn by the City and District Council in 2020. It is contended that the document provided a “clear direction of travel” for development in the area, and that it should be a material consideration in the determination of this application. This argument is refuted by KCG. The draft Local Plan was withdrawn after rejection by Inspectors at the early stages of the examination in 2020. It therefore has no formal legal status. A new version is in preparation, but is only at the early stages.
12. In addition, at a public meeting hosted by Park Street Residents’ Association on 1<sup>st</sup> June 2022 at the Parish premises, Tennyson Hall, Daisy Cooper, MP for St Albans, explained that all the sites that had been put forward under the St Albans City and District Council’s “Call For Sites” in preparation for the next Local Plan are currently being assessed, and that all sites have to be evaluated equally at this stage. KCG therefore asserts that any previous land assessments are inconsequential and therefore irrelevant.

13. In these circumstances, the basis for decision-making remains the 1994 Local Plan, together with policies in the NPPF. It is clear that the City and District has a housing shortfall and that in future, sites may have to be allocated on land which is currently allocated as Green Belt. It must be noted, however, that the most recent draft of the Local Plan was completed in 2018, and the assumptions used in the formulation of its housing requirement were based on much earlier projections of population and household formation.
14. Since then, there are a number of factors which may affect the future housing requirements and the amount which will need to be allocated. In summary, these are as follows:
- Since 2016, the two-yearly estimates of population and household formation, produced by the Office for National Statistics (ONS) have shown a downward trend. The next sets of (2020-based) figures are expected to be published in June 2022 and are expected to show a continuation of this downward trend.
  - The preliminary results of the 2021 Census are expected in Autumn 2022 and are also expected to show the downward trends.
  - As a result of Brexit, there has been a net outflow of international migration, which has particularly affected the South East and East of England and Greater London.
  - Birth rates in the UK have shown a steady downward trend since 1963, with a 9% drop in birth rate since 2009 and a drop of a further 16% predicted by 2100 (*United Nations – World Population Prospects*). The ONS reports current birth rates in the UK as approx. 1.6, which may further reduce housing requirements in the future.
15. Movements to prompt a re-evaluation of Government-imposed housing targets, based on the factors above, are increasing in number and influence. Local MP Daisy Cooper is a prominent advocate of this re-evaluation and has been campaigning for it in Parliament. Other local councils, including Dacorum, Three Rivers and Hertsmere, have supported the CPRE's call for a moratorium on planning decisions until new Local Plans can be put in place and have effectively paused development of their Local Plans. Residents in Bushey, concerned by plans to build on 220 acres of green belt land in Hertsmere Borough Council area, recently presented a petition with 1,300 signatures to Michael Gove calling on him to "cut unfair housing targets". A further petition calling on the Government to suspend all decision-making on planning applications for major developments on green belt land has recently been opened with the Petition Parliament website. Michael Gove himself has recently announced that there would be a review of the NPPF in which data and population projections may also be reviewed.

16. Daisy Cooper, supported by Leader of St Albans City and District Council Chris White, have both publicly declared that, should current data be used to re-evaluate housing targets for St Albans, the local target would be reduced from 14,000 to 7,000, and that between 5,000 and 7,000 homes could be provided using existing brownfield sites, meaning that only minimal amounts of local Green Belt land, or even none, may have to be used to satisfy housing needs. The NPPF strongly encourages regeneration and re-use of brownfield sites, especially for housing, and the Government says that brownfield sites should be given priority where practical and viable. KCG therefore concludes that the use of a Green Belt site for housing development should not be permitted before all possible brownfield sites have been utilised.

17. Led by CPRE, 25 NGOs, including Bat Conservation Trust, Shelter, Friends of the Earth, National Trust, RSPB and The Ramblers, in combination representing over 8.2 million people, have united in their belief that the planning system needs to be repurposed and have formed the Better Planning Coalition which is calling on the Government to reject their focus on house-building targets and to prioritise the development of thriving, sustainable communities that are in harmony with nature and the historic environment, putting people, not profits, at the heart of new developments. The Better Planning Coalition will be working with supportive MPs and peers to introduce amendments to the Levelling Up and Regeneration Bill and the review of the NPPF with the following “six tests for planning”:

- i) Local democracy and community engagement
- ii) Genuinely affordable housing for social rent
- iii) Climate and sustainable development
- iv) Biodiversity and nature’s recovery
- v) Beauty and heritage
- vi) Health and wellbeing and access to natural green space

18. These factors, taken together, mean that there is a great deal of uncertainty about the basis for future land requirements. In these circumstances, KCG suggests that this application is premature. The allocation of large sites, and the determination of planning applications, needs to be based on a new Local Plan, based on up-to-date evidence.

## **Green Belt**

19. Successive Governments have placed great emphasis on the need to protect the Green Belt. This is re-stated in the latest version of the NPPF (July 2021), paragraph 137, which states as follows:

*“The Government places great importance to Green Belts. 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.”*

20. In terms of the NPPF (paragraphs 147 and 149) and Policy 1 of the District Local Plan Review 1994, the proposed housing development is clearly inappropriate in the Green Belt. It is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. “Substantial weight” (paragraph 148) should be given to any harm.
21. In their Planning Statement (paragraph 1.13), the applicant states that “the site is not the subject of any constraint that would undermine development.” For the many reasons set out in this statement, KCG believes that this is simply not true.
22. In the context of the Green Belt, the applicant contends that “very special circumstances” do exist and that the potential harm to the Green Belt is clearly outweighed by other circumstances. A number of recent appeal cases, and decisions made by the City and District Council, are summarised in Appendix 5 of the Planning Statement in support of the planning application. These are noted by KCG, but in planning decisions, each case must be determined on its own merits, in accordance with the provisions of the development plan and any other material considerations. The statutory basis for decision-making is clearly set out in Section 70 of the Town and Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004. Nevertheless, KCG has comments to make on the applicant’s examples, as set out in the ensuing paragraphs.
23. KCG dismisses the applicant’s reliance on the decision in favour of building at Oaklands College as not comparable to the application in question; the Secretary of State (SOS) agreed with the Planning Inspector’s reasoning and conclusions that the Oaklands College proposal “was inappropriate development in the Green Belt, which is harmful by definition and that there would be additional harm by reason of reduction in openness and by virtue of encroachment into the countryside”. The SOS also noted that there was “conflict with the SACDC Local Plan Policy 1, and national policy” and he “attributed substantial weight to harm to the Green Belt

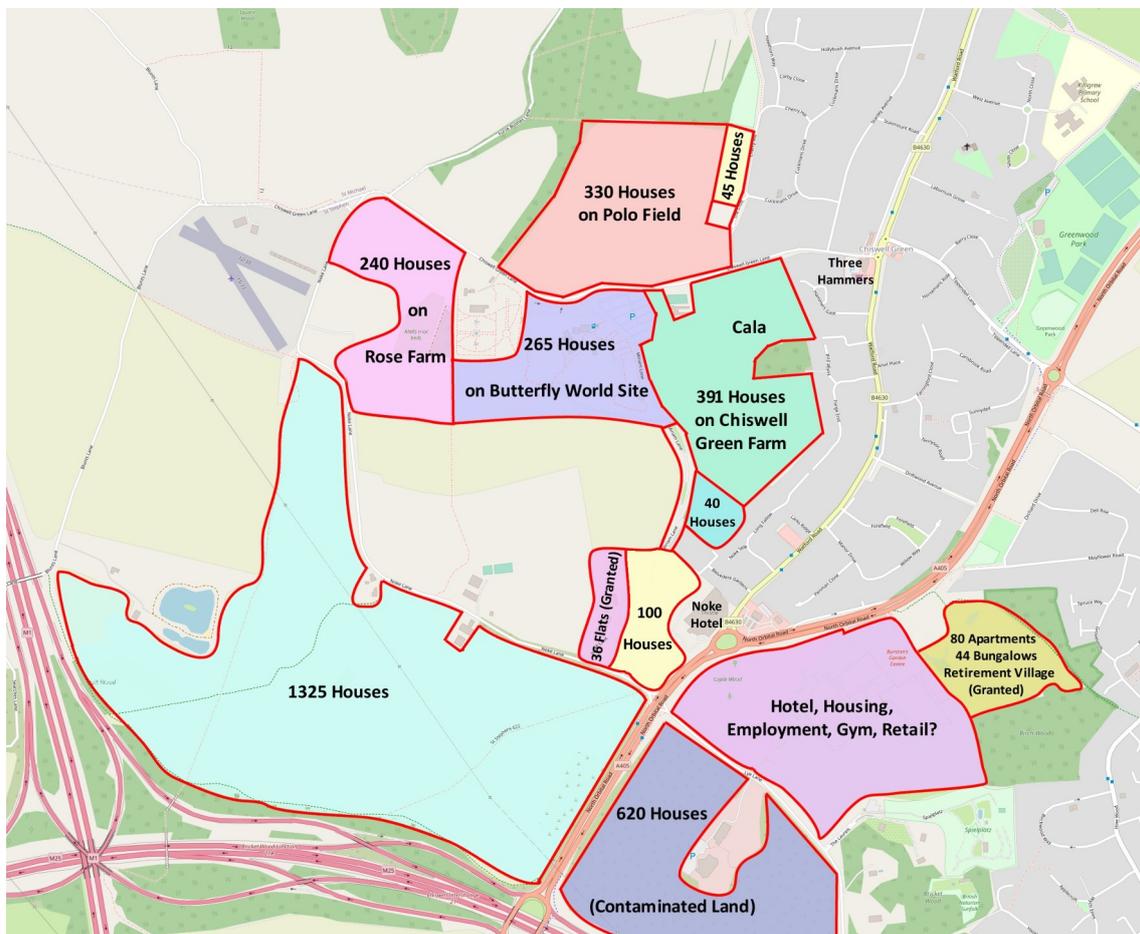
caused by the proposed development”. However, Oaklands College is the site of existing development in the form of a long-established educational college and the SOS “noted that improvements to an educational facility also weighed very heavily in favour of the Oaklands College proposals and (were) seen as a significant benefit”. In his opinion, the improvements to the educational facility, in addition to the delivery of housing, justified the proposal. However, this application site is a greenfield site, not covered by existing development, and there is therefore only harm to be done at this site.

24. With reference to the Colney Heath site, KCG refers to points 14-18 above and asserts that within the last 12 months since this decision, there has been a recognition politically and nationally of the irreparable harm that is being done by permitting large major developments on protected land. KCG therefore asserts that the Colney Heath site is not comparable as the political context is no longer the same.
25. Although the Planning Statement cites in favour the decision to grant the Sewell Park application, this fails to recognise the fact that the matter has been referred by the High Court for Judicial Review. The Sewell Park application has therefore not been fully determined and in these circumstances, cannot be considered as material to the determination of this application.
26. KCG supports the decision in favour of development of a new retirement community at Burston Nurseries as retirement housing is much needed in this area to free up larger family homes while still allowing local residents to remain within their locality and community. KCG highlights that this development sits within a confined area that does not impact the openness of the Green Belt and has been populated with building structures for decades. KCG therefore asserts that the decision to allow the Burston retirement development has no bearing on the application site.
27. Permission to build on the sites at Sun Lane and Ilkley Road (in Bradford) and to the Land South of Heath Lane in Codicote depend on the provision or expansion of local schools, the provision of a school being one of the three defined exceptional circumstances to building on the Green Belt. These two decisions are also not comparable to the application site as there is no need in St Albans South for a further primary school even if this development were to go ahead.
28. Conversely, KCG cites the case of Gregory Quarry, Mansfield, where, earlier this month, Ms Siobhan Watson for the Planning Inspectorate dismissed the appeal by land owner Lee O’Connor to build 200 homes. Whilst the original refusal of planning permission by Mansfield District Council was based on the fact that the site had not

been included in the District's Local Plan, Ms Watson found that the development would negatively impact designated wildlife – in this case the foraging site of multiple species of bat which is directly relevant to the application site where there are multiple varieties of bat nesting and foraging. Ms Watson wrote "Whilst there are some benefits to the scheme, including the provision of market and affordable housing, these do not outweigh the cumulative harm I have found. The loss of the Green Infrastructure, whatever type of habitat existed, and the harm to local greenspace and community open space, are sufficient to make the scheme unacceptable even without the additional biodiversity harm".

29. KCG therefore dismisses the applicant's claim that "very special circumstances" exist which would outweigh the clear harm that this development would cause, and asserts that the recent appeal decisions cited by the applicant are irrelevant to this application.
  
30. The key conclusions of the evidence base for the (withdrawn) Local Plan, which are considered relevant to the planning application, are set out by the applicant in the Planning Statement. In terms of the Green Belt, it is noted that the SKM Green Belt Review Sites and Boundaries Study 2014 considered that development of the application site would result in the least harm to the five purposes of the Green Belt. It states that the site lies within the St Stephen Plateau Landscape Character Area. The condition of the landscape in the area and its strength of character are described respectively as "moderate" and "weak". The study also describes the site as an area of "Low Landscape/Visual Sensitivity", as "Land for Potential Green Belt Release", and for "potential urban development area, infrastructure & POS."
  
31. In Section 6 of the Planning Statement, there is a detailed consideration of the principle of the proposed development in terms of Green Belt policy. This is supported by the applicant's Green Belt Assessment, and its endorsements of the SKM Green Belt Reviews of 2013 (Part 1) and 2014 (Part 2). The table, under paragraph 6.17 of the Planning Statement summarises the detailed analysis of potential harm to the Green Belt, based on the five purposes listed in paragraph 138 of the NPPF. These are as follows:
  - "a) to check the unrestricted sprawl of large built-up areas;*
  - b) to prevent neighbouring towns from 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."*

32. In terms of the first of the five purposes, the assessment erroneously dismisses the site's contribution, considering that it "is not within the vicinity of any large-built up area." This is incorrect – the site lies within the London Metropolitan Green Belt, where the strategic purpose is to prevent the outward sprawl of Greater London into the surrounding rural counties. In the southern part of Hertfordshire, this function is especially important and should not be dismissed. Each and every part of the Green Belt makes a contribution.
33. The assessment acknowledges that the site is located in a gap between the towns of St Albans, Watford and Hemel Hempstead and therefore does make a "limited or no" contribution to the second purpose. The reasoning behind this conclusion is that there is a 4 Km gap between the urban edges of Watford and St Albans, so the two settlements are unlikely to merge. The presence of the M1, the M25, and the A414 are said to provide boundaries which would prevent further coalescence. This view is misplaced, as demonstrated by the KCG map showing the submissions to the recent SACDC Call For Sites exercise. Permission was granted in 2016 for a Hotel with 150 bedrooms, conference & function centre on the site shown near The Noke roundabout (planning ref 5/2015/0722), though this has presumably now expired. The owners have however submitted far larger plans to the Call For Sites.



34. The assessment also fails to consider the impact of the proposed development on the separation between St Albans, Watford and Hemel Hempstead and any potential expansion proposed in other local plans, for example, in Kings Langley, Abbots Langley, and Bedmond.
35. In their submissions, the applicant considers that only one of the five purposes is relevant – “to assist in safeguarding the countryside from encroachment” (Purpose 3). It is considered by the assessment that the site makes only a “partial contribution” to this Green Belt purpose. KCG fundamentally disagrees with this conclusion for the reasons set out below.
36. Reference is made in the table to the SKM Part 1 Strategic Assessment of 2013, which states that built development covers only 4% of the assessment parcel. It is clear, however, that this is mainly on the northern boundary of the site, on Chiswell Green Lane where there is a riding school and livery yard which are inherently rural activities. KCG would argue that this confirms that the majority of the site is open in nature.
37. By contrast, the assessment states that the site does not possess a strong unspoilt rural character due to the strong influence of the adjacent urbanising elements at Chiswell Green. In response, KCG contends that there is a very strong boundary on the western edge of the village, dividing the existing residential area from the countryside beyond, including the application site. This is very clearly shown by the aerial views of the site which are attached.



Looking south from Forge End

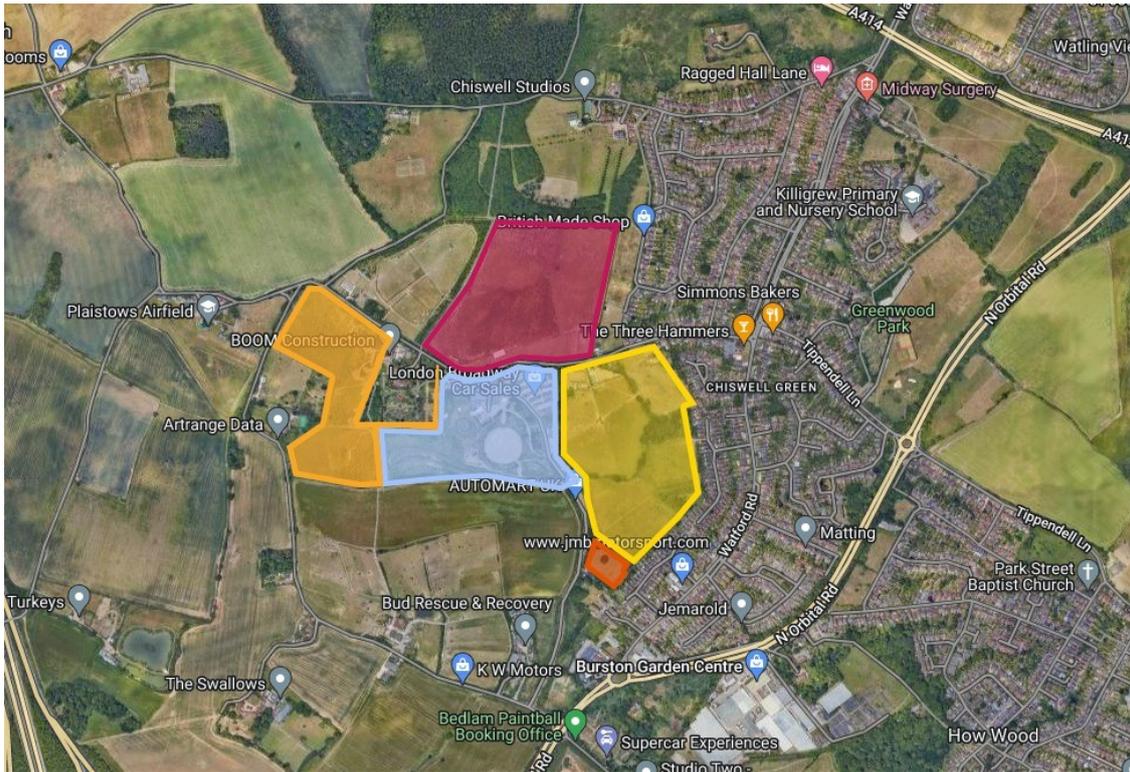


Looking east at Forge End



Looking north from Forge End

38. The map attached above at paragraph 33 shows the sites around Chiswell Green which were put forward by owners and prospective developers. Included are the former Gardens of the Rose and Butterfly World areas, the owners of which have proposed the building of 265 and 240 houses respectively. The map clearly illustrates the pressures which apply to the Green Belt and the sheer scale of development speculation. KCG firmly believes that the removal of the application site from the Green Belt will be a tipping point for further encroachment and speculative planning applications on sites such as Butterfly World and Rose Farm, and that it will cause the development of all the land bordered by Noke Lane.



39. The table does also refer to the SKM Refined Green Belt Assessment of 2014, which acknowledged that the site does possess some elements of countryside character, formed by hedgerows, trees, and blocks of woodland. It argued that these elements could be used to contain the development, with robust, and clearly defined, boundaries to the site. This would prevent any further encroachment into the adjacent landscape. KCG rejects this argument. By the introduction of up to 391 dwellings and a school beyond the western boundary of the village, the urban fringe influences would extend well beyond the proposed new Green Belt boundary into the countryside beyond. Clearly, this would cause substantial harm when measured against the third of the Green Belt purposes.

40. Against the fourth purpose of the Green Belt, the assessment states that the site would make no contribution, because it does not abut an identified historic core. This fails to acknowledge the site's immediate proximity to the Saxon hamlet centre of Chiswell Green and the historic Three Hammers public house, which is thought to date from the 15<sup>th</sup> century originally. It also fails to acknowledge the site's wider proximity to the centre of St Albans, which is dominated by the cathedral and the historic skyline. Any large-scale development in the Green Belt surrounding the city would result in some degree of harm to its underlying character.

41. The impact is not simply a matter of visual intrusion – it is also concerned with the cumulative impact of developments and associated activities on the setting of an

historic city. To consider the increased car usage alone, likely to be in the region of an additional 800 vehicles, there will be a detrimental effect on pollution, noise damage and structural damage as these vehicles add to the existing volume of vehicles passing often very close to 2,000 year old Roman ruins (including the only Roman Theatre in Britain), 1,000 year old Anglo-Saxon buildings such as St Michael's Church, which is the best preserved Anglo-Saxon church in the country, the Medieval St Albans Cathedral and Clock Tower, and the many Tudor buildings including the oldest pub in Britain. If KCG's fears are realised and permitting the development of the application site is indeed a catalyst for the development of the entire parcel of land bordered by Noke Lane, this could result in an additional 2,800 vehicles negatively impacting this historic city.

42. The applicant's Green Belt Assessment also considers the proposed development against the overall characteristics of the Green Belt – its openness and permanence. The Planning Statement (paragraph 6.15) refers to National Planning Practice Guidance (NPPG) which states that the assessment of openness is a matter of planning judgement. Among the matters to be taken into account are both the spatial and visual aspects of openness.

43. It is considered by the applicant that the proposed development would only have a limited effect on the openness of the Green Belt, as summarised in paragraph 6.19 of the Planning Statement. In the view of KCG this is erroneous, as shown by the evidence of the attached photographs. As stated above (in paragraph 37), the visual openness of the Green Belt to the west of Chiswell Green is enhanced by the stark contrast between the existing residential development and the countryside beyond. Contrary to the views of the applicant, there is a very strong existing Green Belt boundary, which should not be breached. The attached photographs, particularly the aerial views, clearly illustrate this point, as below.



44. To substantiate their case, the applicant also refers to the conclusions of the Design and Access Statement, which seeks to demonstrate how the proposed development would integrate with the character of the existing settlement. It is also stated that Sections 7 and 8 of the Landscape and Visual Assessment (LVIA) report show that landscape integration would be secured through a comprehensive landscape strategy that would help to mitigate the harmful effects on the countryside. KCG rejects these conclusions. By virtue of the methodology, the LVIA focuses on the internal features of the site itself. It fails to see the bigger picture and the potential impact of the development on the wider area. The village comprises a significant percentage of bungalows which respect the natural topography of the area and keeps the skyline low so as not to impinge on the views towards St Albans and the countryside. Given the 3m combined tolerance on Finished Floor Height and Ridge Height of the buildings in the proposed new development, plus the 2m slope of the land, the new properties could be 5m higher than existing 2-storey properties near the boundary edge, causing the buildings within the development to be clearly visible beyond the existing skyline of the village.
45. Reference is made by the applicant to the Hertfordshire Landscape Character Assessment 2014, which has been a key element of the evidence base for local plans across the county. Figure 3 of the applicant's background documents shows that the application site is located within the St Stephen Plateau Landscape Character Area (LCA 10). To the west it joins with the Bedmond Plateau (LCA 9), which in turn is linked to the Upper Gade Valley (LCA 8). Together these three areas form an important tract of open countryside which separates the urban areas of St Albans, Hemel Hempstead, and Kings Langley. The area to the west of Chiswell Green is in the northern part of the St Stephen Plateau, which is highlighted in the assessment for its expanses of woodland and wooded farmland. These characteristics are also found in the adjacent Bedmond Plateau. In the view of KCG, the continued protection of this tract of countryside, particularly between Chiswell Green and Bedmond, is of paramount importance. Thus, the site contributes strongly to the spatial aspect of openness in terms of the NPPG - it is more than a perception.
46. To support their arguments, the applicant notes that urban fringe activities are already present on the site of the former Butterfly World. In their Green Belt Review Sites and Boundaries Study 2014, one of the main reasons that SKM believed that the site was suitable for removal from the Green Belt was because of the presence of the Butterfly World. Further to the demise of Butterfly World in 2015, the Council has had a clear obligation to enforce the conditions on the original planning application to return the site to appropriate Green Belt uses. To date, the Council has failed to take effective enforcement action. The many illegal heavy industrial

activities on that site, and at Rose Farm, in breach of planning conditions, clearly show the latent potential for inappropriate development in the rural area to the west. Development on the application site would clearly extend the urban fringe influence further into this critical tract of countryside and set a precedent for further development.

47. The NPPF, at paragraph 174, requires that planning decisions should seek to conserve and enhance the natural environment by “recognising the intrinsic character and beauty of the countryside”. KCG offers aerial video footage to demonstrate the intrinsic character and beauty of the application site and its position within the wider parcel of Green Belt. This can be viewed on YouTube at: <https://www.youtube.com/watch?v=pE9OSVt8UJw>

### **Land as an essential natural asset**

48. Additionally, the five purposes of the Green Belt do not recognise the value of the Green Belt as a critical natural asset. The November 2018 Land Use Report by the Committee on Climate Change highlights that land provides us with clean water, food and timber, it naturally sequesters and stores carbon, and is the natural regulation for hazards such as flooding. It is therefore an essential resource to mitigate climate change. However, this report also highlights that social, economic and environmental pressures present significant risks to the services provided by the land and that these essential functions will not be maintained for future generations if land is not managed more effectively in this century.
49. Additionally, the Green Belt serves as an essential environment for the ecosystems which underpin all human life and activities. The benefits provided to humans by ecosystems have been recognised for decades, but equally recognised is the fact that human activities are destroying biodiversity and altering the capacity of previously healthy ecosystems to deliver the benefits of the provision of water, timber, air purification, soil formation and pollination, as well as the basis for the entire functioning of the food chain.
50. During the Covid pandemic, the value of the Green Belt to communities for leisure, sport, family activities and physical and mental health became very apparent, with many more people now continuing to enjoy the opportunities offered by the Green Belt. Additionally, the Green Belt continues to offer its traditional benefits to the community of green and open space for recreation, community activities such as Scouting, cycling and running, and locations for walking and enjoying nature which is of benefit to physical and mental health. The lanes around the application site are

also part of the nationally-known Annual St Albans Half Marathon, and form the back-drop for a wider audience to enjoy the beauty of the Hertfordshire countryside.

51. The application site offers opportunities in all of these value areas; the applicant's own soil assessment demonstrates that 7ha (50% of the site) are classed as ALC subgrade 3a (good quality agricultural land) with a further 5.5ha at subgrade 3b (moderate quality agricultural land), all of which is already suitable for crop production and could easily be improved for wider usage and better yields. In order to reduce food miles, and at a time when would-be farmers are finding it very difficult to find farms to occupy, the application site could easily be used for food production. The application site was itself used for hay production until recently as evidenced by the photograph below from a house that borders the application site.



52. The application site serves a critical purpose in mitigating the risks of flooding to the village of Chiswell Green. There is significant surface water flooding in the lanes west of the application site and examination of aerial views demonstrates to experts that ponds, hedgerows and trees have been removed from the site in the past, reducing the natural water uptake from the land. The residual land is therefore critical. The natural direction of run-off is south east, with some of the fields in the application site being regularly waterlogged, but serving a purpose in preventing the adjoining homes in Rosedene End from becoming flooded (KCG notes that the existence of Rosedene End is totally absent from reference or inclusion in the planning application in question). If the application site were to become hard landscaping, properties in particular in Rosedene End, but also in roads along the

north/south rural boundary edge would suffer an increased risk of flooding, subsidence or garden slip as a result.

53. The Flood Risk Assessment for the site is noted, but residents have expressed concerns about potential increases in surface water flooding which do not appear to have been taken into account. Chiswell Green Lane and the lanes to the west of the application site already experience significant flooding in times of heavy rainfall. With the development of almost 15 hectares of land, and therefore an increase in the coverage of hard surfaces, these incidents are expected to increase.
54. Furthermore, the removal of the application site from the Green Belt will lead to an increased amount of water that will have to feed into local waste water systems. This water will be run-off from hard landscaping and roads and will therefore be contaminated with particles of poly-aromatic hydrocarbons, metals such as copper and zinc, and microplastics, which is contaminating the UK's fresh water rivers and decimating aquatic life and ecosystems, including the internationally protected local chalk stream, the River Ver (*information from Jo Bradley of charity Stormwater Shepherds*).
55. Separately, as has been recently reported by the Ver Valley Society, raw sewage was spilled into the headwaters of the River Ver for 2,642 hours in 2021, or over 100 continuous days, due to the inability of the current waste water systems to cope with the existing demands of the local population. The cost and work involved in improving this situation means that it is unlikely to improve for many years to come. The additional demands that would be placed on this system as a result of the removal of the application site from the Green Belt and the additional needs of an estimated 1,010 new residents will only exacerbate an existing ecological disaster.
56. In addition, KCG asserts that the ecology of the application site has been grossly under-estimated by the applicant. Local inhabitants have, for years, appreciated the presence of insects, birds, animals and plants evident on the application site. The site is home to relatively common animals such as muntjac deer, foxes and hedgehogs, but also to protected species such as badgers which are seen regularly in certain back gardens along the rural boundary edge and sadly as victims of collisions with vehicles in the country lanes near the southern edge of the application site. Red Kites, entirely extinct in England and Scotland from around 1870, are now slowly returning to southern England and can be seen daily at the application site, along with many other varieties of bird. The Firecrest, thought to number only 550 breeding pairs in the UK, has also been seen on the application site. Despite the closure of the Butterfly World, the rare "small blue" butterfly can still be evidenced in the fields around the application site. Multiple varieties of bat forage in these fields and nest in the buildings nearby, and can be seen in number in the evenings.

There are bees, whose hives are on the edge of the application site, which provide award-winning raw honey, and barn owls are expected to be present on the application site due to the presence of farm buildings and mature trees. All colour photos were taken by local resident Michelle Becker from gardens on the rural boundary edge. The badger photo is from a video by Paul Leguix of Hammers Gate.



57. KCG highlights that the applicant has failed to provide satisfactory survey evidence to document the presence of species in habitation on the application site (for example, Breeding Bird Survey, dedicated Barn Owl Survey, Bat Emergence Survey). The Preliminary Ecological Impact Appraisal of September 2021 is of limited value, as it is based mainly on desk-top assessments, with no accompanying site visits. KCG further highlights that some of the surveys that were conducted have failed to conform to expected standards; the Ecological Assessment of February 2022 was based on some site data, but of a limited scope, because it was completed too soon for the Spring, which is the recognised season for most surveys, and it has clearly

failed to recognise the presence of many significant species. A Reptile Survey was undertaken, but it is understood that the grass was mown on the survey site during the time the survey work was taking place; thus rendering the results useless. In addition, a survey of barn owls was not made in time, although residents have noted the presence of the species in the area. A full and proper independent ecological assessment of the site is essential.

58. With these failings in the ecological survey data, it is impossible for the applicant to make an accurate assessment of existing biodiversity and thereby to make any claim of net biodiversity gain. This perspective is substantiated by The Herts and Middlesex Wildlife Trust in their comment on this application.
59. Similarly, the Arboricultural Impact Assessment contains a number of errors and contradictions. It would appear that the applicant has under-estimated the numbers and the extent of Tree Preservation Orders (TPOs) in and around the site. On one appendix, it is stated that there are no TPOs except for the woodland packet at the centre of the site. On another, there is recognition of the group of poplars at the southern entrance to the site – this is not acknowledged elsewhere. The outline plans seem to involve the net loss of too many trees, and KCG points again to the importance of the whole ecosystem, including the continued presence of dead and dying trees which still contribute to the survival of the ecosystem.
60. To summarise, KCG believes that the applicant, in their support documents undervalues the contribution of the site to the functions of the Green Belt. The assessment is heavily reliant on the conclusions of the SKM Green Belt Reviews of 2013 and 2014. As outlined above, these assessments have never been subject to public scrutiny as part of the local plan examination. Thus, KCG has not been able to challenge the reviews of the assessment parcel, now the application site. In the determination of other recent Green Belt planning applications, the Council's use of the SKM documents has been questioned. As a result, the Council has rightly given them very little weight.
61. For the reasons stated above, KCG believes that the application site does make a substantial contribution to the functions of the Green Belt and its aims of preventing urban sprawl and keeping land permanently open, as well as as a natural asset. Once developed, this part of the Green Belt would be lost for all time. It should not be sacrificed.

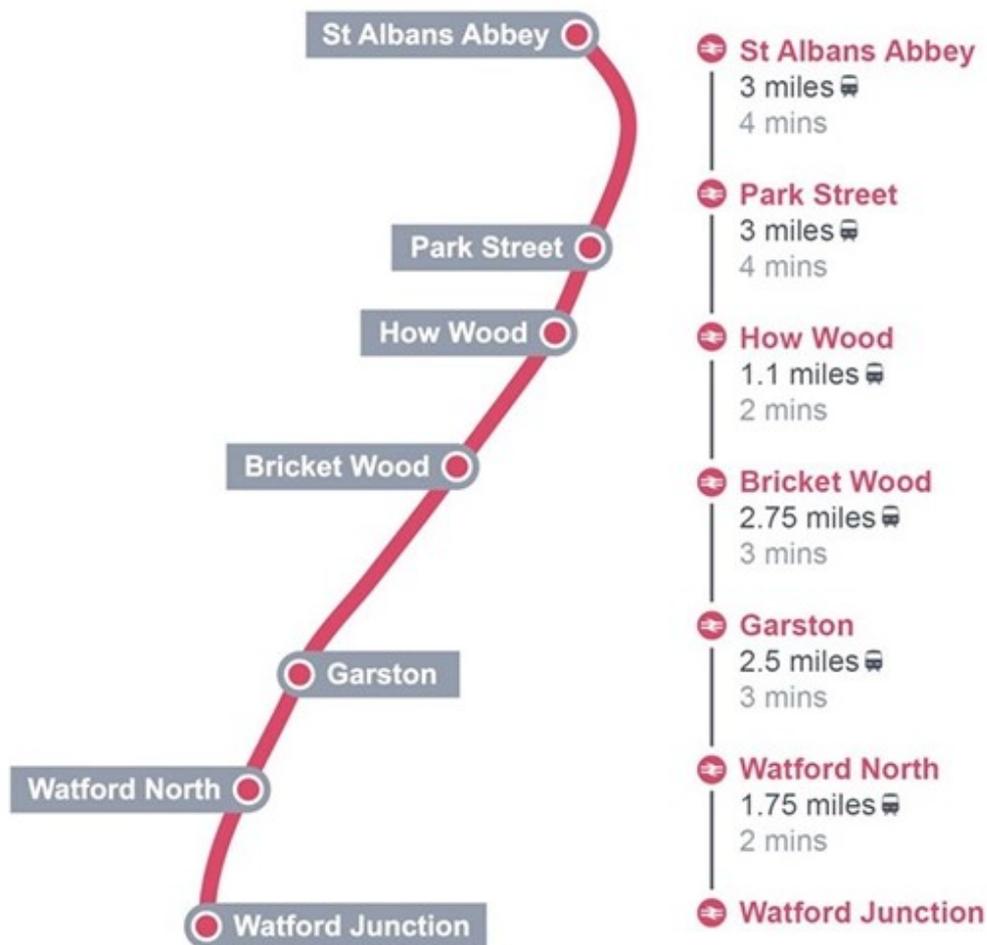
## **Transport**

62. It is recognised by the applicant that the proposed development would have an impact on the transport system and the patterns of travel in and around Chiswell Green. The potential effects are set out in the Transport Assessment, prepared for the applicant by Glanville. Based on detailed surveys and studies of traffic, the assessment describes how the development could be made acceptable in transport terms. To reduce the potential effects, the Master Plan shows how the proposed development has been split into two distinct parcels – to the north and the south – with no vehicular connection between the two. Despite the conclusions of the Transport Assessment and the accompanying travel plans, KCG has considerable concerns about the possible impact of the development on traffic volumes and highways capacity.
63. It is noted that the base-line traffic surveys, which are used in the projections of future traffic flows, were carried on one day, the 16<sup>th</sup> January 2016. In view of the six-year time gap, it is suggested that much of this data may not now be appropriate. Following the two years of the Covid pandemic, it is apparent that the surveys cannot be relied upon, and they should be updated to reflect changing conditions.
64. Nevertheless, it is noted that the surveys were conducted at six junction locations, three on the Watford Road and three on the A405 North Orbital Road. Forecasts of traffic flows for 2027 were produced for each of the locations and summarised in Table 15 of the assessment report. Not surprisingly, small forecast increases of traffic of less than 5% were predicted at the A405 junctions. Rises of more than 5% were shown on the Watford Road survey points, with the largest increase at the Watford Road/Chiswell Green Lane, Tippendell Lane double roundabout junction. Further analysis (see Table 20) showed that the capacity of that junction would be exceeded. It should also be borne in mind that the Watford Road through Chiswell Green is already the most congested B-road in Hertfordshire (*Hertfordshire Transport Planning and Data Team – Hertfordshire Traffic and Transport Data Report 2019 p26 Fig 3.2.1*).
65. The results of the assessment reflect the concerns of KCG and local residents about the increases in traffic at this busy junction, which is at the centre of the village. Close to the junction are a number of shops, on both sides of the road, and the Three Hammers public house. On the west side, there is the Co-Op supermarket, which is accessed from Chiswell Green Lane; the entrance is currently very dangerous as there is only space for one car to enter or exit at a time and no visibility splays, resulting in this being a blind entrance and exit for vehicular users. This entrance is also used by large delivery vehicles to the Co-Op and to the Three Hammers pub,

which exacerbates the problems of congestion and road safety both on Chiswell Green Lane and on the Watford Road. Although there is some other off-street car parking, there is acute competition for the few on-street spaces near to the shops, in particular serving the chemist which is greatly valued by the village's more elderly inhabitants.

66. According to the assessment report, the consultants had discussions with HCC Highways about improvements to the double mini-roundabout junction capacity but were informed that the highway authority would prefer sustainable transport measures so as to change the modal split. It was estimated by the consultants that the car share could be reduced from 66% to 50%. Forecasts of cycle use are over-optimistic, given the congested state of the local road network and the lack of dedicated cycle ways. Although KCG supports the policy of reducing car usage, the measures depend very much on changes in travel habits, which are unlikely in Hertfordshire, which has one of the highest levels of car ownership in the UK.
67. The applicant has suggested that further reductions in car ownership could be achieved by encouraging the use of public transport. However, it appears that the applicant has not received a confirmed commitment from local bus operator, Arriva, to divert its 321 route through the proposed development which would render the nearest bus stop excessively far from the development to encourage its usage. In the opinion of KCG, the difficulties for a bus to negotiate the turnings at the junction of Watford Road and Chiswell Green Lane are sufficient for Arriva to decline to effect this diversion.
68. Furthermore, the applicant suggests that How Wood and Park Street Stations are within convenient walking distance, making the stations suitable for commuters. However, both of these are unmanned stations, with no car park or bicycle storage facilities. More pertinently, these stations form part of a limited single-track line that runs an irregular timetable only from St Albans Abbey Station to Watford Junction, taking 18 minutes in total. Anyone wishing to travel to the Abbey Station or into St Albans by public transport would use the bus in preference for speed and convenience. Anyone wishing to go to London is more likely to want to go to St Albans City Station from which fast trains arrive at Kings Cross/St Pancras in approximately 20 minutes. Additionally, walking to these stations is dangerous as the route from Chiswell Green to How Wood and to Park Street requires pedestrians to cross the A405 dual carriageway. Usage of the stations at How Wood or Park Street is therefore highly unlikely, and travel via St Albans City Station promotes car usage as this is the fastest and most effective way to reach the City Station.

## Abbey Line Map



69. KCG highlights the proximity of the village of Chiswell Green and the proposed development to major arterial routes, namely M25, M1, A414 and A1. This location therefore provides perfect access to these routes and substantially increases the probability that the proposed development would appeal to those who travel to or for work by road. For this reason too, KCG asserts that the applicant's aspirations of reduced car ownership are unrealistic.



70. Detailed plans are supplied by the applicant of car parking and access arrangements at each of the three access points. KCG has concerns about each of these plans. On the Watford Road, between the Noke and the Three Hammers junction, there are some existing traffic lanes in the carriageway to facilitate right-turns into side roads. At the Forge End junction, however, the Watford Road carriageway is not wide enough for the provision of a right-turn lane. Cars waiting to turn right into Forge End frequently cause traffic queues, especially at weekday peak hours. This is the existing situation with around 100 vehicles using this right-turn lane. The effects of an additional 500 vehicles from the proposed new development attempting to turn right would be very much worse.



71. Vehicles entering Forge End are often at risk of a head-on collision with vehicles attempting to exit and having to “overtake” cars parked on the left hand side. With approximately 100 cars currently using Forge End, near misses occur frequently. With approximately 600 vehicles using Forge End, the increased incidence rate is highly likely to result in actual collisions. While imposing double yellow lines on both side of the entrance to Forge End would serve to mitigate this risk, KCG is extremely concerned at the reduction in parking opportunities that would result in a residential road which already has a very high incidence of on-street parking.



72. With approximately 100 cars currently using Forge End, there are often one or two cars waiting to exit from Forge End, rising during peak hours, as the flow of traffic northbound along the Watford Road is fairly constant. However, the addition of a further 500 vehicles trying to exit onto the Watford Road at peak times will result in significant queues and difficulty trying to exit. Furthermore, the additional traffic exiting from Forge End onto the Watford Road will cause problems for residents of Rosedene End (a road not recognised in the application) and Hammers Gate, as the addition of up to 500 vehicles exiting onto the Watford Road just before their junctions will potentially double the number of cars using this stretch.

73. The main southern access, between Nos. 12 and 16 Forge End, is likely to be the focus of traffic conflict. KCG highlights that Forge End was built as a quiet, residential T-junction road with bends and curves designed to protect the privacy of occupants, but also as a natural mechanism to slow traffic in this residential road. However, combined with the limited width of the road, there are a number of ‘blind’ bends which cause many ‘near misses’, in particular between vehicles exiting from the northern cul-de-sac and those exiting from the southern cul-de-sac at the same time. Increasing the volume of traffic using this road from 100 to 600 will most certainly increase the likelihood of collisions.



74. With regards to the limits on car parking and garaging within the proposed development and the delays encountered in exiting the area, KCG believes that cars from the development will tend to park in Forge End and Long Fallow. This will be of major concern to existing residents of Forge End and Long Fallow, who already experience these types of issues with vehicle users parking to car-share or to take public transport to Luton or Heathrow airports. KCG offers the case of the Kings Park development on King Harry Lane by way of example and asserts that the parking allocation for new properties does not reflect actual car ownership, resulting in a dearth of parking capacity on new developments. As a result of the need to exit the southern parcel of the development via Forge End, KCG fears that residents of the new development would elect to park in Forge End and Long Fallow, using the pedestrian access points at the southern end of Forge End and in Long Fallow, to pass from their vehicles to their homes. This would greatly exacerbate the street parking situation, potentially resulting in existing residents being unable to park outside their own homes.

75. In Forge End itself, the existing carriageway is only 5.5 metres wide, but the applicant has provided swept-path analyses to show how traffic flows would not be impeded. Nevertheless, KCG asserts that traffic flows would be severely impeded by the numbers of parked vehicles in the cul-de-sac at all times of the day. Our attached photographs show that, even now, refuse collection and emergency vehicles struggle to pass residents' cars parked on the streets, so residents remove their cars on refuse collection day to facilitate access of the refuse vehicle and to protect their vehicles from accidental damage. Despite these accommodations, the refuse vehicle still has to complete a multi-point turn in the T-junction and reverse into the cul-de-sacs as, despite turning bays, it is unable to turn around further into the road. Residents fear that the only viable method of facilitating access to Forge

End to large numbers of additional vehicles would be the imposition of limits to or a reduction in residents' on-street parking in this quiet, residential cul-de-sac. This would be very unpalatable to the existing residents.



76. Residents are also concerned that the site developers would in future seek to remove the landscape barrier between Forge End and Long Fallow, thus establishing a rat run for vehicles seeking to avoid the Watford Road. This would also remove for residents the useful vehicular turning area at the end of Long Fallow.
77. Residents of Long Fallow highlight the existing volume of traffic that uses the entrance to Long Fallow for all-day or long term parking. This traffic will severely limit the ease of access of emergency vehicles who are planned to access the more southerly part of the proposed development via the pedestrian access in Long Fallow. This proposed access is currently a turning bay for existing road users and its transformation into an access into the proposed development will inconvenience existing road users. Furthermore, the proposed access has a tree planted in the middle of it, making access for emergency vehicles rather challenging.



78. Residents of Long Fallow also highlight that the increased volume of traffic that would be using the Watford Road would increase danger to road users as they try to turn right across the road into Long Fallow. The right-turning lane for access into Long Fallow sits exactly next to a bus stop so vehicles sitting in the turning lane indicating right are assumed by following road users to be overtaking the stopped bus and are in danger of being hit from behind. The additional volumes of road users in the area that would derive from the proposed development would present an increased risk to vehicular users of Long Fallow.

79. At the northern access points, there would be a considerable increase in traffic using Chiswell Green Lane, where on-street parking restrictions may again be required. To the west, the lane narrows, to between 3.7 and 4.1 metres – but there are no proposals to limit access to the west, which raises concerns about increased rat-running in a network of already dangerous country lanes. The plans merely show how the site entrances, to the housing area and the school, would be engineered. There is no indication on the plan as to how the increases in traffic volumes would be handled at the twin roundabouts to the east (see above).

80. The application proposes to allocate land for the building of a new 2FE primary school. KCG suggests that this is actually a moot point as local evidence demonstrates that Chiswell Green has no need of a further primary school with all existing local primary schools offering spare capacity, some even looking to reduce from two form entry to single form entry. However, KCG suggests that the land currently offered as suitable for a 2FE primary school may become the site of further housing development and that any consideration of this application should explore a scenario in which this portion of land is used for further housing development.
81. Nonetheless, KCG finds that the School Travel Plan seems to be very optimistic about the proportion of car journeys which would be made to and from the site. It is curious that it is located on the northern edge of the development, with no direct road access between the north and the south of the site, from where many pupils will originate. In KCG's view, this will force more traffic onto local roads, including Chiswell Green Lane and Watford Road, via the double mini roundabout; despite all good intentions and opportunities, the reality is that a large number of parents drive their children to school. A survey conducted by the Board of Governors at Margaret Wix Primary School in St Albans in 2014 discovered that parents drove their children to school for a number of reasons, but in a large number of cases, this is either because their children are at different schools and there is insufficient time to walk to both or the distance is unsuitable, or because parents need to continue on to work and do not have time to walk home to collect the car before going to work. These factors are just as relevant today, if not more so. Therefore, opportunities to walk or cycle to a primary school will not produce the desired reduction in car usage, especially as the children from any new development in this location are likely to be attending Killigrew, Prae Wood or How Wood schools.
82. As stated above, KCG is concerned that the Transport Assessment does not give sufficient consideration to the combined effects of the proposed development on the wider area. To the south east, the recently-approved application for development on part of the Burston Nurseries site (for 80 care units and 44 bungalows) contains conditions which require changes on the A405 - traffic lights and a Pegasus crossing at the site entrance. It is likely that the consequent delays on the A405 will cause traffic to divert through Chiswell Green, with an impact on Tippendell Lane and Watford Road, where the double-roundabout is already over capacity. This small stretch of dual carriageway sees an average southwest bound volume of 1,344 vehicles per hour (vph), rising to a peak of 1,768vph. Average northeast bound volumes are fractionally lower at 1,324vph for most of the day. If 10% of this traffic were to decide to avoid the traffic lights and divert via Tippendell Lane and the Watford Road, traffic on these two roads would increase by over 30% at off-peak times to 558vph (potentially 750vph peak) south bound and nearly 30%

at off-peak times to 594vph (896vph peak) northbound (\*Appendix 1 : Excerpts from Chiswell Green Traffic Speed and Volume Records, Hertfordshire County Council).

83. The application for a Strategic Rail Freight Terminal at nearby Park Street has Secretary of State approval and is expected to add thousands of additional vehicles to the area every day, often passing along the above cited A405 in order to access the motorway road network. The statistics quoted above do not include any of the additional thousands of vehicles that are expected to result from the operation of the Strategic Rail Freight Terminal.
84. Although heavy goods vehicles (HGVs) are prohibited from using Watford Road, except to access a destination point, this regulation is widely ignored with no, or very little, enforcement, despite local complaints. The inevitable impact of the installation of traffic lights on the A405 at Burston Nurseries and the establishment of the Strategic Rail Freight Terminal will be to increase the use of the Watford Road by HGVs. KCG is greatly concerned by the additional danger this will pose to local residents, especially children, and by the detrimental impact on local air quality and pollution, and on the health of local residents.
85. In summary, KCG is highly sceptical about the proposals for traffic and transport relating to the proposed development. The NPPF, at paragraph 111 states that planning applications should be refused if “there is an unacceptable impact on highway safety and the residual cumulative impact is severe.” The Council should give careful consideration as to whether the impact is severe, particularly in terms of the cumulative effect of the approved development at Burston Nurseries and the proposed development to the north of Chiswell Green Lane (LPA reference 5/2021/3194), which has also yet to be determined. It is significant that HCC Highways objected to that proposal, yet appears to be supportive of the Cala application. This apparent inconsistency is puzzling, as both developments show accesses to Chiswell Green Lane.
86. KCG also wishes to remind the Council that sustainable developments are created where the provision of employment opportunities accompanies the provision of housing so that residents do not require car transport to access their employment. Employment opportunities in the Chiswell Green area are very limited, and although the applicant attempts to suggest that the development would provide employment opportunities, these opportunities are likely to be in the construction industry and provided by large suppliers from outside the area, or in the provision of personal services such as hairdressing, in which the added demand for services spread across the number of existing providers will not produce sufficient increase to warrant the

employment of more staff. KCG therefore finds that the lack of employment opportunities in the immediate vicinity will promote car usage.

### **Facilities and Services**

87. Although the planning application in question seeks to obtain outline planning permission for the specified site, KCG thinks it pertinent to also comment on the availability of existing facilities and services in the area which would be expected to serve the new residents of the proposed development. KCG notes that, at the time of writing, a number of local service providers have not submitted comments in relation to this planning application. However, it can safely be assumed that responses received to planning application 5/2021/3194 St Stephen's Green Farm, Chiswell Green Lane (known locally as "Polo Fields") for 330 new dwellings (approximately 800 new residents) would apply in many cases to the planning application in question.
88. In particular, KCG highlights that the only surgery nearby, Midway Surgery, which also serves residents outside the Chiswell Green area, is operating in a building that is only two thirds of the size necessary for its patient numbers. This impacts the number of doctors, nurses and support staff it can house, and therefore the service it can offer. Local residents experience wait times of 50 minutes daily in the telephone booking system to request an appointment with a medical practitioner for that day. Pre-bookable appointments are only available 14 days forward and these are also booked within minutes of their release. Administration staff admit that the surgery is operating well beyond capacity and is struggling to offer its service. Although there are proposals in the pipeline to enlarge the surgery building, this enlargement is necessary in order to be able to provide the expected service to its existing register of patients. Further enlargement is constrained by the size of the site and the availability of parking, with the current expansion plans already requiring the acquisition of more space in order to make the expansion possible.
89. KCG also highlights that the only dental surgery in Chiswell Green is a specialist dental practice specialising in surgical procedures; it does not offer regular family dentistry. Residents must therefore travel significant distances, usually by car, in order to access dental services. Additionally, the availability of registration for NHS treatment numbers single digits at any time across the whole of the St Albans area, if there is any at all.
90. The East of England Ambulance Service, in response to planning application 5/2021/3194 St Stephen's Green Farm, Chiswell Green Lane, in January 2022, stated that *"EEAST does not have the capacity to meet the additional growth resulting from*

*this development and cumulative development growth in the area*". KCG has to assume that the same response would apply to the planning application in question.

### **Summary and Conclusions**

91. The focus of the application to be determined is the principle of development on the Metropolitan Green Belt and the site access. The applicant asserts that the current inability of the Council to demonstrate how the City and District will satisfy Government-imposed housing targets provides the very special circumstances sufficient to override the legal protection of the Green Belt, and asserts that recent case history supports this postulation. The applicant also asserts that the application site only makes a partial contribution to one of the purposes of the Green Belt.
92. KCG refutes these arguments; the application site sits firmly within the Metropolitan Green Belt and outside of the Built-Up Area Boundary as is verified by the "saved policies" of the St Albans District Local Plan 1994 and the newly made St Stephen Neighbourhood Plan.
93. The applicant claims that work done in formulating previous drafts of the St Albans District Local Plan implies that the application site will be removed from the Green Belt in the next Local Plan and the site should therefore be considered as removed. KCG reminds the Council that the recently withdrawn Local Plan has no legal status, and that all sites proposed for consideration for the next version of the Local Plan have equal status until each has been assessed against strict criteria.
94. With so many English local authorities across the country unable to demonstrate how their local housing targets will be achieved, this situation could be considered to be "the norm". In the Home Counties in particular, a rising ground-swell of public and political opinion in favour of protection of the Green Belt is causing Government to reconsider whether achievement of their housing targets is feasible or even appropriate. Mounting pressure from multiple erudite sources may soon lead to a recalculation of housing targets or to their abandonment at a national level, and to the determination of planning applications against new measures which include climate, biodiversity, beauty, and health and well-being. KCG dismisses references to appeal decisions with regards to other planning applications as immaterial and asserts that to determine this application under current circumstances is premature and inappropriate.
95. In terms of the outline application, KCG strongly believes that no very special circumstances have been demonstrated to justify the release of the Green Belt and

that no areas of Green Belt should be considered for development until all brownfield sites have been utilised. The most appropriate place for considering the required amount of future housing land, and the allocation of sites, is the Local Plan. It is only fair that the debate on the issue should be at the public examination of the Local Plan, chaired by an independent Inspector.

96. Contrary to the views of the applicant, KCG contends that the application site to the South of Chiswell Green Lane emphatically serves all five purposes of the Green Belt as set out in the NPPF. As illustrated by this statement, an essential characteristic of the site is its openness, both visual and spatial. Additionally, it fulfils an essential function as a critical natural asset to mitigate climate change, it provides an environment for the ecosystems which underpin all human life and activities, it serves a vital function in mitigating the risks of flooding, and continues to offer its traditional benefits to the community of green and open space for recreation and community activities.
97. In respect of the natural environment, KCG asserts that the applicant has failed to provide a true and accurate assessment of the range and number of insect, bird and animal species, including some rare and protected species, that inhabit the application site, and its surroundings. Consequently, the applicant has singularly failed to demonstrate that its proposal can compensate fully for the destruction of these wildlife assets. KCG asserts that the applicant's suggestion that the development proposal will result in a net gain of 10% in biodiversity is risible.
98. The application in question seeks permission to access the application site at 5 access points – two at Chiswell Green Lane, one vehicular access and one pedestrian via Forge End, and one pedestrian and emergency access via Long Fallow. KCG contends that none of these access points is suitable or viable for the inevitable and significant volume of traffic that this proposed development would generate, that the applicant's aspirations of reducing car usage will fail due to the lack of suitable public transport and local employment opportunities, and the practical nature of modern life.
99. Additionally, KCG considers that the traffic that would be generated by the proposed development has not been assessed in view of the changes in road lay-out that will result from the approved development at Burston Nurseries, nor the increased vehicular volume that will result from the approved Strategic Rail Freight Terminal. The addition of a significant volume of traffic to an already over-burdened road network will have a substantial and material negative impact on the quality of life, health and therefore happiness of the existing population.

100. Additionally, the imposition of a new population number equivalent to one third of the existing residents will turn Chiswell Green into a town, causing it to lose its village feel and character – the very reason many of the residents live here. The new development will be out of keeping with the rest of the village, which includes a significant number of bungalows, and will be very prominent due to the elevated position of the application site in the topography of the local area. Furthermore, the sudden addition of a large number of new residents has been shown in other locations to create an “us and them” situation which does not aid the integration of the incoming population into their new surroundings.

101. For all the above reasons, KCG considers the application site to be totally inappropriate for development and urges the Council to refuse this application.

102. In conclusion, Keep Chiswell Green respectfully reminds the local planning authority that a decision in favour of the applicant is not just final, but fatal. On behalf of the residents of the village of Chiswell Green, who will have to live with the consequences of an approval to build, KCG appeals to the Council to consider the impact of removing nearly 15 hectares of prime Green Belt – the harm that will be done to air quality, the destruction of nature and the ecosystem, the contribution this will have to climate change. In the words of the CPRE, “countryside, not concrete”. Please Keep Chiswell **Green**.

Jed Griffiths MA DipTP FRTPI

Hertford

23<sup>rd</sup> June 2022

## Chiswell Green Traffic Speed and Volume Records summary from HCC

*Figures quoted are in vehicles per hour over a 16-hour day*

<u>Location</u>	<u>Average/hour</u>	<u>AM peak</u>	<u>Time</u>	<u>PM peak</u>	<u>Time</u>
Watford Rd at Driftwood Ave Northbound	462	583	08:00	724	17:00
Watford Rd at Driftwood Ave Southbound	424	508	09:00	574	17:00
Watford Rd at Stanmount Rd Southbound	455	670	11:00	550	16:00
Watford Rd at Stanmount Rd Northbound	404	561	11:00	601	12:00
A405 Burston Nurseries Northeast bound	1,324	1,436	08:00	1,722	18:00
A405 Burston Nurseries Southwest bound	1,344	1,768	06:00	1,586	15:00
Stanley Avenue Northbound	30	44	08:00	47	16:00
Stanley Avenue Southbound	29	39	11:00	36	16:00