



22/01187/MOA – Land East of Tring - Hybrid application (with access details of two main access points from Bulbourne Road and Station Road in full and the main development on the rest of the site in outline with all matters reserved) for the demolition of all existing buildings on the site and the development of up to 1,400 dwellings (including up to 140 use class C2 dwellings); a new local centre and sports / community hub, primary school, secondary school, and public open spaces including creation of a suitable alternative natural green space.

Chiltern Society Comments

The Chiltern Society is a charitable body with almost 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB) and part of the London Green Belt. Our supporters are passionate about the protection of the Chilterns, which is a special area of landscape within easy travelling distance of several towns and the City of London. Much of the area is classified as both AONB and Green Belt and should receive extensive protection under the national policies in the National Planning Policy Framework (NPPF).

The Chiltern Society strongly objects to the proposed development due to detrimental impacts on the Green Belt and the setting of the Chilterns AONB. The Society has reviewed the planning application, and the Planning Statement and Landscape and Visual Impact Assessment in particular, and has the following comments –

1. House Building is classed as ‘inappropriate development’ in the Green Belt. The Society opposes development in the Green Belt which fails to protect its openness or undermines its 5 purposes. These are: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist safeguarding the countryside from encroachment; to preserve the settling and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land. The proposed development would clearly be inappropriate development in the Green Belt and would be by definition harmful. Given the proposed large scale of the development, the impact would lead to substantial harm, and this would need to be given substantial weight against the development.
2. The land is currently open farmland with very few buildings. The development of 1400 homes would lead to a significant loss of openness in the Green Belt. This would also need to be given substantial weight against the development.
3. The development would be in the immediate setting of the Chilterns AONB to the north, east and south. As well as being detrimental to the AONB in terms of intervisibility, this would also add to the harm to be considered in the planning balance.
4. The proposal would lead to the permanent loss of 121ha of open agricultural land. As well as changing the open character of the land it would make the land unavailable for growing of food. In times of changing farming subsidies, reducing food miles and uncertainties with wheat supply from Ukraine, the loss of this land would be significantly harmful.

5. With nature in decline and significant changes to the climate, now is not the time to be sacrificing large areas of protected open countryside for new development. Government policy on levelling up should be reducing pressure for development in the South East and changes to the planning system are imminent but as yet not set out. This, coupled with the delay in the Local Plan, makes this application premature.
6. A development of this scale would be likely to have a significant harmful impact on the character of the town by increasing the population and the resulting traffic congestion, and losing the direct links between the existing town and the open countryside.
7. The applicant appears to be relying on the draft Local Plan to justify the proposal, and in particular that this was one of the sites considered for a housing allocation. The plan was strongly opposed by the local community and the Council has decided not to proceed with it until further evidence has been gathered and further options considered. This, coupled with the fact that the Plan was at an early stage, mean that the emerging plan should be given little if any weight in determining the application. Decisions should be made based on the adopted Core Strategy and Local Plan. It is therefore an unallocated site in the Green Belt and should be subject to national and local Green Belt policy.
8. We do not agree with the applicant's approach to demonstrating 'very special circumstances' to allow development in the Green Belt. In our view, there needs to be an overwhelming reason why development here would 'clearly outweigh' the substantial harm to the Green Belt and the setting of the AONB. It is not sufficient to simply set out mitigation measures, which would be expected in any case, and add a little bit more. Whilst additional measures such as more Biodiversity Net Gain, more suitable accessible natural greenspace, new schools and leisure facilities can be considered as gains they cannot be considered 'very special' in order to outweigh the significant and substantial harm to a large area of Green Belt.
9. Neither Borough housing targets nor the lack of a 5-year land supply should be considered as substantive reasons for clearly outweighing harm to the openness and permanence of the Green Belt and demonstrating very special circumstances.
10. We also dispute the applicant's assertion that the site should be considered to be 'very special' because it is very large. In fact, the opposite is the case as the cumulative impact of the development proposed would be very significant and extremely harmful.
11. NPPF Para 11 states –

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, 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 proposed⁷; or*

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

Para d) i clearly applies in this case because the areas identified as being of importance are confirmed to include the AONB and Green Belt in footnote 7. The sheer scale of the loss of Green Belt provides a clear reason for refusing the application.

The applicant has also not demonstrated that the development would overcome the requirements of para d) ii as the harm to the Green Belt and the setting of the AONB clearly outweigh the benefits of the scheme.

12. NPPF Para 140 refers to exceptional circumstances in relation to changes in Green Belt. This is not relevant in this case as it relates to changes in Green Belt itself, which can only be changed as part of a Local Plan. In this respect, the land concerned in this application is currently and will remain Green Belt unless reviewed in the new Dacorum Local Plan. Accordingly, the only basis on which this application could be approved is under NPPF 146/7 which requires very special circumstances to be established.
13. We submit however, that this paragraph is not intended to apply to a wholesale redevelopment of this area, the effect of which if approved, would leave no remaining Green Belt protected land and would have the effect therefore of removing this whole area from Green Belt protection whilst still technically remaining Green Belt. Indeed, this proposed development is by definition inappropriate as it does not fall under any of the matters listed in NPPF 149 which only potentially accepts the listed exceptions and anything else is inappropriate. If NPPF 148 is applied here, then how can this development qualify given that it entails a full override of the benefits of the Green Belt; so how can it qualify as very special circumstances?
14. A development on this scale within the Green Belt should only be promoted through the development of a new Local Plan and the demonstration of exceptional circumstances for removing land from the Green Belt. In sensitive locations such as Tring the Council should be rigidly applying a plan-led system and not allowing piecemeal applications for substantial developments.
15. NPPF Para 176 refers to impacts on the setting of the AONB as follows -

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

There is clear intervisibility between the site and the AONB, so the cumulative effect of the development on the setting of the AONB would be significant.

16. We are aware that the Dacorum Landscape Sensitivity Study that accompanied the Emerging Strategy for Growth consultation assessed the site to have Moderate-High landscape susceptibility to change arising from residential and mixed-use development, and to have an overall Moderate-High landscape sensitivity. Given this assessment, the site is not suitable for this size of development and the application should be resisted. The landscape value of Site TRO3 was assessed as *“high representativeness of wider landscape character: views to the Chilterns escarpment, transport corridor including the Grand Union canal, mixed open farmland, urban fringe influences around Tring including a garden centre”*.

17. In the absence of a new Local Plan, the decision should be taken in accordance with the Core Strategy. Core Strategy 2013 made provision for 480 new homes in Tring, including an allocation at West Tring. Tring was identified as an “Area of Limited Opportunity”. In these areas, *“The general approach in these locations will be to support development that enables the population to remain stable, unless a small element of growth is required to support local community needs”*.

The proposed development clearly conflicts with this policy and should be refused.

18. Policy CS1 Distribution of Development includes, *“The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported”*.

This development would certainly not conserve the rural character of the Borough and would not comply with policies on the Green Belt, Rural Area and AONB.

19. Policy CS5 Green Belt includes, *“The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness, and the physical separation of settlements.*

There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted.

Within the Green Belt, small-scale development will be permitted...”

The development would definitely not be small scale and would be contrary to national Green Belt policy as very special circumstances cannot be demonstrated.

20. Policy CS24 Chilterns Area of Outstanding Natural Beauty includes, *“The special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved”*.

The development would harm the setting of the AONB by impacting on view into and out of the AONB.

21. Tring Place Strategy Vision states *“Tring remains a successful compact market town surrounded by farmland and delivering a high quality of life and prosperity for its residents and business community. Its built and natural heritage has been retained and enhanced. Accessibility to services and facilities has been improved, whilst promoting sustainable forms of travel.*

This has been achieved by delivering a greater range of high quality housing to suit long-term local needs that integrates with the character of the town. Small-scale business activity is encouraged and advantage taken of tourist attractions, such as the Zoological Museum, the town’s green hinterland and Tring Reservoirs. Additional social facilities have also been sought for the young and elderly, with improved outdoor leisure facilities”.

Tring would no longer be a compact market town and the farmland surrounding it would be built on. The development would go totally against this adopted vision for Tring.

22. Site Allocations 2006-2031 – The site was not allocated in the last round of sites in 2017, so must be considered as an unallocated greenfield site in the Green Belt.

In conclusion, the Chiltern Society considers the applicant's proposal to represent 'inappropriate development' in the Green Belt and outline planning permission should be refused. We further contend that Very Special Circumstances do not exist for allowing the development.

We strongly object to this proposed development on Green Belt land to the east of Tring. The proposed scheme would result in the loss of open countryside, would go totally against the Council's Vision for Tring, and would adversely affect the local community. The applicant has failed to demonstrate that the benefits of the development clearly outweigh the harm that the development will cause with the loss of open countryside and its adverse impact on local biodiversity and environment.

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