



## **HERTSMERE REVISED CORE STRATEGY EXAMINATION**

### **REPRESENTATIONS BY RRHE LLP (4673)**

#### **MATTER 2 – DISTRIBUTION OF HOUSING AND APPROACH TO THE GREEN BELT**

#### **MATTER 5 – ECONOMIC DEVELOPMENT**

### **1 Introduction**

- 1.1 This Statement comprises the further submissions on behalf of RRHE LLP in respect of both Matters 2 and 5, since the company's submissions on the issues are interrelated. Indeed whilst the material in Section 3 of this Statement is headed "Matter 5", the Inspector may consider the points made are equally relevant to Matter 2.
- 1.2 The Statement also addresses the implications of the NPPF for these issues, pursuant to the Programme Officer's email of 2<sup>nd</sup> April.
- 1.3 The company's representations comprise objections to para 2.36, para 5.7, Policy CS12 and Table 5, and support for Policy CS8. A signed Statement of Common Ground between the parties (Version 5, 28<sup>th</sup> February 2012), has resolved some objections but those in respect of para 5.7 and Policy CS12 remain.
- 1.4 RRHE LLP are the freehold owners of the Holiday Inn Hotel at Borehamwood. It lies immediately to the east of Elstree Way at its junction with the A1. In consequence of its location the building complex shares a strong relationship with the adjoining built up area rather than the countryside beyond. To the north lies the proposed Safeguarded Employment Area.
- 1.5 RRHE LLP supports the designation of the Safeguarded Employment Area. In connection with that designation the company seeks to ensure clarity regarding its removal from the Green Belt, subject to appropriate interim policy. It similarly seeks the removal of the Holiday Inn site from the Green Belt but without the policy restriction of safeguarded land because of its developed state and the fact that it does not fulfil any Green Belt purposes.



## 2 Submissions in respect of Matter 2

2.1 Our submissions relate primarily to Issue 2.6 and arise from the context set out above.

2.2 Para 83 of NPPF, like PPG2 before it, emphasises the importance of permanence as regards the Green Belt. Para 85 retains the policy concept of safeguarded land to assist in the definition of boundaries that will endure, beyond the end of the plan period. It also repeats the intention (formerly PPG2 para 2.12) that safeguarded land is to be excluded from the Green Belt, in the following terms:

*“where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period”* [our underlining]

Indeed, there should be no doubt about this approach since unless safeguarded land is removed from the Green Belt, it will not achieve the aim of avoiding the need for a further review of the Green Belt boundary to enable its release for development.

2.3 The Cranborne Road Safeguarded Employment Area is shown on the current Local Plan Proposals Map as being excluded from the Green Belt and the same status must apply to the additional safeguarded area at Rowley Lane/Elstree Way. We do not consider that the RCS is sufficiently clear as to the position on this matter. Because this is a new proposal the RCS must state explicitly that this is the effect of the safeguarding designation.

2.4 Para 5.7 of the RCS (as proposed to be amended) refers to a review of Green Belt boundaries through a subsequent DPD. The final sentence identifies the two safeguarded employment areas but makes no reference to their status in Green Belt terms. Policy CS12, the relevant policy for this purpose, makes no reference to the Green Belt boundary but only to development control within the Green Belt.

2.5 Para 4.21 (as amended) does deal with the status of safeguarded land. However, apart from the fact that this is in the Employment chapter and not the Green Belt chapter, it uses rather obscure language:

*“In line with national planning policy, the status of safeguarded land, between the urban area and the Green Belt, is required to meet long term development needs beyond the plan period. It is not allocated for development at the present time.”*

It adds that until released *“normal Green Belt policy will apply”* but again does not confirm that the land is in principle removed from the Green Belt by virtue of the RCS designation.

2.4 We note that this issue was raised by the Inspector in her letter to the Council of 29 February 2012 and the Council’s reply of 12<sup>th</sup> March. The latter confirms that exact boundaries are to be identified in a subsequent DPD but this does not address the fact that the RCS needs to state clearly the effect of safeguarded land status, ie that the land is excluded from the Green Belt.

2.5 A further complication arises from the fact that the Employment Site Allocations Report (November 2011 and Addendum February 2012) does identify precise boundaries. Although the reports do not have DPD status and cannot effect the boundary change themselves, they are a clear statement of intent by the Council and could usefully be referred to in the RCS as an indication of what is proposed.

### **3 Submissions in respect of Matter 5**

3.1 Our submissions relate primarily to Issue 5.3.

3.2 RRHE LLP support the designation of additional employment land in the Elstree Way area as set out in our representation of support for Policy CS8. This is based on the importance of stimulating additional economic growth, the role of Borehamwood in the spatial strategy, the strategic location of the land east of Rowley Lane and its location relative to existing employment areas.

3.3 To the extent that our submission relies on the support for economic development in national policy, references to PPS4 are clearly superseded. The NPPF however continues to provide strong support for economic growth, arguably more emphatic than before. The following statements are a clear illustration of this:

- *The Government is committed to securing economic growth in order to create jobs and prosperity... (para 18)*
- *The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth... (para 19)*
- *To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup> century. (para 20).*

3.4 Guidance on plan-making in the NPPF emphasises the need for plans to take a long-term view and be flexible to cater for changing circumstances (cf. para 4.46 of PPS12):

*“Local Plans should plan positively for the development and infrastructure required in the area” and should “be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer-term requirements, and be kept up to date” (para 157).*

3.5 Whilst supporting the allocation of additional employment land at Borehamwood on this basis we have two concerns with the present position in the RCS.

3.6 First, as noted above, para 4.21 of the RCS states that safeguarded land is required to meet development needs beyond the plan period. This denies the flexibility necessary to facilitate earlier release if circumstances dictate. Para 85 of the NPPF states that planning permission for safeguarded land should only be granted following a Local Plan review. However the RCS does not represent a new-style development plan of that sort. Site allocations are to be

addressed through a separate DPD and consequently there is (and needs to be) the potential for release to be facilitated through such a DPD before the end of the present RCS period.

- 3.7 The second concern relates to the Holiday Inn Hotel. This site was omitted from the proposed new employment area in the Employment Site Allocations Report of November 2011 but introduced in the Addendum on the basis – it is assumed - of the representations by RRHE LLP. However, RRHE LLP's submission is that, having established that this area as a whole is suitable for omission from the Green Belt to meet future development needs, it is important for development control purposes to take account of the site specific circumstances of the hotel site. Unlike the remainder of the land it is an already developed site. The Council takes the view that redevelopment would have only a *minimal impact* on the Green Belt<sup>1</sup>.
- 3.8 Given its existing use and previously developed land status, it is unreasonable that any development proposals relating to the hotel site should have to (1) await the next plan period and (2) be judged in the meantime on the basis of Green Belt policy. These are the consequences of para 4.21 as presently drafted.
- 3.9 One of the core planning principles introduced in the NPPF (para 17) is relevant in this regard:

*"planning should.....encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value."*

It is submitted that the application of interim Green Belt policy to the Holiday Inn Hotel site is contrary to this core principle. Whilst detailed development control policy is not necessarily a matter for the RCS, the wording of para 4.21 means that the issue has to be addressed now.

- 3.10 RRHE LLP consider that the hotel site does not serve any of the purposes of the Green Belt (NPPF para 80) and as such its curtilage should be removed from the Green Belt without any adverse impact in these terms.

#### **4. Summary of Proposed Changes**

- 4.1 On this basis, and taking in to account the changes to national policy effected through the NPPF, RRHE LLP confirms its original submissions that the following two changes are required to the RCS to achieve soundness:

1. The following additional words should be added to para. 5.7:

***"The Green Belt boundary will also be redrawn to exclude the Holiday Inn hotel and the area safeguarded for strategic employment purposes between the A1 and Rowley Lane."***

2. An additional policy be added, or an additional paragraph to Policy CS12, to state:

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<sup>1</sup> Employment Site Allocations Report Addendum February 2012, para a.4

***"The Green Belt will remain unchanged from that shown in the Hertsmere Local Plan except around Shenley where the boundary will be redrawn to reflect the recent redevelopment of Shenley Hospital, and at Borehamwood where it will be redrawn to include the curtilage of the Holiday Inn hotel within the defined urban area and to exclude the safeguarded employment land between the A1 and Rowley Way from the Green Belt. The new boundaries resulting from these changes, and any minor changes to existing village envelopes, will be determined through the Site Allocations and Development Management DPD."***

- 4.2 Our submissions in relation to para 2.36 and Table 5 fall away on the basis of the changes agreed by the Council in the Statement of Common Ground.

***David Lander Consultancy Ltd  
April 2012***