

Examination of the St Albans City and District Local Plan - Matter Statement

Our ref 60885/01/MS/ADo
Date 15 April 2025
From Lichfields on behalf of Legal & General

Subject Matter 3 The Green Belt

Context

- 1.1 This Matter Statement should be read alongside Legal & General's ("L&G") representations to the Regulation 19 Consultation of the St Albans Local Plan, **representor ID 351**, specifically representations 351-1, 351-2 and 351-3. Both the Reg 19 representations and this Matter Statement are prepared by Lichfields on behalf of L&G in respect of L&G's site at North West Harpenden ("NWH").
- 1.2 NWH is identified in the Local Plan (LPCD 02.01) ("the plan") as a 'Broad Location' for a minimum of 293 homes, mixed-use residential, green infrastructure, transport infrastructure and other community infrastructure.
- 1.3 In February 2025, St Albans Council issued a resolution to grant permission (subject to S106) an outline application for up to 550 dwellings (including 130 Class C2 integrated retirement homes), affordable housing, early years setting, public open space, allotments and publicly accessible recreation space¹ at NWH (the "NWH Application"). The site to which the application relates is larger than the site currently proposed for allocation in the plan.
- 1.4 Appended to this Matter Statement are the following documents:
- Appendix 1 - Green Belt Assessment prepared by LDA Design (February 2023) which was submitted in support of the NWH Application.
 - Appendix 2 - Committee Report Extracts for the NWH Application (February 2025) – Pages 51 to 69 and pages 141 to 144.
 - Appendix 3 - Grey Belt and Supplement to Green Belt Assessment Briefing Paper (28th January 2025). This paper was submitted to accompany the NWH Application.

¹ Application Ref 5/2023/0327

2.0 Issue 1 – Principle of Green Belt Release

Q1 Has the Council examined fully all other reasonable options for meeting housing needs as required by the Framework?

- 2.1 L&G agrees that the release of Green Belt land is necessary to meet the housing needs of the district and that the approach taken by the Council meets the necessary tests of the Framework. The options which have been examined demonstrate that the pressing housing needs cannot be met without the release of Green Belt land.

Q2 In response to the Inspectors' Initial Questions, the Council refers to the application of buffers around settlements to help determine which sites to allocate. Is this approach justified, effective and consistent with national planning policy?

- 2.2 L&G does not wish to comment on this question.

Q3 Having determined, at a strategic level, that alterations to the Green Belt boundary would be necessary, how did the Council determine the location of Green Belt releases? How does this correlate to the settlement hierarchy and spatial strategy?

- 2.3 L&G agrees with the settlement hierarchy as defined but does not agree that the location of Green Belt releases as proposed reflects this hierarchy. The scale of Green Belt releases in each location should reflect the hierarchy, particularly in relation to the distribution of growth between Tier 1 and Tier 2 settlements, which includes Harpenden. As set out in L&G's Matter Statement 2 (Issue 4) the planned level of growth in Harpenden, as a Tier 2 settlement, equates to just 7% of the total dwellings, whereas Tier 1 settlements equate to 44%. We observe that there is an imbalance in the scale of Green Belt release which does not align with its status as a Tier 2 settlement and the second largest within St Albans District.
- 2.4 It is considered that Harpenden could accommodate increased Green Belt release², based on the settlement hierarchy and taking into account the comments on the Green Belt review set out below.

Q4 In deciding to review the Green Belt boundary, how did the Council consider the provision of safeguarded land? Is the Plan consistent with paragraph 148 of the Framework, which sets out that, where necessary, areas of safeguarded land between the urban area and the Green Belt should be identified to meet longer-term development needs?

- 2.5 L&G consider that this is a question for the Council but clearly long-term need ought to be reflected in the identification of safeguarded land in accordance with paragraph 148.

² For example, by way of an increase in the scale of the proposed allocation at NWH

3.0 Issue 2 – Green Belt Review

Q1 How does the methodology in the 2023 Stage 2 Green Belt Review differ from the earlier studies in 2013 and 2014 referenced above?

3.1 We address this question in combination with our response to Q2 below.

Q2 How were the areas selected for assessment in the Stage 2 Green Belt Review and what are they based on? How do the areas differ from previous assessments of the Green Belt?

3.2 With regard to the NWH allocation, the representations to the Regulation 19 Local Plan consultation and accompanying review of the Stage 2 Green Belt Review 2023, undertaken by LDA (Appendix 1), identified a number of concerns about the assessment methodology, and specifically how it differed from the 2013 and 2014 studies. Specifically, the 2023 review did not appropriately justify the identification of land parcels and these did not take into account relevant physical characteristics, including the ridge line north of Harpenden.

3.3 The 2013 review divides the Green Belt throughout the districts of Dacorum, St Albans and Welwyn into a number of parcels of appropriate size for assessment. The NWH site lies within parcel GB40 but the review identified strategic sub-areas (SA-S5) for further assessment (Figure 1). The 2014 review maintained the same sub-area (S5) but considered this in closer detail.

3.4 In comparison, the 2023 review identified much larger land parcels (‘sub-areas’) for the purposes of its assessment. The area to the North West of Harpenden was divided into three sub-areas (SA-19, SA-20 and SA-21) (Figure 2) which did not directly correlate with the 2013 and 2014 reviews or the NWH application site which had been submitted to the call for sites process prior to the publication of the 2023 review.

Figure 1 – 2013 Review - Strategic Sub-Area SA-S5

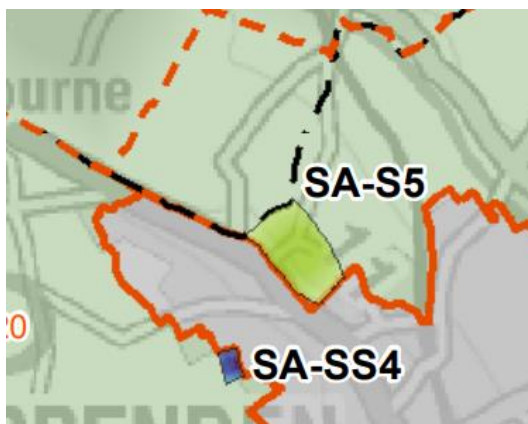


Figure 2 – 2023 Review – Sub Areas for Assessment



3.5 Accordingly, the assessment of the land parcels and how these contribute towards the Green Belt purposes were different across the Green Belt reviews. In the case of the NWH location, the sub-areas were much larger in the 2023 review than the 2013 / 2014 reviews and they did not correlate with the NWH application or the site as submitted to the call for sites. Of note, the full extent of the NWH site had been identified as a draft allocation in

subsequent local plans and the NWH application was submitted in February 2023, so that geographical unit of land must (or at least should) have been apparent to the Council and those preparing the Stage 2 Green Belt Review.

Q3 Is the methodology by which sites have been assessed in the Stage 2 Green Belt Review sufficiently robust and transparent to support the proposed boundary revisions? If not, what approach should have been used and why?

- 3.6 The methodology and site selection which was used within the 2023 review is not sufficiently robust to support the proposed boundary revisions, certainly with regard to NWH.
- 3.7 The methodology adopted with regard to the NWH site is deficient for the following reasons:
- 1 The larger sub-areas have been defined, ignoring the ridgeline separating the Luton Road valley from the River Lee valley, a key topographical feature which has driven the identification of the extent of land within the planning application proposals.
 - 2 The review's failure to assess how the southern part of SA- 20 performs differently from the remainder of the sub-area, and to consider the release of the southernmost part of SA-20 separately from the remainder of the sub-area, notwithstanding that the GBR does consider the release of parts of other sub-areas.
 - 3 Its approach to assessing the contribution of land to Green Belt purpose a) in relation to the unrestricted sprawl of large built-up areas
- 3.8 The consequence of these failings is that, despite the review acknowledging the importance of assessing sites promoted in the Call for Sites and the subsequent emerging Local Plan (see page 23), it has failed to provide a proper assessment of the land at NWH. An approach consistent with the 2013 review which provided an assessment of the specific parcel of land which aligned with the NWH site, previously promoted and the subject of a live planning application, should have been taken.
- 3.9 This is an obvious shortcoming as the approach did not allow the Council to make an informed assessment of potential site allocations which could be identified through the Local Plan review or specific planning applications. As the 2013 / 2014 reviews showed, there is the potential to take a more nuanced and site-specific approach to the assessments through the identification of discrete land parcels.
- 3.10 In addition, the public law principle of consistency³ requires plan-makers to treat situations alike and grapple properly with the reason for any disagreement with an earlier inconsistent approach. The 2023 review does not provide robust or sufficient justification for reaching a different conclusion regarding the site at NWH from those in previous studies.
- 3.11 Since the Regulation 19 consultation, the new NPPF was published in December 2024 which set out the definition of 'grey belt.' Part of this definition was land that does not

³ Considered in a planning context in Mann LJ in North Wiltshire District Council v Secretary of State for the Environment (1993) 65 P & CR 137

strongly contribute to any of Green Belt purposes (a), (b) and (d). The Green Belt reviews concluded that the site did not make a strong contribution towards purposes (b) and (d). The 2013 review does not show the site performing strongly against purpose (a) (preventing sprawl) but, the 2023 review assessment concludes that the site makes a strong contribution to purpose (a).

- 3.12 The 2023 review does not align with the methodology or approach undertaken within the other Green Belt reviews. Critically, purpose (a) is intended to prevent “*unrestricted sprawl of large built up areas*” (emphasis added). ONS classifies ‘large’ as an area with a population range of 75,000-199,999 people⁴. Harpenden has a population of approximately 31,000 residents and is therefore classified by ONS as ‘medium’ and even were the development at NWH said to represent a ‘sprawl’ of Harpenden (which is not accepted) national policy does not regard the ‘sprawl’ of a medium-sized urban area as a purpose of the Green Belt. Nor can it be credibly said that the development of the site would represent a ‘sprawl’ of any large built-up area (as defined by ONS) that is in the wider vicinity of Harpenden (e.g. Luton, Hemel Hempstead or St Albans).
- 3.13 As identified within the Committee Report (para. 8.1.14), the NWH application site comprises only 22% of the land contained within parcels SA-19, SA-20 and SA-21. It goes on to state that a site-specific assessment of the application site is required and provides this assessment based on the physical constraints of the site, the proposed built form and the new woodland park.
- 3.14 Paragraph 8.1.22 of the Committee Report states:
- It is important to recognise that this purpose [purpose (a)] is concerned with ‘unrestricted’ sprawl, which implies that there would be nothing to stop further development resulting in the continued outward incremental spread of the urban area. In this regard, the topographical features and the strategic green infrastructure would help to contain the development and provide a defined new edge to the town, thereby, in the view of officers, reducing the contribution of the land to checking the unrestricted sprawl of the built-up area of Harpenden.*
- 3.15 Paragraph 8.1.23 concludes:
- While it is acknowledged that the land does make a contribution to the purpose of checking the sprawl of a large built-up area, as a matter of planning judgement, it is considered that the land comprising the application site does not ‘strongly’ contribute to this purpose.*
- 3.16 We recognise the committee report has not challenged the Council’s own evidence base treating Harpenden as a large built-up area (an approach with which we disagree for reasons set out in 3.12 above) but in any event, the Committee report demonstrates that the 2023 Stage 2 review is not appropriate in the assessment of potential site allocations and

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<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/townsandcitiescharacteristicsbuiltupareasenglandandwales/census2021>

when the NWH application, which comprised a smaller land parcel, was assessed, the Council reached a different conclusion from that which the Stage 2 Review led to in the Local Plan.

- 3.17 On the basis of the above, there are significance differences between the methodologies adopted in the Green Belt reviews and specifically as they relate to the NWH application site. The approach taken in the 2023 review is not robust and is materially flawed in relation to the definition of a *large built up area* and the identified parcel areas in relation to the physical characteristics of the site and the previous reviews. These problems have infected the Council's plan making when it comes to defining site allocations. The Council's own assessment of the NWH application concluded that the site made no strong contribution to Green Belt purpose (a) when a site-specific assessment is undertaken; this illustrates the obvious shortcomings in the Stage 2 review's approach.
- 3.18 In summary, the methodology within the Stage 2 Green Belt Review is not robust and transparent and does not align with the previous reviews of the Council's site specific assessment of the NWH application site.

Q4 How did the evidence in the Stage 2 Green Belt Review inform decisions about which sites to allocate? and

Q5 Where the evidence recommended that areas were not taken forward for further consideration, how did the Council consider this in the plan-making process?

- 3.19 The outcome of the 2023 review has been used as the basis for the draft allocation at NWH. Due to the way in which the NWH application site was split into two sub-areas (SA-19 and SA-20), the assessment concluded that land within SA-19 was more appropriate for release from Green Belt than land within SA-20. However, as set out above, this was based on a flawed methodology which assesses inappropriately large land parcels which were not reflective of potential site allocations. This is particularly relevant when considered in the context of the previous Green Belt reviews and the physical characteristics of the site.
- 3.20 Despite the 2023 review acknowledging the importance of assessing sites promoted in the Call for Sites and the subsequent emerging Local Plan, it has failed to provide a proper assessment of the land at NWH.
- 3.21 L&G made representations to the Regulation 18 Local Plan which set out these deficiencies in relation to the land parcels within the Green Belt review. However, the subsequent Regulation 19 consultation and examination documents do not provide evidence or explanation as to how these failures have been addressed or translated into site allocations.
- 3.22 It is not therefore clear or appropriately-explained how the Council has considered the draft site allocations in the plan-making process.

Q6 How was the potential for mitigation considered in the Stage 2 Green Belt Review? Was this considered on a consistent basis for all sites?

- 3.23 L&G does not wish to comment on this question.

Q7 Does the evidence consider ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land, as required by paragraph 147 of the Framework?

- 3.24 This is considered a question for the Council, but it is noted that draft Local Plan Policy LG8 Green Belt Compensatory Improvements address this point.

Q8 How has the Council considered ‘washed over’ settlements within the Green Belt? Are any changes proposed and/or necessary based on the evidence presented?

- 3.25 This is considered a question for the Council.

Q9 Aside from sites proposed for development, are any other alterations proposed and/or considered necessary to the existing Green Belt boundary?

- 3.26 In accordance with its representations to the Regulation 19 Consultation of the draft Local Plan, L&G considers that the NWH allocation should be increased in scale so that it reverts back to that proposed in previous draft Local Plans and the recent NWH application which received resolution to grant planning permission in February 2025 (Figure 3).

Figure 3 – Draft B7 North West Harpenden site allocation boundary (left) c.f. site boundary of the NWH application (right)



- 3.27 The 2023 Green Belt review was inconsistent with the preceding reviews and assessed land parcels which were not robust or justified. The land parcels which were assessed were too large and did not reflect the boundary of potential allocations and do not allow the Council to make an appropriate assessment of potential site allocations or planning applications.
- 3.28 The determination of the NWH Application, as set out in the Committee Report and supported by the Council’s positive resolution to grant planning permission, demonstrate that the site is considered suitable for release from the Green Belt. In particular, the Council concluded that the site and proposals would comply with all of the ‘golden rules’ set out within paragraphs 156 and 157 of the NPPF. Accordingly, it is considered that the proposals accord with paragraph 155 of the NPPF and is considered appropriate development in the Green Belt (para. 8.1.42). In addition, and notwithstanding this judgement, the Committee

Report also concluded that the proposals would demonstrate ‘Very Special Circumstances’ (para. 8.20.25) which would support the grant of planning permission.

- 3.29 The Local Plan would not be clearly written and unambiguous, as required by the Framework (para. 16), if it were to ‘wash-over’ Green Belt land which is the subject of a planning permission for a significant housing development. Should for example a new application come forward on the land which benefits from planning permission but is not allocated within the Local Plan for housing development, then it is not clear how the decision maker should react to the proposals.

4.0 Issue 3 – Exceptional Circumstances

Q1 Do exceptional circumstances exist to alter the Green Belt boundary in St Albans and has this been fully evidenced and justified as part of the plan making process?

- 4.1 The significant level of longstanding housing need and affordability considerations, when combined with the significant level of Green Belt constraint, justify the removal of land from the Green Belt.
- 4.2 The Council’s response to the Inspector’s questions sets out that ‘exceptional circumstances’ has been reflected throughout the production of policies within the draft Local Plan and with specific regard to the NWH allocation (Question 12). The Council’s evidence in the Green Belt and Exceptional Circumstances Evidence Paper 2024 (GB 01.01) concisely demonstrates the approach which has been taken.
- 4.3 Specific to the NWH allocation, the site has been extensively consulted on as part of the current Local Plan and review and previous reviews. It was identified for development in the now withdrawn SACDC Draft Local Plan (2020 – 2036) and prior to that in the draft Strategic and Detailed Local Plans, also withdrawn, with its inclusion in the draft Local Plan as a site to help delivery SACDC’s identified unmet housing need supported within the Council’s evidence base (which includes Green Belt Review Report 2023; the Green Belt Review Annex Proforma Report 2023, GB 02.02 to GB 02.03).

L&G also considers there to be exceptional circumstances which support the removal from the Green Belt of the land comprising both the NWH allocation and the extra land within the NWH application. Both will deliver new homes, affordable homes, and substantive public benefits to ensure that the objectives of the Local Plan can be met. The draft plan correctly recognises that it is a sustainable location for development. However, it is not considered that SACDC has established with evidence that there is a ‘strong reason’ (per Para 11 b) i.) that the tipping point for the size of the Green Belt release at NWH lies at the extent of its proposed allocation as opposed to the full site for which the Council has subsequently resolved to grant permission.

Appendix 1 Green Belt Assessment prepared by LDA Design

February 2023

Submitted with the NWH Application



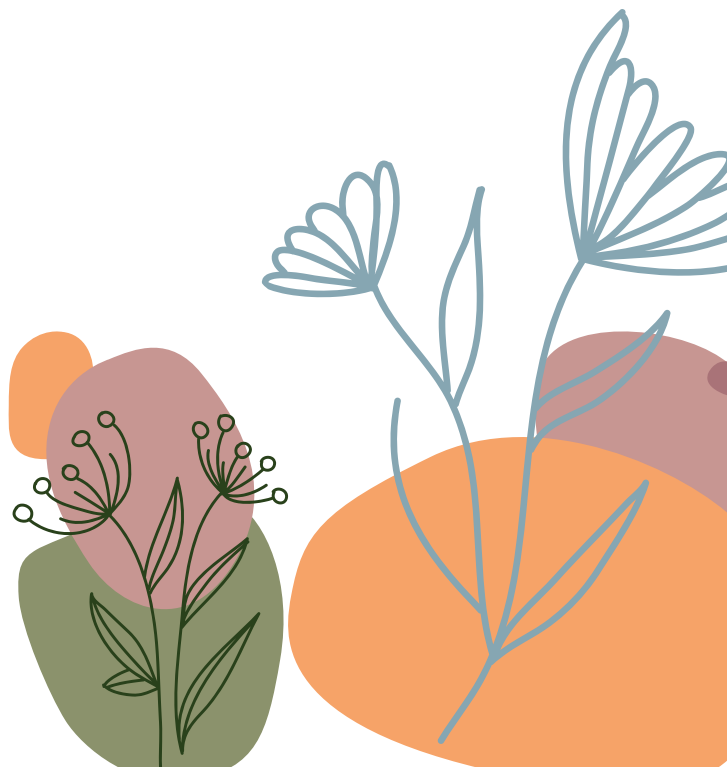
Green Belt Assessment

Land at North West Harpenden

Legal & General (Strategic Land Harpenden)
Limited

February 2023

LD&A DESIGN



North West Harpenden

Green Belt Assessment
February 2023



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Comment Planning issue

This document has been prepared and checked in accordance with ISO 9001:2015.

1.0 Introduction

1.1. Appointment and Scope

LDA Design was commissioned by Legal & General (Strategic Land Harpenden) to undertake a Green Belt Assessment to support an outline planning application up to 550 dwellings and associated infrastructure at North West Harpenden located within Green Belt. The site and its location are illustrated on Figure 2 in Appendix 1. The site is located within St Albans City and District Council (SACDC).

The purpose of this study is to undertake a Green Belt Assessment in order to determine the potential harm to the purposes and openness of the Green Belt by reason of inappropriateness.

2.0 Policy Context

2.1. National Planning Policy Frameworkⁱ

2.1.1. Green Belt Policies

Most of the NPPF policies at paras 4.1.1 and 4.1.2 above relate to Green Belt, which is covered in section 13 of the NPPF.

Paragraph 137 states the fundamental aim and essential characteristics of Green Belt:

"... 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."

Paragraph 138 sets out the purposes of Green Belt:

"Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns 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."*

Paragraphs 147 onwards address development proposals affecting the Green Belt.

Paragraph 147 states:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

Paragraph 148 states:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm arising from the proposal, is clearly outweighed by other considerations."

These paragraphs therefore set the policy test for 'inappropriate' development within the Green Belt. The application of the test in paragraph 148 is addressed by the Planning Statement submitted alongside the planning application.

2.2. St Albans City and District Council (Saved Policies)ⁱⁱ

Policy 1 states:

"Within the Green Belt, except for development in Green Belt settlements referred to in Policy 2 or in very special circumstances, permission will not be given for development for purposes other than that required for:

- a) mineral extraction;*

- b) agriculture;
- c) small scale facilities for participatory sport and recreation;
- d) other uses appropriate to a rural area;
- e) conversion of existing buildings to appropriate new uses, where this can be achieved without substantial rebuilding works or harm to the character and appearance of the countryside.

New development within the Green Belt shall integrate with the existing landscape. Siting, design and external appearance are particularly important and additional landscaping will normally be required. Significant harm to the ecological value of the countryside must be avoided."

2.3. Harpenden Neighbourhood Plan ⁱⁱⁱ

Policy SS1 states:

"Planning applications for new development proposals outside the Built up Area Boundary must either:

- *Be an exception to inappropriate development in the Green Belt, or*
- *In the case of what would normally be deemed inappropriate development in the Green Belt, must demonstrate:*
 - *Very special circumstances for development in the Green Belt.*
 - *Why the proposal cannot be located within the Built up Area Boundary of Harpenden."*

2.4. Openness of the Green Belt

Green Belts were introduced to protect the countryside around urban areas from creeping urbanisation; as NPPF ⁱ paragraph 137 says, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness is therefore seen by policy as the means of preventing urban sprawl and, as paragraph 137 also states, it is one of the two essential characteristics of Green Belts (the other being permanence). However, openness is not defined in the NPPF.

Revisions to the online Planning Practice Guidance (PPG) in July 2019 ^{iv} introduced a paragraph headed 'What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?'. It states:

"Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;

The duration of the development, and its irremediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and

The degree of activity likely to be generated, such as traffic generation."

(reference id: 64-001-20190722)

This excerpt from the PPG makes clear that assessing the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. It identifies a number of matters (spatial and visual considerations, duration, irremediability and degree of activity) which may need to be taken into account but makes clear that this is not an exhaustive list.

Whilst the spatial aspect of openness is relevant only within the site where development is to take place, other aspects can be relevant to the wider Green Belt beyond the site boundary. For example, the inclusion of visual aspects when considering impact on openness indicates that openness should be considered not only in terms of the site itself but also in terms of the wider Green Belt. If development takes place on a Green Belt site that has a high level of visual containment, the development may not be visible from the wider Green Belt and consequently may not change the perception of openness within the wider Green Belt beyond the site boundary. On the other hand, a development that is highly visible from the wider Green Belt could affect the perception of openness within the wider Green Belt, thus increasing the harm to openness.

The degree of activity can similarly affect the perception of openness beyond the site boundary by signalling the presence of a development. Duration and irremediability are relevant to considerations of openness, both within the site of a potential development and within the wider Green Belt beyond the site boundary.

2.5. Green Belt Harm

As set out in NPPFⁱ paragraph 147 and 148 the test for ‘*inappropriate development*’ in Green Belt will apply for this proposed development. The test requires potential harm to the Green Belt “*by reason of inappropriateness*” to be considered. Inappropriateness is not defined in the NPPF or elsewhere but its meaning can be discerned from paragraph 150, which states that certain forms of development are “*not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it*”. In relation to the specified forms of development, therefore, the tests as to whether or not they are inappropriate are whether or not they harm the openness of the Green Belt or conflict with Green Belt purposes. Paragraph 149(b) sets the same tests for new buildings for outdoor sport and certain other uses.

It is therefore clear that the considerations to be taken into account in assessing harm to the Green Belt for the purposes of paragraph 148ⁱ are potential loss of openness (discussed in section 2.4 above) and conflict with Green Belt purposes.

Harm to the Green Belt, both in terms of openness and Green Belt purposes, is assessed at Section 5.0.

3.0 Methodology

3.1. Introduction

The purpose of this Green Belt Assessment is to assess the potential harm to the Green Belt by reason of inappropriateness. As noted at section 2.0 above, the considerations to be taken into account in assessing harm to the Green Belt are potential loss of openness and conflict with Green Belt purposes. In assessing potential harm, the methodology set out below is applied.

3.2. Baseline Assessment

3.2.1. The Site and its Context

The first step in the methodology is an appraisal of the site and its context, considering issues such as use, condition, built form, visual considerations, character and the relationship between the site and its surrounding context.

To enable consideration of Green Belt openness and purposes, it is necessary to define the parcel of Green Belt land within which the site lies. The issues raised by Green Belt purposes, such as encroachment on the countryside and merging of settlements, are matters that must be considered at a broad scale. For this reason, it is recognised good practice to assess them in relation to parcels of land of an appropriate size. The role of a specific site can then be considered within the context of the wider parcel. The definition of a suitable Green Belt parcel also assists consideration of the perception of openness within the wider Green Belt beyond the site boundaries.

Drawing on the appraisal of the site and its context, an appropriate parcel of Green Belt land to be used for assessment purposes is therefore identified.

3.2.2. Green Belt Openness

The methodology then assesses the existing openness of the site itself and of the wider Green Belt parcel. The assessment draws on relevant considerations arising from the appraisal of the site and its context. In relation to matters identified in Planning Practice Guidance (PPG)^{iv} (see section 2.4 above), it considers the spatial and visual considerations that apply to the site and the wider Green Belt parcel in its existing state. At this baseline stage, the assessment does not consider duration, irremediability and degree of activity, since these relate directly to the proposed development rather than the existing, undeveloped site.

3.2.3. Green Belt Purposes

The final part of the baseline stage is an assessment of how the Green Belt parcel performs in its current condition and use against the relevant Green Belt purposes defined in NPPFⁱ para 138.

3.3. Assessment of Proposed Development (see section 5.0)

This part of the methodology assesses the extent (if any) to which the proposed development would change the baseline assessments of Green Belt purposes and openness.

3.3.1. Proposed Development

To inform the assessment, aspects of the proposed development that are relevant to Green Belt are identified and described.

3.3.2. Green Belt Openness

The openness of the Green Belt parcel with the application scheme in place is assessed, taking into account the same considerations as used at the baseline stage and the additional matters identified in PPG^{iv} (see para 3.2.2 above). Any changes from the baseline assessment are identified and described. As explained at 3.2.2 above, this is considered both for the site itself and for the wider Green Belt parcel.

3.3.3. Green Belt Purposes

Using the same criteria as at the baseline stage, the extent to which the Green Belt parcel containing the site would perform Green Belt purposes is reassessed with the proposed development in place, enabling any change from the baseline assessment to be identified.

3.3.4. Green Belt Harm

To inform the application of the tests in NPPF^{ref i} paragraphs 148 the degree of potential harm to the Green Belt is set out in terms of both loss of openness and conflict with purposes. The following scale is used for the degree of harm:

Major	Total or major alteration to key elements, features or characteristics relevant to Green Belt openness or purposes, such that post development the baseline will be fundamentally changed.
Moderate	Partial alteration to key elements, features or characteristics relevant to Green Belt openness or purposes, such that post development the baseline will be noticeably changed.
Minor	Minor alteration to key elements, features or characteristics relevant to Green Belt openness or purposes, such that post development the baseline will be largely unchanged despite discernible differences.
Negligible	Very minor alteration to key elements, features or characteristics relevant to Green Belt openness or purposes, such that post development the baseline will be fundamentally unchanged with barely perceptible differences.

4.0 Baseline Green Belt Assessment

4.1. Site Context

The site is located on the north-western edge of the town of Harpenden, approximately 1.5km north-west of the town centre. Harpenden has developed along a dry valley that runs parallel to the River Lee valley located approx 1.5km north (refer to Figure 1 Topography and Viewpoint Location Plan in Appendix 1). This dry valley runs generally in a north-west to south-east direction headed from the Luton Hoo Estate through to Harpenden town centre and Harpenden Common. Along the base of this dry valley runs Luton Road, A1080 connecting Luton to the north with Harpenden. Harpenden has grown up the valley sides either side of the town centre which extends from c. 110m AOD (Above Ordnance Datum) at the base of the valley through to 130m AOD at the top. The majority of the site is located within this dry valley upon on the south-west facing slope immediately adjacent to Luton Road, with existing development of Harpenden rising on the opposite slope. The site is undeveloped albeit with a number of buildings around it including the King's School, Cooters End Farm, Cooters Hill Farm and a collection of agricultural, residential and business uses along Thales End Lane.

Originally, Harpenden developed as a small linear settlement predominately to the north and western edges of Harpenden Common. The settlement was surrounded by farmland and common land with individual farmsteads, such as Cooters End Farm and Thrales End Farm located close to the site, peppering the landscape. Settlement clusters along Luton Road such as those at The Old Bell pub were present at irregular intervals. During the early 20th century Harpenden went through rapid growth, expanding in all directions including up the dry valley sides and crossing the Midland Railway to coalesce with the village of Batford to the east. In the mid to late 20th Century in the context of the site, development continued further north along the dry valley, albeit primarily to the north-east facing slope coalescing with Kinsbourne Green. Bloomfield Road, aligned perpendicular to Luton Road forms an abrupt edge to Harpenden on the south-west facing slope of the dry valley. It is notable that Harpenden extends from Bloomfield Road by approximately 1.5km up to Kinsbourne Green on the north-east facing slope of the valley.

The north western edge of Harpenden comprises of a number of institutions, including The Oval (former National Children's Home and Orphanage), Spire Hospital and The King's School (former Sanatorium) interspersed with associated boundary trees and adjacent woodlands (Ambrose Wood and Westfield Wood). (Refer to Figure 2: Site Location, and Figure 3: Aerial Photograph in Appendix 1). This is in contrast to the residential area of north west Harpenden associated with Bloomfield Road, which has properties backing onto open farmland and suburban development rising up the north east facing slope of the dry valley (associated with Roundwood Lane and Ridgewood Drive). These built areas of Harpenden have an urban influence along the dry valley and the site, which is enhanced by the built form of Spire Hospital and The King's School at the top of the valley, north of the site. Refer to Viewpoint 1 on Figure 6.1 in Appendix 1.

The rural landscape extending from the north-western edge of Harpenden comprises large scale arable fields over the south facing slope of the dry valley before rising onto the plateau between the dry valley and Lea Valley to the north (refer to Figure 3 – Site Aerial

Photograph and Viewpoint 3 on Figure 6.3 in Appendix 1). Field boundaries are mixed with some comprising of continuous hedgerow, whilst others are diminished, or have been removed altogether. Cooters End Farm, located off Cooters End Lane adjacent to the site, along with Thrales End Farm to the north-west and Cooters Hill Farm to the north of the site are characteristic of the area. These are generally quite well enclosed through built form and vegetation and appear a distinct feature within the otherwise open large scale arable landscape.

Views towards north-west Harpenden from the wider landscape are mixed. From within the dry valley, upon which the site and the town are primarily located within, views are to the abrupt urban edge associated with Bloomfield Road along with the rising development of the town upon the north facing slope of the dry valley (viewpoint 1 on Figure 6.1 in Appendix 1). Consequently, views to Harpenden within the valley are strongly influenced by urban character associated with the town. These views continue up onto the southern edge of the plateau where vegetation allows. Views to Harpenden upon the plateau immediately north of the site (viewpoint 3) and within the Lea Valley to the north (viewpoint 6 on Figure 6.6 in Appendix 1), are towards a wooded ridgeline with occasional glimpses to rooftops associated with The King's School and Cooters Hill Farm. Beyond the site, views to the elevated areas of Harpenden are visible along the horizon.

In summary, the site is located upon the slopes of a dry valley that has generally been developed upon as Harpenden has grown. The site is consequently heavily influenced by the presence of built form associated with Harpenden that rises to the south-west and along its south-eastern boundary. The valley topography means that views into the site from the north and northeast are limited which is further impeded by vegetation along the break in slope associated with Ambrose Wood, The King's School and Cooters End Farm. Built elements such as Cooters End Farm, The King's School and Spire hospital set precedents for development around the site.

4.2. Site Description

The site is irregular in shape, although broadly rectangular located parallel to Luton Road measuring approximately 25ha and lies within the Metropolitan Green Belt. The site comprises of one complete arable field and parts of two significantly larger arable fields on the north-western edge of Harpenden as illustrated on Figure 3 – Site aerial photograph in Appendix 1. Cooters End Farm is located outside of the site boundary but is enveloped by the site. The farm includes a number of buildings overlooking a courtyard immediately adjacent of Cooters End Lane. The farmhouse is visible from the site, in particular the southern half of the site.

4.2.1. Topography

The site is located off the base of a dry valley that characterises Harpenden (as outlined at Section 4.1), before rising up the south-west facing valley side extending broadly to the north-east (refer to Viewpoint 2 on Figure 6.2 in Appendix 1). The lowest part of the site is to the southern corner adjacent to Luton Road at approximately 109m AOD with the highest in the north-eastern corner at c. 133m AOD. The dry valley is a relatively intimate valley with a ridge to ridge distance of approximately 1km. Separating the valleys are areas

of broad elevated plateaux that provide long distance views across the valleys, and are themselves visible in views generally forming the perceived horizon. The north-eastern corner of the site partially climbs onto the plateau, which is the flattest area of the site. In general the rest of the site has gradients between 1:15 and 1:20 gradients with steeper sections up to 1:10.

4.2.2. Site Fabric

The site comprises of one complete arable field (Field 1) and parts of two significantly larger arable fields (Fields 2 & 3) on the north-western edge of Harpenden as illustrated on Figure 3 – Site aerial photograph in Appendix 1. Section 4.2.1 describes the topography of the site.

Field 1 is in the south-west of the site bounded by Luton Road to the south-west, gardens of properties along Bloomfield Road to the south-east, Ambrose Lane to the north-east and Cooters End Lane to the north-west. The boundaries of this field are varied with Category B tree groups along Luton Road with associated gappy hedgerow beneath, variety of fence treatments along Bloomfield Road with occasional garden vegetation protruding above, a shallow ditch with associated gappy hedgerow and occasional self-seeded small trees along Ambrose Lane and a small length of hedgerow south of Cooters End Farm along Cooters End Lane. A small copse of trees (Category B) is found in the north-eastern corner of this field, that is covered with a Tree Preservation Order.

Field 2 forming the northern half of the site, to the north west of Cooters End Lane extends up to Dacorum Borough/Central Bedfordshire council authority boundary. However, the field continues up to Thrales End Lane to the north-west, beyond Cooters Hill Farm to the north and generally along Luton Road to the south-west. The field wraps around Cooters End Farm, which is excluded from the site. This field has very little vegetation associated with its boundaries with exposed and open edges associated with Thrales End Lane and much of Cooters End Lane. The exception is around Cooters End Farm that has a mix of native hedgerow and associated hedgerow trees along with tall *Leylandii* hedges around it. The latter is generally found along the north-eastern edges of the farm, that is visible across most of the site and beyond. To the north-west of Cooters End Farm, a hedgerow continues to the north-west up to approximately in line with the authority boundary, creating a feature near the break of slope to the valley providing some enclosure to the site. The district boundary, that also marks the north-west boundary of the site, is currently open and not demarcated. Beyond the site boundary, to the south-west of this field, is a group of trees (Category C) at the junction with Thrales End Lane. This tapers to the edge of the site associated with Luton Road demarcated with a ditch including occasional self-sown small trees towards Cooters End Lane junction.

To the north of Ambrose Lane, the site extends into part of Field 3, a large field that extends up to the Midland Main Line to the north, Westfield Wood to the east and Cooters End Lane to the west. The field wraps around The King's School located off Ambrose Lane, and Cooters Hill Farm off Cooters End Lane, both of which are excluded from the site boundary. In contrast to the field north-west of Cooters End Lane, this field is relatively well enclosed with long stretches of complete hedgerows along Ambrose Lane and Cooters End Lane. Ambrose Wood and Westfield Wood are features to the east of this field, the

former immediately adjacent to the site boundary. King's School premises are generally well enclosed with hedgerows and trees around the perimeter. Occasional field trees that are remnants of historic hedgerows, are located in various locations north of the site.

In summary, the site is generally devoid of landscape features being primarily arable farmland with exception to a group of trees along Ambrose Lane covered with a TPO and a hedgerow that extends north-west from Cooters End Farm. All other features are generally associated with field boundaries, such as Luton Road, Cooters End Lane and Ambrose Lane. The features that are most notable around the site are Ambrose Wood and vegetation associated with The King's School and Cooters End Farm, outside of the site.

4.2.3. Visual Environment of Existing Site

In general, views across the site from south-east to north west are possible south of Cooters End Farm. From the north-west, views are curtailed facing south-east by residential properties backing onto the site associated with Bloomfield Road (refer to Viewpoint 1). Views to this urban edge of Harpenden are relatively abrupt and have an urbanising influence across the majority of the site upon the valley side. Facing north-west, views are towards open countryside associated with the south facing side of the dry valley in the direction of Thrales End Farm. Field boundary vegetation west of Thrales End Farm curtails views further north-west with the exception of woodland visible on the perceived horizon associated with the Luton Hoo Estate.

Facing south within the site, the developed neighbourhood of Harpenden rising on the north-east facing side of the dry valley opposite is visible (refer to Viewpoint 1). This is perceived as a layering of rooftops and tree canopies rising up the valley side towards a wooded skyline. The visibility of this part of Harpenden has an additional urbanising influence across the majority of the site.

Within the site, north of Ambrose Lane and Cooters End Farm, views to the south into the dry valley become obscured by the break in slope to the valley side and instead, views towards the Lea Valley to the north become available (refer to viewpoint 5). Views to the north facing valley side of the Lea Valley are screened by topography associated with the dipslope in the foreground, but the rising ground of the south valley side is visible in the distance. Woodlands upon the plateau north of the Lea valley layer up with field boundary vegetation to create a perceived wooded skyline.

From Luton Road, views facing north are curtailed by rising topography of the dry valley associated with the site along with vegetation associated with Cooters End Farm, King's School and Ambrose Wood, once more creating a perceived wooded skyline (refer to viewpoint 2). The exception to this is to the north-west of the site where vegetation is limited. The rising ground of the site from views to the south is also a key feature, albeit screened and filtered occasionally by vegetation along Luton Road (viewpoint 2).

From outside of the site, the Leylandii hedge north-east of Cooters End Farm, Cooters End Farm chimney gable, trees associated with King's School and Ambrose Wood are key visual features located on higher ground (viewpoint 3 and 6). From views to the north, the vegetation north of the site (i.e. Cooters End Farm, King's School and Ambrose Wood)

merge with Westfield Wood and other field boundary vegetation to create a perceived wooded edge to Harpenden.

It is notable that there are very few public rights of way within or surrounding the site, despite the Chiltern Way long distance footpath passing through the site, waymarked along Luton Road and Cooters End Lane. This means that potential visual receptors are greatly reduced, particularly to the north of the site.

In summary, the dry valley topography located in north west Harpenden limits views into the site from the wider landscape. Vegetation features along the break in slope (Ambrose Wood, The King's School and Cooters End Farm) from views to the north also combine to limit views into and towards the site. Views within the valley towards the site are heavily influenced by the existing urban presence associated with Harpenden. The exposed north-eastern boundary of the site allows views to north-east up to vegetation associated with Thrales End Farm.

4.3. Defining the Land Parcel for Assessment

As explained at section 3.2.1 above, it is necessary to define the parcel of Green Belt land within which the site lies, to enable proper consideration of Green Belt openness and purposes. The Green Belt Review: Purposes Assessment for Dacorum, St Albans and Welwyn Hatfield, November 2013 ^{ref v} divides the Green Belt throughout the districts of Dacorum, St Albans and Welwyn into a number of parcels of appropriate size for assessment. The site and the adjoining rural landscape lie in parcel GB40, which is bounded by the SACDC and Central Bedfordshire boundary to the north, the B651 to the east up to the edge of Wheathampstead, the existing edge of Harpenden to the south and from Kinsbourne Green, south of the Luton Hoo Estate to the west. It covers an area approximately 1,280ha and forms an undulating chalk plateau either side of the River Lea valley. The study concludes that the site and area to the north be included within a strategic sub-area (SA-S5) for further assessment as outlined in Appendix 1.2, Parcel Assessment sheets under 'Next Steps' for GB40 and repeated at para 8.2.6 within the main report:

"the sub-area identified to the north of Harpenden penetrates into the urban area and it displays urban influence. There is strong urban influence as substantial development has taken place along the Luton Road, with adjacent development forming an extended urban edge to Harpenden in the northwest. Therefore, assessed in isolation, it makes a limited or no contribution towards checking sprawl, preventing merging or maintaining local gaps. Existing field patterns and boundary planting produces sense of local landscape enclosure, which creates a valuable part of the countryside, but also provides partially screened from views from the wider countryside and surroundings. A reduction in the size of the strategic parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements."

Within SACDCs Green Belt Review Sites & Boundaries Study, February 2014 ^{ref vi}, S5 is reviewed in closer detail. This broadly triangular sub-area extends from the existing north-western edge of Harpenden to the authority boundary with Central Bedfordshire up to the Midland Main Line.

With reference to Figure E3 within Chapter E (LVIA) of the Environmental Statement accompanying the application, the Zone of Visual Influence (ZVI) of the proposed development crosses the boundaries of GB40 and S5 into Green Belt associated with Central Bedfordshire to the north and northwest. Therefore, for the purpose of this assessment, the land parcel to be assessed will be as illustrated on Figure 5 in Appendix 1, which extends from the existing edge of Harpenden to the south, up to the edge of the Luton Hoo Estate to the north-west, across the Lea Valley through to the edge of the plateau to the north and the B652 to the east.

4.4. Existing Openness of the Green Belt

4.4.1. Spatial

Green Belt Parcel

The parcel is generally comprised of large scale arable fields that flow up and over the chalk valleys with exception to the relatively narrow valley floor of the River Lea, where fields are used primarily for pasture. Woodlands are frequent features in the parcel along the plateau, generally creating a wooded skyline with Harpenden located along the southern edge of the parcel. Scattered within the parcel are a number of farmsteads and hamlets, such as Cooters End Farm, Thrales End Farm and Cooters Hill Farm in close proximity to the site located upon higher ground. To the north of the parcel, East Hyde Park and King's Heath Park are small areas of development located upon higher ground. East Hyde is the exception being located along the valley floor of the River Lea. Sewage works are located immediately north-west of East Hyde. Generally the area comprises of local roads and B-roads, the exception being the A1080 (Luton Road) to the south-west boundary of the parcel. There are limited rights of way in the south of the parcel, whereas there are numerous routes in the northern half. The Chiltern Way is a route that flows through the parcel from south to north.

In summary, the parcel is predominantly an open rural landscape on the edge of Harpenden with some scattered development beyond in the form of farmsteads and hamlets.

Site

As outlined at section 4.2 above, the site comprises of a single arable field and parts of two adjacent arable fields of c. 25 ha. There is no built development or areas of hardstanding currently located within the site. Field boundaries are mixed with some consistent hedgerows and others diminished or removed. The site is heavily influenced by the adjacent urban edge of Harpenden to the south west and south- east within the dry valley landform. Built development associated with Bloomfield Road backs onto the site to the south-east with associated garden boundary treatments. Luton Road to the south-west bounds the site with occasional tree and hedgerow vegetation, along with features associated with a main road approach into a town with lighting, bus stops and utility infrastructure immediately adjacent. The north-eastern boundary of the site is unbounded with land continuing up until Thrales End Lane and its associated hedgerow.

In summary, the site is open, undeveloped agricultural land primarily located within a valley landform that is bounded and characterised by the existing development of Harpenden. The break in slope to the valley is generally bounded by vegetation associated with Ambrose Wood, The King's School and Cooters End Farm creating further enclosure within the valley alongside Harpenden's built form, The north western and north eastern edges of the site have no boundary features.

4.4.2. Visual

Green Belt Parcel

The chalk valleys that cross through the parcel influence visibility through the rise and fall of topography. Within each valley, views are relatively well contained from the adjacent valley, it is only upon the elevated valley slopes or plateaux between each valley that wider views become available. These plateaux are found immediately north of the site and north of the Lea Valley c. 2km north. From within the dry valley, views are generally influenced by the close distance presence of Harpenden. From the Lea valley, views are generally more rural to the north becoming more urbanised to the south as Harpenden encroaches into the valley. However, even from the north, distant views to Harpenden along the horizon are available on more elevated ground meaning that the town is a general feature within the parcel whether more subtle or prominent, with exception to the valley floor of the River Lea in the north of the parcel, which is more influenced by sewage treatment works and East Hyde hamlet.

Vegetation within the parcel also contributes to shaping visibility. This is particularly so along the north-western edge of Harpenden where Ambrose Wood and Westfield Wood, along with field boundary vegetation generally along the break in slope to the dry valley helps to soften and screen views to some edges of the town from the wider parcel to the north and north-east. Vegetation along the valley floor of the Lea Valley limits long distance views along the river. Views across the valley become available as you climb higher up the valley slopes. Field boundary vegetation is relatively limited on the valley slopes and along with large scale fields allow long distance views along the valley slopes, as well as across the valley from certain locations. Woodlands are frequent features along the plateau, particularly north of the Lea Valley which further restrict views north beyond the parcel.

From the plateaux in the parcel, particularly north of the Lea Valley, views towards Luton Airport are available.

In summary, the visual openness of the parcel is affected by its proximity to Harpenden. Both valleys that cross the parcel have a large portion of their views towards Harpenden as development encroaches north-east facing valley slopes. To the north of the parcel, these views decrease in availability and distance, but built form associated with Harpenden is still visible on the skyline, alongside vegetation associated with gardens.

Site

The topography of the site and wider area greatly influences its visual perception within the parcel. The dry valley, within which the majority of the site is located, means that views towards the site from the north and north east are screened by landform as ground levels slope down from the plateau to Luton Road, at the base of the valley. Within the dry valley itself, views towards the site are generally of arable land characterised by the existing development of Harpenden along the south west and south east edges. This is further enhanced with Harpenden rising up the valley slopes, particularly to the south-west opposite the site, seemingly enclosing the site.

To the north-west of the site, there are more open views into the site and along the valley slope through to the existing edge of Harpenden. However, these are generally limited to the southern section of Thrales End Lane between Luton Road and Thrales End Farm.

Views towards the north eastern edges of the site, north of Cooters End Farm and Ambrose Lane, located on higher ground, become available from the more elevated south facing valley slopes of the River Lea. The majority of the site located upon the slope of the dry valley is screened by topography and vegetation associated with Ambrose Lane, The King's School and Cooters End Farm, however the northern eastern edges of the site are visible as a sliver on the distant ridgeline. Views towards the existing built development of Harpenden are visible beyond the site

In summary, the site does not contribute significantly to the perceived openness of the Green Belt parcel due to underlying topography and vegetation and its proximity to Harpenden that rises around the site.

4.5. Green Belt Purposes

Within SACDCs Green Belt Review Purposes Assessment v (GBRPA) (Part 1 2013) only purposes a), b), c) and d) (as outlined at section 2.1.1) are assessed as outlined below:

"The fifth national purpose has been screened out. Assisting urban regeneration, by encouraging the recycling of derelict and other urban land is considered to be more complex to assess than the other four purposes because the relationship between the Green Belt and recycling of urban land is influenced by a range of external factors including local plan policies, brownfield land availability and the land / development market. Due to the fact that the local policy review demonstrates that there is a limited supply of available or unallocated brownfield land in St Albans, Dacorum and Welwyn Hatfield it is considered that the Green Belt as a whole has successfully and uniformly fulfilled this purpose. Therefore all parcels would perform equally well and any attempt to differentiate would be meaningless." (para 5.2.20)

To maintain continuity, this assessment considers the same Green Belt Purposes as GBRPA.

4.5.1. a) to check the unrestricted sprawl of large built-up areas

Within Table 5.1 Definition of Terms for National Purposes, GBRPA v defines 'large built-up areas' in the context of the study as:

"London, Luton & Dunstable and Stevenage, where outward expansion (particularly to the south) was controlled as an original purpose of the Green Belt."

The closest 'large built-up area', as outlined above, to the assessment parcel is Luton at approximately 2.3km to the north west. Stevenage is located approximately 9.5km to the northeast and London is located approximately 18km to the south. The assessment parcel makes no contribution to check the unrestricted sprawl of any of these large built-up areas given that it is located some considerable distance from the existing edge of these areas.

The site, being a relatively small area in the extreme south-western corner of the parcel, makes no contribution to the performance of purpose a).

4.5.2. **b) to prevent neighbouring towns merging into one another**

Within Table 5.1 Definition of Terms for National Purposes, GBRPA v defines 'neighbouring towns' as 1st tier settlements. This includes the following:

- Hemel Hempstead (6.7km, south-west)
- Berkhamsted (14.7km, south-west-west)
- Tring (19.5km, west)
- St Albans (5.8km, south)
- Harpenden (on parcel boundary, south)
- Welwyn Garden City (8.7km, east)
- Hatfield (9.3km, south-east)

The closest 'neighbouring town' to the assessment parcel is Harpenden, which is located immediately south. The next closest 'neighbouring town' is St Albans at nearly 6km south of the assessment parcel. Harpenden is located between the assessment parcel and St Albans therefore the assessment parcel, and the site, make no contribution to preventing these neighbouring towns from merging.

However, taking a broader look to the north, the assessment parcel forms roughly half of the Green Belt land between Luton and Harpenden and much of the parcel, particularly the open agricultural fields, contributes to preventing the merging of the two settlements. Even though Luton is defined under GBRPA as a large built-up area, in the context of the assessment parcel and Harpenden, this is the closest neighbouring settlement approximately 2.3km north-west. Currently there is no intervisibility between the two towns. The sense of arrival to Harpenden is perceived at Kinsbourne Green, which forms the northern most limit of the town, approximately 1.5km north-west of the site.

The site forms a relatively small area in the south-west of the assessment parcel and therefore makes a limited contribution to the performance of purpose b) in preventing Harpenden and Luton merging.

4.5.3. **c) to assist in safeguarding the countryside from encroachment**

All areas outside defined settlement limits are countryside and the extension of a settlement into that countryside represents encroachment. However, encroachment is not a binary issue and there are varying degrees of encroachment upon the countryside.

Built development associated with Harpenden is widely visible within the assessment parcel and has an urbanising influence, which increases towards the south of the parcel. This diminishes the sense of rurality within the agricultural landscape and creates a clear awareness of the proximity of a significant settlement. This amounts to a significant existing encroachment on the rural character of the countryside within the parcel.

This existing significant encroachment upon the countryside is particularly apparent within the site, which is influenced not only by housing that backs onto the site associated with Bloomfield Road, but also existing development of Harpenden opposite the site upon the north-east facing valley side. This underlying dry valley topography further enhances this sense of encroachment within the site.

4.5.4. d) to preserve the setting and special character of historic towns

Within Table 5.1 Definition of Terms for National Purposes, GBRPA^v defines historic towns as a *“settlement or place with historic features identified in local policy or through conservation area or other historic designation(s).”*

Harpenden Conservation Area is located in the south of the assessment parcel. The Conservation Area covers a large proportion of the town and is divided into 17 Identity Areas. Identity Area D – Highfield Oval, is within the Green Belt the edge of Harpenden, west of the Midland Mainline Railway.

D Highfield Oval *“is a formal self-contained development and is a fine example of an early 20th century children’s home built on “garden suburb” lines... set round a landscaped oval green on the edge of open countryside”* (Conservation Area Character Statement for Harpenden ^{vii}, 2008). Refer to Appendix 2 for extracts from Character Statement ^{vii}. Other Identity Areas of the Conservation Area are located within urban areas further into the town, or associated with Harpenden Common to the south of the town. Therefore, only D Highfield Oval has a description and context that could be affected by setting afforded by the Green Belt parcel. The primary concern for effects arising within the parcel would be that the asset continues to be located *‘on the edge of open countryside’*. Given the presence of Ambrose Wood, Spire Hospital and Westfield Wood to the immediate north along with existing built extent of Harpenden east of the Midland Mainline Railway, the only land that contributes to Highfield Oval’s open countryside setting is land immediately north-east, which forms a very small portion of the wider parcel. As such, the parcel only provides a limited contribution to purpose d).

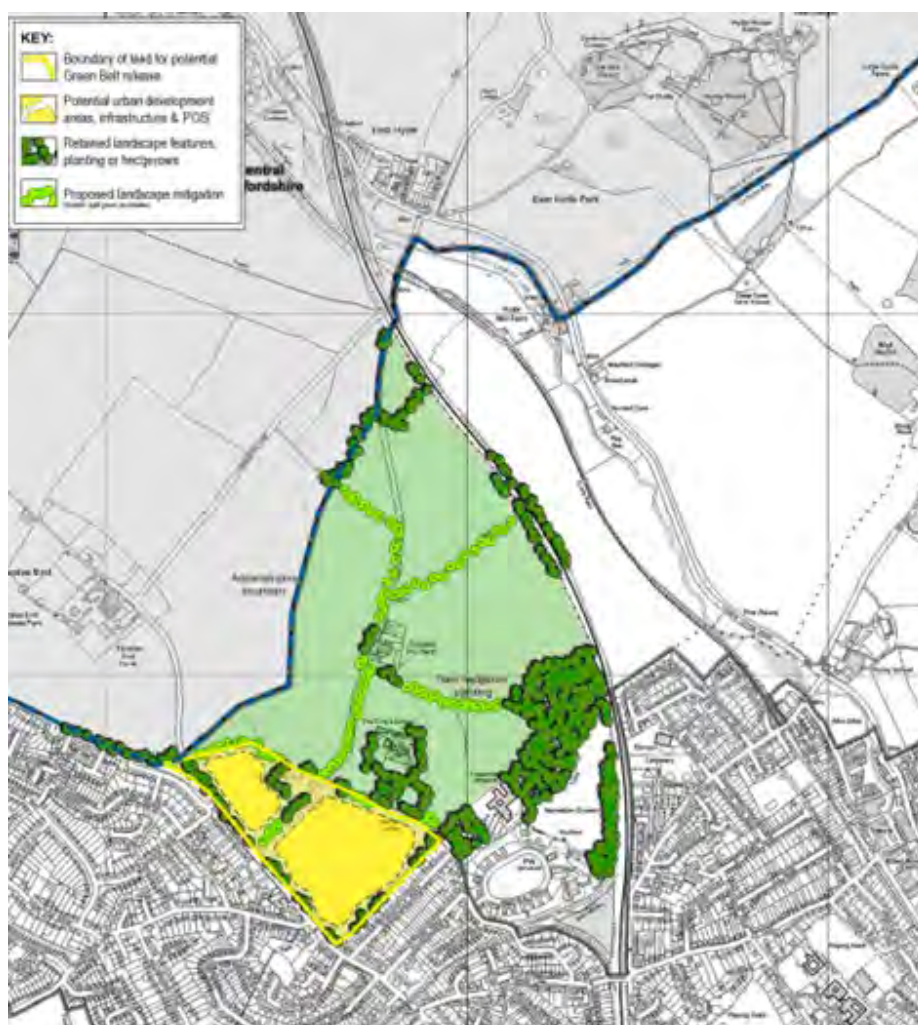
Consequently, given that the site is located beyond the area that contributes towards the setting of Highfield Oval, the site forms no contribution to purpose d).

5.0 Effects on Green Belt

5.1. Proposed Development

The scheme will involve the construction of 550 dwellings comprising of 2 and 2.5 storey houses or 3 storey apartment buildings as illustrated on the Parameter Plans accompanying the planning application. There would be associated internal roads, car parking and landscape areas.

Broadly speaking, built development would remain upon the south-west facing dry valley slope extending broadly from Luton Road to Ambrose Lane before tapering down to Thrales End Lane junction with Luton Road. This approach follows the existing settlement pattern of Harpenden for built form to be located along the slopes of the underlying dry valley. This also matches the recommendations outlined within Green Belt Review Sites and Boundary Study, 2014, for sub-area S5 for potential urban development as illustrated in Figure 7.3 below:



The development proposals also include a significant area of woodland to the north and northwest of the site, along with hedgerow and hedgerow tree planting to the north-eastern edges of the site to: enhance landscape character; to provide a new defensible edge to the Green Belt; and reduce visibility of built form in views from the wider landscape to the north. Land uses beyond the valley slopes are proposed for open spaces, typically appropriate for Green Belt (i.e. allotments, sports fields etc.). This planting and open space uses along the edge of built development will soften views towards and within the development, strengthen visual containment already created by topography and site vegetation and help assimilate the development into the landscape.

The proposed built development associated with the proposed development within the Green Belt will be up to 550 dwellings between two and three storeys in height located within the development area as illustrated on the Land Use and Building Heights parameter plans (8347_004 and 8347_005 respectively accompanying the planning application) which covers approximately 52% of the site located upon the valley slope. This development will include buildings such as dwellings, garages, sheds as well as hard standing for roads, paths, parking areas, driveways and other built infrastructure such as walls, fences, lighting, street furniture, play equipment, signage, utility boxes etc.

5.2. Green Belt Openness

5.2.1. Spatial

As the site has no built elements within it, the proposed development would remove c. 50% of the site (c. 13ha) from the Green Belt with associated building footprint, hard standing/structures (i.e. walls, fences, street furniture, lighting columns etc). Extending across the majority of the site, this would be a fundamental change, representing a substantial loss of openness within the site itself.

In terms of the spatial aspect of openness, there would be no change to the wider Green Belt beyond the site boundary.

5.2.2. Visual

The visual aspect is particularly relevant to the perception of openness within the wider assessment parcel. Visibility of the proposed development from the adjoining Green Belt landscape will be limited by underlying topography to the north and associated existing vegetation around the northern site boundary (see LVIA photographs 9 and 11 respectively) and the additional woodland and tree planting proposed along the north-east, north and north-western boundaries will limit views to the more exposed north-west and further strengthen the screening effect of the northern boundary as it establishes. From locations where the proposed development will to an extent be visible, it will be seen alongside existing development associated with Harpenden west of Luton Road rising up the north-facing valley side. In this context, the introduction of the proposed development will only have a limited diminishment to the perception of openness.

5.2.3. Degree of Activity

In relation to the degree of activity, the appeal scheme may at times be more noticeable than existing movement and noise created by Harpenden immediately adjacent during the construction phase, due to activities such as the movement of plant and materials, features such as stored materials, the occasional use of cranes and construction noise. However, the construction period will be relatively short-lived. Given that NPPF paragraph 137 states that one of the essential characteristics of Green Belts is permanence, greater emphasis should be given to the longer term effects once the development has been completed, than to short term effects during construction.

During the operational phase, there will be increased movements of vehicles and pedestrians within the site and at the site entrance on Luton Road and Cooters End Lane leading to a significant increase in perceived activity. However, from within the adjoining Green Belt land in the wider assessment parcel, there is likely to be a minor increase in the perception of compared with the existing agricultural use immediately adjacent to Harpenden. This is judged based on new residents primarily using routes within the dry valley (i.e. Luton Road) or existing Harpenden (Ambrose Lane) to access the town centre and associated facilities, or towards Luton and the M1. Therefore the main perception of increased activity within the wider parcel would be people using the parcel recreationally for cycling and walking,

5.2.4. Duration and Remediability

The proposed development can be regarded as permanent and not remediable.

5.2.5. Degree of harm

Using the scale of harm set out at section 3.3.4, it is considered that there will be a **Major** loss of openness within the site itself i.e. such that post development the baseline will be fundamentally changed. This harm diminishes rapidly to the north west and north east as either topography screens the proposed development, or as planting mitigation matures over time. As such, harm would reduce from the site up to 800m to the north-west and 300m to the north where there is visibility to **Minor** upon completion, reducing further as planting matures and screens views to built form and associated activity. Beyond this distance, the proposed development would be barely perceptible and therefore **Negligible** scale of harm.

The wider assessment parcel will be largely unchanged by the proposed development despite discernible differences, resulting in a **Minor** degree of harm.

5.3. Green Belt Purposes

5.3.1. a) to check the unrestricted sprawl of large built-up areas

As stated at section 4.5.1 above, it is not considered that the site contributes to this purpose due to the distances involved between the large built-up areas and the site, which does not include Harpenden. Consequently, it is judged that the proposed development will have **no conflict** with this purpose.

5.3.2. b) to prevent neighbouring towns merging into one another

As noted at Section 4.5.2, the site is located on the northern edge of Harpenden that is 2.7km away from the southern edge of Luton. Harpenden already extends c. 1.5km closer to Luton along the A1080 than the northern most point of the site boundary. Consequently, development of the site would not reduce the current minimum distance between Harpenden and Luton, or indeed bring forward the sense of arrival to Harpenden. The proposed development would not introduce intervisibility between the two towns.

Consequently, it is considered that the proposed development will have **no conflict** with this purpose. This conclusion is mirrored within SACDC's GBR Sites and Boundaries Study ^{ref vi}, 2013 at para 7.5.4 stating "*It makes a limited or no contribution towards preventing merging*".

5.3.3. c) to assist in safeguarding the countryside from encroachment

Since the majority of the site lies outside the settlement boundary, the proposed development will by definition cause a degree of encroachment on the countryside. However, in perceptual terms, as described in section 4.5.3, there is already a significant degree of encroachment on the countryside of the wider assessment parcel and particularly within the site.

Given that the increase in encroachment will essentially be limited to the site itself, with mitigation planting, and there will be a slight perception of an increase in encroachment on the wider assessment parcel, it is assessed that the level of harm in relation to purpose c) is **Moderate**, i.e. that with the proposed development in place, the baseline will be noticeably (but not fundamentally) changed.

5.3.4. d) to preserve the setting and special character of historic towns

As set out at Section 4.5.4, there is no intervisibility between the site and the historic setting of Harpenden in relation to its Conservation Area due to topography, vegetation and existing built development. It is therefore considered that there is **no conflict** with this purpose. This is shared by the conclusion of the GBR Sites and Boundaries Study ^{vi}, 2013 at para 7.5.4 stating "*It makes a limited or no contribution towards...preserving setting*".

5.4. Local Plan Evidence Base

SACDC have published two evidence base documents in relation to its review of Green Belt policy prepared in support of the now withdrawn Local Plan as outlined below.

5.4.1. Green Belt Review Purposes Assessment, 2013 ^{ref v}

This assessment was undertaken by SKM (Sinclair Knights Merz), who also undertook the subsequent SACDCs Green Belt Review Sites and Boundaries Study in 2014, which assessed the appeal site and adjoining Green Belt land as parcel GB40. Within this assessment, SKM conclude that two sub-areas (S5 and S6) are identified for further assessment. S5 is the sub-area including the site.

“The first is enclosed land at north Harpenden in the vicinity of Luton Road, Couters End Lane and Ambrose Lane (SA-S5). In light of the functions of the strategic parcel, the sub-area identified to the north of Harpenden penetrates into the urban area and it displays urban influence. There is strong urban influence as substantial development has taken place along the Luton Road, with adjacent development forming an extended urban edge to Harpenden in the northwest. Therefore, assessed in isolation, it makes a limited or no contribution towards checking sprawl, preventing merging or maintaining local gaps. Existing field patterns and boundary planting produces sense of local landscape enclosure, which creates a valuable part of the countryside, but also provides partially screened from views from the wider countryside and surroundings. A reduction in the size of the strategic parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements.”

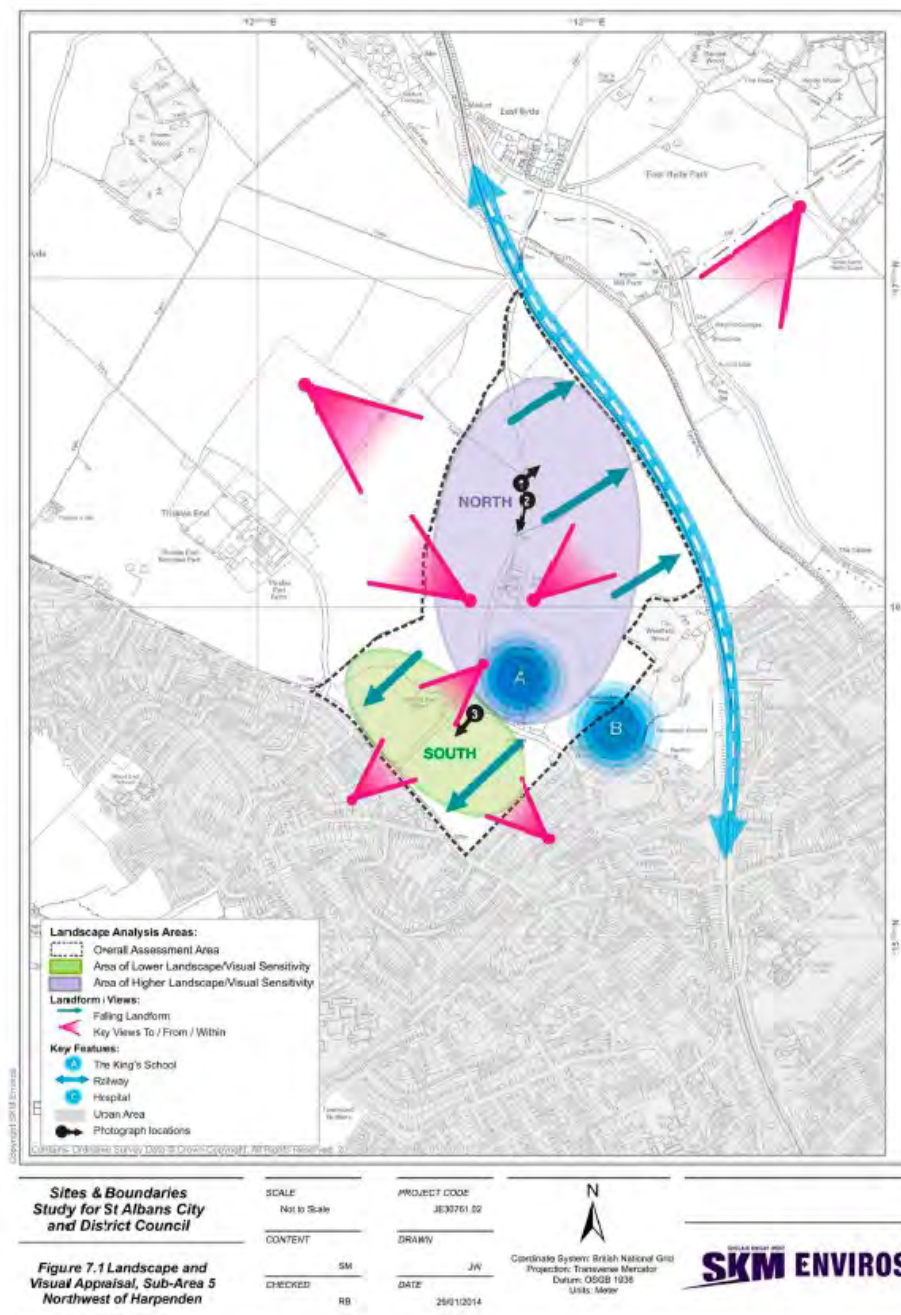
5.4.2. Green Belt Review Sites and Boundaries Study, 2014 ^{vi}

This study undertakes a detailed assessment of each of the eight strategic sub-areas in SACDC identified for further investigation in the Green Belt Review: Purposes Assessment for Decorum, St Albans and Welwyn Hatfield (November 2013). The main objectives of the study are to identify sites for potential release from the Green Belt for future development; estimate capacity for each site; and rank the sites in terms of their suitability for potential Green Belt release.

At section 7.4, the study provides a section on landscape appraisal and sensitivity of the sub area. At para 7.4.14, it concludes that

“The south-western part is of lowest sensitivity as it is more enclosed by the landform and the adjacent urban edges are prominent and locally influence character. The rising ground is a key constraint (and the landscape more sensitive), as any development on elevated areas is likely be very visible over a wide area and there is likely to be limited connection with the existing landscape pattern.”

The key findings of the above are illustrated in Figure 7.1 below:



Subsequently, the study concludes that “the most appropriate land for potential release from Green belt for residential led development is the south-western part of the sub-area” which is illustrated on Figure 7.3 as an area bounded in yellow (provided in this document at section 5.1 above).

5.5. Summary of Green Belt Harm

In summary, the assessment has identified that the proposed development will give rise to the following harm to the Green Belt:

- Openness: **Major** harm within the site itself diminishing rapidly up to 800m in north-west and 300m in north to **Minor** where there is visibility, reducing further as proposed mitigation planting establishes, **Negligible** beyond 800m to north-west and 300m to north; **Minor** harm within the wider Green Belt parcel.
- Purposes: **No conflict** with purpose a), **No conflict** with purpose b), **Moderate** harm arising from conflict with purpose c), **No conflict** with purpose d).

This represents a low level of harm for a residential development of this scale within the Green Belt, which is consistent with SACDCs evidence base document as outlined in Section 5.4 above. This result is due to the proximity of Harpenden to the site; the town's urban influence to current openness within the parcel; and the contained topography of underlying ground within the site and surrounding townscape of Harpenden that limits wider views to the proposed development within Green Belt such that the current perception of openness is broadly maintained, particularly with proposed mitigation planting to the north-west and north boundaries.

Appendix 1. Figures

Figure 1 – Topography Plan and Viewpoint Locations

Figure 2 – Site Location

Figure 3 - Site Aerial Photograph

Figure 4 – Planning Context

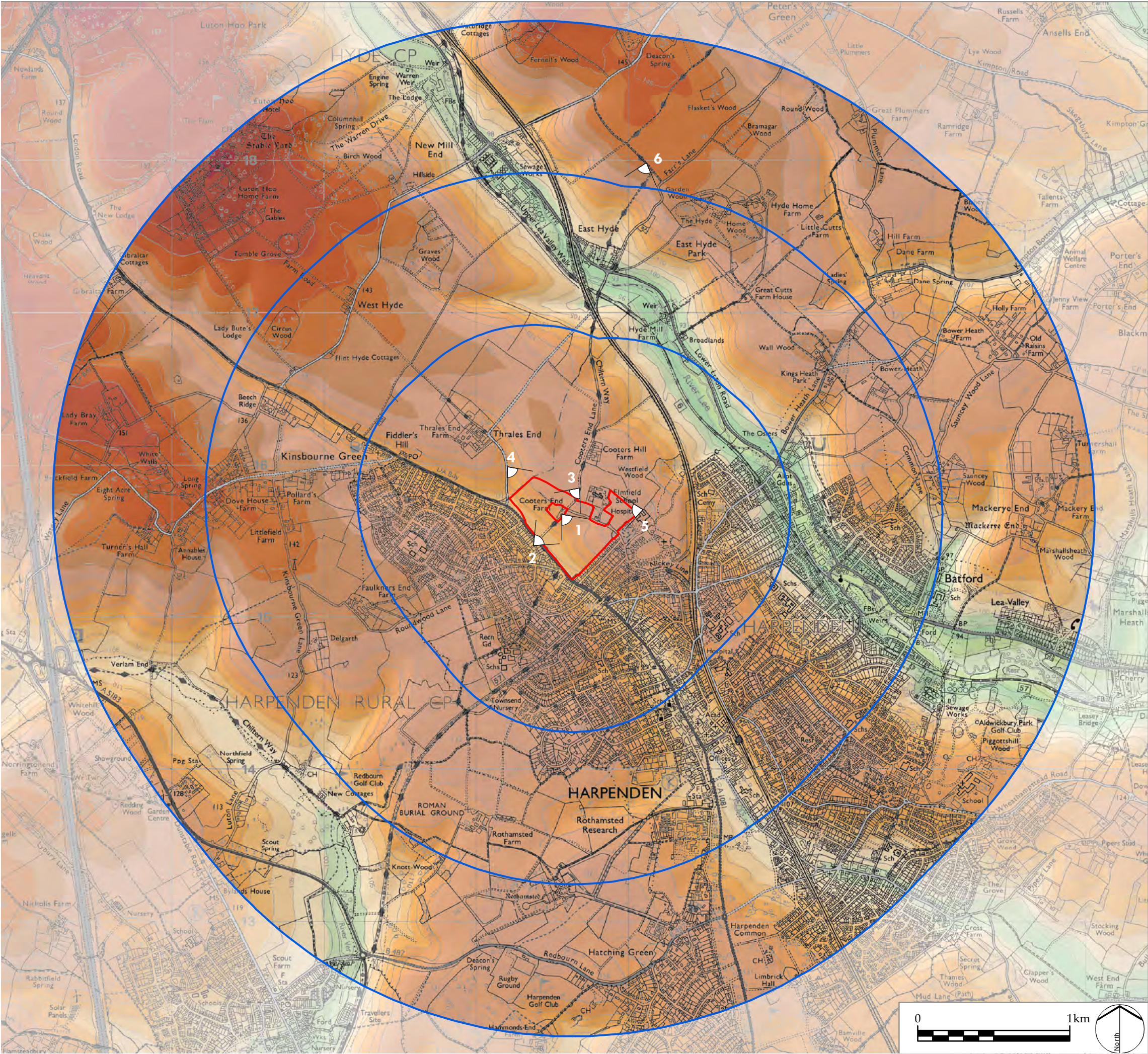
Figure 5 – Green Belt parcel

Figure 6 – Photograph Panels for Viewpoints 1 to 6

**Appendix 2. Conservation Area Character Statement for Harpenden ,
2008 extracts**

Appendix 3. References

-
- ⁱ National Planning Policy Framework, *Ministry of Housing, Communities and Local Government*; 2012
 - ⁱⁱ The District Local Plan Review 1994 Saved and Deleted Policies Version, *SACDC*; 2020
 - ⁱⁱⁱ Harpenden Neighbourhood Plan 2018 – 2033, *Harpenden Town Council*; 2019
 - ^{iv} Planning Practice Guidance on Green Belt, *Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government*, 2019
 - ^v Green Belt Review: Purposes Assessment for Decorum, St Albans and Welwyn Hatfield, *SKM*, 2013
 - ^{vi} Green Belt Review Sites and Boundaries Study for St Albans City and District Council, *SKM*, 2014
 - ^{vii} Conservation Area Character Statement for Harpenden, *SACDC*, 2008



LEGEND

Site boundary

Distance from site boundary (1, 2 and 3km)

Elevation (m AOD)

160 - 165

115 - 120

155 - 160

110 - 115

150 - 155

105 - 110

145 - 150

100 - 105

140 - 145

95 - 100

135 - 140

90 - 95

130 - 135

85 - 90

125 - 130

80 - 85

120 - 125

Viewpoint locations

REV.	DESCRIPTION			APP.	DATE

LDĀDESIGN

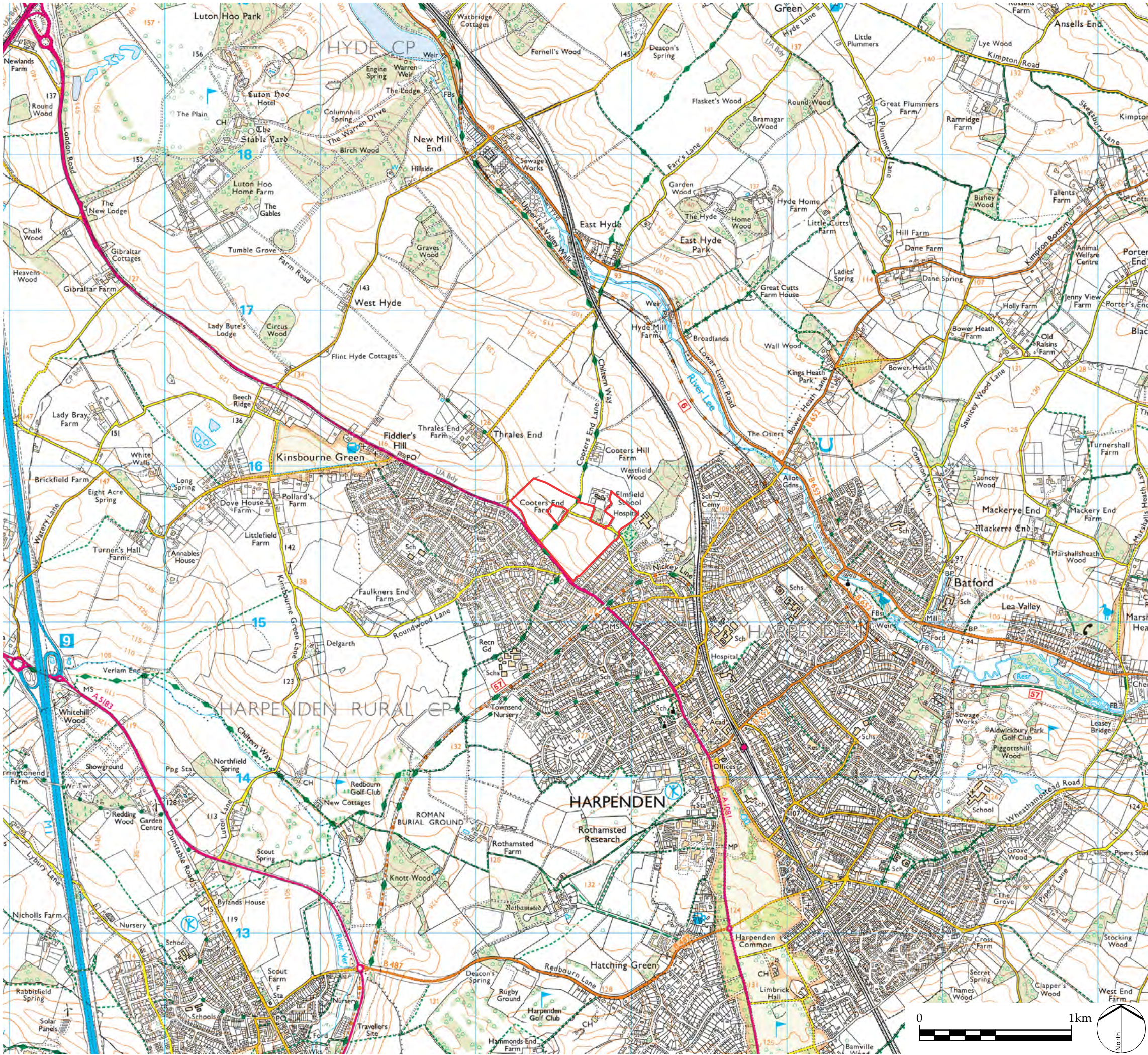
PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Figure 1 - Topography Plan
and Viewpoint Locations

ISSUED BY	Peterborough	T: 01733 310471	
DATE	Nov 2022	DRAWN	MSo
SCALE@A3	1:15,000	CHECKED	NL
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DWG. NO. 8347_500

All dimensions are to be checked on site.
Area measurements for indicative purposes only.
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LEGEND

Site boundary

REV.	DESCRIPTION	APP.	DATE

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Figure 2 - Site Location

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LEGEND

Site boundary

Distance from site boundary (1, 2 and 3km)

REV.	DESCRIPTION	APP.	DATE

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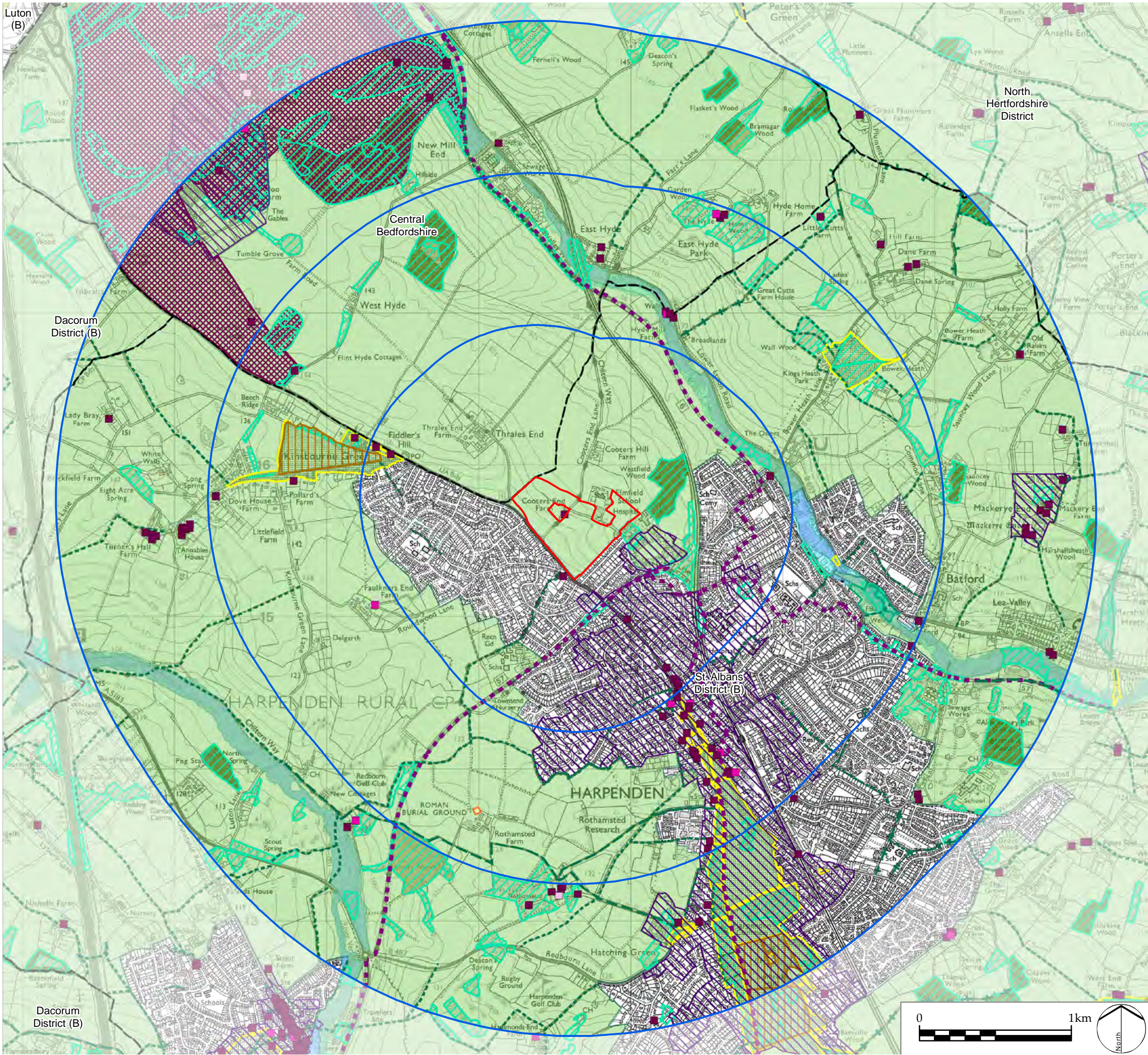
DRAWING TITLE
Figure 3 - Aerial Photograph

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LEGEND

- Site boundary
- Distance from site boundary (1, 2 and 3km)
- District boundary
- Conservation Areas
- Lowland Heatland
- Local Nature Reserves
- Open Access Land
- Woodland Trust Sites
- National Forest Inventory England
- Registered Park and Garden
- Registered Common Land
- Lowland Meadows
- Ancient & Semi-Natural Woodland
- Ancient Replanted Woodland
- Scheduled Monuments
- Green Belt
- Flood Zone 3
- Flood Zone 2
- Public Rights of Way (PROW)
- Bridleway
- Byway open to all tr
- Footpath
- Restricted Byway
- National Cycle Netw Route
- Listed Building (grade indicated)

L D A DESIGN

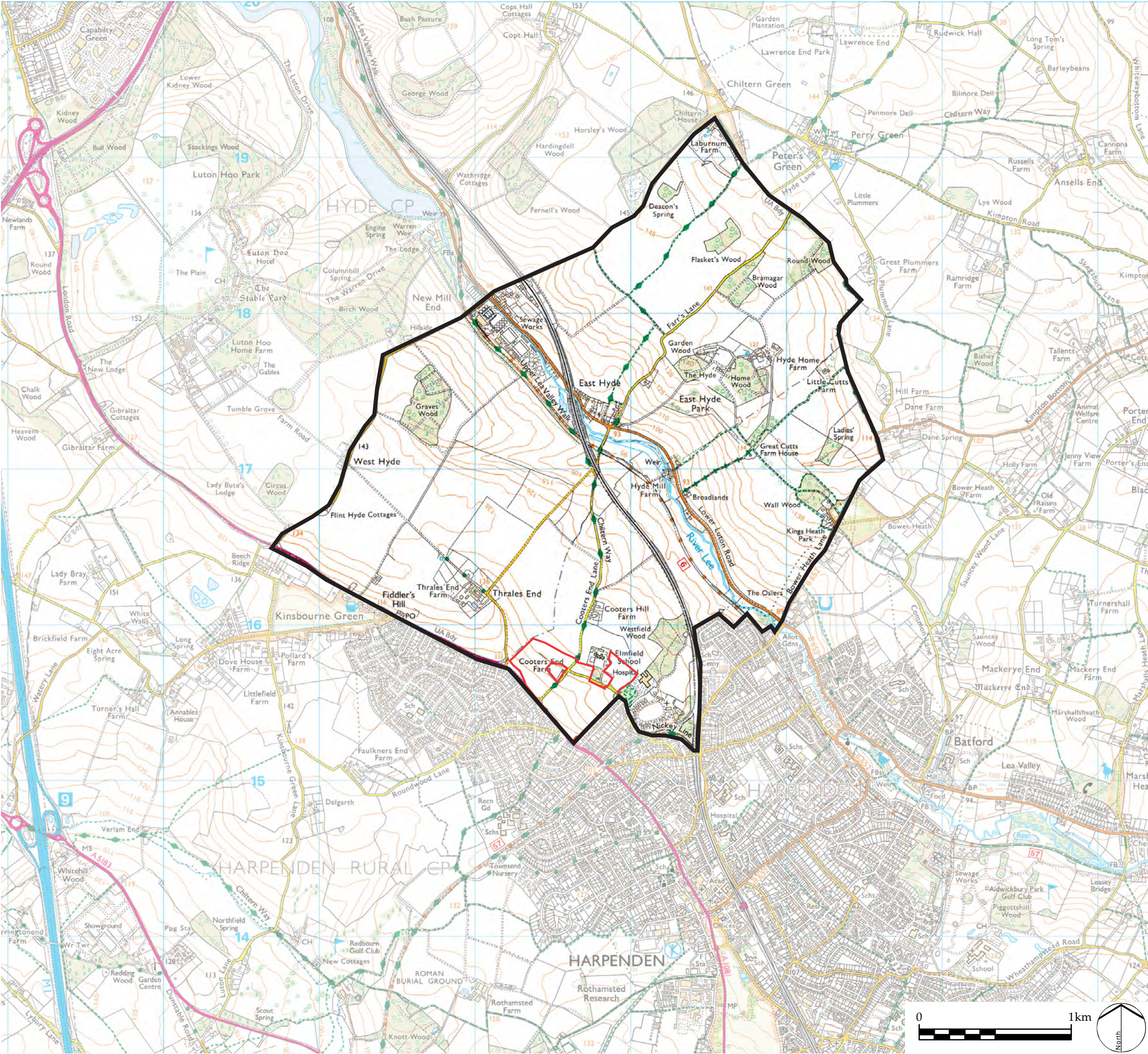
PROJECT TITLE
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Figure 4 - Planning Context

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LEGEND

Site boundary

Green Belt parcel for assessment

REV.	DESCRIPTION		APP. DATE

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Figure 5 - Green Belt Parcel

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Viewpoint 1 (Left) - Cooters End Road, within site facing south-east



Viewpoint 1 (Centre) - Cooters End Road, within site facing south-east

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DWG. NO. 8347_505_C

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 1 (Centre)
Figure 6.1 Viewpoint 1

Vegetation associated along south-western boundary of site adjacent to Luton Road

Development associated with Harpenden rising opposite site upon north-west facing valley side

Approximate extent of site

Cooters End Lane



Viewpoint 1 (Right) - Cooters End Road, within site facing south-east

Luton Road
(A1080)

Approximate extent of site



Viewpoint 2 (Left) - Luton Road (A1081)/Cooters End Lane junction facing north east into site, 15m south west of site

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DWG. NO. 8347_506_L

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 2 (Left)
Figure 6.2 Viewpoint 2



Illustrative Viewpoint B (Centre) - Luton Road (A1081)/Cooters End Lane junction facing north east into site, 15m south west of site

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DWG. NO. 8347_506_C

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 2 (Centre)
Figure 6.2 Viewpoint 2

Ambrose
Wood

Approximate extent of site

Luton Road
(A1080)



Viewpoint 2 (Right) - Luton Road (A1081)/Cooters End Lane junction facing north east into site, 15m south west of site

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DWG. NO. 8347_506_R

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 2 (Right)
Figure 6.2 Viewpoint 2

Continuous hedge along
Cooters End Lane prevents views
to east and north-east of site

Properties on Park Rise
associated with Harpenden



Viewpoint 3 (Left) - Cooters End Lane (Chiltern Way long distance footpath) facing south towards site, 102m north of site

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STATUS	Draft	APPROVED	CC

DWG. NO. 8347_507_L

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 3 (Left)
Figure 6.3 Viewpoint 3



Viewpoint 3 (Centre) - Cooters End Lane (Chiltern Way long distance footpath) facing south towards site, 102m north of site

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STATUS	Draft	APPROVED	CC

DWG. NO. 8347_507_C

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 3 (Centre)
Figure 6.3 Viewpoint 3



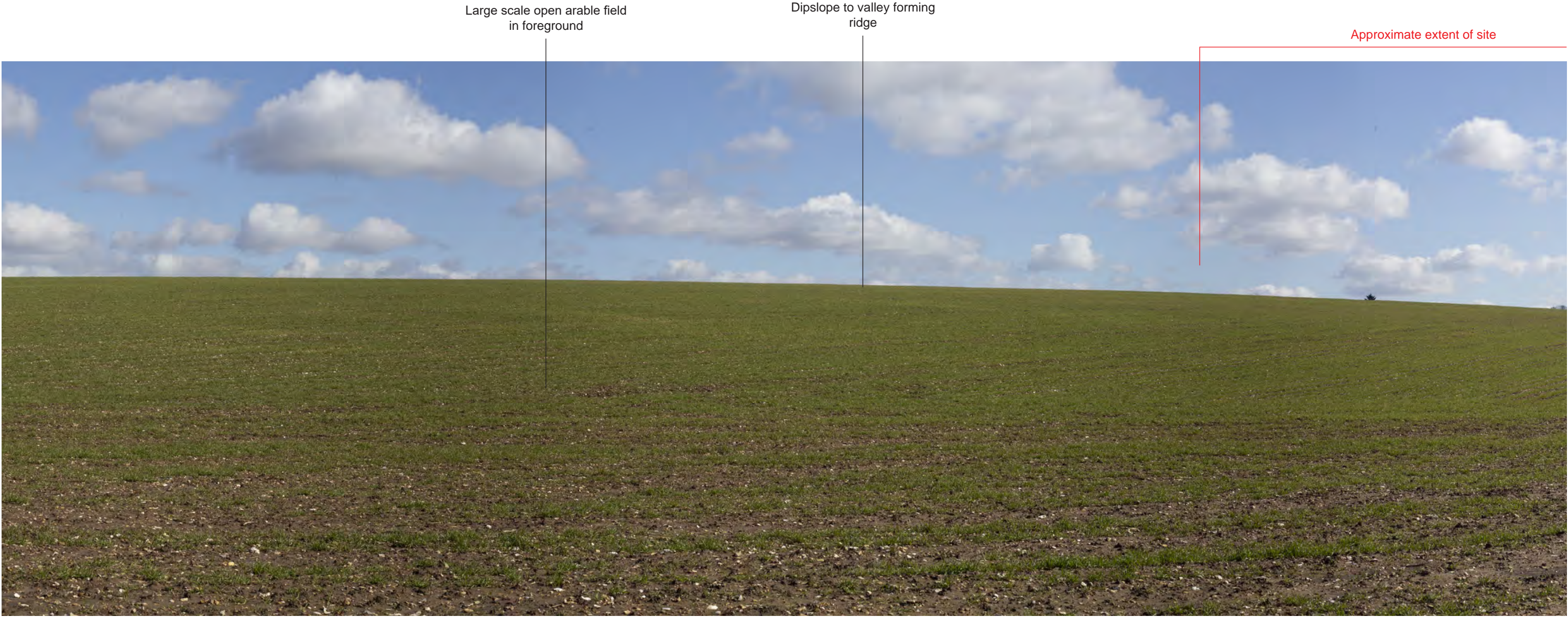
Viewpoint 3 (Right) - Cooters End Lane (Chiltern Way long distance footpath) facing south towards site, 102m north of site

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DWG. NO. 8347_507_R

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 3 (Right)
Figure 6.3 Viewpoint 3



Viewpoint 4 (Left) - Thrales End Lane facing south-east towards site, 200m north-west of site

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SCALE@A3	NTS	CHECKED	NL
STATUS	Draft	APPROVED	CC

DWG. NO. 8347_508_L

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 4 (Left)
Figure 6.4 Viewpoint 4

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Viewpoint 4 (Right) - Thrales End Lane facing south-east towards site, 209m north-west of site

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DATE Nov 2022 DRAWN VW				NW HARPENDEN	
SCALE@A3 NTS CHECKED NL					
STATUS Draft APPROVED CC				DRAWING TITLE	
DWG. NO. 8347_508_R				Photograph Panel 4 (Right)	
				Figure 6.4 Viewpoint 4	

Hedgerow to site boundary along
Ambrose Lane with distant views
to Harpenden on north facing dry
valley side on distant horizon

Permissive Footpath

Ambrose Wood beyond Spire
Hospital car park

Spire Hospital



Viewpoint 5 (Left) - Permissive footpath between Ambrose Wood and Westfield Wood facing west into site, 12m, north-east

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DWG. NO. 8347_509_L

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 5 (Left)
Figure 6.5 Viewpoint 5

Hedgerow to site boundary along
Ambrose Lane with Distant views to
Harpenden on north facing dry valley
side on distant horizon

Boundary vegetation
associated with The King's
School

Visible rooftop of The King's
School campus

Approximate extent of site



Viewpoint 5 (Centre) - Permissive footpath between Ambrose Wood and Westfield Wood facing west into site, 12m, north-east

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SCALE@A3	NTS	CHECKED	NL
STATUS	Draft	APPROVED	CC

DWG. NO. 8347_509_C

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 5 (Centre)
Figure 5.5 Viewpoint 5

Boundary vegetation
associated with Cooters Hill
Farm

Valley of the River Lea



Viewpoint 5 (Right) - Permissive footpath between Ambrose Wood and Westfield Wood facing west into site, 12m, north-east

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SCALE@A3	NTS	CHECKED	NL
STATUS	Draft	APPROVED	CC

DWG. NO. 8347_509_R

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Photograph Panel 5 (Right)
Figure 6.5 Viewpoint 5

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Viewpoint 6 - Public footpath (FP7) / Chilterns Way north of East Hyde facing south towards site, 2.1km north of site

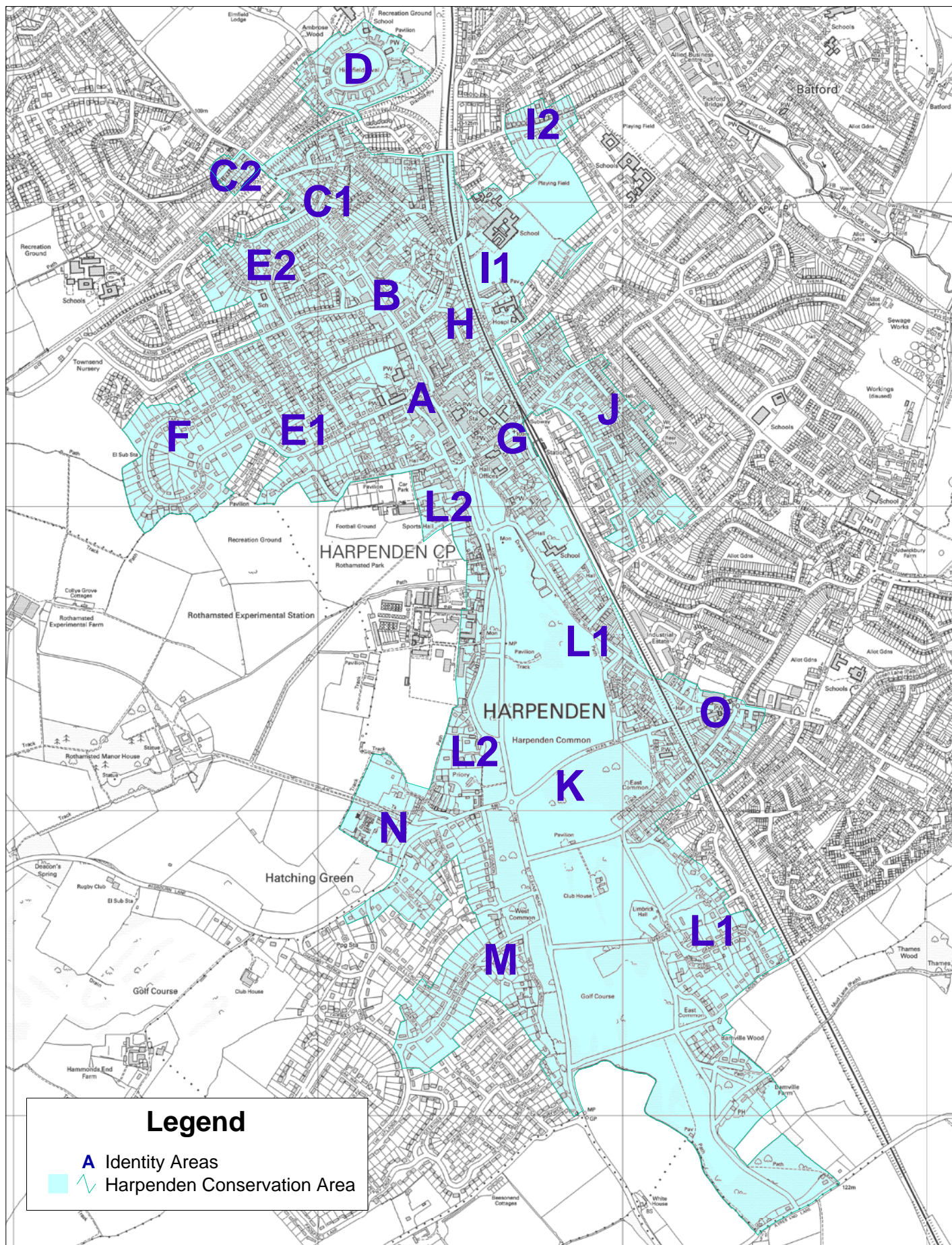
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DATE		Nov 2022		DRAWN		VW		Ground Level (mAOD):		141m		Visualisation Type:		Type 1 (for context)		NW HARPENDEN	
SCALE@A3		NTS		CHECKED		NL		Direction of View: bearing from North (0°):		192°		Photo Date / Time:		06/03/2020 15:23			
STATUS		Draft		APPROVED		CC		Distance to Site:		2145m		Camera Model and Sensor Format:		Canon EOS 6D, FFS			
								Horizontal Field of View:		60° (Cylindrical projection)		Lens Make, Model and Focal Length:		Canon EF50mm f/1.8 STM		DRAWING TITLE	
								Paper Size:		420mm x 297mm (A3)		Height of Camera Lens above Ground (mAOD):		1.5		Photograph Panel 6	
																Figure 6.6 Viewpoint 6	
DWG. NO. 8347_510																	

**Appendix 2. Conservation Area Character Statement for Harpenden ,
2008 extracts**

CONSERVATION AREA CHARACTER STATEMENT FOR HARPENDEN



April 2008



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St Albans
CITY AND DISTRICT

8.0 IDENTITY AREA D

HIGHFIELD OVAL



Highfield Oval.

8.1 This is a formal self-contained development and is a fine example of an early 20th century children's home built on "garden suburb" lines. The original buildings, dating from circa 1912-13, and some later ones in a complementary style survive. They include children's residential units, a chapel, an administrative block, and a laundry, all set round a landscaped oval green on the edge of open countryside. Every effort was made to give children a homely atmosphere by the use of traditional cottage design using red brick, tile hanging, rough cast and mock timbering to complement the white sash windows and create variation between buildings, as around a village green. Though no longer a residential children's home, the Oval remains in institutional use.

9.0 IDENTITY AREA E

THE AVENUES

IDENTITY AREA E1 THE AVENUES WEST OF THE TOWN CENTRE

(Amenbury Lane, Hay Lane, Avenue St Nicholas, The Drive, Rothamsted Avenue, Salisbury Avenue, Kirkwick Avenue, Rosebury Avenue, Longcroft Avenue, St Andrews's Avenue and the east side of Maple Road)

9.1 Amenbury Lane originally linked farmhouses in the village centre with their fields in the vicinity of what is now Longcroft Avenue. Its proximity to Rothamsted Park has ensured that the upper parts of the road have retained an agreeably semi-rural character, which should be preserved. Amenbury Lodge (no. 34) bears the date 1834 and is in the style of a 'cottage orné'. Except at its eastern end, all the other development in the road is comparatively recent. The same applies to the two short roads (Hay Lane and The Drive) which lead out of it.

9.2 The extreme eastern end of Amenbury Lane, directly facing Leyton Green, is discussed as part of Area A. Nearby buildings have links with the former Yew Tree Farm (15 Leyton Road). 1-8 Amenbury Lane consists of an alternative row of former farm cottages. Ellard House, now restored and used as an office, is a former Congregational chapel originally dating from 1839.

9.3 Most of the rest of the area formed part of the Pym and Packe estate and was sold, as substantial building plots, in the 1980's. The houses of that time were built for well-to-do middle class families, many of whom were moving out of London in search of a more satisfying way of life in the countryside. These houses, of red brick and frequently with decorative timbering, are set in attractive well-planted gardens; they have a broad uniformity of style, and all of this creates a visual impact which admirably expresses the suburban ideal of their period. The houses differ from each other, but are frequently set in groups of two or

Appendix 3. References

-
- ⁱ National Planning Policy Framework, *Ministry of Housing, Communities and Local Government*; 2012
 - ⁱⁱ The District Local Plan Review 1994 Saved and Deleted Policies Version, *SACDC*; 2020
 - ⁱⁱⁱ Harpenden Neighbourhood Plan 2018 – 2033, *Harpenden Town Council*; 2019
 - ^{iv} Planning Practice Guidance on Green Belt, *Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government*, 2019
 - ^v Green Belt Review: Purposes Assessment for Decorum, St Albans and Welwyn Hatfield, *SKM*, 2013
 - ^{vi} Green Belt Review Sites and Boundaries Study for St Albans City and District Council, *SKM*, 2014
 - ^{vii} Conservation Area Character Statement for Harpenden, *SACDC*, 2008

Appendix 2 Committee Report Extracts for the NWH Application

February 2025

Pages 51 to 69 and pages 141 to 144

the plan-making process by pre-determining decisions about the scale, location or phasing of new development that are central to an emerging plan; and the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 7.7.12. It is considered in this case that an argument that the application is premature is highly unlikely to justify a refusal of permission because the criteria set out in paragraph 50 of the NPPF are not satisfied here, given the scale of the proposed development and early stages of plan preparation. Therefore, the determination of this application would not be premature.

8. Discussion

The following main issues are considered below:

- Principle of Development
- Green Belt
- Spatial Strategy and Settlement Hierarchy
- Housing and Affordable Housing Provision
- Older Person Specialist Accommodation / Integrated Retirement Living
- Quality of Design and Impact on the Character of the Area
- Residential Amenity
- Landscape Character and Trees
- Strategic Green Infrastructure
- Heritage and Archaeology
- Loss of Agricultural Land
- Ecology and Biodiversity
- Environment and Sustainability
- Highways and Sustainable Transport
- Economic Impacts
- Community Facilities and Social Infrastructure
- Planning Obligations (S106)
- Environmental Impact Assessment (EIA)
- Recent Planning Decisions of Relevance
- Other Matters
- Planning Balance

8.1. Principle of Development

- 8.1.1. The statutory development plan is the St Albans Local Plan Review 1994 and the Harpenden Neighbourhood Plan 2018-2033. The National Planning Policy Framework 2024 (NPPF) is an important material consideration.
- 8.1.2. This application must be treated on its own merits, based on relevant policy and material considerations which apply at the time of making the decision.

The appropriateness of development in the Green Belt

- 8.1.3. *The Local Plan (Saved 2007) Policy 1 'Metropolitan Green Belt' states:*

"Within the Green Belt, except for development in Green Belt settlements referred to in Policy 2 or in very special circumstances, permission will not be given for development for purposes other than that required for:

- a) mineral extraction;
- b) agriculture;
- c) small scale facilities for participatory sport and recreation;
- d) other uses appropriate to a rural area;
- e) conversion of existing buildings to appropriate new uses, where this can be achieved without substantial rebuilding works or harm to the character and appearance of the countryside.

New development within the Green Belt shall integrate with the existing landscape. Siting, design and external appearance are particularly important and additional landscaping will normally be required. Significant harm to the ecological value of the countryside must be avoided.”

8.1.4. The NPPF attaches great importance to the Green Belt. Paragraph 142 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belt are its openness and permanence. Paragraph 153 of the NPPF states:

8.1.5. *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵ [other than in the case of development on previously developed land or grey belt land, where development is not inappropriate] Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

8.1.6. The site is wholly situated within the Metropolitan Green Belt, where local and national policy only allows for certain forms of development, unless there are very special circumstances. The proposed residential development would not fall within any of the exceptions to inappropriate development set-out in Paragraph 154 of the NPPF. However, Paragraph 155 of the new NPPF also introduces an additional classification of development in the Green Belt which is not considered inappropriate development.

8.1.7. Paragraph 155 of the NPPF states:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. *There is a demonstrable unmet need for the type of development proposed;*
- c. *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. *Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below*

8.1.8. The definition of ‘grey belt land’ is set out in the Glossary of the NPPF 2024 and is defined as:

“Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any

other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

- 8.1.9. Therefore, in order to consider whether the application site is classified as 'grey belt', it is first necessary to assess the various Green Belt purposes and the contribution that the site makes to each of these. The five Green Belt Purposes as set out in Paragraph 143 of the NPPF are as follows:

*a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns 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.*

- 8.1.10. The SKM Stage 1 Green Belt Review 2013 ('SKM Stage 1 GBR') identified the site as part of a much larger parcel of land labelled GB40 (Green Belt Land North of Harpenden).

- 8.1.11. During the course of the application, a new Green Belt Review has been published to support the preparation of the new local plan for the District. The Arup Stage 2 Green Belt Review 2023 ('Arup GBR') provides a robust local review of the District's Green Belt and how different areas of Green Belt perform against the Green Belt purposes as set out in the NPPF. The Arup GBR provides a more granular and comprehensive approach to identifying sub-areas for assessment and subdivides the SKM Stage 1 GBR recommended areas where appropriate while also identifying additional sub-areas for assessment.

- 8.1.12. In the Arup GBR, the methodology for defining sub-area boundaries and strategic land parcels included a wider range of boundary features (both man-made and natural). Consequently, the application site straddles three different sub-areas: the entirety of sub-area SA-19 and part of sub-areas SA-20 and SA-21. The categorisation and recommendation for the three sub-areas provided in the Annex report to the Arup GBR states the following:

SA-19

The sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area is released, the new inner Green Belt boundary would meet the NPPF definition for readily recognisable and likely to be permanent boundaries. Recommended for further consideration as RA-15.

SA-20

The sub-area performs strongly against the NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration

SA-21

The sub-area performs moderately against NPPF purposes but makes an important contribution to the wider Green Belt. Not recommended for further consideration

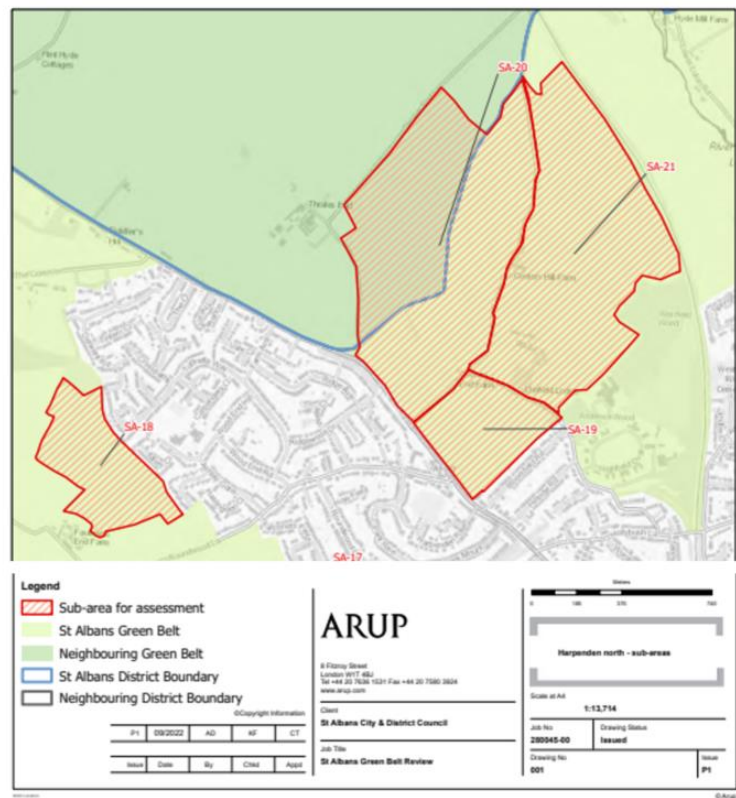


Figure 2: extract of the relevant sub-areas from the Arup GB Review

8.1.13. In relation to the above, it is acknowledged that Arup GBR was for a specific purpose, namely to provide evidence of how different areas of Green Belt perform against the Green Belt purposes. The overall aim of the report was to inform (alongside other evidence) the location and extent of site allocations and possible alterations to Green Belt boundaries as part of the preparation of the new Local Plan. It is therefore primarily a policy making rather than decision taking tool.

8.1.14. It is noted that the application site comprises only 22.6% of the land contained within Parcels SA-19, SA-20 and S-A21, taken together. Therefore, in order to reach an informed view on the contribution of the land and impact of the development within the application site itself to the purposes of the Greenbelt, as part of an assessment of the planning application, a site-specific assessment is necessary. A site-specific assessment and planning judgement on the harm to Green Belt purposes of the proposed development at the application site on its own is provided below, drawing on the relevant evidence base as a material consideration:

a) to check the unrestricted sprawl of large built-up areas;

8.1.15. The SKM Stage 1 GBR identified large built-up areas as London, Luton, Dunstable and Stevenage on the basis that preventing the sprawl of these areas was the main reason for the creation of the Hertfordshire and Bedfordshire Green Belts. The SKM Stage 1 GBR noted that the parcel forms a strong connection with a wider network of parcels to the north to restrict sprawl. However, when considering the strategic-sub areas for further assessment, it was considered that the sub-area (encapsulating the application site) displays strong urban influence with adjacent development forming an extended urban edge to Harpenden in the northwest. Therefore, in isolation, the SKM Stage 1 GBR concludes that the site makes a limited or no contribution towards checking sprawl.

- 8.1.16. Taking a less strategic approach, the Stage 2 Arup GBR identifies St Albans and Harpenden as large built up areas within the district, and Luton, Dunstable, Hemel Hempstead, Watford, Hatfield and Welwyn Garden City as large built-up areas in neighbouring local authorities.
- 8.1.17. In relation to the methodology, the Stage 2 Arup GBR adopts a two-tiered approach to assess purpose (a). Firstly, the GBR considers whether the green belt sub area is located at the edge of a distinct large built-up area (either physically, visually or functionally). Secondly, the GBR provides a score (from 0-5 where 0 does not meet purpose (a) and 5 meets the criterion strongly or very strongly) based on the consideration of a number of factors including; its relationship with adjacent built up areas, degree of openness, linkages to wider Green Belt and the extent to which the edge of the built-up area has a defensible boundary.
- 8.1.18. Sub-areas SA-19 and SA-20 are located on the edge of Harpenden and are therefore connected to a large built-up area. The Arup GBR considers that these sub-areas play an important role in preventing outward irregular spread/sprawl of a large built-up area and therefore performed strongly (i.e score of 5) in the assessment against this purpose of the green belt. However, it acknowledged that most of the sites assessed on the urban edge of St Albans and Harpenden perform well against this purpose in the Arup review, by virtue of their location and the adopted methodology. In relation to sub-area SA-21, the Arup GBR considers that the sub-area is not located on the edge of a large built-up area in physical or perceptual terms, and therefore does not meet this purpose of the Green Belt.
- 8.1.19. Notwithstanding the conclusions of the Arup report on the assessment of these sub-parcels against purpose (a), as noted above, the application site covers less than a quarter of the area within the sub-parcels. An assessment of the physical properties of the site shows that the proposal is situated entirely within the Luton Road valley, extending from Luton Road up towards the ridgeline. The upper edge of the proposed development has been fixed to ensure it does not encroach over the ridgeline. This topographical containment within the Luton Road valley is considered to separate the site from the wider countryside and reflects its strong relationship with the existing built areas of Harpenden.
- 8.1.20. The submitted land use parameter plan shows that the proposed built form would not project significantly beyond the existing north-eastern edge (established by the properties along Bloomfield Road and delineated by Ambrose Lane). Furthermore, while it is acknowledged that the proposed development would extend beyond Cooters End Lane, the existing built-up area on the southern valley slope extends approximately 750m further to the north-east thereby reducing the perception of sprawl when considered in this context.
- 8.1.21. In addition, the proposed development would provide a new woodland park that would wrap around the site between Thrales End Lane and Cooters End Lane. This new woodland edge would have an important role in limiting sprawl, in both physical and perceptual terms, by providing a strongly defined and durable boundary edge. In continuation of the defined green edge along the north-west of the site, the land parcels located to the north of Ambrose Lane would be dedicated as an allotment and sports pitches. Again, these uses would serve to ensure restrict the extent of sprawl to the north-east and provide a defensible boundary. The proposed new woodland park, allotments and sports pitches can be protected in perpetuity from future development through the S106 agreement.

8.1.22. It is important to recognise that this purpose is concerned with 'unrestricted' sprawl, which implies that there would be nothing to stop further development resulting in the continued outward incremental spread of the urban area. In this regard, the topographical features and the strategic green infrastructure would help to contain the development and provide a defined new edge to the town, thereby, in the view of officers, reducing the contribution of the land to checking the unrestricted sprawl of the built-up area of Harpenden.

8.1.23. In summary, there is no disputing that the proposed development would extend the existing built settlement edge. While it is acknowledged that the land does make a contribution to the purpose of checking the sprawl of a large built-up area, as a matter of planning judgement, it is considered that the land comprising the application site does not 'strongly' contribute to this purpose. Further, it is considered that the level of harm to this purpose is moderate.

b) to prevent neighbouring towns merging into one another;

8.1.24. The SKM Stage 1 GBR assessed the extent to which strategic land parcels serve as gaps or spaces between settlements, focussing on gaps between the 'tier 1' settlements of St Albans, Harpenden, Hemel Hempstead, Hatfield, Welwyn Garden City, Watford, Luton and Dunstable and Radlett. The SKM Stage 1 GBR report noted that the larger strategic parcel (GB40) contributes towards the strategic gap between Harpenden and Luton and Dunstable, but that any small to medium-reduction in the gap would be unlikely to compromise the separation of 1st tier settlement in physical and visual terms, and overall openness. The larger strategic parcel GB40 was therefore considered to make a partial contribution to this Green Belt purpose.

8.1.25. In addition to the tier 1 settlements detailed above, the Stage 2 Arup Green Belt Review also considers the 'tier 2' settlements of Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street / Frogmore Redbourn and Wheathampstead within St Albans District, and Slip End, Kings Langley, Markyate, Abbots Langley and Welham Green (within neighbouring local authorities).

8.1.26. The Arup GBR details that sub-area SA-19 makes no discernible contribution to the separation between the neighbouring built-up areas in physical or perceptual terms. However, in relation SA-20 and SA-21, the Arup GBR notes that these sub-areas form a less essential part of the gap between Harpenden and Luton and it is judged that the gap is of sufficient scale that the removal of the sub-area would not result in physical or perceptual merging between the neighbouring built up areas. As a planning judgement therefore, it is considered that the land comprising the application site does not 'strongly' contribute to this purpose. In addition, no harm is identified in relation to this purpose.

c) to assist in safeguarding the countryside from encroachment;

8.1.27. The application site is in agricultural use. The SKM Stage 1 GBR considered the larger strategic parcel GB40 displayed typical rural and countryside characteristics and therefore concluded the parcel to contribute significantly to this purpose.

8.1.28. The Arup GBR notes that the rising topography creates views into Harpenden that bring some urban influences to the sub-areas. In the case of SA-19, long views into the wider countryside are prevented by mature tree lines bordering the sub-areas to the north-west. For SA-20 and SA-21, the rising topography allows views into the

countryside. The Arup GBR considers that the sub-areas have a strong unspoilt rural character and considers sub-areas SA-19 and SA-20 perform strongly against this purpose and therefore play an important role in preventing encroachment into the countryside. As a planning judgement therefore, significant harm is identified in relation to this purpose.

d) to preserve the setting and special character of historic towns

8.1.29. The Arup GBR notes that the sub-areas do not abut an identified historic place or provide views to a historic place. Therefore, the sub-areas do not meet this purpose. As a planning judgement therefore, no harm is identified in this respect.

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

8.1.30. It is considered that the development of this site would not in itself prevent or discourage the development of derelict and other urban land in the District. The Council does not have any significant urban sites allocated for development, and whilst sites may come forward via a new local plan, this process cannot be afforded any material right in decision making. As a planning judgement therefore, no harm is identified in relation to this purpose.

8.1.31. In consideration of the foregoing and as a matter of planning judgement, it is considered that the site does not strongly contribute to any of purposes (a), (b) or (d) in NPPF Paragraph 143. Furthermore, it is considered that the application of the policies relating to the areas or assets in NPPF footnote 7 (other than Green Belt) would not provide a strong reason for refusing or restricting development. Taking the above assessment into account, it is considered that the site would constitute 'grey belt', as defined in the NPPF.

8.1.32. Returning to Paragraph 155 of the NPPF, consideration of how the proposal complies with the requirements of the paragraph (in order for the development to not be regarded as inappropriate) is detailed below:

a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

8.1.33. As detailed above, the proposed development would utilise 'grey belt' land. The application site would only comprise approximately 0.18% of the Green Belt within the District and due to its containment on the edge of Harpenden, has a relatively localised impact. On this basis, it is considered that the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Therefore, the proposal would comply with this criterion.

b) There is a demonstrable unmet need for the type of development proposed

8.1.34. The Council's Housing Delivery Test is currently 52% of the housing requirement and there is a lack of five year housing supply. Therefore, the proposal would comply with this criterion.

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

8.1.35. Paragraphs 110 and 115 of the NPPF relate primarily to encouraging sustainable transport, and note that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. As detailed within subsections 8.2 (spatial strategy) and 8.12 (highways and sustainable transport) of this report, it is considered that the application site would be sustainable in locational terms, and would include a range of sustainable transport improvements that would support and encourage alternative methods of travel. Therefore, the proposal would comply with this criterion.

d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below

8.1.36. Paragraph 156 of the NPPF states:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review⁵⁸, or on sites in the Green Belt subject to a planning application⁵⁹, the following contributions ('Golden Rules') should be made:

a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
b. necessary improvements to local or national infrastructure; and
c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces

8.1.37. Paragraph 157 of the NPPF details that the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default

8.1.38. In relation to criterion (a) of NPPF Paragraph 156, the applicant has increased the affordable housing provision from 40% to 50% during the course of the application, and this will be secured via a s106 Agreement should permission be granted. Therefore, based on an affordable housing provision of 50%, the proposal would comply with 'golden rule' A of NPPF Paragraph 156.

8.1.39. In relation to criterion (b) of NPPF Paragraph 156, subsections 8.14 (community facilities and social infrastructure) and 8.15 (planning obligations) of this report detail that various necessary improvements to local infrastructure that the scheme would deliver. The proposal would therefore comply with 'golden rule' B of NPPF Paragraph 156.

8.1.40. In relation to criterion (c) of NPPF Paragraph 156, the proposed development would provide a wide range of new green spaces which will be accessible to the residents of the development and Harpenden as a whole. As detailed in subsection 8.7 (strategic green infrastructure) of the report, the quantum of proposed publicly accessible open space exceeds the existing local and emerging standards. The proposal would therefore comply with 'golden rule' C of NPPF Paragraph 156.

- 8.1.41. The proposal would therefore comply with all of the ‘golden rules’ set out within paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that *“a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.”*
- 8.1.42. In view of the above and as a matter of planning judgement, the proposal is considered to accord with Paragraph 155 of the NPPF and is therefore appropriate development in the Green Belt. In accordance with Paragraph 158 of the NPPF, significant weight should also be given in favour of the grant of permission.

Green Belt Harm

- 8.1.43. As detailed above, officers consider that the proposed development is appropriate development in the Green Belt as it would utilise ‘grey belt’ land and would accord with the requirements set-out in Paragraphs 155 to 159 of the NPPF.
- 8.1.44. Whilst it is not the professional planning judgment of officers, if, for whatever the reason, the site was considered to not utilise ‘grey belt’ land, then the proposed residential development would not fall within any Local Plan or NPPF exceptions and would therefore represent inappropriate development in the Green Belt. In this scenario, Paragraph 153 of the NPPF dictates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Under this scenario harm to the Green Belt would be assessed and then weighed against other considerations.

Openness of the Green Belt

- 8.1.45. Paragraph 153 of the NPPF details that substantial weight should be given to harm to the Green Belt, including harm to its openness.
- 8.1.46. Paragraph 142 of the NPPF defines one of the essential characteristics of the Green Belt to be its openness. There is no formal definition of openness but, in the context of the Green Belt, it is generally held to refer to an absence of development. Openness has both a spatial dimension, and a visual aspect.
- 8.1.47. The National Planning Practice Guidance (NPPG) states:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- the degree of activity likely to be generated, such as traffic generation.”*

Paragraph: 001 Reference ID: 64-001-20190722

- 8.1.48. The application site covers an area of approximately 24.81ha. While the proposal would provide areas of open space and green infrastructure, the parameter plans and illustrative masterplan indicates that the proposed area for built development would cover approximately 13.11ha. Spatially, the proposal would therefore result

in a significant reduction in existing openness simply by virtue of the proposed built development of up to 420 new dwellinghouses, up to 130 extra-care units with ancillary facilities, a nursery and supporting infrastructure.

- 8.1.49. The visual effect of the development on openness would be determined by a combination of factors. Regard must be had to the Landscape and Visual Impact Assessment (LVIA) submitted with the application, insofar as it relates to the impact of the development on the openness of the Green Belt. As set out in detail in the relevant section below, it is considered that the proposal would be harmful in terms of its landscape and visual impact resulting from the urbanisation of the site and the presence of built form on the rising ground of the valley side. This will also have a harmful effect on the visual aspect of Green Belt openness.
- 8.1.50. In relation to the impact of openness on the wider Green Belt, the development could be visible from the wider green belt beyond the site boundary, particularly from land within the Luton Road valley. Due to the topographical containment within the valley, it is unlikely that the proposed development would be readily visible from the wider green belt to the north of the site (beyond the ridge of the valley). The proposed development would therefore have a limited effect on the perception of openness within the wider Green Belt.
- 8.1.51. While the proposed planting and landscaping enhancements, when established, would help mitigate some of the visual impacts of the development, there would inevitably be a permanent change to the character of the site that would be permanent and not remediable. Notwithstanding the proposed landscape enhancements, the proposed development would result in significant harm to the openness of the Green Belt. In this scenario, this harm, in addition to the harm by inappropriateness, carries substantial weight against the proposals.

Purposes of the Green Belt

- 8.1.52. As detailed earlier in this report, it is considered that the proposed development would conflict with the purpose of safeguarding the countryside from encroachment, and to a lesser extent, checking the unrestricted sprawl of large built-up areas. The proposal does not materially conflict with the other purposes of including land within the Green Belt.

Other considerations and very special circumstances

- 8.1.53. Paragraph 153 of the NPPF states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.1.54. The planning statement sets out the applicants case for the 'other considerations' (or benefits) of the proposal. These are summarised below:
- i. The chronic and persistent failure for the local plan to deliver the required homes within the district and the acute five-year housing land supply
 - ii. The need and delivery of market, affordable and specialist housing
 - iii. A masterplan and design ethos for intergenerational living and supporting Harpenden's position as a Dementia-Friendly town

- iv. Supporting economic growth
- v. Provision of over 11 hectares of new publicly accessible open space
- vi. Transport enhancement including the delivery of new cycle infrastructure providing a direct route into Harpenden town centre
- vii. Biodiversity net gain in excess of 40%
- viii. Provision of a new community hub
- ix. Provision of a masterplan which meets the sustainable objectives of the NPPF on a site previously identified as suitable in two successive draft local plans

8.1.55. In *Redhill Aerodrome Ltd v SSCLG* [2014] the judgment of the Court of Appeal held that the meaning of “any other harm” refers to any other harm whatsoever, and is not restricted to Green Belt harm. In the alternative scenario necessitating the ‘very special circumstances’ test to be considered, the remainder of this report effectively considers ‘any other harm’. An assessment of the Green Belt and conclusion, in a scenario where the land was not grey belt, will be performed at the end of the report, when all other material considerations have been assessed.

8.2. **Spatial Strategy and the Site Allocation in the Emerging Local Plan**

- 8.2.1. The National Planning Policy Framework reaffirms the Government’s objective of significantly boosting the supply of homes and promotes an effective use of land to meet the need of homes and other uses. This incorporates a sequential preference for development on brownfield land within settlements for homes and the development of under-utilised land and buildings.
- 8.2.2. Paragraph 148 of the NPPF states that when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should determine whether a site’s location is appropriate with particular reference to paragraphs 110 and 115 of the NPPF. The Paragraph further states that strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
- 8.2.3. One of the key changes introduced in the NPPF 2024 is the strategic approach to guide Green Belt release. Paragraph 148 of the NPPF states that ‘where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations’.
- 8.2.4. Harpenden is described by its Neighbourhood Plan as a medium sized town and has a population of just over 30,000 residents. It is the second largest settlement in the District after St Albans. The Neighbourhood Plan details that the Town Centre functions as a destination for residents of surrounding villages as well as Harpenden and incorporates a wide-ranging retail offer as well as having a number of important employment locations. Furthermore, the Neighbourhood Plan details that the town benefits from a wide network of social infrastructure and community facilities, including 16 nurseries, 11 primary schools, 3 secondary schools, 3 doctors

surgeries, one specialist hospital and a large number of sports, arts and other cultural facilities. Harpenden Train station provides frequent services to London and Luton Airport via the Thameslink.

- 8.2.5. Policy 2 of the St Albans Local Plan Review 1994 confirms that Harpenden is one of two Towns in the District and is excluded from the Green Belt. Policy 2 of the Local Plan. The St Albans City and District Council Settlement Hierarchy Study (2023) details that Harpenden can be described as complementary to St Albans City and largely self-contained, it is significantly smaller in population to St Albans and provides fewer employment sites. Therefore, the Settlement Hierarchy Study recommended a new tier of City/Large Town is introduced to differentiate between St Albans and Harpenden in the settlement hierarchy. Harpenden is therefore defined as the only Tier 2 Town within the ELP.
- 8.2.6. The ELP sets out the planning policies and proposals for the future development of the City and District of St Albans. It establishes the Council's long-term spatial planning strategy for delivering and managing development and infrastructure, and for environmental protection and enhancement, to 2041.
- 8.2.7. As detailed within this report, there is an identified need for new homes within the District. However, there is an insufficient supply of Previously Developed Land to meet the housing need, which led to the Council undertaking a search process for sites in the Green Belt. The Council has concluded that 'Exceptional Circumstances' do exist and it is necessary to amend Green Belt boundaries as set out in the emerging Local Plan and its Policies Map. The application site falls within a 'settlement buffer' in the Arup Green Belt Review. These settlement buffers assist in identifying sites that would encourage a sustainable pattern of development that is accessible to existing settlements.
- 8.2.8. The Spatial Strategy in the emerging Local Plan has been shaped by the need to locate growth in the most sustainable locations to address the Climate Emergency. New development would generally be concentrated on the basis of the Settlement Hierarchy which gives priority to the larger urban centres which can provide a greater range of services and facilities, supports the re-use of land within the urban areas, and can reduce the need to travel. These larger urban centres also offer greater accessibility by walking, cycling and public transport. The ELP categorises primarily residential sites in the Green Belt as Broad Locations, and Large, Medium and Small Sites.
- 8.2.9. The south-eastern parcel of land (approximately 12.19ha) is allocated in the ELP as a Broad Location (site B7) for the provision of 293 residential units (indicative) and would be released from the Green Belt. This site is one of several that had passed the Council's site selection process for allocation.
- 8.2.10. Policy LG1 of the ELP sets out a number of overarching development requirements for proposals within the defined Broad Locations. Detailed site-specific requirements are set out in Draft Local Plan Part B – Local Plan Sites as follows:
- *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*
 - *Support for a transport network, including excellent walking and cycling links, and public transport services upgrades / improvements and cycle access that connects outside the site to Luton Road and Ambrose Lane, and must include*

wherever possible a new segregated cycle route into central Harpenden along the A1081 corridor.

- Community facilities for the benefit of the existing and future residents must be provided, including built facilities that complement the offer of the existing adjacent local centre.*
- Through Masterplanning, the layout and design of development should minimise any harm to the setting and significance of the Grade II Listed Cooters End Farm; this may include the creation of set backs of development closest to Cooters End Farm to sustain its agrarian setting.*
- Take appropriate account of trees on the site under Tree Protection Order, as well as the Ancient Woodland at Ambrose Wood and Westfield Wood.*
- The historical flooding issues along Luton Road must be addressed, including securing a betterment over the existing situation.*
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 3; Bedrock Aquifer*

8.2.11. Policy SS2 of the Harpenden Neighbourhood Plan also sets out criteria that need to be fulfilled for development proposals in the North West Infrastructure Zone in order to mitigate the impact of new development. Development proposals must:

- Demonstrate how impact of new development on the A1081 and local roads will be mitigated;*
- Demonstrate provision for appropriate education facilities in close proximity to new development to meet the need for school places arising from the proposed development;*
- Demonstrate sufficient convenience shopping within a close proximity to new development;*
- Demonstrate sufficient open space, including recreational space in line with local community needs, within a close proximity to new development*

8.2.12. Consideration of how the proposal delivers the site-specific requirements as detailed in the site allocation and Harpenden Neighbourhood Plan are elaborated upon in the relevant sub-sections of this report.

8.2.13. The application site is adjacent to the built edge of Harpenden, which is the second largest settlement in the District. The town provides a varied retail offer and is supported with a wide range of community and healthcare facilities, schools, and employment locations. As detailed later in this report, the development would include a range of sustainable transport improvements that would support and encourage alternative methods of travel to the town centre and other key destinations within the town. On this basis, it is considered that the site is considered sustainable in locational terms and would accord with the spatial preference for development and growth to be accommodated around or within existing settlements. As a planning judgement, this is considered a benefit of the proposal that is afforded moderate weight.

8.3. **Housing**

Housing land supply

8.3.1. The Government published the Local Housing Need (LHN) for each Authority in England, calculated using its new standard method, alongside the revised NPPF 2024. The updated LHN for St Albans District is 1,660pa. Paragraph 78 of the NPPF

states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old; plus a buffer (moved forward from later in the plan period) of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; as set out in NPPF paragraph 78(b).

- 8.3.2. Using the LHN calculated under the Government's new standard method, the Council currently has a housing land supply of 0.9 years from a base date of 1 April 2023. It is acknowledged that 0.9 years is substantially below the 5 years plus 20% required in the NPPF. Consequently, the NPPF dictates that the policies which are most important for determining application are out-of-date and the presumption in favour of sustainable development (also known as the tilted balance) will apply, as set out in Paragraph 11(d) of the NPPF.

Housing mix and tenure

- 8.3.3. The NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies to ensure that the needs of groups with specific housing requirements are addressed.
- 8.3.4. Policy 70 of the Local Plan states that to cater for a range of needs and provide a variety of layout and appearance, a mix of housing types and sizes will be negotiated on large schemes.
- 8.3.5. Policy H3 of the HNP states that major residential developments are required to submit a Dwellings Mix Strategy as part of the Design and Access Statement with any planning application. The policy states that proposals that are not considered to meet an identified size/type need will not be supported.
- 8.3.6. Chapter 8 of the South West Hertfordshire Local Housing Needs Assessment Update (2024) provides an analysis around the mix of housing required in different tenures and suggests the following strategic housing mix:

	Market	Affordable Rent (social)	Affordable Home Ownership (intermediate)
1-bed:	5%	20%	20%
2-bed:	20%	30%	40%
3-bed:	45%	35%	30%
4+-bed:	30%	15%	10%

Table 1: Recommended housing mix (LHNA 2024)

- 8.3.7. As the planning application is in outline form, the applicant has provided an indicative housing mix that has also been used for the purpose of assessing the impact of the proposals within the Environmental Statement. The indicative housing mix comprises:

	Market	Affordable Rent (social)	Affordable Home Ownership (intermediate)
1-bed:	3%	25%	25%
2-bed:	19%	42%	44%
3-bed:	49%	28%	27%

4+-bed:	29%	5%	4%
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Table 2: Indicative application housing mix

- 8.3.8. The proposed development would provide a mix of housing types that is considered sufficient at this outline stage to reflect the strategic housing need and likely market demand within the edge of settlement location. Nevertheless, it is reasonable to allow flexibility for an applicant/developer to determine the dwelling mix for the outline at the reserved matters stage.
- 8.3.9. As has already been referenced earlier in this report, the Council cannot demonstrate a 5-year housing supply and so there is a clear and pressing need for housing. The proposal would contribute to the provision of housing for which there is a notable shortfall. Very substantial weight is therefore afforded to the provision of up to 420 new (C3) houses.

Affordable Housing

- 8.3.10. Paragraph 64 of the NPPF advises that ‘where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities’. Policy 66 of the NPPF states that ‘where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures’.
- 8.3.11. Policy 7A of the Local Plan sets out that the Council intends to provide 200 affordable houses per annum and that affordable housing should be provided on sites of over 0.4 hectares of 15 or more dwellings.
- 8.3.12. The St Albans City and District Council Affordable Housing Supplementary Planning Guidance (SPG) was adopted by the council in March 2004. This notes that the Council will seek, by negotiation, a target level of 35% affordable units on suitable sites above the site size thresholds (which is derived from the 2002 Housing Needs Assessment Survey) in order that the Council could achieve the 200 affordable dwellings per annum target in the adopted Local Plan. The SPG also sets out a presumption for on-site delivery.
- 8.3.13. Policy H6 of the HNP requires proposals for major housing developments to provide 40% affordable housing subject to viability. The policy further states that the affordable housing should be provided as both socially rented and intermediate housing in line with the latest assessment of needs undertaken or a future Local Plan target. The affordable housing should also be provided on-site and fully integrated within the development.
- 8.3.14. It is acknowledged that the Local Plan affordable housing target is considerably out of date, and therefore the affordable housing need identified in the South West Hertfordshire Local Housing Need Assessment Update 2024 (LHNA) provides a more up to date indication of affordable housing needs for the District up to 2041.
- 8.3.15. Table 7.11 of the LHNA (2024) identifies a need for 449 net affordable/social rented dwellings per annum over the period while table 7.42 of the LHNA (2024) identifies

a need for 353 net affordable home ownership dwellings per annum over the period. This results in an objectively assessed need for 802 affordable dwellings per annum for the period of up to 2041 in the District.

- 8.3.16. The applicant proposes to deliver 50% of the homes as affordable housing. This would exceed the target level of 35% within the Affordable Housing SPG and the affordable housing requirement for major housing developments in the HNP.
- 8.3.17. In relation to the tenure mix, the applicant initially proposed to deliver an affordable housing tenure split of 54% affordable rent and 46% affordable home ownership. The Local Plan policy and Affordable Housing SPG do not specify an affordable housing tenure split. Policy H6 of the HNP details that affordable housing should be provided as both socially rented and intermediate housing, in line with the latest assessment of needs undertaken by the Council or a future St Albans Local Plan target.
- 8.3.18. The applicant has given further consideration to the proposed affordable tenure mix during the course of the application, and has subsequently committed to provide an amended tenure mix comprising 15% Social Rented, 39% Affordable Rented and 46% Affordable Home Ownership units.
- 8.3.19. The applicant has provided an Addendum Affordable Housing Statement that sets the affordable housing context and provides further commentary on the proposed affordable tenure split. When considering the affordable housing competitions, SADC Authority Monitoring Report and 2021 Census data, the Addendum affordable Housing Statement states that only 28 new Affordable Homes (gross) have been provided in Harpenden Town from 2008 to 2022/23.
- 8.3.20. The analysis in the Addendum Affordable Housing Statement also suggests there is a significant imbalance between the net need and planned supply of both rented and sale affordable housing. Therefore, given the extremely limited availability of existing affordable home ownership homes, the Addendum Affordable Housing Statement considers that it would be reasonable for a significant proportion of additional affordable housing to be proposed for home ownership.
- 8.3.21. Nevertheless, the proposed affordable housing tenure split comprising 15% Social Rented, 39% Affordable Rented and 46% Affordable Home Ownership units would broadly align with the strategic recommendation in the LHNA. The Council's Housing team are supportive of the quantum of affordable housing the indicative affordable housing and tenure mix that would be secured at this stage. Given the acute need identified, very substantial weight is given to the provision of 50% of dwellings to be provided as affordable housing (up to 210 units).
- 8.3.22. As the proposed development would be delivered in a phased manner, it is important that the agreed required affordable housing quantum, tenure and mix is equitably distributed across the site. As such, it is recommended that a condition is included to monitor and reconcile affordable housing delivery for the reserved matters applications that would be forthcoming for the corresponding phases.

Self-build and custom housebuilding

- 8.3.23. Paragraph 63 of the NPPF includes 'people wishing to commission or build their own homes' as one of the groups which should be assessed and reflected in in planning policies relating to housing. Under section 1 of the Self Build and Custom

Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building.

- 8.3.24. There were 812 entries on the Council's Self-Build and Custom Housebuilding Register in October 2023. However, the Council moved to a new approach for the Self-build and Custom Housebuilding Register in 2024. Since the inception of the new Register in July 2024, as of 30 October 2024, there were a total of 16 individuals on Part 1 (having met the Local Connection Test) and 1 individual on Part 2 (having met the Minimum Eligibility Criteria). According to the draft Authority's Monitoring Report 2024 (AMR) (yet to be published), a total of 220 permissions for self and custom build were granted between 31 October 2016 and 30 October 2024, translating to a total of 247 serviced plots.
- 8.3.25. The LHNA notes that there is potential for larger development schemes to provide serviced plots for self-build and this could help drive forward delivery rates. The proposal would provide 3% of homes as self-build (up to 13 dwellings) and would therefore contribute towards an identified housing need. The provision of 3% of homes for self-build and custom housebuilding is therefore afforded moderate weight.

Extra-Care Retirement Housing

- 8.3.26. Paragraph 63 of the NPPF advises that planning policies should assess and reflect the size, type and tenure of housing needed for different groups in the community, including older people. The National Planning Practice Guidance (NPPG) has identified that the need to provide housing for older people is 'critical', given the projected increase in the number of households aged 65 and over. Furthermore, it considers that older people should be offered a better choice of accommodation to suit their changing needs in order that they can live independently for longer and feel connected to their communities.
- 8.3.27. The HNP recognises the need for suitable homes for older people to downsize into without having to leave the area which is reflected in housing objective HO3.
- 8.3.28. Chapter 7 of the South West Hertfordshire Local Housing Needs Assessment (2020) provides an assessment on the housing needs of older people and disabled persons. In setting the context for the need, the LHNA states that the population aged 65 and over in the District is projected to increase from 25,609 to 35,276 (+37.7%) over the period 2020 to 2036, compared with an overall population increase of 17.5%. It is noted that the South West Hertfordshire Local Housing Needs Assessment Update (2024) sets out the projection of population aged 75+ which increases from 12,710 in 2021 to 19,384 in 2041.
- 8.3.29. Table 92 of the LHNA (2020) sets out the older persons' dwelling requirements from 2020 to 2036 in St Albans. Focusing on housing with support (retirement/sheltered housing), the LHNA identifies that there is a current deficit of 759 units across SADC and by 2036, this is forecast to increase to 1,455 units as a result of additional demand. The LHNA therefore recommends that the Council should plan to deliver the identified specialist housing need.
- 8.3.30. In The Harpenden Futures Study prepared by Litchfields and submitted in support of the application, an assessment is made in relation to demographic change and

future growth. The Study concludes that without further housing growth, Harpenden's overall population would decline as a result of a rapid ageing and declining household size. The number of over 65's would increase by 8% over the period to 2038 and by then, they would make up nearly one quarter of all residents.

- 8.3.31. The proposal would provide up to 130 integrated retirement (extra-care) homes (C2), for which there is an identified need and current shortfall. Consequently, the proposed development would make a significant contribution to meeting the overall need for specialist housing within the District.
- 8.3.32. Policy H8 of the HNP supports proposals for specialist accommodation and residential care where they are:
- a) within easy access to a choice of sustainable travel options;
 - b) within walking distance, on a safe route to the town centre or local centre shops and services;
 - c) well integrated with existing communities; and
 - d) are of a safe and stimulating design.
- 8.3.33. As discussed in more detail within the transport subsection, the application site is located within easy access to existing bus stops that provide direct access to the Town Centre. The proposed extra-care component of the development would be located approximately 200m from the North Harpenden Local Centre (Reference DRA3 in the HNP) which includes a Tesco Express. It is also common to see ancillary facilities provided within C2 extra-care 'retirement villages' or 'retirement communities.' In his instance, the application submission does reference the potential for ancillary café, gym and restaurant/bar provision. However, the exact ancillary offering would be determined at reserved matters stage when the detailed design of this component of the scheme is considered.
- 8.3.34. In view of the facilities within the adjacent Local Centre, the greater commercial offering and services available within Harpenden Town Centre (which is approximately 0.7m from the site), and the potential for further ancillary on-site facilities, it is considered the site would provide a level of accessibility to future residents. This would ensure the future occupiers of the extra-care units would not be isolated from the surrounding community and would have access to those facilities needed for day to day living.
- 8.3.35. The proposed retirement living would be integrated within the development and forms a key component in the overall masterplan concept designed around intergenerational living. The Public Realm Design Code sets out a number of detailed considerations to reinforce this and would inform the detailed design at Reserved Matters stage.
- 8.3.36. The planning statement details that the retirement homes would only be occupied by those people are over 55; or people who are suffering from a permanent and physical condition or mental illness and therefore require personal care; or people whose admission has first been approved in writing by the Local Planning Authority. In terms of the type of staffing, the planning statement details that it is anticipated that the Integrated Retirement Community would have 24-hour onsite staff with optional care and domestic services. Furthermore, the suggested planning obligation in the Planning Statement details that residents must enter into a care package.

8.3.37. There have been a considerable number of appeal decisions and High Court cases considering whether the older person specialist accommodation would fall within Use Class C2 (residential institution) or C3 (dwellinghouses), with the obvious repercussion being the requirement to provide affordable housing if the older person specialist accommodation was deemed to be C3. From this, a number of factors can indicate a can indicate a C2 use rather than C3 use such as:

- requiring an objectively-verifiable assessment of need upon entry/purchase
- domiciliary care packages comprised at least 1½ hours of care per week
- developments where the design of the proposals incorporated self-contained units of one type or another, along with a significant degree of communal facilities;
- a mandatory residential qualification is the requirement that residents are professionally assessed as in need of care 'packages
- range of communal facilities to promote physical and mental well-being that are not found in general residential schemes
- specific residential design alterations that are representative of accommodation aimed at the elderly in a care environment rather than a conventional residential environment

8.3.38. From the information provided as part of the outline application, it is clear that the eligibility requirements are consistent with those detailed above. As the application is at outline stage, it is appreciated that an operator may not yet be on board and therefore further commitments in relation to the ancillary facilities or detailed design and layout are not available at this time. Nevertheless, it is considered necessary to ensure that the eligibility requirements, minimum care package, communal facilities, and other such considerations which are relevant, are secured as part of the S106 Legal Agreement to ensure this component of the scheme would fall within the remit of Use Class C2 development.

8.3.39. HCC Adult Care have been consulted on the application and have acknowledged the demand for specialist older person accommodation, particularly those that serve particular needs such as nursing and dementia care. Following the further clarification provided by the applicant during the course of the application, HCC Adult Care have advised that the proposal appears to deliver housing with a care scheme. However, in order in order to grant positive support to the application, HCC Adult Care have advised that there would need to be certainty that the proposed 130-unit Integrated Retirement Community would include 24-hour care and support staff on-site. If this was not provided by the applicant, then HCC would not object to the application and would remain neutral on any benefits of the scheme.

8.3.40. Overall, officers consider that the proposed C2 retirement living would accord with the requirements of Policy H8 (specialist accommodation) of the HNP. The benefits relating to the provision of specialist older person housing is therefore afforded very substantial weight in favour of the application.

8.4. **Quality of Design and Impact on the Character of the Area**

8.4.1. The Government attaches great importance to the design of the built environment. The NPPF notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

- No credible evidence has been provided which detail how the town centre or local after-school clubs would decline if this application was to be granted;
- Whether L&G has sufficient resources to fund the proposed development is not considered relevant to this application.
- While the re-consultation was undertaken towards the end of December, additional time was factored in

8.18.15. Notwithstanding the extensive consideration of issues identified and reported in this document, it should be noted that in an effort to contain the length of its content to a reasonable level, there may be some areas/issues, including matters raised by the applicant's documentation and also consultees, residents and other third parties in their responses and representations, that, whilst not explicitly stated or referred to in this report, have nevertheless been considered by officers in the assessment of the impacts and merits of this application proposal. This report necessarily focuses on the key determinative issues.

8.19. **Equality and Human Rights Considerations**

- 8.19.1. Consideration has been given to Articles 1, 6, 8, 9, 10 and 14 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 8.19.2. When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.
- 8.19.3. The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 8.19.4. It is considered that the consideration of this application and subsequent recommendation has had regard to this duty. The development would not conflict with St Albans City and District Council's Equality policy and would support the Council in meeting its statutory equality responsibilities.

8.20. **Planning Balance**

- 8.20.1. The statutory position is that planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise. The balancing exercise is set out below, and is informed by the previous sections of this report. It is for the decision maker to determine the amount of weight that should be attributed to each respective element.
- 8.20.2. In terms of harm, there would be substantial adverse landscape effects on the character and appearance of the area due to the urbanising effect of permanent

residential development on approximately 13.11ha of the site, and the loss of existing vegetation along Luton Road, including the 'Category A' English Oak Tree.

- 8.20.3. There would be less than substantial harm to designated heritage assets, identified to be at the medium to upper end of the spectrum in relation to Cooters End Farm, and at the lower end of the spectrum in relation to The Old Bell Public House. In carrying out the heritage balance in Paragraph 215 of the NPPF, officers consider the public benefits of the proposal as described, including the delivery of market, affordable, extra-care, and self-build and custom-build housing would outweigh the less than substantial harm arising to each of the heritage assets. In carrying out that balance under Paragraph 215 of the NPPF, great weight has been given to the identified heritage harm to each asset.
- 8.20.4. The proposal is also likely to generate an increase in the public and recreational pressure on Ambrose Wood Local Wildlife Site. While mitigation measures may reduce the severity of impact, the adverse residual impact identified still carries weight against the proposal. The loss of approximately 3.38ha Grade 3a 'best and most versatile' agricultural land would also carry limited weight against the proposal, but this can be balanced against the prevalence of agricultural land in the wider area which would not be affected by these proposal.
- 8.20.5. There are a range of benefits that weigh in favour of the proposal. The NPPF attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. There is a pressing need for additional housing in the District which the proposal would help address. The construction of up to 420 homes, including 210 affordable units, and the provision of up to 130 extra care units is afforded very substantial weight. The provision of self-build and custom build housing is afforded moderate weight.
- 8.20.6. The application site is adjacent to the built edge of Harpenden which is the second largest settlement in the District. The proposal would help deliver a largely segregated cycle route from the application to the Town Centre thereby contributing to the strategic transport initiatives set out in the LCWIP and HCC South West Growth and Transport Plan. The proposal would also include improvements to pedestrian routes and existing bus shelters. Considering the range of transport improvements that would be delivered through S106 planning obligations and Section 278 got off-site works, moderate weight is afforded to the locational and transport sustainability benefits of the proposal.
- 8.20.7. The proposal would provide an on-site sports ground designed for youth and mini football pitches that would meet an identified shortfall within the District and would contribute to the positive role that Green Belts have to play in pursuing various objectives, including the provision of opportunities for outdoor sport and outdoor recreation near urban areas. This is afforded moderate weight.
- 8.20.8. The application site is currently private land. The scheme would ensure the site becomes more publicly accessible and therefore the opportunity for the local community to use and enjoy a range open space amenity typologies, play areas, ecological areas, and landscaping carries is a benefit which is afforded moderate weight.
- 8.20.9. The Biodiversity Net Gain Assessment indicates that the proposed scheme is projected to achieve an increase of 20% in habitat units. The BNG would deliver ecological benefits for wildlife and people, and is more than the requirement under

existing planning policy and legislation. However, some of the notable enhancement measures, such as the woodland planting, are fundamental to reduce the effects of the proposal on the openness of the Green Belt and landscape character. For this reason, the proposed ecological enhancement are afforded limited weight.

- 8.20.10. The proposed flood mitigation and surface water management strategy would capture the existing surface flows coming down Thrales End Lane. This would provide a betterment to the persisting localised flooding issues in Luton Road and is therefore afforded moderate weight.
- 8.20.11. The development would produce some economic benefits in terms of employment opportunities during the construction phase and limited employment arising from the services and facilities on-site. There would also be direct and indirect benefits associated with additional household expenditure within the local economy. However, these aspects would be a benefit of most housing developments and are therefore afforded limited weight.
- 8.20.12. The proposed development would also comply with the Golden Rules, which should be given significant weight in favour of the grant of permission in accordance with Paragraph 158 of the NPPF. The relative weighting to the provision of affordable housing and strategic green infrastructure have already been captured as part of the aforementioned benefits of the scheme.
- 8.20.13. The avoidance of other harms or conflicts with relevant policies is neither a factor weighing for or against the proposal. Similarly, where conditions or planning obligations are capable of offsetting any other impacts of the development, these are not capturing any particular benefits that weigh in the proposal's favour.
- 8.20.14. Officers consider that the proposed development is appropriate development in the Green Belt. That means its Green Belt impacts are acceptable by definition. However, consideration has been given to whether the proposal would be acceptable even if it was inappropriate development. Paragraph 153 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.20.15. In this alternative scenario, substantial weight must be given to any harm to the Green Belt. However, even giving substantial weight to the harm arising from inappropriateness, and the harm to openness and purposes identified above, having considered the totality of the benefits of the proposed development against the totality of its harm, officers are of the view that the benefits of the application would clearly outweigh the identified harm. The same conclusion would be reached even if paragraph 158 of the NPPF did not apply (giving significant weight to compliance with the Golden Rules). Accordingly, in such a scenario, officers consider that the very special circumstances necessary to justify the development exist in this case.
- 8.20.16. As a result, the proposal accords with Local Policy 1 and with the development plan taken as a whole. There are no material considerations which indicate that a decision should be taken contrary to the development plan. Footnote 7 of the NPPF is not engaged for the reasons set out above, and in terms of paragraph 11(d)(ii) of

the NPPF, the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits.

Conclusion

8.20.17. Each application for planning permission is unique and must be treated on its own merits. In this particular case, taking the above discussion into account, it is considered that as a matter of planning judgement, the proposal accords with the development plan taken as a whole. In addition, paragraph 11(d)(ii) of the NPPF indicates that permission should be granted. As such, and in light of the above discussion and on balance, the proposal would accord with the St Albans and District Local Plan Review 1994, the HNP and the National Planning Policy Framework 2024 and planning permission should be granted.

9. Comment on Town Council Concerns

9.1.1. The comments raised by the Town Council have been considered in the above discussion of this report.

10. Reasons for Grant

The proposal comprises appropriate development in the Metropolitan Green Belt. The Council cannot demonstrate a five-year supply of housing land. The proposed development would deliver up to 420 new residential dwellings, half of which would be affordable, up to 140 extra care housing units, and self-build housing. The proposal would also provide open space, play space, sports facilities, improve flood issues along Luton Road, deliver 20% BNG on-site, deliver sustainable transport improvements and provide economic benefits. There are no technical objections to the application. The access is considered safe and appropriate. The impacts of the development can be appropriately mitigated by way of planning conditions and obligations in a S106 agreement. Even if the development was considered to be inappropriate development, very special circumstances exist to justify permission.

RECOMMENDATION:	Resolution to Grant Conditional Planning Permission Subject to Completion of S106 Agreement	Decision Code:	A1
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11. Conditions

1. Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") for each Phase of the development as defined by the Phasing Plan agreed as part of condition 7, shall be submitted to and approved in writing by the Local Planning Authority before any development in that Phase begins, and the development shall be carried out as approved.

Reason: To comply with Section 92(1) of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Appendix 3 Grey Belt and Supplement to Green Belt Assessment Briefing Paper

28th January 2025

This paper was submitted in support of the NWH Application

Briefing Paper

Our ref 60885/01/MS/ADo
Date 28 January 2025

**Subject North West Harpenden:
Grey Belt and Supplement to Green Belt Assessment**

1.0 Introduction

- 1.1 This paper provides an assessment of the current planning application at North West Harpenden (5/2023/0327) ('NWH') against the new National Planning Policy Framework (December 2024) ('NPPF') with a specific focus on Green Belt policy and the introduction of the new 'grey belt' classification.

2.0 Protecting Green Belt Land – Grey Belt

- 2.1 The published NPPF, as with the previous NPPF¹, retains the ability for 'inappropriate development' within the Green Belt to be brought forward through demonstration of *very special circumstances*. The current application was submitted on this basis and sets out why the proposed development meets the requirements for *very special circumstances*.
- 2.2 However, the new NPPF also introduces an additional classification of development in the Green Belt which is not considered inappropriate which is set out in paragraph 155, which includes where it is on 'grey belt'. Paragraph 155 states:
- 155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:*
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
 - b. There is a demonstrable unmet need for the type of development proposed;*
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.*
- 2.3 Each of these criteria in relation to the planning application at NWH is taken in turn below:

¹ December 2023

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

- 2.4 For the first part of this criterion, it is necessary to consider whether the NWH site is grey belt. The definition of grey belt within the NPPF appendix states:

Grey belt: *For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.*

Purposes (a), (b) and (d)

- 2.5 Purposes (a), (b) and (d) are:

(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

(d) to preserve the setting and special character of historic towns;

- 2.6 It should be noted that encroachment on the countryside is not a relevant factor in determining whether land is grey belt. Nor is assisting in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 2.7 In considering the Green Belt purposes in relation to the NWH site, the planning application was accompanied by a Green Belt Assessment prepared by LDA Design (February 2023) (‘LDA GBA’). The LDA GBA assessed the impact of the proposed development on the purposes and openness of the Green Belt to inform the application of the test in what was then paragraph 148 (now 153) of the NPPF.

- 2.8 The LDA GBA is summarised in the Appendix to this paper for ease of reference. The LDA GBA - prepared prior to the introduction of grey belt within the NPPF - concluded that the site makes limited or no contribution towards the three Green Belt purposes subsequently identified in the definition of grey belt within the NPPF appendix.

- 2.9 In the period since the LDA GBA was prepared to accompany the current application, St Albans City and District Council published the St Albans Stage 2 Green Belt Review (Arup, June 2023) (‘SAGBR’) to inform the production of the Draft Local Plan. The SAGBR identified land parcels (‘sub-areas’) for the purposes of its assessment. The area to the north west of Harpenden was divided into three sub-areas (SA-19, SA-20 and SA-21) which did not directly correlate with the NWH application site. Nor did the SAGBR take account of the specific development proposals for NWH, which is not unexpected given the nature and purpose of the SAGBR which was to inform potential site allocations within the emerging Local Plan.

- 2.10 Accompanying this paper is a supplement to the original Green Belt Assessment prepared by LDA Design. This supplemental assessment addresses the relevant aspects of the changes to national Green Belt policy introduced by the new NPPF. Specifically, it assesses the proposals for the NWH development in the context of the provisions relating to grey belt.
- 2.11 With regard to purpose (a) *‘to check the unrestricted sprawl of **large built-up areas**;’* (emphasis added), the ONS classifies ‘large’ as an area with a population range of 75,000-199,999 people². Harpenden has a population of approximately 31,000 residents and is therefore classified as ‘medium.’ On this basis, the NWH site is not considered to make any contribution to purpose (a). However, notwithstanding the ONS classification, the supplement to the Green Belt Assessment prepared by LDA Design provides an assessment of the site’s contribution to checking the unrestricted sprawl of Harpenden, taking into account the proposals for the site. This assessment also concludes that, even if Harpenden were to be classified as a ‘large’ built up area, the site would not make a strong contribution towards purpose (a).
- 2.12 Purpose (b) considers the prevention of neighbouring towns merging into one another. The LDA assessment sets out that the nearest ‘neighbouring town’ to NWH is Luton which is approximately 5km to the north-west. There is currently no intervisibility between the two towns and the proposed development would not change this as it would be visually contained within the Luton Road valley. The site, at most, makes a limited contribution to preventing neighbouring towns merging and therefore does not strongly contribute to purpose (b).
- 2.13 Purpose (d) is to preserve the setting and special character of historic towns. Harpenden Conservation Area covers a large proportion of the town, the majority of which is a significant distance from the site. Only a small area, Highfield Oval, is close enough to be of potential relevance. Given that Highfield Oval is separated from the assessment parcel by housing on Ambrose Lane and Bloomfield Road and by Ambrose Wood and the Spire Hospital, the assessment parcel does not contribute to the perception of Highfield Oval as ‘on the edge of open countryside’ and therefore does not contribute to its setting. Accordingly, the assessment parcel makes no contribution to purpose (d).
- 2.14 The supplement to the Green Belt Assessment concludes that the NWH site does not make strong contribution to Green Belt purposes (a), (b) and (d).
- 2.15 For the purposes of decision taking, and based on the application site and proposed development, the site is considered to meet the definition of ‘grey belt’ set by the NPPF.

²

See

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/townsandcitiescharacteristicsbuiltupareasenglandandwales/census2021>

NPPF Footnote 7

- 2.16 The final part of the definition of grey belt states that it “*excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.*”
- 2.17 Footnote 7 states:
- (7) The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.*
- 2.18 For the avoidance of doubt those sites listed in paragraph 189 are ‘National Parks, the Broads and National Landscapes’, which are repeated in footnote 7.
- 2.19 The NWH site does not fall within a National Park, the Broads, a National Landscape, a Sites of Special Scientific Interest, Local Green Space, defined Heritage Coast, irreplaceable habitat, designated heritage assets or area at risk of flooding or coastal change.
- 2.20 Therefore, there are no other constraints in relation to the NWH site that fall within footnote 7 of the NPPF which would represent a “*strong reason*” for refusing or restricting the proposed development.

Purposes (taken together)

- 2.21 The second part of paragraph 155(a) considers the implications for the wider Green Belt of developing a grey belt site and requires consideration of all five Green Belt purposes, taken together. This is fully assessed within the appended supplement to the Green Belt Assessment which concludes ‘*the proposed development would not diminish the performance of any of the Green Belt purposes by the wider Green Belt beyond the site boundary. It follows that, if all five purposes are taken together, the proposed development would not diminish their performance within the wider Green Belt.*’
- 2.22 Based on the existing and additional evidence within the Green Belt assessments summarised above, it is considered that Part a of Paragraph 155 is met.

b. There is a demonstrable unmet need for the type of development proposed

- 2.23 The footnote to this criterion states:
- “Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years.”*

- 2.24 St Albans' Housing Delivery Test is currently 52% of the housing requirement and there is a lack of five year housing supply as confirmed in recent appeal decisions. Therefore, Part b of Paragraph 155 is met.

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;

- 2.25 Paragraphs 110 and 115 are set out in full for reference:

110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

(a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

- 2.26 The current application has been through a rigorous assessment process with Hertfordshire County Council which is supportive in transport terms as to the site's suitability for development. Active Travel England and National Highways are also supportive of the scheme. This takes account of the contribution the site will make sustainable and active travel and the site will offer a choice of transport modes.

- 2.27 In addition, the site has been identified for development in previous Local Plans and part of the site is allocated within the latest draft of the Local Plan submitted for examination last month. On this basis, the site is located in a sustainable location and therefore Part C of Paragraph 155 is met.

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

- 2.28 Paragraphs 156 and 157 are set out below in full for reference:

156. Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review <https://www.gov.uk/guidance/national-planning-policy-framework/13-protecting-green-belt-land-footnote58>, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
- b. necessary improvements to local or national infrastructure; and
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

157. Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50% ⁶⁰. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.

- 2.29 Each of these 'golden rules' in relation to the planning application at NWH is taken in turn below:
 - a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;**
- 2.30 Paragraphs 67-68 requires a specific affordable housing requirement to be set for major development involving the provision of housing on land which is proposed to be released from the Green Belt. This should be higher than that which would otherwise apply to land which is not within the Green Belt and require at least 50%, unless this would make the site unviable (when tested in accordance with national planning practice guidance on viability).
- 2.31 Alongside the publication of the NPPF, the government also published the following statement as part of the proposed reforms to the national planning-policy framework and other changes to the planning system³. With reference to the planning practice guidance on viability it stated: "To make sure that the viability system works to optimise developer contributions, allowing negotiations only where genuinely necessary, the government intends to update viability planning practice guidance. Prior to new viability guidance

³ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation>

being published, site specific viability assessment should not be used. As part of the review, government will consider the circumstances in which site specific viability assessment is allowed, with specific reference to large sites and Previously Developed Land.”

- 2.32 Our understanding of this is that until the viability guidance is published, which is anticipated in ‘Spring 2025,’ the viability tested route will not be available and that Green Belt sites must meet the 50% affordable housing target (or 15 percentage points above the highest existing affordable housing requirement) in order to meet the ‘golden rules.’
- 2.33 In addition, it should be noted for the avoidance of doubt, that the application of paragraphs 156 and 157 in relation to the provision of 50% affordable housing applies to all Green Belt sites released through plan preparation or review (including under transition rules) or a planning application, and not just grey belt sites. Therefore, 50% affordable housing provision would be required in order to be compliant with the NPPF in all scenarios.
- 2.34 On this basis, in recognition of the NPPF and the paragraphs 156 and 157 above, the applicant proposes to increase the affordable housing provision from 40% to 50% to ensure compliance with national policy. The proposed tenure split will remain as currently proposed. This increase in affordable housing represents a significant benefit to the delivery of affordable housing within Harpenden.
- 2.35 Therefore, based on an affordable housing provision of 50%, ‘golden rule’ A of Paragraph 156 is met.

b. necessary improvements to local or national infrastructure;

- 2.36 As set out within the planning application, the proposed development will deliver significant improvements to local and national infrastructure which can be summarised as follows:
- **Transport enhancements** – delivery of a broad range of transport infrastructure including enhanced junction improvements, bus stops and cycle routes.
 - **Education provision** – provision on an early years facility and financial contributions towards primary and secondary schools.
 - **Healthcare** - financial contributions towards primary healthcare and ambulance services.
 - **Sports** – delivery of two new sports pitches and associated pavilion and financial contributions towards off-site sports provision.
 - **Play spaces** – range of play spaces within the development, including young children’s play areas, local neighbourhood play and teenage areas.
- 2.37 The above contributions have been supported by statutory consultees during the determination of the planning application, including Herts County Council, Sport England and East of England Ambulance Service.

2.38 Therefore, ‘golden rule’ B of Paragraph 156 is met.

c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces

2.39 The proposed development will provide a wide range of new green spaces which will be accessible to the residents of the development and Harpenden as a whole. The masterplan has been designed to integrate different types of open space into the development so that the spaces are easily accessible to all residents. The open spaces which will be provided within the development includes:

- Amenity green space (c.2 hectares)
- Natural and semi-natural green spaces (c.3.5 hectares)
- Parks and gardens (c. 2 hectares)
- Allotments (c. 1 hectare)
- Children’s and teenage play space (including natural play) (c 0.01 hectares)
- Sports pitches (c. 1.85 hectares)

2.40 In total the development will deliver over 11 hectares of public open spaces.

2.41 Therefore, ‘golden rule’ C of Paragraph 156 is met and subsequently Part D of Paragraph 155 is met.

2.42 In summary, all of the ‘golden rules’ set out within paragraphs 156 and 157 are fully met by the proposed development.

2.43 Paragraph 158 of the NPPF goes on to state that “*a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.*” This provides considerable support for the grant of permission in the consideration of schemes which comply with Paragraph 155 in the application of the presumption in favour of sustainable development (NPPF Paragraph 11).

3.0 Summary and Implications

3.1 Based on the above assessment of the site and the proposed development, it is considered that for the purposes of decision taking the site can be considered ‘grey belt’ when assessed against the recently published NPPF. The relevant Green Belt assessments support the position that the site meets the definition of grey belt and the proposed development meets the relevant ‘golden rules’ required of major development involving the provision of housing on land released from the Green Belt.

3.2 Because the site is grey belt and the development meets the ‘golden rules,’ the site is considered ‘appropriate’ in Green Belt terms and there is no requirement to demonstrate *very special circumstances*. Instead, the presumption in favour of sustainable development

is engaged and in applying the presumption, significant weight in favour of the grant of permission is applied under paragraph 158 of the NPPF.

- 3.3 Were it is nevertheless considered by the Council that the site is not grey belt, then the NPPF continues to allow the demonstration of *very special circumstances* for developments which are considered inappropriate. For reasons explained within the planning statement which accompanied the application, it is considered that there is a strong case for demonstrating *very special circumstances* and these continue to apply, if anything with greater force given the increase in the proposed level of affordable housing.
- 3.4 As set out above, we consider that the site and proposed development meets the necessary tests to be considered grey belt and therefore appropriate development and should be determined on this basis.

Appendix – Summary of North West Harpenden Green Belt Assessment February 2023 (prepared by LDA Design)

The LDA Design Green Belt Assessment was prepared to support the NWH planning application and provided a further assessment of the site's contribution to Green Belt purposes. A summary of this assessment is provided in the table below.

Table 1 - Summary of LDA Design's assessment of the NWH site against the the Green Belt Purposes

Green Belt Purpose	Summary of Findings
<i>(a) to check the unrestricted sprawl of large built-up areas;</i>	<p>The closest 'large built-up area', as outlined above, to the assessment parcel is Luton at approximately 2.3km to the north west. Stevenage is located approximately 9.5km to the northeast and London is located approximately 18km to the south. The assessment parcel makes no contribution to check the unrestricted sprawl of any of these large built-up areas given that it is located some considerable distance from the existing edge of these areas.</p> <p>The site, being a relatively small area in the extreme south-western corner of the parcel [GB40 within the 2013 Green Belt Review], makes no contribution to the performance of purpose a).</p>
<i>(b) to prevent neighbouring towns merging into one another</i>	<p>The closest 'neighbouring town' to the assessment parcel is Harpenden, which is located immediately south. The next closest 'neighbouring town' is St Albans at nearly 6km south of the assessment parcel [GB40 within the 2013 Green Belt Review]. Harpenden is located between the assessment parcel and St Albans therefore the assessment parcel, and the site, make no contribution to preventing these neighbouring towns from merging.</p> <p>However, taking a broader look to the north, the assessment parcel forms roughly half of the Green Belt land between Luton and Harpenden and much of the parcel, particularly the open agricultural fields, contributes to preventing the merging of the two settlements. Even though Luton is defined under GBRPA as a large built-up area, in the context of the assessment parcel and Harpenden, this is the closest neighbouring settlement approximately 2.3km north-west. Currently there is no intervisibility between the two towns. The sense of arrival to Harpenden is perceived at Kinsbourne Green, which forms the northern most limit of the town, approximately 1.5km north-west of the site.</p> <p>The site forms a relatively small area in the south-west of the assessment parcel and therefore makes a limited</p>

Green Belt Purpose	Summary of Findings
	contribution to the performance of purpose b) in preventing Harpenden and Luton merging.
<i>(d) to preserve the setting and special character of historic towns;</i>	<p>Harpenden Conservation Area is located in the south of the assessment parcel. The Conservation Area covers a large proportion of the town and is divided into 17 Identity Areas. Identity Area D – Highfield Oval, is within the Green Belt the edge of Harpenden, west of the Midland Mainline Railway.</p> <p>D Highfield Oval “<i>is a formal self-contained development and is a fine example of an early 20th century children’s home built on “garden suburb” lines... set round a landscaped oval green on the edge of open countryside</i>” (Conservation Area Character Statement for Harpenden vii, 2008).</p> <p>Refer to Appendix 2 for extracts from Character Statement vii. Other Identity Areas of the Conservation Area are located within urban areas further into the town, or associated with Harpenden Common to the south of the town. Therefore, only D Highfield Oval has a description and context that could be affected by setting afforded by the Green Belt parcel.</p> <p>The primary concern for effects arising within the parcel would be that the asset continues to be located ‘<i>on the edge of open countryside</i>’. Given the presence of Ambrose Wood, Spire Hospital and Westfield Wood to the immediate north along with existing built extent of Harpenden east of the Midland Mainline Railway, the only land that contributes to Highfield Oval’s open countryside setting is land immediately north-east, which forms a very small portion of the wider parcel. As such, the parcel only provides a limited contribution to purpose d).</p> <p>Consequently, given that the site is located beyond the area that contributes towards the setting of Highfield Oval, the site forms no contribution to purpose d).</p>

The LDA Design Green Belt Assessment concludes that the site makes limited or no contribution towards the three Green Belt purposes.

North West Harpenden

Supplement to Green Belt Assessment
including Site-Specific Assessment

January 2025

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Comment Final

This document has been prepared and checked in accordance with ISO 9001:2015.

1.0 Introduction

1.1. Background and Purpose

Legal & General (Strategic Land Harpenden) submitted an outline planning application in February 2023 for up to 550 dwellings and associated infrastructure on a site at North West Harpenden, located on the north-east side of Luton Road and backing on to housing on Bloomfield Road.

The planning application was accompanied by a Green Belt Assessment prepared by LDA Design, February 2023 (LDA GBA). The purpose of the LDA GBA was to identify the potential harm to the purposes and openness of the Green Belt arising from the proposed development to inform the application of the test in what was then paragraph 148 (now 153) of the National Planning Policy Framework (NPPF).

Subsequent to the preparation of the LDA GBA and submission of the planning application, the St Albans Stage 2 Green Belt Review (Arup, June 2023) was published (SAGBR). The SAGBR identified land parcels for the purpose of its assessment but these did not directly correlate to the proposed North West Harpenden development site. Nor did the SAGBR take account of the specific development proposals for North West Harpenden, which is not unexpected given the nature and purpose of the SAGBR which was to inform potential site allocations within the emerging Local Plan.

This report, which is supplemental to the LDA GBA, has been prepared to address relevant aspects of the changes to national Green Belt policy introduced by the new version of the NPPF published in December 2024. Specifically, it assesses the proposals for the North West Harpenden development in the context of the provisions relating to grey belt.

1.2. Assessment Parcel

The land parcel used for the purposes of this assessment is not the same as the planning application boundary. The assessment parcel covers the broad area within the application site proposed for built development, together with smaller green infrastructure areas closely associated with the built development, including along the Luton Road frontage. It also includes parts of areas proposed for allotments and sports pitches where parking and the sports pavilion could be located. The assessment parcel excludes areas of strategic green infrastructure around the north-west and north-east edges of the proposed development, including woodland and the remainder of the areas proposed for allotments and sports pitches as these parts of the proposed development are considered appropriate development under Paragraph 154(b) of the NPPF.

The figures at the end of this report show the assessment parcel superimposed on:

- 1) Land use parameter plan
- 2) Illustrative masterplan
- 3) Topography, highlighting key topographical features which are discussed in this report.

2.0 NPPF Changes

2.1. Previous Policies

National Green Belt policy is now set out in the National Planning Policy Framework (NPPF) December 2024, which replaced previous versions of the NPPF.

Section 2.1.1 of the LDA GBA set out the relevant national policy on Green Belt, which at the time was contained in paragraphs 137, 138, 147 and 148 of the NPPF. Although the paragraph numbering has changed, there has been no change in the wording of what were paragraphs 137 and 138. Paragraphs 147 and 148 have been combined into a single paragraph with minor changes to wording but the substantive effect of the policy is unchanged.

The paragraph numbering changes are as follows:

Previous paragraph number	New paragraph number
137	142
138	143
147	153
148	

2.2. New Provisions

Paragraph 155 of the December 2024 NPPF introduced a new provision as follows:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; ...”*

Sub-paragraphs b), c) and d) are outside the scope of this report and are addressed by Lichfields in their accompanying note.

Annex 2 of the NPPF sets out the following definition of grey belt:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

Lichfields’ accompanying note confirms that the exclusion in the second sentence of the above definition (relating to footnote 7) does not apply to the North West Harpenden site.

This report addresses two matters:

- Whether the assessment parcel contributes strongly to any of Green Belt purposes (a), (b) or (d) and therefore whether it meets the definition of 'grey belt'. This is addressed in section 3.
- If the assessment parcel is grey belt, whether the proposed development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan and, therefore, whether the test in paragraph 155 (a) is met. This is addressed in section 4.

3.0 Grey Belt Definition

3.1. Introduction

As noted above, Lichfields' accompanying note confirms that the application site (including the assessment parcel) meets the test in the second half of the definition of grey belt, relating to footnote 7. This section addresses the first half of the definition and specifically the contribution of the assessment parcel to Green Belt purposes (a), (b) and (d).

3.2. Purpose (a) To check the unrestricted sprawl of large built-up areas

The proposed development is an urban extension to Harpenden and accordingly Harpenden is the relevant built-up area. Lichfields' note addresses the question of whether Harpenden can be described as a 'large' built-up area. If not, as confirmed by the ONS classification, then the assessment parcel makes no contribution to purpose (a).

However, notwithstanding the ONS classification, were Harpenden to qualify as a 'large' built-up area (which it does not), this section assesses the contribution the assessment parcel makes to checking the unrestricted sprawl of Harpenden.

The assessment parcel adjoins the existing built-up area of Harpenden to the south-west, which it faces across Luton Road, and to the south-east, where it backs on to houses on Bloomfield Road. The proposed development would therefore be an extension to the built-up area. However, purpose (a) is not concerned with merely extending a built-up area but with 'unrestricted sprawl'. 'Sprawl' implies development that is unplanned, irregular and creates an untidy edge to the built-up area. Where sprawl is 'unrestricted', there is nothing to stop further development resulting in the continued outward incremental spread of the urban area.

The key defining element of the area of Green Belt within which the assessment parcel is located is topography, as shown on Figure 3 at the end of this report. The River Lee runs on a north-west to south-east alignment in a well defined valley rising from around 90 metres AOD on the valley floor to 140 metres at the tops of the valley sides. The top of the south-west valley side is defined by a ridgeline which extends out of Harpenden to the north-west, and the land then descends into a second smaller valley with a similar north-west to south-east alignment, along which Luton Road runs. The Luton Road valley is thus separated from the River Lee valley by the intervening ridgeline and the two valleys are self-contained, with no intervisibility between them. Whilst the Luton Road valley in the vicinity of the assessment parcel is substantially urbanised, the River Lee valley north of Springfield Crescent is largely free of urban influences.

The proposed development is situated entirely within the Luton Road valley, extending from Luton Road up towards the ridgeline, and the upper edge of the proposed development has been fixed to ensure it does not encroach over the ridgeline and that there would be no visibility from the River Lee valley or from the higher ground beyond the River Lee valley. This topographical containment within the Luton Road valley separates the assessment parcel from the wider countryside and reflects its strong relationship with the existing built areas of Harpenden, which are visible from within the assessment parcel and are a significant urbanising influence on its character.

The ridgeline is therefore the key feature restricting the outward growth of Harpenden north-east of Luton Road. Development on the ridgeline or extending down into the River Lee valley would potentially constitute unrestricted sprawl. However, development contained within the Luton Road valley as proposed would not.

In addition, as shown on Figures 1 and 2, the proposed development includes extensive areas of green infrastructure around the outer edge of the development comprising, from east to west, sports pitches, allotments and a substantial area of new woodland. These features, together with Ambrose Lane, constitute 'physical features that are readily recognisable and likely to be permanent' in accordance with NPPF paragraph 149(f) and could be used to define a future realignment of the Green Belt boundary around the outer edge of the residential development.

Given the topographical containment and the potential for development to include woodland planting and other green infrastructure to create an appropriate long term Green Belt boundary, the land within the assessment parcel makes only a limited contribution to checking unrestricted sprawl of the built-up area of Harpenden.

Accordingly, the assessment parcel does not strongly contribute to purpose (a).

It is noted that the SAGBR scored parcels SA-19 and SA-20 at 5 (the highest score) against this purpose. This is because the SAGBR was not able to consider specific development proposals and therefore did not take into account the potential for development to include substantial green infrastructure features, as does the North West Harpenden proposal, to create a long term Green Belt boundary and prevent the development from comprising unrestricted sprawl. In addition, parcel SA-20 included land on the ridgeline and extending down into the River Lee valley which, as noted above and unlike the assessment parcel, does play an important role in checking unrestricted sprawl.

3.3. Purpose (b) To prevent neighbouring towns merging into one another

The assessment parcel is on the north-west edge of Harpenden. The nearest 'neighbouring town' in this direction is Luton, approximately 5km to the north-west.

Whilst the assessment parcel lies within countryside between Harpenden and Luton and the proposed development would extend the urban edge into this gap, there is currently no intervisibility between the two towns. The proposed development would not change this as it would be visually contained within the Luton Road valley. Travelling south along Luton Road, the perception of arrival at Harpenden is at Kinsbourne Green, approximately 1.5km north-west of the assessment parcel. This would not change if the assessment parcel is developed.

The assessment parcel makes, at most, a limited contribution to preventing neighbouring towns merging and therefore does not strongly contribute to purpose (b).

3.4. Purpose (d) To preserve the setting and special character of historic towns

Harpenden Conservation Area covers a large proportion of the town and is divided into 17 Identity Areas, most of which are a significant distance from the assessment parcel. Only

Identity Area D – Highfield Oval is sufficiently close to the assessment parcel to be of potential relevance to this purpose.

Highfield Oval is within the Green Belt but forms part of the urban area of Harpenden, west of the Midland Mainline Railway. It is *“a formal self-contained development and is a fine example of an early 20th century children’s home built on ‘garden suburb’ lines... set round a landscaped oval green on the edge of open countryside”* (Conservation Area Character Statement for Harpenden, 2008).

The primary concern for the Green Belt setting of Highfield Oval is therefore that it continues to be located ‘on the edge of open countryside’. Given that Highfield Oval is separated from the assessment parcel by housing on Ambrose Lane and Bloomfield Road and by Ambrose Wood and the Spire Hospital, the assessment parcel does not contribute to the perception of Highfield Oval as ‘on the edge of open countryside’ and therefore does not contribute to its setting.

Accordingly, the assessment parcel makes no contribution to purpose (d).

3.5. Conclusion

Given its findings of a limited contribution or no contribution to each of the three purposes, the above assessment demonstrates that the assessment parcel does not strongly contribute to any of purposes (a), (b) or (d). Taken together with Lichfields’ conclusions in relation to footnote 7, the assessment parcel therefore falls within the definition of grey belt set out in Annex 2 to the NPPF.

4.0 Paragraph 155(a) Test

4.1. Introduction

Sub-paragraph (a) of NPPF paragraph 155 sets out two tests:

- Would the proposed development utilise grey belt land? Section 3 of this report confirms that it would.
- Would the proposed development fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan?

This section addresses the second of these two tests.

In referring to ‘the remaining Green Belt across the area of the plan’, the test considers the effect the proposed development would have on Green Belt land lying beyond the development site itself. It requires consideration as to whether the development would affect how Green Belt purposes are performed within the wider Green Belt beyond the assessment parcel boundary. It refers to Green Belt purposes (taken together), meaning that all five Green Belt purposes should be considered.

This section therefore considers the effect of the proposed development on the performance of Green Belt purposes within the wider Green Belt, taking each purpose in turn and then drawing conclusions as to whether the performance of the five purposes taken together would be fundamentally undermined.

4.2. Purpose (a) To check the unrestricted sprawl of large built-up areas

As noted in section 3.2 of this report, the key feature restricting sprawl in the area around the assessment parcel is the ridgeline between the substantially rural River Lee valley and the urbanised Luton Road valley. Green Belt land on the ridgeline and to its north in the River Lee valley plays an important role in checking unrestricted sprawl. If the assessment parcel is developed as proposed, with built development restricted to the Luton Road valley and with strong, durable green infrastructure features (woodland, allotments and sports fields) containing the outer development edge, there would be no new urbanising influence on the Green Belt land beyond the assessment parcel and it would continue to perform purpose (a) as it does at present.

4.3. Purpose (b) To prevent neighbouring towns merging into one another

Existing development on Bloomfield Road and along the south side of Luton Road has a significant urbanising influence on the assessment parcel but the ridgeline conceals it from the wider Green Belt extending northwards towards Luton. Since the proposed development would be contained, both physically and visually, within the Luton Road valley and would not be visible from the wider Green Belt north of the ridgeline, the contribution of the wider Green Belt to preventing merging between Harpenden and Luton would remain unchanged.

4.4. Purpose (c) To assist in safeguarding the countryside from encroachment

Whilst there is some existing development at East Hyde and New Mill End, the River Lee valley north of the assessment parcel is largely free from the perception of encroachment by development of significant scale and therefore retains a strong sense of being countryside. From the ridgeline between the River Lee valley and Luton Road valley, there are views of existing development in Harpenden, particularly the area south-west of Luton Road. There is a sense of being close to a significant settlement and thus a perception of encroachment on the countryside.

The proposed development would be enclosed from the countryside by Ambrose Wood, Westfield Wood and existing planting around Elmfield School, and particularly by the extensive woodland planting proposed west of Cooters End Lane. Once this planting matures, there would be minimal visibility of the new built development from Green Belt land on the ridgeline and the new planting would reduce the visibility of existing development within Harpenden. The sense of encroachment into the countryside would therefore be reduced compared with the current position, increasing the contribution made by the Green Belt north of the assessment parcel to the performance of purpose (c).

4.5. Purpose (d) To preserve the setting and special character of historic towns

As noted at section 3.4 above, Area D – Highfield Oval within Harpenden Conservation Area is screened and separated from the assessment parcel by intervening features. These features, particularly the Spire Hospital and Westfield Wood, also screen Highfield Oval from Green Belt land north of the assessment parcel on the ridgeline and extending down into the River Lee valley. Neither the assessment parcel nor the Green Belt land to its north contribute to the setting of the Conservation Area.

Therefore, the proposed development will not affect the performance of purpose (d) within either the assessment parcel or the wider Green Belt.

4.6. Purpose (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

This purpose relates to the Green Belt within a Local Plan area as a whole and is not specific to any particular location within the Green Belt across the plan area.

Lichfields' accompanying note demonstrates that, notwithstanding purpose (e), St Albans' housing need cannot be met without developing land that is currently within the Green Belt. Carefully planned and well designed development on suitable Green Belt sites, such as North West Harpenden, is therefore compatible with purpose (e).

4.7. Conclusion

The above analysis demonstrates that the proposed development would not diminish the performance of any of the Green Belt purposes by the wider Green Belt beyond the site boundary. It follows that, if all five purposes are taken together, the proposed development would not diminish their performance within the wider Green Belt.

Consequently, the proposed development would not ‘fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan’.

X:\JOBS\8347_NW_HARPENDEN\CADD\DRAWINGS\GBA_2025\8347_700_FIGURE 1 ASSESSMENT PARCEL AND LAND USE PARAMETER PLAN.DWG



LEGEND

Site boundary (24.81ha)

Green Belt Assessment Parcel

C3 Residential

C2 Integrated Retirement, Community Hub and Early Years Provision

Green Infrastructure

Indicative location of sports pavilion

Note:

C2 and C3 areas will include access roads, associated hard standing and private gardens, car and cycle parking.

Green Infrastructure includes local roads crossing open space to provide access to residential parcels. These crossing points are to be minimised to limit impact on open space.

REV.	DESCRIPTION	APP.	DATE
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LDĀDESIGN

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Figure 1: Assessment parcel and land use parameter plan

ISSUED BY	Peterborough	T: 01733 310 471	
DATE	January 2025	DRAWN	KRa/MSo
SCALE@A2	1:2,500	CHECKED	CC
STATUS	Planning	APPROVED	CC

DWG. NO 8347_700

No dimensions are to be scaled from this drawing. All dimensions are to be checked on site. Area measurements for indicative purposes only.

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Sources Ordnance Survey



Green Belt Assessment Parcel

LDĀ DESIGN

PROJECT TITLE
NW HARPENDEN

DRAWING TITLE
Figure 2: Assessment parcel and
illustrative masterplan

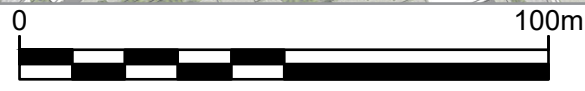
ISSUED BY	Peterborough	T: 01733 310471	
DATE	Jan 2025	DRAWN	FG/MSo
SCALE@A2	1:2000	CHECKED	CC
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Sources: Ordnance Survey...



140-145	110-115
135-140	105-110
130-135	100-105
125-130	95-100
120 - 125	90-95
115-120	85-90

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Sources: Ordnance Survey, NextMap25