# Land South of Chiswell Green Lane Green Belt Review

Prepared on behalf of Alban Developments Limited and Alban Peter Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd

April 2022





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Barton Willmore, now Stantec The Blade Abbey Square Reading RG1 3BE



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## **1.0 INTRODUCTION**

- 1.1 Barton Willmore, now Stantec has been commissioned by Alban Developments Limited and Alban Peter Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd to prepare a Green Belt Review to assess land south of Chiswell Green Lane ('the Site') against the purposes and characteristics of the Green Belt, considering it for release from the Green Belt and subsequent residential development ('the Proposed Development').
- 1.2 The Proposed Development comprises the demolition of existing structures and construction of up to 391 dwellings (Use Class C3), the provision of land for a new 2FE Primary School, open space provision and associated landscaping and new access arrangements. The Site is located on the western settlement edge of Chiswell Green.

## 2.0 METHODOLOGY

## Assessment against the purposes of the Green Belt

- 2.1 The fundamental purpose of the Green Belt, as identified in Paragraph 137 of the NPPF, is "to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".
- 2.2 The Site is assessed against the first four purposes of the Green Belt as set out in Paragraph 138 of the NPPF, which are:
  - "to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment; and
  - to preserve the setting and special character of historic towns... "
- 2.3 With respect to the fifth purpose of the Green Belt *"to assist in urban regeneration by encouraging the recycling of derelict and other urban land"*, should the Site be brought forward for development it would not prejudice derelict or other urban land being brought forward for urban regeneration. The principle of retaining land within the Green Belt holds true for all areas within the Green Belt, therefore the Site is considered to make the same contribution to this purpose of the Green Belt as any other land parcel within the Green Belt. Accordingly, no additional specific assessment is undertaken.
- 2.4 The NPPF endorses the permanence of Green Belts as an essential characteristic and stipulates in paragraph 140 that "Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans". This is of particular relevance where proposals relate to a plan-led release of land from the Green Belt, which applies to the Site insofar as the Site is roughly co-extensive with land recommended for release in the published Green Belt reviews. However, where a local authority is to consider a planning application, Very Special Circumstances need to be shown, as set out in paragraph 148.
- 2.5 The NPPF seeks to align Green Belt boundary reviews with sustainable patterns of development, as set out in paragraph 142, with Local Planning Authorities encouraged to "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".

- 2.6 In this regard, where a given area of land contributes poorly towards meeting the purposes of the Green Belt and its release would contribute positively to promoting a sustainable development pattern, this may be considered to impart 'exceptional circumstances' and the Green Belt boundary should be reviewed accordingly.
- 2.7 The criteria used to assess the contribution made to the purposes of the Green Belt are set out in Table 5.4 and paragraph 5.5.1 of the November 2013 Sinclair Knight Merz Green Belt Review: Purposes Assessment, which classifies the contribution as 'limited or no contribution', 'partial contribution' or 'significant contribution' see Appendix 1: Published Green Belt Review Extracts. These criteria have been selected for use in the Site Specific Review contained within this document so as to ensure compatibility with previous studies and to allow direct comparison.

#### Assessment against the characteristics of the Green Belt

- 2.8 The NPPF states that the key characteristics of the Green Belt are *"their openness and their permanence"*. In defining new boundaries to the Green Belt, it must be ensured that these characteristics are not diminished for the areas remaining within the Green Belt designation as a direct result of development. An assessment is made of the openness of the Green Belt in the vicinity of the Site and to what extent the Site's removal could have on the perception of openness in the remaining designated area.
- 2.9 In addition, the relationship of the Site to existing elements and visual barriers, such as ridgelines, roads and areas of notable vegetation is demonstrated. This assists in the assessment of impact of potential development upon the openness of the remaining designated area and assists in the identification of boundaries that may be considered to be 'permanent'.
- 2.10 Table 2.1 below provides a glossary of the terms used in relation to the Green Belt assessment.

#### Table 2.1: Definitions

Term	Definition	
Brownfield	(see Previously Developed Land)	
Character	A distinct, recognisable and consistent pattern of elements in the landscape that differentiates one area from another.	
Coalescence	The physical or visual linkage of large built-up areas.	
Countryside	In planning terms: land outwith the settlement boundary; and/or, In broader terms: the landscape of a rural area.	
Defensible Boundary	A physical feature that is readily recognisable and likely to be permanent.	
Encroachment	Advancement of a large built-up area beyond the limits of the existing built-up area into an area perceived as countryside.	
Green Infrastructure	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.	
Greenfield	Land (or a defined site) usually farmland, that has not previously been developed.	
Large Built-up Area	An area that corresponds to the settlements identified in the relevant Local Plan, including those inset from the Green Belt.	
Merging	(see Coalescence)	
Neighbouring Town	Refers to settlements identified within the relevant Local Plan and those within the neighbouring authorities' administrative boundary that abut the Green Belt.	
Open space	All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.	
Openness	Openness is taken to be the degree to which an area is primarily unaffected by built features, in combination with the consideration of the visual perception of built features. In order to be a robust assessment, this should be considered from first principles, i.e. acknowledging existing structures that occur physically and visually within the area, rather than seeing them as being 'washed over' by the existing Green Belt designation.	
Previously Developed Land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built -up areas such as private gardens, parks, recreation grounds and allotments and land that was previously-developed	

	but where the remains of the permanent structure or fixed surface structure blended into the landscape in the process of time.	
Sprawl	The outward spread of a large built-up area in an incoherent, sporadic, dispersed or irregular way.	

## 3.0 PUBLISHED GREEN BELT REVIEW

- 3.1 The NPPF states that the key characteristics of the Green Belt are "their openness and their permanence". The character of the Green Belt in the vicinity of the Site has been the subject of various stages of Green Belt review by SACDC. It is also noted that the SACDC's Planning Advisory Group also issued an update in 2021 to its Housing and Economic Land Availability Assessment, which indicated that the site is still considered by SACDC to be available and suitable.
- 3.2 St Albans City and District Council (SACDC) are preparing a new Local Plan 2020-2038 which will replace the District Local Plan Review 1994. It will affect what can be built and where up to 2038 in the District. The draft Local Plan 2018 has been withdrawn, and the Regulation 18 Consultation for the new Local Plan is now scheduled for January/February 2022, with adoption due by the end of 2023. Therefore current local policy consists of saved policies from the 'District Local Plan Review 1994', with those policies not saved having expired with effect from 28th September 2007.
- 3.3 As part of the process of adopting a new Local Plan, there is an acknowledgement that that release of land from Green Belt will be required to deliver the housing needs of the District, and as a result a number of supplementary documents have been prepared by independent consultants to identify land for potential Green Belt release, initially at the strategic level and subsequently at the more site specific level. A 'Strategic Local Plan Technical Report Development Site and Strategy Options Evaluation' was published in October 2014 by SACDC. The 'Strategic Local Plan 2011 2031 Publication Draft' was published in in January 2016.
- 3.4 As part of the SACDC Green Belt review process, two documents were produced: the Green Belt Review: Purposes Assessment (November 2013) and the Green Belt Review: Sites and Boundary Study (February 2014). The November 2013 Assessment identified strategic parcels across three Unitary Authorities, including SACDC. It also provided a set of criteria for judging the contribution made to the purposes of the Green Belt, and then identified sub-areas within the strategic parcels for further consideration. The February 2014 Study undertook that further consideration and identified parts of the sub-areas most appropriate for release from the Green Belt.

#### Green Belt Review: Purposes Assessment (November 2013)<sup>1</sup>

3.5 The Green Belt Review: Purposes Assessment was prepared by Sinclair Knight Merz on behalf of SACDC, Dacorum Borough Council and Welwyn Hatfield Borough Council to provide a strategic review of Green Belt within the area, identifying strategic sub-areas with varying potential to accommodate Green Belt release, subject to more site specific assessment. Extracts from this Assessment are provided in **Appendix 1: Published Green Belt Review Extracts**. The 2013 Assessment identified Strategic Parcel GB25 (within which the Site is located, as shown in **Figure 1: Site Context Plan**) as having a significant contribution towards safeguarding the existing settlement pattern, and a partial contribution towards preventing merging and preserving setting. Overall it was considered to contribute significantly to 2 out of 5 of the purposes of the Green Belt.

# St Albans Green Belt Review: Sites and Boundary Study (St Albans City and District only) (February 2014)<sup>2</sup>

- 3.6 The St Albans Green Belt Review: Sites and Boundary Study was prepared by Sinclair Knight Merz on behalf of SACDC in order to provide detailed and robust assessment of eight strategic sub-areas that were considered to contribute the least towards the five Green Belt purposes, as identified in the Green Belt Review: Purposes Assessment. The February 2014 version updates an earlier (December 2013) version by identifying potential sites for release from the Green Belt, estimating the potential development capacity, and ranking the sites in terms of the suitability of release from the Green Belt. Extracts from this Study are provided in **Appendix 1: Published Green Belt Review Extracts**. The Site is included in one of these sub-areas: Sub-Area S8, Enclosed land at Chiswell Green Lane at Chiswell Green, as shown in as shown in **Figure 1: Site Context Plan**.
- 3.7 The findings of the Study are intended to *"inform future choices by the Council on how to strike the balance between development needs and Green Belt restraint"*. The Study states, in Chapter 10, relevant to the Site, that Strategic Parcel GB25, of which Sub-Area S8 forms the eastern part, *"significantly contributes towards 2 of the 5 Green Belt Purposes: it safeguards the countryside and maintains the existing settlement pattern (providing a gap between St Albans and Chiswell Green)"*.

<sup>&</sup>lt;sup>1</sup> Dacorum Borough Council, St Albans City and District Council and Welwyn Hatfield Borough Council (2013) 'Green Belt Review: Purposes Assessment'. Available at:

https://www.stalbans.gov.uk/sites/default/files/documents/publications/planning-building-control/planningpolicy/examination-library/SP\_EB\_GBR\_Part1\_Nov2013\_tcm15-38991.pdf (Accessed 13 February 2022). <sup>2</sup> St Albans City and District Council (2014) 'St Albans Green Belt Review: Sites and Boundary Study (St Albans City and District only)'. Available at: https://www.stalbans.gov.uk/green-belt-documents (Accessed 31 March 2022).

- 3.8 However, specifically in relation to Sub-Area S8, the Study goes on to say that the land *"displays particular urban fringe characteristics due to its proximity to the settlement edge and Butterfly World along Miriam Road to the west. This development bounds the outer extent of the pasture land and creates a physical barrier to the open countryside"*.
- 3.9 Commenting on possible land use within Sub-Area S8, and thus the Site, the Study goes on to state, "This creates potential to integrate development into the landscape with lower impact on views from the wider countryside and surroundings. At the strategic level, a reduction in the size of the parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements. Assessed in isolation, the land makes a limited or no contribution towards all Green Belt purposes".
- 3.10 The Study considers Sub-Area S8 to have a greater sense of enclosure than other parts of the sub-area due to the small woodlands, copses and hedgerows within it, together with the artificial landform that surrounds Butterfly World, which will be reinforced as planting on it matures. It states, "Views are much shorter in distance within the eastern part of the sub-area (between Butterfly World and Chiswell Green) [that is, the Sub-Area and the Site] due to a combination of local landform and vegetation".
- 3.11 Landscape sensitivity is also assessed as lower for the land adjoining the settlement edge of Chiswell Green, that is Sub-Area S8 and therefore the Site, compared to the higher sensitivity land to the west, which is more open and rural in character and where capacity for accommodating development is reduced as any proposals would be more visually prominent. This is illustrated on Figure 10.1 included in the Study – see **Appendix 1: Published Green Belt Review Extracts**.
- 3.12 The Study considers that *"the most appropriate land for potential release from Green Belt for residential led development is the eastern part of the sub-area"* which coincides with Sub-Area S8 and includes the Site.
- 3.13 With regard to the Sub-Area's contribution towards Green Belt Purposes, the Study concludes:

"This area of land does not significantly contribute towards any of the five Green Belt purposes. It makes a partial contribution towards safeguarding the countryside from encroachment. It makes a limited or no contribution towards checking sprawl, preventing merging, preserving setting and maintaining the existing settlement pattern".

3.14 An indicative residential capacity for the Sub-Area is supplied within the Study, which assumes that only 60% of the area would be developed for housing, i.e. 9 hectares (ha). It calculates

that at 30 dwellings per hectare (dph), 9ha of land would yield 270 dwellings and at 50dph, it would yield 450 dwellings.

3.15 Chapter 11 of the Study considers four assessment categories (Green Belt purposes, constraints, integration and landscape sensitivity), which "enables sites to be ranked in order of relative suitability for potential Green Belt release and future development". It ranks the Sub-Area 8 first out of nine sites, i.e. "Site 8 at Chiswell Green is the most suitable site". It also classifies the ranked sites into three tiers in order of their suitability for potential Green Belt release and future sites into three tiers in order of their suitability for potential Green Belt release and future development, with Sub-Area 8 falling within Tier 1: "Tier 1 sites do not significantly contribute towards any of the five Green Belt purposes and are classified as exhibiting 'higher' suitability for at least two of the three categories relating to constraints, integration and landscape sensitivity".

## Summary

3.16 Sinclair Knight Merz produced both the Green Belt Review: Purposes Assessment (November 2013) and the Green Belt Review: Sites and Boundary Study (February 2014) on behalf of SACDC. The November 2013 Assessment identified Strategic Parcel GB25 (within which the Site is located) as contributing significantly to two of the five purposes of the Green Belt set out in the NPPF. Within this Strategic Parcel, a Sub-Area, S8, was identified for further consideration. The February 2014 Study identified the eastern part of the Sub-Area, broadly co-extensive with the Site, as making a limited or no contribution to four of the five purposes of the Green Belt, and a partial contribution to one of the five purposes. It indicates a residential capacity for the Site of between 270 and 450 dwellings, and ranks it as the highest of nine sites for its suitability for release from the Green Belt and future development.

## 4.0 SITE SPECIFIC GREEN BELT REVIEW

- 4.1 The February 2014 Study does not identify which level of contribution the eastern part of the Sub-Area makes to each individual purpose of the Green Belt, and appears to rely on the criteria set out in the November 2013 Assessment. Therefore the following section provides a Site Specific Green Belt Review of the Site, using the same criteria as the published Green Belt reviews, which are set out in Table 5.4 and paragraph 5.5.1 of the November 2013 Assessment. It also considers the Site according to its precise extents, as well as considering in greater detail the contribution of the Site to the Green Belt, in terms of Purposes 1 to 4 as set out in the NPPF, and with regard to the degree to which the Site contributes to the key characteristics of Green Belt, and the effect on the wider Green Belt should the Site be developed or released from Green Belt.
- 4.2 This Site Specific Review first assesses the strategic role and contribution of the Site to the purposes of the Green Belt (Part 1), and then goes beyond the approach taken in the November 2013 Assessment and February 2014 Study, by undertaking a refined assessment of the implications of development of the Site (Part 2). The three-point scale follows that set out in paragraph 5.5.1 of the November 2013 Assessment and scores the level of contribution made to the Green Belt purposes from 'limited or no contribution', to 'partial contribution', to 'significant contribution'.

NPPF	Existing	Part 1	Part 2
Purposes of the Green Belt	Contribution of the Site	Strategic Assessment	Refined Assessment
Purpose 1:	No contribution		
To check the unrestricted sprawl of large built-up areas	The Site is not within the vicinity of any large-built up areas. Therefore, it does not act as an effective barrier against sprawl from any such large built-up areas. Neither does it contribute, as part of a wider network of parcels, to a strategic barrier against the sprawl of any such built-up areas. The Proposed Development will be a well-designed extension to the settlement, providing a rational rounding off of the settlement morphology, such that it would not constitute sprawl.		
Purpose 2: To prevent neighbouring towns from merging	Limited or no contribution	The Site forms a small part of the much wider swathe of Green Belt between the first tier settlements of St Albans, Hemel Hempstead and Watford, and lies within the Strategic Gap between St Albans and Watford. At over 4km this Strategic Gap is of sufficient scale and character that the settlements are unlikely to merge. The M25 and M1 provide boundaries that are likely to prevent any perceptual coalescence between these settlements. The A414 provides a similar boundary prevent perceptual coalescence between Chiswell Green and St Albans. Therefore the Site is unlikely to play any role in preventing development that would result in the merging of or significant erosion of the gap between neighbouring settlements, since it does not provide a sufficiently substantial gap between any settlements and makes no discernible contribution to separation. There is no evidence of ribbon development along transport corridors near enough to the Site, and it therefore cannot be considered to play a part in preventing further ribbon	Development of the Site would not result in the merging of towns and would not constitute a step towards the coalescence of any settlements. Development of the Site offers the opportunity to create strong and defensible landscape boundaries, particularly on the western edge of the Site, which would retain a separation of development from existing listed buildings within the Green Belt to the west.
Purpose 3:	Partial	development. Built development already exists	The Site is largely contained by
To assist in safeguarding the	contribution	on the Site, covering 4% of the parcel. The Site does not possess a strong unspoilt rural character due to the influence of the adjacent urbanising elements at	clearly defined obvious natural boundaries that are formed by hedgerows and hedgerow trees as well as blocks of woodland. These existing boundaries

## Table 9.1: Assessment of Contribution of the Site to the Purposes of the Green Belt

NPPF	Existing	Part 1	Part 2
Purposes of the Green Belt	Contribution of the Site	Strategic Assessment	Refined Assessment
countryside from encroachment		Chiswell Green, the perception of which is apparent on the Site since the majority of views both within and towards the Site are seen in the context of: residential built form adjacent to the Site; agricultural built form within the landscape to the south and west of the Site; and pylons in the middle ground, often breaking the skyline. Agricultural land uses exist within the Site, but its character as countryside is heavily influenced by its urban fringe location, and this is reflected in the lack of established national or local designation. Therefore whilst only a very small proportion of the Site is covered by development, there is a limited rural character due to the urban fringe location, such that the Site makes only a partial contribution to safeguarding the countryside from encroachment.	<ul> <li>would be maintained and enhanced by the comprehensive landscape strategy, which would create a strong and defensible boundary that would allow for the Proposed Development to be delivered on the Site. The landscape strategy would create a new Green Belt boundary that delivers a linear landscape buffer defined by the restored and reinforced hedgerow along the western boundary of the Site.</li> <li>Whilst the development of the Site would result in the loss of countryside, further encroachment would be limited to, and contained by, the robust, clearly defined boundaries to the Site, thus preventing any further encroachment into the adjacent landscape.</li> </ul>
Purpose 4:	No contribution		
To preserve the setting and special character of historic towns	The Site does not abut an identified historic settlement core. Therefore, the Site does not protect any land which provides immediate or wider context for a historic town or any views or vistas between any such town and the surrounding countryside.		

- 4.3 Given the above analysis, the existing Site makes a partial contribution to only one of the purposes of the Green Belt as set out within the NPPF, namely Purpose 3, to assist in safeguarding the countryside from encroachment. To the other four purposes it makes a limited or no contribution, as a result of its location relative to large built-up areas, historic towns and towns at risk of merging. Overall, this Site Specific Review is aligned with the conclusions drawn by the February 2014 Study.
- 4.4 Beyond addressing the five purposes of the Green Belt, the essential characteristic that the Green Belt seeks to maintain is openness. As mentioned above, built form already covers 4% of the parcel, and built form on the settlement edge of Chiswell Green encloses the Site to the north, east and south-east. Visual openness is also limited by the existing vegetated field

boundaries which truncate views between the various fields within the Site as well as limiting intervisibility between the Site and the remaining Green Belt to the west. Views from the settlement edge toward parts of the Site and toward the wider Green Belt beyond are also interrupted by the existing field boundary vegetation. On the whole, development of the Site would cause only a limited loss of physical and perceptual openness, and would have very little effect on the openness of the remaining Green Belt.

- 4.5 The Proposed Development layout has been carefully considered to form a coherent extension to the existing developed settlement of Chiswell Green. The Proposed Development would be set within a comprehensive landscape framework, with the provision of significant tree and shrub planting in keeping with the wider landscape character. Additionally, the creation of substantial green open space, green corridors and links throughout the Site would provide access for informal recreation. It would also improve habitat connectivity and significantly improve recreational access to the local landscape; with resultant substantial landscape, visual amenity and biodiversity enhancements.
- 4.6 The significant improvements to public access and recreation within the Site would provide a substantial increase in the connection of accessible land and accessible routes through the Site. This would make a small contribution to the connectivity of publicly accessible routes that are located within the Green Belt beyond the boundary of the Site, by providing access from Long Fallow and Forge End through the Site to the network of PRoW to the north that adjoin Chiswell Green Lane immediately to the north of the Site. This aligns with paragraph 138 of the NPPF which states, with regard to councils drawing up revised Green Belt boundaries, that:

#### "They should also set out 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".

4.7 The proposals would provide a new clearly defined boundary to the Green Belt based on existing physical features, strengthened and enhanced such that they would be permanent, long term and enduring, as required by Paragraph 140 of the NPPF, and Paragraph 143 Points (e) and (f) of the NPPF, which state with regard to Green Belt boundaries that plans should:

## e) "be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

# f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent".

4.8 The proposed residential development and consolidation of the existing settlement of Chiswell Green would respect the pattern of existing landscape features and would provide a new, defensible and robust boundary to development that would also contribute positively to the wider landscape character.

- 4.9 Furthermore, whilst there would be some loss of open land between the existing first tier settlements of St Albans and Watford, development at the Site would not result in the merging of towns, as a substantial swathe of largely open countryside would remain between them.
- 4.10 Therefore, whilst the Proposed Development on the Site would result in new development within the open land between these two settlements, the Site is contiguous only with Chiswell Green and the functioning gap between these settlements and the Site would remain. As such, Proposed Development on the Site would not reduce the ability of the surrounding neighbouring Green Belt land to meet this purpose of the Green Belt.
- 4.11 Development of the Site would not constitute the sprawl of any large built-up areas. Neither is the Site within the setting of a historic town.

## Summary

- 4.12 It is considered that the Site makes a limited or no contribution to the majority of the purposes of the Green Belt when considered against the methodology set out within the November 2013 Green Belt Review: Purposes Assessment, and that development of the Site, subject to the landscape and visual principles set out, would appear as a coherent addition to the existing settlement pattern and would be in keeping with the character of the edge of Chiswell Green immediately to the east. Moreover, the Site is contained by boundary vegetation and woodland, which would serve to contain introduced built forms and thus limit any impact upon the openness of the Green Belt in this area. This structural vegetation would also be reinforced as part of development of the Site and creation of a new Green Belt boundary.
- 4.13 Overall, whilst the Proposed Development of the Site would cause a loss of countryside, much of this is strongly influenced by its existing urban fringe location and exhibits a limited perception of openness due to the limited extent of visual connection to the wider landscape. Therefore the release of the Site from the Green Belt is not considered to cause harm to the openness of the remaining Green Belt or its ability to contribute to the purposes of the Green Belt.
- 4.14 The performance of the Site against the tests within the Site Specific Green Belt Review detailed in this report suggests that it could be considered for release from the Green Belt.