



# **Dacorum Borough Council**

## **Local Planning Framework**

### **DACORUM SITE ALLOCATIONS DPD EXAMINATION IN PUBLIC**

**Statement by Dacorum Borough Council**

**Matter 7: Policy LA1: Marchmont Farm, Hemel Hempstead**

**September 2016**

## **Purpose of this statement**

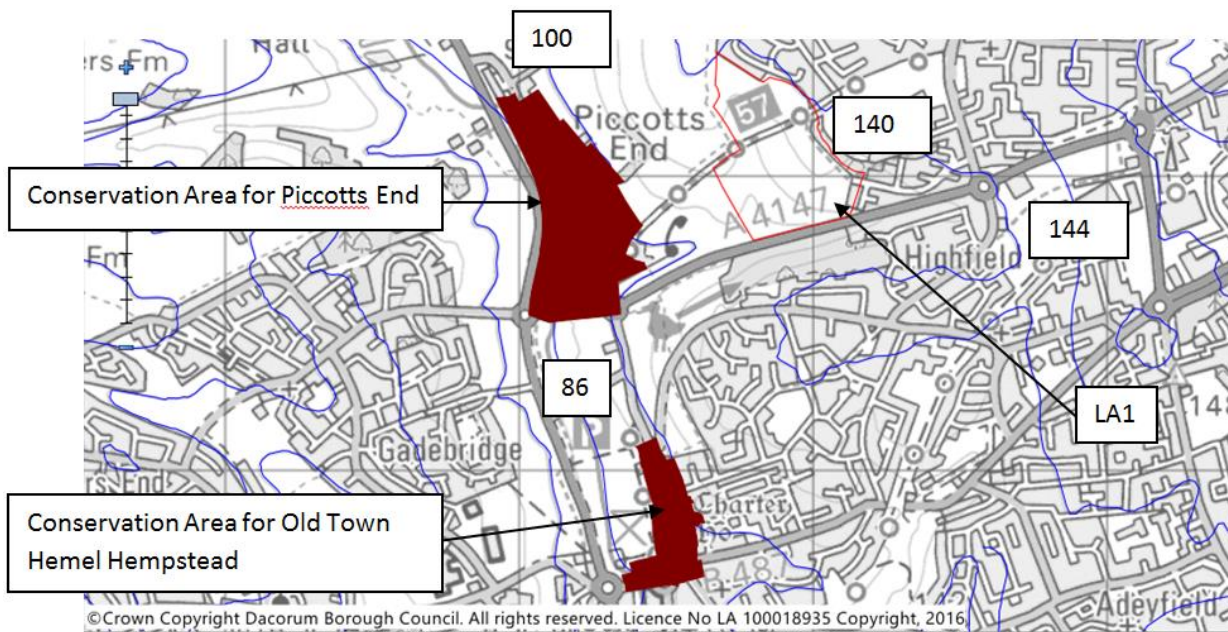
The purpose of this statement is to summarise the Council's position regarding the following matters, issues and questions raised by the Inspector in advance of their discussion at the public hearing sessions.

To avoid repetition this statement includes cross references to appropriate technical work and includes relevant extracts as appendices.

## Matters raised by Inspector and the Council's response

### 1. Is a reference to the Conservation Area needed within the policy?

- 1.1 The proximity of the LA1 site to Piccotts End, and a lesser degree to the Old Town Conservation Areas were matters raised and considered through the preparation of the Core Strategy (Examination Document CS4). They have therefore been taken into account by the Council and Planning Inspector when considering the suitability of this site for development. Page 153 of the Core Strategy establishes the main principles for the site, such as the broad dwelling capacity, its scale and siting and the need for new strategic landscaping, which are all relevant considerations to limit any perceived impacts upon Piccotts End.
- 1.2 The Council recognises the importance of minimising the impact of the development on the archaeological and heritage assets surrounding LA1. The map below shows the proximity of two Conservation Areas – Piccotts End and Old Town - to LA1. Contours (shown in metres) are given for the surrounding land.



- 1.3 Historic England raised objections to the Pre-Submission Site Allocations plan (Examination Document SUB17) to this Local Allocation in respect of the proposed form of development and its impact on designated heritage assets. Specifically, they were concerned about the height of buildings within the site taking into account the local topography and the impact this would have on the Piccotts End Conservation Area. In response to this, the Council proposed modifications through the Focused Changes process (MC16 and MC17) to the 'Key Development Principles' section of Policy LA1. These clarified that buildings should be limited to two storeys in height except where a higher element would create interest and focal points provided such elements would be appropriate in terms of topography and visual impact (including impacts on the Conservation Area)). Equivalent changes have also been made to the draft master plan

(Examination Document LA8). Furthermore, detail of the proposal including design of buildings will be set out and considered within any planning application. This includes consideration of Core Strategy Policies 10: Quality of Street Design; CS11: Quality of Neighbourhood Design and CS12: Quality of Site Design.

- 1.4 The requirements of Policy CS27: Quality of the Historic Environment of the Core Strategy will also apply to the future scheme at Marchmont Farm. This policy states that *“the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Development will positively conserve and enhance the appearance and character of conservation areas. Negative features and problems identified in conservation area appraisals will be ameliorated or removed. ...”*
- 1.5 With specific regard to the policies within the Site Allocations DPD, Policy SA8: Local Allocations states that: *“...Site master plans will provide further guidance regarding detailed design and layout.”* Whilst this master plan is not before the Inspector for consideration, the Council are content that this matter of heritage impact is also appropriately emphasised in this document (Examination Document LA8). Relevant extracts are set out in Appendix 1.
- 1.6 The Development Plan must always be read as a whole and as such the Council is content that all appropriate policies will be applied by the Council when a planning application for this site is received, whether or not specific reference is made to the Old Town and Piccotts End Conservation Areas within Policy LA1 itself. As such, the Council is satisfied that these matters are appropriately recognised and addressed through Policy LA1 as submitted, with additional advice set out in the associated master plan, particularly with respect to the setting and form of the development and the need to protect the character of Piccotts End.

## **2. Is a wider planted buffer necessary along the western boundary of the site and if so is reference to this necessary in the policy?**

- 2.1 The Council notes that site already benefits from landscape screening on some edges, although this will need to be enhanced (as specified in the Core Strategy requirements for the site). On the western side the topography also helps provide a clear delineation between the boundary of the site and the countryside beyond. The master plan for LA1 (Examination Document LA8) emphasises the characteristics of the landscape and need for conservation and strengthening of the landscape buffer by acknowledging that the site forms part of a wider landscape tract (High Gade Valley) which is referred to as Area 123 in the Council’s Landscape Character Assessment (LCA) SPG (Examination Document EN13<sup>1</sup>). Marchmont Farm is located in the southern tip of this character area and the LCA recommends that the area is conserved and strengthened. In doing so, it specifically states that new planting should be

---

<sup>1</sup> [http://web.dacorum.gov.uk/docs/default-source/planning-development/landscapecharassess\\_f28\\_area123highgadevalley.pdf?sfvrsn=0](http://web.dacorum.gov.uk/docs/default-source/planning-development/landscapecharassess_f28_area123highgadevalley.pdf?sfvrsn=0)

encouraged to maintain age diversity and respect the historic context of existing features (in a similar way to the boundary around the adjacent area of Grovehill).

- 2.2 By following the requirements of Policy LA1, as elaborated by the master plan, the site will be integrated into the overall landscape character of the area and maintain an appropriate landscape buffer between the site and Piccotts End. The site boundary has been appropriately defined within on the Policies Map in order for the development to nestle into the landscape, behind the ridge line as shown on the site topography map in Figure 5 of the master plan.
- 2.3 The master plan (relevant sections are paragraphs 3.13 to 3.15 and 5.18 to 5.20) confirms that the inclusion of a planted buffer along the entirety of the western edge of the site will also minimise the visual impact of the proposal and provide physical separation between Piccotts End and Marchmont Farm. The Council consider that the design of this planted buffer should be informed by a Heritage Statement, having regard to the setting of Piccotts End Conservation Area, and Landscaping Visual Impact Assessment, both of which should be submitted in support of the planning application. The master plan expands upon the requirements in Policy LA1, stating that the design of this buffer should seek to provide a soft edge with a natural alignment and appearance that varies along its boundary but achieves an average planted depth of around 10 metres along its entirety. The use of native species and mature vegetation will be key to the character of the development. The landscaping scheme for the proposals will be drawn up in accordance with the landscaping aims and objectives set out in the policy and expanded in the master plan.
- 2.4 The report on the Landscape and Visual Matters for this site (Examination Document LA15) is of relevance in this regard. This acknowledges that the site, whilst elevated in portions, does not form a significant element in the wide valley landscape or setting of Hemel Hempstead. It goes on to say that *“whilst there is existing inter-visibility between the settlement edges, the local ridgeline aligning the western boundary of the site contributes to the perceived physical and visual separation of these settlements.”* This document has been used to inform the policy principles and further guidance set out in the master plan regarding local landscape character (page 24 to 25).
- 2.5 Changes recommended to the Site Allocations DPD as a result of the Focussed Changes consultation (Examination Document SUB3) confirms removal of the reference to a set width for the landscaped buffer on the western boundary of the site within Policy LA1 of the submitted Site Allocations DPD (Examination Document SUB1). The Council proposes to retain the following relevant development principles within the Policy, which are also reiterated within the master plan. These are:
- Soften views of housing from the countryside by use of planting, by retaining appropriate hedges and by siting open space carefully; and
  - Provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End.
- 2.6 The Council’s preference continues to be to exclude reference to a set depth of boundary planting within Policy LA1, as the remaining policy text (and master

plan) emphasises the importance of safeguarding the setting of the Piccotts End Conservation Area and the precise depth required can be better established as part of the planning application process. The Council will instead seek a buffer which provides sufficient separation and screening between the development and the Conservation Area, which will be considered alongside the contribution from the existing landscaping within the site, the role of new planting, the need for development to follow the topography of the site, and through careful design and layout of the new housing.

- 2.7 In the light of these existing policies and controls, the Council does not consider it necessary to add an explicit reference to depth of landscape buffer required to the western boundary of LA1. However, if the Inspector wishes such a reference to be included within the policy, this can be added through a further modification to the plan.

### **3. Is the site viable with the provision of a traveller site?**

- 3.1 The NPPF states that the cumulative impact of local planning authority standards and policies *'should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle'*. The Council recognises the importance of viability in terms assessing the impact of a range of requirements and contributions in bringing forward schemes. It is satisfied that it has given full consideration of these matters and that all allocations, including LA1, are viable.
- 3.2 The Council initially tested the viability of the Local Allocations and other strategic sites in 2013 (Examination Document ID4). At the request of the Inspector (Procedural Correspondence PC3c) the Council has undertaken further work on the three larger Local Allocations (LA1, LA3 and LA5) to explicitly test the impact of the proposed traveller sites, as well as other policy requirements, on their viability (Examination Document HG19). Both studies were undertaken by BNP Paribas Real Estate:
- 3.3 The results of these viability studies demonstrate that all strategic sites and more specifically Local Allocation LA1, can viably deliver the proposed development in line with wider policy requirements.
- 3.4 The appraisals in Examination Document HG19 indicate that the inclusion of a limited number of Gypsy and Travellers' pitches on the Local Allocations do not significantly impact on the viability of the sites so as to make them undeliverable. The delivery of such uses on the site equates to no more than 1.5% of the schemes' overall development costs. This level of costs is unlikely to be a determining factor in whether a developer brings forward this site or not. Furthermore, the consultants highlighted that their appraisal adopts a cautious approach by not allowing for any income from the Gypsy and Travellers pitches, however it is likely that they will generate revenue which would improve the viability of the schemes (depending on management arrangements).
- 3.5 Where appropriate, the Council takes a flexible approach to applying its policy requirements, will ensure an appropriate balance between delivering the

required growth to meet the needs of the local population, affordable housing, sustainability objectives, necessary infrastructure and the need for landowners and developers to achieve competitive returns, as required by the NPPF. This will ensure that sites can come forward and deliver the maximum reasonable quantum of affordable housing. In particular the consultants identified that given the surpluses generated by the sites, were they to come forward with Starter Homes they could also deliver a larger quantum of traditional affordable housing (i.e. affordable rent and shared ownership). over and above the potential 20% Starter Homes requirement.

- 3.6 Maintaining this flexible approach will ensure the ‘*scale of obligations and policy burdens*’ (paragraph 174 of the NPPF) are appropriate in all instances to ensure that sites are able to be developed viably and thus facilitate the growth envisaged by the Council’s plans over the economic cycle, without jeopardising the delivery of the aspirations of the adopted Core Strategy and submitted Site Allocations DPD.
- 3.7 In general terms, all three of the larger Local Allocations sites, including LA1, have proven to be more viable in 2016 than shown in the 2013 study. This is illustrated in the graphs in Appendix 2.
- 3.8 The issue of viability was raised by the Inspector as part of early pre-hearing questions (Procedural Correspondence PC3). The Council has responded to this matter under Procedural Correspondence PC3a. This matter is discussed in detail under Question 2 to Matter 6. Key points stemming from the response include:
- The plan is underpinned by appropriate and proportionate viability work and a full understanding of scheme viability;
  - Given the inter-relationship with the Core Strategy, viability testing has been part of an existing and ongoing process;
  - Detailed viability testing has been carried out on key components that are integral to delivering the approach set out in the Core Strategy as part of the CIL process (e.g. CIL Strategic Sites Testing (Examination Document ID4)) and other technical studies (e.g. Three Dragons affordable housing viability study (Examination Document HG17));
  - The cost of on-site infrastructure has been reflected in the viability assessments of larger site allocations (notably highway and utilities infrastructure) and for the purposes of CIL viability testing;
  - The Council’s Affordable Housing SPD (September 2013) (Examination Document HG2) has helped provided a degree of flexibility over viability;
  - Housing sites have been subject to high level viability testing through the Council’s 2008 (Examination Document HG13) and/or 2016 Strategic Housing Land Availability Assessments;
  - Most of the housing allocations have the support of landowners (or have developer options) and progress is being made through the planning application stage; (see Table 1 in Appendix 1 under Matter 6); and
  - Sites have been, or will be, subject to further testing at the planning application stage.

#### 4. Should the site come forward prior to 2021 if it is available?

- 4.1 The Council considers that the Plan housing programme represents a significant body of housing which is likely to further improve in the future (see below). The Council will continue to take steps through its planning powers and landownership, and through close working with the development industry and other bodies to ensure delivery and to boost the overall supply of housing land.
- 4.2 The issue of when the Local Allocations should be released for development was considered in some detail through the Core Strategy Examination. This took account of the context provided by the NPPF (Examination Document REG10), including its objective of boosting significantly the supply of new housing. The Core Strategy Inspector clearly supported the Council's general approach to phasing in finding the Core Strategy (Examination Document CS4) sound, subject to a number of Main Modifications (paragraphs 16-18 of the Inspector's Report: (Examination Document CS6)). With explicit regard to the phasing, delivery and management of development he concluded that:

*"The Council's approach has been satisfactorily justified in the context within which the plan has been prepared."* (paragraph 16)

- 4.3 The Core Strategy (paragraph 8.17) (Examination Document CS4) advises that: *"Local Allocations will be held back to encourage urban sites to come forward earlier, to retain countryside for longer and to ensure an appropriate contributions to land supply in the later part of the plan period."*

This same principle is reflected in the submitted Site Allocations document (paragraph 6.26) (Examination Document SUB1) and in the Providing Homes and Community Services Background Issues Paper (paragraphs 2.73-2.80) (Examination Document SA4) in discussing the phasing of allocations.

- 4.4 The Council has demonstrated that it can be flexible over the phasing of Local Allocations when circumstances justify, and will continue to be so (see below). Following further consideration of local housing needs and the role the Local Allocation LA5: Icknield Way, west of Tring will play in delivering other essential local infrastructure, the site has been brought forward into Part 1 of the Schedule of Housing Proposals and Sites. Whilst no specific delivery date has been set, this will follow the formal release of the site from the Green Belt i.e. after adoption of the Site Allocations DPD. The reasons for this earlier release of LA5 are set out in the Meeting Homes and Community Needs Background Issues Paper (November 2015) (Examination Document SA4).
- 4.5 The Council believes that there remain sound planning grounds for continuing to constrain the release of Local Allocations LA1-4 and LA6. These Local Allocations are included in Part 2 of the Schedule of Housing Proposals and Sites in the Site Allocations DPD (Examination Document SUB1) and are planned to bring forward completed homes from 2021 onwards. There have been no fundamental changes in circumstances since the adoption of the Core Strategy and in consulting on the Site Allocations DPD, to warrant bringing forward these allocations sooner:



- There is no overriding local justification to release them earlier;
- The Council wants to continue to give emphasis to the supply of brownfield sites and future opportunities as sought by national policy (paragraphs 17 and 111 of the NPPF (Examination Document REG10)).
- Local Allocations are still needed to boost supply in the medium to longer term, to ensure a steady delivery of housing.
- There is no pressing need to bring forward Local Allocations to boost immediate supply. As at 1<sup>st</sup> April 2015, there is a healthy pipeline of housing and the Council can meet and modestly exceed its 5 year housing supply (see Matter 4, Table 1 and the response to Question 6).

The position on supply is only likely to improve given progress being made with sites, increasing levels of completions and on-site activity, growing levels of commitments and the potential for allocations to deliver additional homes (see response to Matter 4, Question 10).

- 4.6 Policy CS3: Managing Selected Development Sites already provides sufficient flexibility for Local Allocations to be brought forward, if required. Furthermore, paragraph 6.28 of the Site Allocations DPD makes clear that:  
*“.....there will be a lead in period in order to allow practical delivery from 2021. In practice, this will mean that applications will be received and determined in advance of 2021 and that site construction and works may actually take place ahead of the specified release date to enable occupation of new homes by 2021.”*

This approach remains appropriate and will ensure that the Council can continue to demonstrate a 5 year housing land supply as required by the NPPF. It is also consistent with the wording of paragraph 8.17 of the Core Strategy.

- 4.7 The Council recognises that the recently completed SHMA and subsequent ONS population and DCLG household projections continue to point to growing housing demand. It does not accept, however, that they justify fundamental changes to the current approach to the Green Belt and allocation of sites in the Site Allocations DPD. This is a separate matter better addressed comprehensively outside of the Site Allocations DPD in taking forward work on the new Local Plan (incorporating the early partial review of the Core Strategy) (see response to Matter 2, Question 3).

**Extracts from the Draft LA1 Master Plan with Regards to Design and Layout**

- Para. 3.6

*“The nearby hamlet of Piccotts End is designated as a Conservation Area and, taking account of the local topography, Marchmont Farm sits within the wider setting of this designated heritage asset. Development of the site will therefore need to consider form, layout and design to ensure the proposal does not have a negative impact on the setting of this Conservation Area. A Heritage Statement should be prepared and submitted with any planning application to identify any impacts and appropriate mitigation and to inform detailed design of the site.”*

- Para 5.13

*“The site is located in close proximity to the Piccotts End conservation Area. The road and the main built form of the conservation area run north to south, and is separated from Marchmont Farm by open green fields. The topography is noticeable here, with the conservation area sitting at a much lower level than the site. Although much of the housing development will not be visible from Piccotts End Road, the new housing will be closely linked via the Link Road and Piccotts End Lane. Use of traditional styles, materials and layout should be used to reflect the style of the conservation area.”*

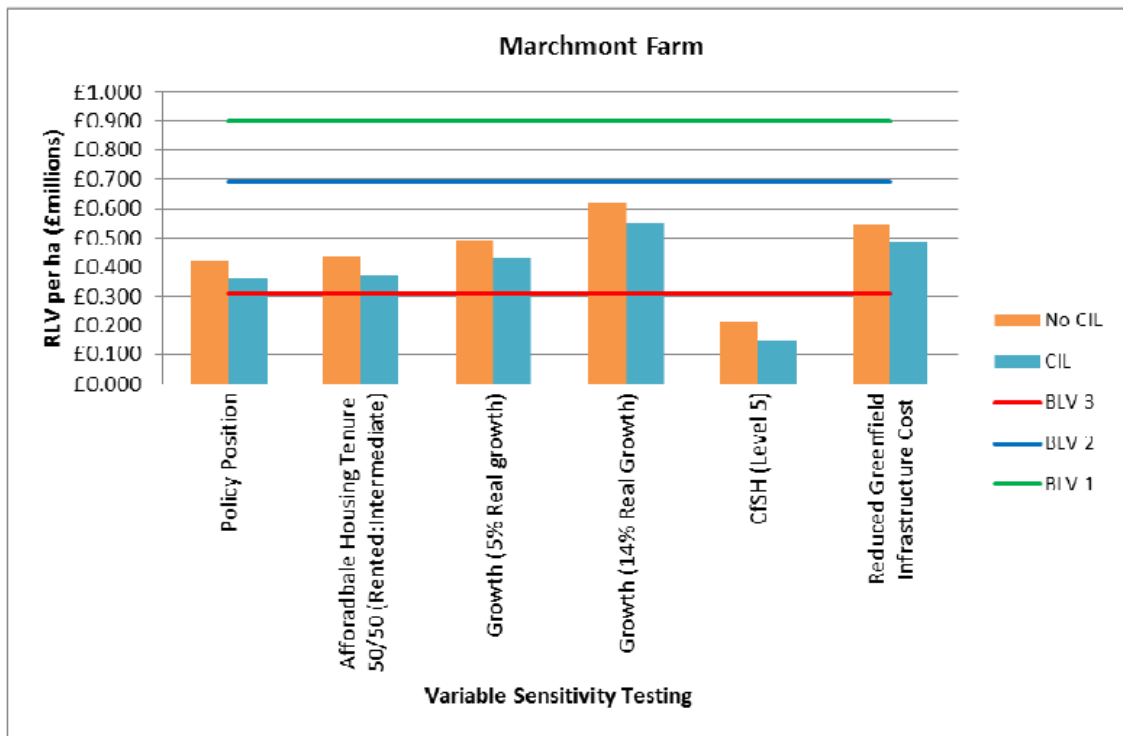
- Para 5.19

*“The inclusion of a planted buffer along the entirety of the western edge of the site will also minimise the visual impact of the proposal and provide physical separation between Piccotts End and Marchmont Farm. The design of this planted buffer should be informed by a Heritage Statement, having regard to the setting of Piccotts End Conservation Area, and Landscaping Visual Impact Assessment, both of which should be submitted in support of the planning application. This design should seek to provide a soft edge with a natural alignment and appearance that varies along this boundary but achieves an average planted depth of around 10 metres along its entirety.”*

**Extracts from 2013 and 2016 BNP Paribas Estates Viability Studies**

(a) 2013 Viability Result:

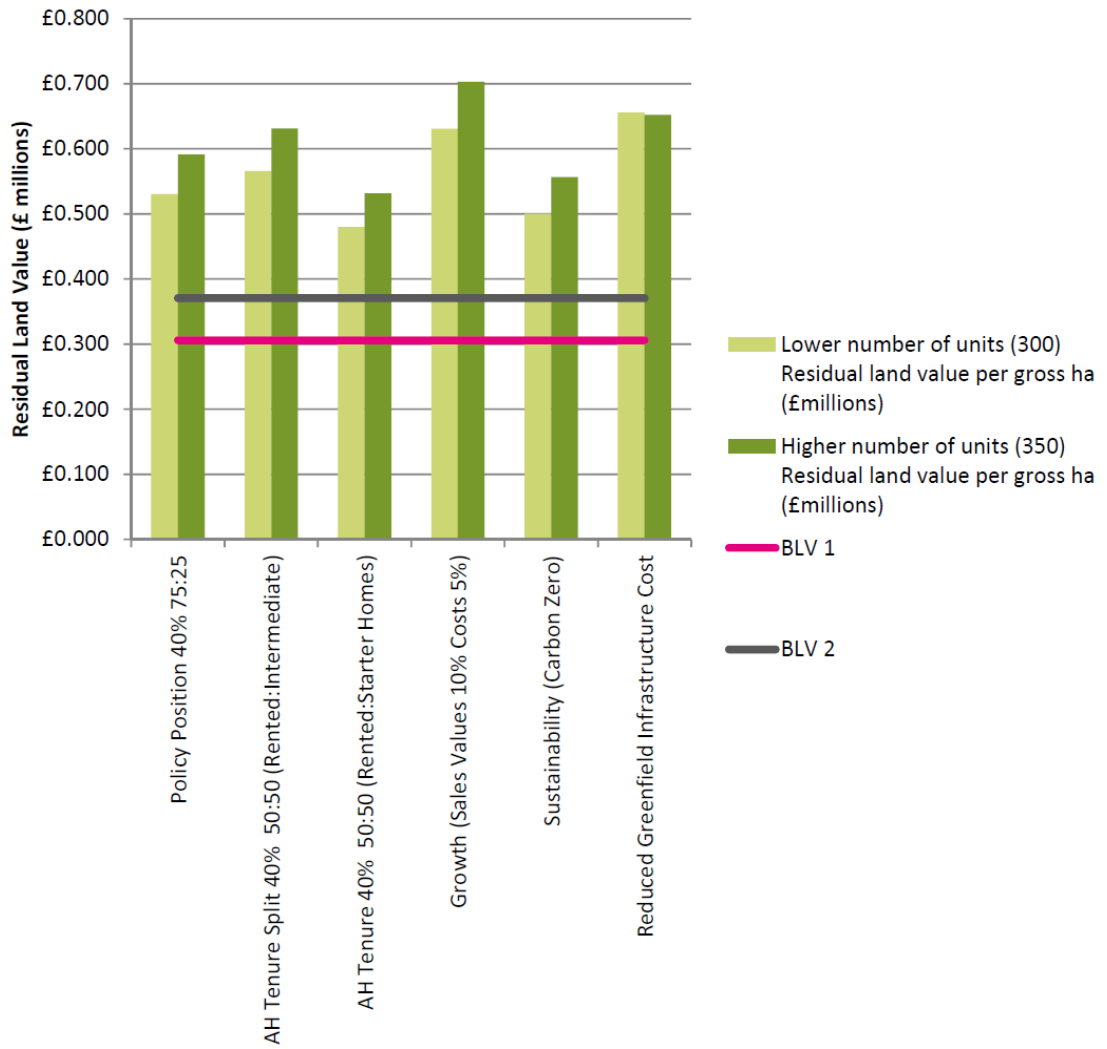
**Figure 4.1.1: Residual land values per hectare compared to benchmark land values (Marchmont Farm – LA1)**



Source: Examination Document ID4

**(b) 2016 Viability Result:**

**Figure 4.2.1: LA1 Marchmont Farm Residual land values per hectare compared to benchmark land values – Sensitivity testing scenarios**



Source: Examination Document HG19