



Consultation Response

**Welwyn Hatfield Local Plan Examination Green Gap
Assessment (EX160, EX160A, and EX160B)**

**Strutt & Parker on behalf of Ptarmigan Land and Mrs C Horton 1974 Discretionary
Settlement (ID 745197)**

November 2019

1.0 Background and Introduction

- 1.1 Ptarmigan Land and the Mrs C Horton 1974 Discretionary Settlement are actively promoting the residential development of land off South Way, Hatfield ('the Site') and Strutt & Parker has made representations as part of the Welywn Hatfield Local Plan process, promoting allocation of the Site.
- 1.2 As demonstrated through previous representations, the Site represents a sustainable and deliverable site for development to help meet the Borough's housing needs and to provide a new Primary School; and its proposed allocation conforms to national policy, is justified by robust evidence, and is effective.
- 1.3 The Welwyn Hatfield Local Plan was submitted for examination on 15th May 2017, and proposes to allocate the Site for residential development alongside provision of a new two form entry (2FE) Primary School and playing fields (Site HS11).
- 1.4 The Local Plan Inspector has invited representors to comment on additional documents that have been published by the Council. These include the Green Gap Assessment Final Draft Report August 2019 (EX160), Appendix 1 (part 1) Supporting maps for each settlement gap, and Appendix 1 (part 2) Supporting maps for each settlement gap.
- 1.5 This representation is focussed on the above, and other points made within our previous representations are not repeated here.

2.0 The Site and the Green Belt

- 2.1 The Site is located on land that is currently allocated as Green Belt in the adopted Development Plan, but proposed to be removed from the Green Belt through the emerging Local Plan, as per Policy Map 4: South Hatfield and Southern Village.
- 2.2 The Welywn Hatfield Local Plan is being examined under the 2012 National Planning Policy Framework (NPPF), as per the transitional arrangement of the current NPPF.
- 2.3 The 2012 NPPF confirms that the Government attaches great importance to Green Belts (paragraph 79), and clarifies the five purposes the Green Belt serves (paragraph 80):
 - 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;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 2.4 In addition, Welywn Hatfield Borough Council also considers the Green Belt to perform an additional, local, function: to maintain the existing settlement pattern.

- 2.5 The 2012 NPPF clarifies that Green Belts may be amended through the Local Plan process if justified by exceptional circumstances (paragraph 83).
- 2.6 It has already been clearly established that exceptional circumstances do exist in this instance that justify amendments to the Borough's Green Belt boundary. Indeed, one of the key issues identified through the Local Plan Examination to date is not whether there are exceptional circumstances, but whether such circumstances are so pronounced they warrant additional release further to that already proposed.
- 2.7 Further to this, a finer grain assessment of the Borough's Green Belt has been prepared (Stage 3 Green Belt Review). This finer grain assessment further supports allocation of the Site for development. The Welwyn Hatfield Green Belt Study Stage 3 considered Parcel 56 and the scenario in which the parcel as a whole – the Site together with additional Green Belt – was developed; and Scenario 56a scenario (which entailed release of the Site in isolation or in combination with the cemetery and park and ride to the west of it). It found that harm from development in the 56a scenario to the purposes of the Green Belt would be lessened slightly by confining development to lower ground on the northern edge of the parcel, where it would have less impact on settlement separation. This is further supported by the Stage 3 Green Belt Addendum Report which states that “the preservation of openness on higher ground between Hatfield and Welham Green is considered to be significant enough to justify the *moderate-high* harm rating for P56a” (LUC response at page 12, original emphasis).
- 2.8 The Welwyn Hatfield Green Belt Study Stage 3 considered Parcel 56's contribution to the five purposes of the Green Belt.
- 2.9 In respect of purpose 5 (assist in urban regeneration by encouraging the recycling of derelict and other urban land), the Stage 3 assessment considered that all areas of the Green Belt make an equal contribution i.e. it is not a factor which can be used to differentiate between potential sites.
- 2.10 In respect of purposes 1 (check the unrestricted sprawl of large built up areas) and 4 (preserving the setting and special character of historic towns), the Stage 3 assessment found that Parcel 56 made limited or no contribution. It found that Parcel 56, as a whole, made a significant contribution to purpose 3 (assist in safeguarding the countryside from encroachment) and a partial contribution to purpose 2 (prevent neighbouring towns from merging into one another).
- 2.11 In respect of the Welwyn Hatfield Local Green Belt Purpose, the Welwyn Hatfield Green Belt Study Stage 3 found that Parcel 56 made a partial contribution. The Green Belt Study Stage 3 Addendum Report states that, whilst the Green Belt to the south of Welham Green makes a stronger contribution to the purposes of the Green Belt, this is not the case for the gap between Hatfield Green and Welham Green, which it described as weaker.
- 2.12 We have already submitted detailed evidence to the Local Plan Examination, confirming the Site (as opposed to the wider parcel) can be developed without harm to the strategic purposes of the Green Belt.

- 2.13 In addition, we have also provided the Council with a detailed note explaining the exceptional circumstances that justify release of the Site from the Green Belt, along with a detailed Green Belt Boundary Review of the Site prepared by James Blake Associates. These look at the Site specifically, as opposed to a wider parcel. For completeness, a copy of the Exceptional Circumstances Note and Green Belt Boundary Review are provided again here for completeness, as Appendix A and Appendix B, respectively, to this representation.
- 2.14 As such, we consider that even prior to the Welywn Hatfield Local Plan Green Gap Assessment, exceptional circumstances to warrant the release of the Site from the Green Belt had been demonstrated, and that its proposed residential allocation had already been robustly justified.

3.0 The Welywn Hatfield Local Plan Green Gap Assessment and the Site

- 3.1 The Green Gap Assessment considers the role gaps between settlements play in providing a sense of separation and maintaining settlement pattern and character, and to consider the impact development might have on that role.
- 3.2 As the Green Gap Assessment recognises at paragraph 1.3, it is not simply the size of a green gap that determines whether it is important to maintaining a sense of separation between settlements. It notes that character is also an important factor, including topography.
- 3.3 Whilst there is no national guidance prescribing how green gaps should be assessed, we agree that it is appropriate to not simply rely on physical distance. This is supported by the guidance note produced by the Planning Advisory Service (The Planning Advisory Service guidance note 'Planning on the Doorstep: The Big Issues – Green Belt' 2015) on the consideration of this purpose of the Green Belt, which states at page 6:
- “A ‘scale rule’ approach [to assessing the importance of green gaps] should be avoided. The identity of a settlement is not really determined just by the distance to another settlement; the character of the place and of the land in between must be taken into account.”*
- 3.4 The Green Gap Assessment considers various study areas, one of which is identified as the area between Hatfield and Welham Green. The Site forms a small part of this much larger area.
- 3.5 The Green Gap Assessment notes that the size of the gap between Hatfield and Welham Green varies, and that the two settlements almost adjoin due to a finger of industrial development that projects northwards from the eastern edge of Welham Green towards Hatfield.
- 3.6 Nevertheless, it goes on to state that the two settlements manage to retain physical and visual separation, and retain separate identities. Reaching this view, the Green Gap Assessment refers to the larger gap to the west of the industrial area, which

projects northwards of Welham Green, and to the gently domed landform and woodland between the settlements.

- 3.7 The Green Gap Assessment recognises that development of the Site is proposed. It also suggests the gap is vulnerable to being eroded by relatively modest amounts of development (due, the Green Gap Assessment states, to its small size).
- 3.8 It goes on to suggest that the proposed development of the Site would result in some erosion of the gap, but confirms that it would not close it.
- 3.9 Indeed, even if the other three sites were developed - Angerland North (on the site of the park and ride), Angerland South and Pooley's Lane – the area of higher ground between the two settlements would remain open and the gap would not be closed.
- 3.10 Whilst one could infer from the Green Gap Assessment that the Site would not result in harm to the strategic purpose of the Green Belt relating to the avoidance of coalescence, we feel that it would be beneficial for this to be expressly stated in the document (rather than to allow the reader to infer this in the absence of reference to it). Such a conclusion would be entirely justified, for the reasons set out below.
- 3.11 As noted above, the Green Gap Assessment acknowledges that the size of a gap is not the determinant factor in identifying the importance of a green gap, and other characteristics need to be considered. In respect of this particular green gap, the topography is particularly important. The Green Gap Assessment alludes to the importance of topography in respect of this particular gap, through reference to the domed landform between the settlements. It also suggests that one of the aims of the future policy for this location should be to ensure the area of highest ground between the settlements remains open.
- 3.12 Further to this, it is important to recognise that the extent of the proposed allocation HS11 is limited to the lower slopes, set behind the rising topography to the south of the Site. Proposed development sits below the ridgeline, with the higher land retained as open countryside between the settlements.
- 3.13 The site boundary in respect of HS11 has been specifically identified in order to maintain the visual perception of the gap, with intervisibility between Hatfield and Welham Green prevented by the topography and strategic vegetation (existing and proposed) along the ridge line. Looking north from Welham Green, as confirmed through landscape appraisal work undertaken, there will be no increase in the extent of visible development.
- 3.14 In addition, and as confirmed through the judgment in *Calverton*¹, the potential to mitigate impact on the purposes of the Green Belt is required to be considered.
- 3.15 In this respect, it is important to note that existing vegetation along the ridgeline to the south of the Site is proposed to be strengthened through additional planting.

¹ *Calverton Parish Council v Nottingham City Council & ors.* [2015] EWHC 1078 (Admin)

- 3.16 In addition, a green lane, comprising a pedestrian / cycle link bounded by trees, is proposed along the ridge line. This mitigation will further strengthen the visual containment of the Site, by providing a strong, defensible, Green Belt boundary; further ensuring that the two settlements will not be perceived as merging. It is also in full accordance with the recommendations for the area between Hatfield and Welham Green, one of which is to seek opportunities for further public access and connectivity.
- 3.17 In overview, we concur with the Green Gap Assessment's view that the gently domed landform between the settlements is important in considering how development would impact on this green gap. We wish to emphasise that the topography at this location has been a key consideration in determining the extent of the Site, and why additional land beyond its southern boundary is not proposed for development. Further to this, the Green Gap Assessment should go on to confirm the acceptability of the proposed allocation of HS11 from the perspective of maintaining separation between Welham Green and Hatfield. It should also respond to proposed mitigation in respect of HS11, and, we consider, go on to conclude that this would further ensure that there is no perception of the settlements merging as a result of development of the Site.