

Examination of the Welwyn Hatfield Local Plan

Council's Statement - Stage 8 Hearing session

Southern Settlement

Settlement: Welham Green (Hatfield)

Policy Number: SADM26

Site Reference: HS11 (Hat11)

Matter number: 4

Issues: Green Belt

Question Numbers: Q22-29



Welham Green

Policy SADM 26, Site HS11 (Hat11), Land at South Way

Most of the following sites are within the Green Belt and the National Planning Policy Framework (NPPF) says at paragraph 136 that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation of plans. It is not appropriate to remove land from the Green Belt unless there are very sound reasons for doing so. In addition to the Borough's development needs, the justification should include considerations such as development constraints, as well as the removal's impact on the Green Belt's openness and purposes. As well as addressing the matters raised by representors and although not exclusively, the following questions are in part designed to establish what exceptional circumstances, beyond the Council's inability to identify sufficient land outside of the Green Belt in order to meet its Objectively Assessed Housing Need, exist to justify the release of these sites, in the context of the local and site circumstances.

Matter 4 Green Belt

The National Planning Policy Framework stresses that the government attaches great importance to Green Belts and says that Green Belt boundaries should only be altered in exceptional circumstances.

The Council carried out a stage 3 Green Belt Review in 2018/19 in order to ascertain the contribution that a finer grain of sites, than were previously examined, around the urban fringes within the borough, made to the different purposes of the Green Belt. In this assessment the overall harm at this site is considered to be Moderate/High but the parcel is not identified as an area of most essential Green Belt. In this context:

22) Is the overall assessment of Moderate/High harm a sound interpretation of the contribution that this site makes to the purposes of the Green Belt?

Welwyn Hatfield Response:

- a) Yes, the Council considers that the overall assessment of Moderate/High harm is a sound interpretation of the contribution that this site makes to the purposes of the Green Belt.
- b) The Council's assessment of the development parcel that includes the proposed allocation **SADM 26 (HS11 – Hat11)** is set out in the Green Belt Study Stage 3 (March 2019 – **EX99C**). The entirety of the proposal falls within parcel P56, which is a larger parcel extending southwards towards Welham Green. The proposal site in question is more closely aligned to sub-parcel P56a.
- c) The 2019 study identified different 'scenarios' in order to consider variations in harm within a parcel and within proposed site allocations. Where sub-parcels were identified that would lead to differing levels of harm these are set out in the report, for example parcel P56 is sub-divided into two sub-parcels, a and b.
- d) It is important to consider the contrast in the assessment of harm between the whole of parcel P56, vs the sub-parcel that relates to the site in question, P56a. The Green Belt Study Stage 3 makes it clear that release of the whole parcel P56 would 'constitute an expansion of the urban area of Hatfield southwards, reducing the perceived separation between it and Welham Green and in turn between Hatfield and Potters Bar', that 'the A1001 constitutes a stronger boundary than that which would be created through release of the parcel' and 'release would weaken the contribution of the remaining Green Belt land between the parcel and Welham Green to the west'.
- e) However, Parcel P56a is a much smaller area, that if released, would have a lesser impact than releasing the whole parcel as development would be confined to the 'lower ground on the northern edge of the parcel where it would have less impact on settlement separation'.

23) In that context, is the allocation of this site justified, effective and consistent with national planning policy? If not why not?

Welwyn Hatfield Response

- f) Yes, the Council is confident the proposed allocation at Welham Green (**SADM26 (HS11 – Hat11)**) is justified, effective and consistent with national policy in accordance with NPPF (2012) paragraph 182. In particular:

***Justified** – the plan should be the most appropriate strategy, when considered against alternatives, based on proportionate evidence.*

- g) The plan has been informed by a comprehensive suite of evidence and a detailed and iterative plan making process that has considered reasonable alternatives through the Council's Sustainability Appraisal process.

***Effective** – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities.*

- h) As referenced in the Council's response to Question 30, the Council considers that the site is deliverable within the first ten years of the plan period following plan adoption, in accordance with a cautious but realistic timetable.

***Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.*

- i) The proposal will make a valuable contribution to the borough's housing need at one of the borough's main towns (Tier 2 - Town) in accordance with the Settlement Hierarchy (**Policy SP3 – Settlement Strategy and Green Belt Boundaries**), which is a primary focus for new development, which will help bring about investment and regeneration and deliver economic growth.

24) Do exceptional circumstances exist to release this site from the Green Belt and if so, (other than Welwyn/Hatfield's housing need), what are they?

Welwyn Hatfield Response

- j) Yes, the Council considers that exceptional circumstances exist to release the site from the Green Belt¹.
- k) This matter is addressed, in part, by the Council's Site Selection Background Paper (2016 – **HOU20**), which considered exceptional circumstances on a site-by-site and borough wide basis.
- l) The Council's exceptional circumstance case, as set out in the Site Selection Background Paper, included consideration of the matters addressed by the Calverton Case:
 - 1) Acuteness of the OAN
 - 2) Constraints on supply and land availability
 - 3) The consequent difficulties in achieving sustainable development without imposing on the Green Belt
 - 4) The nature and extent of the harm to the Green Belt if boundaries are reviewed.
- m) The Council's updated Site Selection Background Paper (2019) updates and complements the Council's exceptional circumstances case and included consideration for the fifth matter addressed by Calverton:
 - 5) The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable extent.
- n) This matter has been considered on a site-by-site basis, as set out in the Site Templates (Appendix A of the Site Selection Background Paper 2019 – **HOU20a**) that takes into account the nature and extent of harm to the Green Belt.
- o) Developing to the south of the A1001, which forms an existing very strong Green Belt edge, would inevitably lead to some weakening of the boundary. However, as set out in the Site Selection Background Paper the new boundaries to be formed of established tree belt/ hedgerows and existing ridgeline would be clearly defined and defensible. There would also be opportunity for new planting informed by master-planning to improve the robustness of this boundary.

¹ The Council note that the plan is being examined under the 2012 Framework and that paragraph 83 of the 2012 Framework is relevant in this case rather than paragraph 136 from the 2019 Framework, as referred to in the Inspector's preamble. The Council note the distinctions between these two versions of the Framework.

p) The Council's Updated Site Selection Background Paper (2019) also provides a summary of the consequences of not imposing on the Green Belt in Welwyn Hatfield Borough that contribute to the exceptional circumstances case for the plan as a whole, and that apply equally on a site-by-site basis. Whilst the proposal at the site in question is a smaller proposal, particularly in comparison to the larger and more strategic proposals, the contribution from smaller allocations is still an important part of meeting the borough's housing need. The consequences of not imposing on the Green Belt would mean the plan would fail to:

- “boost significantly the supply of housing for existing and future generations, for which an acute need exists,
- Plan for or meet the full OAN or the identified requirement for employment provision,
- Plan positively for economic growth, allowing for changes in the economy and businesses to remain, grow and locate in the borough,
- Ensure there is a balance between housing and employment planned for in order to deliver sustainable development,
- Adequately plan for and coordinate the delivery of infrastructure alongside growth (noting that smaller allocations still make a valuable and proportional contribution to local infrastructure and where this site provides an opportunity to deliver a new primary school as approved and supported by Hertfordshire County Council),
- Support a sustainable pattern of development, consistent with the Spatial Strategy and Settlement Hierarchy (as advocated by the NPPF at Paragraph 84) where the Council's proposed approach does:
 - Channel development first towards the urban areas, particularly at the main towns of Welwyn Garden City and Hatfield, and
 - Towards towns and villages inset within the Green Belt, particularly the larger and most sustainable villages such as Welwyn and Welham Green”.

25) Does the site infringe upon the existing gap in built development between Hatfield and Welham Green?

Welwyn Hatfield Response

- q) As discussed in the Council's response to Question 22, the release of the entire parcel (P56) would lead to encroachment on the separation between Hatfield and Welham Green. However, by limiting development to the northern edge of the parcel, on lower ground and retaining existing tree belt/ hedgerows, this helps to lessen any impact on separation.
- r) As discussed in the Council's response to Question 24, the Council considers that exceptional circumstances exist to justify the site's release from the Green Belt. It is necessary to weigh the limited impact on the Green Belt, which is reduced to its lowest reasonable extent, with the contribution made to meeting the borough's housing need in one of the two main settlements in accordance with the Settlement Hierarchy and where an opportunity exists to deliver important infrastructure, namely a primary school, the location of which has been approved/ supported by Hertfordshire County Council as Education Authority.

26) If so what, if any, remedial measures are proposed to mitigate the resulting harm?

Welwyn Hatfield Response

- s) The extent of development is proposed to be limited to the northern edge of the parcel on lower ground where existing tree belt/ hedgerows will be maintained. This helps to reduce any impact to its lowest reasonable extent and ensures that new boundaries are robust and defensible.
- t) To be consistent with **SADM 27**, a Modification could be made to add wording to the policy requirements (Table 10) to ensure new planting/ master-planning ensures the new Green Belt boundary is as strong/ effective as possible should this be considered helpful. If required, example wording of such a Modification could include:

"A master-plan led approach to new planting along the southern boundary of the site should ensure the creation of a robust and defensible Green Belt boundary, incorporating existing tree belt/ hedgerows where possible".

- 27) **Is the proposed new boundary to urban development as robust as the existing one, in the context of visually preventing urban sprawl and maintaining openness?**

Welwyn Hatfield Response

- u) As discussed in the Council's response to Question 24, the new boundary would be weaker than the existing, which is very strong being provided by the existing A1001. However, the new boundary will be robust and defensible and any impact from the proposal will be reduced to its lowest reasonable extent by reducing the scale of development, as described, and ensuring the new boundary is as strong as possible.
- v) The Council's response to Question 26, describes a possible Modification to SADM 26 to ensure the new boundary is as strong as possible and ensure that new planting through master-planning enhances, and where possible incorporates, the existing tree belt and hedgerow.

- 28) **Representations from Hertfordshire County Council against Policy SADM 34 request the removal of land at New Barnsfield (sic) from the Green Belt. How extensive is this area of land and how would it impinge upon the openness of this part of the Green Belt?**

Welwyn Hatfield Response

- w) The Regulation 19 representation from Hertfordshire County Council (HCC) Development Services on this matter (**dlpps2164**) is now out of date in a number of respects, having been submitted on 24th October 2016. At the time of preparation of this statement, WHBC is seeking clarification from HCC as to whether it still intends to pursue this representation, and the HCC Environment representation on the same matter (**dlpps2066**), at the examination.
- x) The extent of the land referred to in HCC's representations is understood to be 5.27ha of land shown outlined in red at Inset Map 038 of HCC's Waste Site Allocations Document, forming part of the current Waste Local Plan, which was adopted in July 2014. A copy of this Inset Map is appended to this statement. At that time government guidance indicated that allocated waste sites required on Green Belt land should be removed from the Green Belt through the Local Plan process (see Planning for Sustainable Waste Management; A Companion Guide to PPS10, paragraphs 7.34 and 7.35, now archived). This guidance was subsequently superseded by the publication of the government's current National Planning Policy for Waste on 16th October 2014, which contains locational policy advice at paragraph 6 in particular, but contains no assumption that allocated waste sites should be removed from the Green Belt.

- y) In any event, the waste management 'need' for the allocation of New Barnfield as a waste site was chiefly in connection with a specific planning application proposal for an energy from waste plant to serve the whole county. That application was called-in by the Secretary of State and eventually refused by him in 2015 for reasons including harm to the Green Belt. Whilst the adopted Waste Site Allocations Document does indicate a range of other possible waste management uses for this site, HCC has not brought forward any other formal proposals for waste facilities there since 2014.
- z) There has previously been a limited informal discussion with WHBC concerning the possibility of relocating a Household Waste Recycling Centre (HWRC) at the site, but this would not have required the whole site and, in any event, an alternative site for the HWRC is now being actively pursued through a submitted planning application for such a facility at Tewin Road in Welwyn Garden City. HCC and WHBC are working together on this proposal.
- aa) A review of HCC's Waste Local Plan is currently underway, with public consultation on a draft version of the Plan expected later this year. This Plan is unlikely to include a waste site allocation at New Barnfield, because the site is no longer required for any identified waste management purpose.
- bb) HCC Development Services in its Regulation 19 representation (**dlpps2164**) also raises the possibility of a masterplan being prepared for the New Barnfield site, to include residential and employment uses, though no proposals have been submitted to WHBC for consideration. It is now recognised by both HCC and WHBC that the New Barnfield site is very likely to be required to provide a new secondary school in order to meet demand for school places that would arise from any modification to the Local Plan that included new housing sites of significant size additional to the sites in the submitted Plan. A Statement of Common Ground (SoCG) dated January 2018 to this effect is before the examination as **EX57**. The whole of the New Barnfield site would be required for this secondary school provision. An amended and updated version of the SoCG is being prepared, which recognises the joint work of the authorities to provide a new HWRC site elsewhere in the borough and confirms the availability of New Barnfield as a site for a new secondary school.
- cc) The existing buildings on the New Barnfield site were originally used as a secondary school, although they are no longer fit for re-use for that purpose. Initial feasibility work being carried out by HCC in consultation with WHBC indicates that a new secondary school of appropriate size could be provided at the site without having any significantly greater effect than the existing buildings on Green Belt purposes or on the openness of the Green Belt in this location.

- dd) Any new buildings would be confined to the area of previously developed land within the site, with playing fields provided on the adjoining land in HCC's ownership. This would be consistent with Green Belt policy (NPPF 2012 paragraph 89) and would not be contrary to the Green Belt findings of the Inspector in the energy from waste plant called-in application. That Inspector acknowledged that the New Barnfield site performed a legitimate Green Belt function, and was clearly distinguished for example from the adjoining non-Green Belt land to the east by reason of topography. Redevelopment for a secondary school of appropriate siting and size would also acknowledge the designation of part of the site as a Major Developed Site in the Green Belt as set out in Policy **SADM34**. There is therefore no need to remove the site from the Green Belt as HCC's Regulation 19 representations suggest.
- ee) The removal of the whole or part of the New Barnfield site from the Green Belt would contribute towards coalescence between the built-up areas of Hatfield and Welham Green and represent a further encroachment into the countryside.
- ff) Without prejudice to the above, if the Inspector were nevertheless to be minded to recommend removal of the New Barnfield site from the Green Belt in his report, then WHBC suggests that such removal should be confined only to the part of the site which is previously developed land. This equates to the 5.27ha of land identified with a red outline in **Inset Map 038** of HCC's Waste Site Allocations Document and does not include the open former school playing field land and woodland adjoining to the south-west, which are also in HCC's ownership.

29) Would this development and that proposed at site HS11 contribute to the furtherance of urban sprawl between Hatfield and Welham Green?

Welwyn Hatfield Response

- gg) The New Barnfield site as defined in response to Q28 above consists of former school buildings and immediately associated parking areas and open space and is therefore considered to be previously developed (brownfield) land. The partial or complete redevelopment of this site is considered to be consistent with the NPPF (2012) paragraph 89, providing any development would not have a greater impact on the openness of the Green Belt.
- hh) The Green Belt Study Stage 3 (**EX99C**) suggests that any harm to the Green Belt from releasing the New Barnfield site (Parcel 56b) is limited by the extent of existing development on the site and its proximity to large scale, inset commercial development to the east. As stated in response to Q28 at dd above, however, the Green Belt character of the New Barnfield site is very clearly distinguished from the character of the large scale commercial development to the east by reason of topography and very clear boundaries. As detailed in the Green Belt Study Stage 3, there would be moderate harm to the separation between Hatfield and Welham Green if the New Barnfield site was released from the Green Belt and potentially moderate to high harm if that site and HS11 were released together. The harm would be due to

urban sprawl and encroachment into the relatively narrow gap separating Hatfield and Welham Green.

