

# **Examination of the Welwyn-Hatfield Local Plan 2013-32**

## **Potential additional sites, for housing development, at villages excluded from the Green Belt.**

### **INSPECTORS' MATTER AND ISSUES**

**Consultation was undertaken about these sites, along with others, following the Council's deliberations on a way forward and in the early part of 2020. All representations received at that time will be considered and it is not necessary for them to be repeated verbatim.**

**Any representors wishing to make further submissions on the matters and questions listed below, should do so by 5.00pm on Friday 12 February.**

**The Inspector has concerns about the overall soundness of the nature and distribution of sites proposed for housing development. The Inspector referred to this in the context of the additional sites that the Council placed before the Examination on 30 November 2020 in his reply of December 2020. (examination document EX220). In particular he has concerns about the justification of exceptional circumstances to remove sites from the Green Belt, in a number of instances, particularly in the context of the comparative harm to the Green Belt and the relative sustainability of alternative sites.**

**The Inspector has therefore decided to examine all of the sites that passed the Council's site selection process in 2019, in order to test the soundness of their subsequent rejection by the Council.**

## **Woolmer Green**

### **Matter 1 - Site WGr3, 52 London Road Knebworth**

Although in Woolmer Green Parish, this proposal is effectively a southerly extension to the town of Knebworth. It would remove open land, formerly used as pasture, from the Green Belt. Its development was assessed as being likely to cause moderate harm to the Green Belt's purposes.

### **Considerations**

The site forms a part of the fragile gap between Knebworth and Woolmer Green.

1. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
2. In this context, would there be any justification for built development extending any further south than the built development on the eastern side of London Road or that to the west of the railway?

3. Should further appropriate screening be established in the southern part of the site to prevent further visual intrusion into the openness of the remaining Green Belt area to the south.
4. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
5. What impact would the proposal have on ecological assets and to what extent could this be mitigated or compensated for?
6. In the context of the site's proximity to retail and community facilities and frequent public transport, is this a sustainable location for housing development?
7. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
8. Are there any issues affecting highway safety and/or the free flow of traffic along London Road that are incapable of satisfactory resolution?
9. Have the ramifications of noise pollution from the adjacent railway, on the ability to create acceptable living conditions at this site, been appropriately assessed and to what extent would any mitigation impact on the capacity of the site?
10. Would the proposal clearly be deliverable within the first five years following adoption.
11. Has any formal consultation with North Hertfordshire District Council been undertaken? If so, what is its opinion on this proposal?
12. Are there any other matters that weigh against this site being proposed for residential development?

## **Welwyn**

### **Matter 2 – Sites Wel1, 2, 6 and 15, Land at Fulling Mill Lane and Kimpton Road.**

This proposal contains four individually promoted sites that are located on the north-western side of Welwyn village and surround its cemetery. Together, their development could provide about 250 dwellings. When assessed either cumulatively or individually, the sites are considered to cause moderate-high harm to the Green Belt's purposes. Because of infrastructure concerns, relating to the need to widen the bridge on Fulling Mill Lane and the highway along that lane and along Kimpton Road, it is not considered economically viable to develop these sites, other than on a comprehensive basis.

### **Considerations**

13. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
14. There would clearly be a need to establish a new permanent and easily recognisable boundary to the Green Belt.

Where should this be located within Site Wel1, in order to prevent any impact from built development, on the four sites, causing harm to the wider Green Belt to the south?

15. What harm would result from the coalescence of Oakhill Drive with the main built up part of Welwyn village?
16. Would the necessary off-site highway infrastructure work impact upon the site of the Local Nature Reserve at Singlers Marsh?
17. If there would be any harm to the Local Wildlife site, how extensive would this be, and would it be significant?
18. Could such harm be adequately mitigated or compensated for?
19. What impact would the proposed development have on ecological assets within or adjacent to any of the individual sites and to what extent could this be mitigated or compensated for?
20. Should some or all of the trees on the site(s) be retained and their retention referred to in the policy criteria?
21. To what extent could development on any of the sites harm heritage assets (including archaeology)?
22. Could any of this be significant?
23. Could any perceived harm be appropriately mitigated?
24. In the context of the site's proximity to retail and community facilities and frequent public transport; to what extent can each of the constituent parts be considered to be a sustainable location for development?
25. Are there any issues affecting highway safety and/or the free flow of traffic in this part of Welwyn that are incapable of satisfactory resolution?
26. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
27. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
28. Are there any noise or air pollution issues affecting any or all of these sites that are incapable of resolution through mitigation?
29. Does the infrastructure evidence actually confirm that it is necessary to develop these sites as a complete whole and together?
30. Is third party land involved in providing the off-site infrastructure and is agreement to use this legally secured?
31. Has any formal consultation with North Hertfordshire District Council been undertaken? Particularly but not exclusively in the context of Site WEI6 and the adjoining land to its south-west?

32. To what extent would it be feasible or practicable to bring these sites forward for development in a phased manner?
33. If developed, should a masterplan be prepared to ensure the comprehensive development of the area proposed for development?
34. Could any of these sites clearly deliver dwellings within the first five years following adoption?
35. Are there any other matters that weigh against any of these sites being proposed for residential development?

## **Welham Green**

### **Matter 3 – Site WeG6, Skimpans Farm**

The proposal would develop agricultural land to provide about 75 dwellings. The Stage 3 Green Belt Assessment considered that the site's development would result in moderate harm to the Green Belt's purposes.

#### **Considerations**

36. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
37. Would the site's boundary with the Green Belt require any further strengthening?
38. Would development at this site impact upon the open break between Brookman's Park and Welham Green and if so, would this be harmful? Either way give a reasoned justification.
39. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
40. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
41. In the context of the site's proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?
42. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
43. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
44. Are there any issues affecting highway safety and/or the free flow of traffic along Bulls Lane that are incapable of satisfactory resolution?
45. Could noise or air pollution be an issue that precluded development at this site?

46. To what extent (if any) could development on the site harm heritage assets?
47. Could any of this be significant?
48. Could any perceived harm be appropriately mitigated?
49. Would the proposal clearly be deliverable within the first five years following adoption?
50. Are there any other matters that weigh against this site being proposed for residential development?

#### **Matter 4 – WeG12, Land north of Pooley’s Lane**

This is a mixed-use site containing agricultural land, a set of commercial enterprises and scrub land. The proposal would develop/redevelop the site to provide over 80 dwellings. It is considered that the site’s development would cause moderate harm to the Green Belt’s purposes.

#### **Considerations**

51. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
52. Is it possible to provide a permanent and robust boundary to the Green Belt along the northern and western boundaries of this site?
53. Would development at this site impact upon the open break between Hatfield and Welham Green? If so, would this be harmful? Either way give a reasoned justification.
54. Has there been a comprehensive assessment of the need for an open break between Southern Hatfield and Welham Green?
55. If such an assessment concluded in the positive, what is considered to be the most appropriate location for such a break in the context of all of the existing development within this area between Pooley’s Lane and South Road?
56. If this site were to be developed, where would the most appropriate long term Green Belt boundary be located to the north?
57. Would this require any strengthening such as by additional planting or earth mounding?
58. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
59. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
60. In the context of the site’s proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?

61. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
62. Are there any issues affecting highway safety and/or the free flow of traffic within Welham Green that are incapable of satisfactory resolution?
63. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
64. Could noise or air pollution be an issue that precluded development at this site?
65. Would the proposal clearly be deliverable within the first five years following adoption?
66. Are there any other matters that weigh against this site being proposed for residential development?

### **Matter 5 – Site WeG15, Land at Potterells Farm**

The proposal would redevelop agricultural buildings and adjacent farmland to provide about 140 dwellings. It is considered that the site's development would cause moderate-high harm to the Green Belt's purposes.

#### **Considerations**

67. Is there any objective basis on which the assessed Green Belt harm could be challenged?
68. Is it possible to provide a permanent and robust boundary to the Green Belt along the southern and western boundaries of this site?
69. Would development at this site impact upon the open break between Brookman's Park and Welham Green in a harmful way? Either way give a reasoned justification.
70. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
71. Are there any issues affecting highway safety and/or the free flow of traffic along Station Road that are incapable of satisfactory resolution?
72. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
73. Could noise or air pollution be an issue that precluded development at this site?
74. To what extent (if any) could development on the site harm heritage assets?
75. Could any of this be significant?
76. Could any perceived harm be appropriately mitigated?

77. What impact would the proposed development have on ecological assets within or close to the site and to what extent could this be mitigated or compensated for?
78. In the context of the site's proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?
79. Would it be possible to independently develop the north-western part of this site?
80. What evidence is there to confirm that this proposal could deliver dwellings within the first five years following adoption?
81. Are there any other matters that weigh against this site being proposed for residential development?

### **Matter 6 – Site WeG17, Land South of Dixon's Hill road**

The proposal would develop agricultural land to provide a two-form entry primary school. It is considered that the site's development would cause moderate-high harm to the Green Belt's purposes.

#### **Considerations**

82. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
83. How much additional capacity does the existing school have?
84. To what extent could it be extended?
85. What is the rationale behind the need for a new primary school at Welham Green?
86. Would it replace the existing school or supplement it?
87. Which alternative sites have been considered as possible sites for a new school and what were the outcomes of the assessments?
88. Could highway safety issues on Dixon's Hill Road preclude the development of this site for a school?
89. Could noise or air pollution be an issue that precluded the development of this site for a school?
90. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
91. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
92. What impact would the proposed development have on ecological assets within or close to the site and to what extent could this be mitigated or compensated for?
93. Are there any other matters that weigh against this site being proposed for residential development?

## **Brookmans Park**

### **Matter 7 – Site BrP12a, Land north of Peplins Way**

The proposal would develop agricultural land that has a moderate-high Green Belt harm rating, to provide about 125 dwellings.

#### **Considerations**

94. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
95. Would development at this site impact upon the open break between Brookman's Park and Welham Green in a harmful way? Either way give a reasoned justification.
96. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
97. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
98. In the context of the site's proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?
99. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
100. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
101. Are there any issues affecting highway safety and/or the free flow of traffic along Peplins Way that are incapable of satisfactory resolution?
102. Could noise or air pollution be an issue that precluded development at this site?
103. To what extent could development on the site harm heritage assets?
104. Could any of this be significant?
105. Could any perceived harm be appropriately mitigated?
106. Would the proposal clearly be deliverable within the first five years following adoption?
107. Are there any other matters that weigh against this site being proposed for residential development?

## **Matter 8 – Site BrP34, Brookman’s Park Transmitting Station**

The proposal would redevelop the transmitting station to provide 300 dwellings and about 10,000 sqm of employment floorspace. It is considered that the site’s development would cause moderate-high harm to the Green Belt’s purposes.

### **Considerations**

108. Is there any objective basis on which the assessed Green Belt harm could be challenged?
109. Is the harm to the Green Belt the same across the entire site?
110. If not does the justification for the removal of this site from the Green Belt apply equally across the entire site?
111. Should the location of a new Green Belt boundary to the south-east of the site follow the site perimeter or does a more defensible and enduring boundary to the Green Belt exist outside of the site?
112. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
113. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
114. In the context of the site’s proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?
115. In the officer commentary, it is pointed out that any sustainability concerns could be overcome in the same way as for BrP1.
116. How are they overcome at BrP1?
117. Are there any perceived infrastructure constraints that are incapable of resolution before the end of the plan period?
118. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
119. Are there any issues affecting highway safety and/or the free flow of traffic along the A1000 that are incapable of satisfactory resolution?
120. Could noise or air pollution be an issue that precluded development at this site?
121. What is the justification for the extent and amount of development at this site?
122. What evidence is there to demonstrate that if the site were to be allocated for development, 300 dwellings and 10,000 sqm of employment floorspace could be developed by the end of the plan period?
123. Are there any other matters that weigh against some or all of this site being proposed for residential development?

## Cuffley

The Settlement Strategy classifies Cuffley as a large excluded village. These locations are to be secondary foci for limited amounts of new development where this is compatible with the scale and character of the village and the maintenance of Green Belt boundaries. Development should be supported by appropriate infrastructure and the need to travel minimized. The proximity and frequency of public transport, including the location of railway stations are also important considerations?

Cuffley contains a sizeable local centre and a railway station with frequent services to London and Stevenage. However, it is some distance from most of Welwyn-Hatfield Borough and has greater commuting and socio-economic ties with areas that are not within Welwyn-Hatfield, than with most of the Borough.

In this context, is Cuffley an appropriate location within which to meet the parts of the Borough wide housing requirement that are not generated locally?

What would be an appropriate amount of new residential development to be provided at Cuffley?

### **Matter 9 – Site Cuf15, Land to the south-east of King George V playing fields.**

The proposal would develop agricultural land to provide about 180 dwellings. The site's development has been assessed as causing moderate-high harm to the Green Belt's purposes.

#### **Considerations**

124. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings reduced?
125. Could a permanent and robust boundary to the Green Belt be provided along the south-eastern boundary of this site?
126. Would this boundary require strengthening by earth mounding and/or further planting?
127. If so on which side of Northaw Brook should this be located?
128. If this site is not allocated for development but the adjacent site to the north (HS28) is, would it be appropriate to remove this site from the Green Belt in order to safeguard it for development beyond the plan period?
129. Are there any perceived infrastructure constraints that could delay the development of this site and/or are incapable of resolution before the end of the plan period?
130. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?

131. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
132. In the context of the site's proximity to retail and community facilities and frequent public transport; to what extent can this site be considered to be a sustainable location for development?
133. What is the nature of the alleged flood risk and is it incapable of resolution through mitigation?
134. Could noise or air pollution be an issue that precluded development at this site?
135. Would the odour emanating from the anaerobic digestion plant at Cattlegate Farm preclude development on some or all of the site?
136. Should the location of high voltage power lines weigh against development on some or all of this site?
137. Are there any issues affecting highway safety and/or the free flow of traffic along Northaw Road or within Cuffley more generally, that are incapable of satisfactory resolution?
138. To what extent could development on the site harm heritage assets?
139. Could any of this be significant?
140. Could any perceived harm be appropriately mitigated?
141. Could there be any adverse impacts on archaeology resulting from the development of any of the sites?
142. If so are they likely to be resolved through mitigation?
143. How many (if any) dwellings could be built on this site during the first five years following the plan's adoption?
144. Are there any other matters that weigh against this site being proposed for residential development?

## **Lemsford**

Lemsford is currently a settlement washed over by the Green Belt. The stage 3 Green Belt Review concluded that it was a settlement that required further assessment in relation to the contribution that it makes to the Green Belt's purposes and the potential harm that may be associated with its release. The assessment found that the release of land in parts of the village and its immediate surroundings would only have a moderate or moderate-low impact on the Green Belt's purposes.

### **Matter 10 - Site StL13, Land at Roebuck Farm**

The proposal would develop/redevelop agricultural land and farm buildings to provide about 30 dwellings. It is considered that the site's development would cause moderate harm to the Green Belt's purposes.

## **Considerations**

145. Is there any objective basis on which the assessed Green Belt harm could be challenged, or the weight given to the findings changed?
146. Could a permanent and robust boundary to the Green Belt be provided along the south-eastern boundary of this site?
147. Would this boundary require strengthening by earth mounding and/or further planting?
148. If so on which side of the field boundary should this be located?
149. To what extent could development on the site harm heritage assets?
150. Could any of this be significant?
151. Could any perceived harm be appropriately mitigated?
152. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
153. Could noise or air pollution be an issue that precluded development at this site?
154. In the context of the site's proximity to retail and community facilities and frequent public transport, is this a sustainable location for housing development?
155. Are there any perceived infrastructure constraints that could delay the development of this site and are incapable of resolution before the end of the plan period?
156. Are there any issues affecting highway safety and/or the free flow of traffic through Lemsford village that are incapable of satisfactory resolution?
157. Would the proposal clearly be deliverable within the first five years following adoption?
158. Are there any other matters that weigh against this site being proposed for residential development?

## **Stanborough**

Stanborough is currently a settlement washed over by the Green Belt. The stage 3 Green Belt Review concluded that it was a settlement that required further assessment in relation to the contribution that the settlement makes to the Green Belt's purposes and the potential harm that may be associated with its release. The assessment found that the release of land in parts of the village and its immediate surroundings would only have a moderate or low impact on the Green Belt's purposes.

## **Matter 11 – Site StL1, Land to the north of New Road**

The proposal would develop agricultural land to provide about 80 dwellings. It is considered that the site's development would cause moderate harm to the Green Belt's purposes.

159. Is there any objective basis on which the assessed Green Belt harm could be challenged or the weight given to the findings changed?
160. Could a permanent and robust boundary to the Green Belt be provided along the northern boundary of this site?
161. Would this boundary require strengthening by earth mounding and/or further planting?
162. If so on which side of the field boundary should this be located?
163. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?
164. Are there any perceived infrastructure constraints that could delay the development of this site and are incapable of resolution before the end of the plan period?
165. Are there any issues affecting highway safety and/or the free flow of traffic through Stanborough that are incapable of satisfactory resolution?
166. Could noise or air pollution be an issue that precluded development at this site?
167. In the context of the site's proximity to retail and community facilities and frequent public transport, is this a sustainable location for housing development?
168. Could the development of this and other sites within Stanborough lead to the provision of viable improved services or facilities?
169. Should the policy criteria make reference to a requirement for the working of any suitable sand and gravel reserves found on the site?
170. Would the proposal clearly be deliverable within the first five years following adoption?
171. Are there any other matters that weigh against this site being proposed for residential development?

## **Matter 12 – Site StL15, Land to the east of Great North Road**

The proposal would redevelop land and buildings that are considered to cause moderate harm to the Green Belt's purposes, with 8 dwellings.

### **Considerations**

172. What impact would the proposed development have on ecological assets within or adjacent to the site and to what extent could this be mitigated or compensated for?

173. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
174. Have the ramifications of air and noise pollution, from the adjacent motorway, on the potential living conditions at this site, been adequately assessed and considered in the context of the potential and viability of the site to provide acceptable living conditions for any future occupants of the residential accommodation?
175. Are there any issues affecting highway safety and/or the free flow of traffic through Stanborough that are incapable of satisfactory resolution?
176. In the context of the site's proximity to retail and community facilities and frequent public transport, is this a sustainable location for housing development?
177. Would the proposal clearly be deliverable within the first five years following adoption?
178. Are there any other matters that weigh against this site being proposed for residential development?

### **Matter 13 – Site StL17, Land at Great North Road**

The proposal would develop land that is considered to cause moderate-low harm to the Green Belt with 5 dwellings.

#### **Considerations**

179. Should there be a requirement for landscaping to screen the site from the wider Green Belt to the south, in order to reduce the development's impact on the wider Green Belt.
180. Should some or all of the trees on the site be retained and their retention referred to in the policy criteria?
181. Have the ramifications of air and noise pollution from the adjacent motorway, on the potential living conditions at this site, been adequately assessed and considered in the context of the potential and viability of the site to provide acceptable living conditions for any future occupants of the residential accommodation?
182. In the context of the site's proximity to retail and community facilities and frequent public transport, is this a sustainable location for housing development?
183. Would the proposal clearly be deliverable within the first five years following adoption.
184. Are there any other matters that weigh against this site being proposed for residential development?