

## WELWYN HATFIELD LOCAL PLAN EXAMINATION

### Response to EX227 (WHBC note to the Inspector on BGS; Dec 2020)

#### Tarmac Trading Ltd.

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1. This response addresses points made in EX227 in the order they are raised therein.

#### **Introduction to EX227**

2. Importantly, the Inspector did not state in his interim report (EX212) that “the southern element” of BGS is “not sound”. Rather, his interim conclusion was that “the development of this part of the site would not be as sustainable as many alternatives that could be substitutes”, adding that “in such circumstances I would be unlikely to find exceptional circumstances to release this land from the GB or to find it sound” (para. 74; emphases added).
3. Crucially, the “substitute” that the Council has put forward - site PB1 - has been effectively rejected by the Inspector in his reply (EX220) to the Council’s submissions of 30<sup>th</sup> November 2020 (EX219). Indeed, the Inspector’s concerns about this proposal (which are summarised in paragraphs 10-14 of EX220) are so substantial that he concludes by stating that “I propose to take no further action concerning your proposed introduction of the site adjacent to Potters Bar” (para. 14).
4. Given the Inspector’s effective rejection of the Council’s PB1 proposal, a valid “substitute” for the southern element of BGS remains elusive, such that the soundness of that element remains undetermined (see para. 2 above). Consequently and importantly, the Inspector has not “stated that the allocation should be limited to the northern area” of BGS (EX227).

#### **Site capacity**

5. The Council’s assessment of a net residential development area of 20 hectares and of a capacity of approximately 600 dwellings reflects the evidence we supplied to the Council prior to its submission of EX227.
6. Significantly, however, the Council’s revised Strategy Diagram (Annex 1 to EX227) indicates a considerably smaller net residential development area than 20 hectares (see para. 7 below). Furthermore, the additional 2 hectares indicated for a primary school on that revised Strategy Diagram should instead form part of that net residential development area (see para. 10 below), thereby enlarging that area to some 22 hectares. Finally in this respect, the Council rightly describes its suggested average net density of 30 dwellings per hectare as “conservative”. A modest increase in that average net density to 35 dwellings per hectare would result in a further 100 dwellings, giving a total of 700 dwellings on the 20 hectares the Council has proposed or 770 dwellings on the 22 hectares we propose.

#### **Green Corridor**

7. Although we do not object to the alignment the Council proposes for the Green Corridor across the BGS site, the Council’s revised Strategy Diagram suggests an inappropriately large width of the Corridor across the part of the site between The Commons LNR and the eastern arm of the Hatfield Hyde Brook. A Corridor of the width implied on that revised Strategy Diagram would jeopardise the achievement of the housing capacity assumed by the Council (see para. 6 above), as well as being wider than is necessary to enable the Corridor’s biodiversity and recreational functions to be fulfilled.

### **Facilities and Services**

8. We agree that the new Neighbourhood Centre proposed as part of the full BGS allocation should be omitted from any reduced allocation on the grounds that its viability is highly unlikely.
9. We also agree that “footpath links can be provided into the road known as The Commons and thence to local facilities in the existing built up area”, including those facilities at the existing Neighbourhood Centre at Hall Grove, as well as Commonswood Primary & Nursery School and bus services on Howlands. However, the “non-vehicular access point” shown on the Council’s revised Strategy Diagram to indicate the location of those “footpath links” should be replaced by the more northerly location we suggested to the Council prior to its submission of EX227. That more northerly location affords more direct connectivity between the road known as The Commons and BGS, including the newly proposed Community Hub, the general principle and broad location of which we support.
10. We strongly disagree that a new primary school should form part of any reduced BGS allocation. Although the Council states in EX227 that “Hertfordshire County Council have confirmed this need in discussions”, any evidence for that need remains elusive. Indeed, the extent of current and forecast capacity in existing primary schools in the Welwyn Garden City area, as evidenced both in Government data for those schools (<https://get-information-schools.service.gov.uk/>) and in County Council projections of pupil numbers ([School planning | Hertfordshire County Council](#)), may well be sufficient to accommodate the number of primary school pupils resident within any reduced BGS allocation, especially when the various new and enlarged primary schools being proposed in the area (including in the East Herts part of BGS) are taken into account.
11. Even if such capacity is insufficient, an expansion of Commonswood Primary & Nursery School from a generally 2FE to a 3FE facility would be much more appropriate than the delivery of a small new school as part of any reduced BGS allocation. Importantly in this respect, the extent of the County Council’s landholding in the area of Commonswood School affords physical capacity for its expansion, while the newly contemplated “footpath links ... into the road known as The Commons” (para. 9 above) would ensure the school is readily accessible from BGS.

### **Access arrangements**

12. With the exception of the location of the “footpath links ... into the road known as The Commons” that is indicated on the revised Strategy Diagram (in which respect we propose a more direct route; para. 9 above), we agree with the proposed access arrangements for any reduced BGS allocation as described by the Council in EX227 and as indicated on the revised Strategy Diagram. These proposed access arrangements reflect those we suggested to the Council in advance of its submission of EX227.

### **Policy Revision**

13. The proposed revision to criterion k. in part vii. of the BGS policy (SP19) concerning the width of the Green Corridor is inappropriately worded. The required width of the Corridor is described as being “about 100m width or greater”. Not only is this proposed requirement inappropriately vague (in implying that even a width significantly greater than 100m might not be acceptable), but also there is no justification for requiring a width greater than 100m. A 100m width would enable the biodiversity and recreational functions of the Corridor to be fulfilled without jeopardising the housing capacity for any reduced BGS allocation that has been assumed by the Council (see para. 5 above).
14. We may decide to make further comments on any proposed Modifications to Policy SP19 when these are published for formal public consultation in due course.

### **Green Belt boundary**

15. The Council's proposed revision to the Green Belt boundary at BGS (EX227; p.9) is problematic in two key respects.
16. Firstly, the proposed re-alignment of the boundary would result in an incongruous enclave of Green Belt land surrounded by urban uses (the waste management sites of Burnside, Highlands and the Civic Amenity Site; employment land at The Holdings; and the BGS allocations in the two Local Plans) and contained by the A414. That incongruous enclave would not fulfil any of the purposes of Green Belt policy. In particular, undue urban sprawl and encroachment into the countryside are prevented by the A414.
17. Secondly, the Council's proposal to use the administrative boundary between Welwyn Hatfield and East Herts through Howell Park Wood as a substantial section of the Green Belt boundary around BGS is especially inappropriate. That length of the administrative boundary does not manifest itself in any "physical feature" that is "readily recognisable", as the 2012 NPPF (para. 85) requires for any Green Belt boundary.
18. Both of these significant weaknesses of the Council's proposed Green Belt boundary derive from the Council's eschewing of the A414 as the most logical, robust and appropriate boundary for the Green Belt on this edge of Welwyn Garden City. The plan presented at **Appendix 1** to this response demonstrates the logic of using the A414 for this boundary, both in the context of the area already released from the Green Belt to accommodate the BGS allocation in the East Herts Local Plan and in contrast to the incongruous enclave of Green Belt that would arise from the Council's proposed boundary.

### **Conclusion to EX227**

19. EX227 concludes as follows: "The Council considers that the smaller area of Birchall Garden Suburb would be a deliverable urban extension. The main difference in terms of service provision is that there would no longer be a neighbourhood centre, as it is unlikely that this would be viable."
20. Much more than that should be said. Although the "smaller area" of BGS that the Council now proposes would remain "a deliverable urban extension", its reduced scale and limited extent significantly inhibit the scope for delivering the wide ranging planning benefits that would arise from BGS as it has been conceived for at least the last ten years – as a comprehensively planned, cross-boundary extension to Welwyn Garden City, fully utilising the land bounded by the A414 for large scale development and complementary strategic green infrastructure.
21. Those benefits include, but are not limited to:
  - a. Delivery of a further 700 homes (beyond those the Council now proposes) in a sustainable location (adjacent to Welwyn Garden City, with its large number and wide range of employment opportunities and other facilities) and in a sustainable form (a garden suburb).
  - b. Delivery of a new on-site primary school, which cannot be assured in any reduced allocation (see paras. 10-11).
  - c. Delivery of a new neighbourhood centre, which would be unlikely to be viable in any reduced allocation, as the Council recognises (see para. 19).
  - d. Delivery of the full extent of the strategic green infrastructure intended to form the centrepiece of BGS, including the large area to the south of the existing public footpath across the former landfill area.

- e. Delivery of key elements of the County Council's emerging transport plans for the A414 corridor and for the Welwyn Garden City area, including enabling the urban area to be effectively integrated with the proposed cross-county Mass Rapid Transit (MRT) route via the A414, providing a new cycle link around the south side of Welwyn Garden City to Hatfield and maximising cycle usage of the Cole Green Way for travel to Hertford.
22. These significant planning benefits, all of which would further Garden City principles as applied both nationally and locally, would not be realised in association with any reduced BGS allocation. They can, however, be realised by retaining the full allocation. Indeed, the Inspector's interim concerns about retaining the full allocation can be readily addressed by a combination of early landscape screening and later development of those parts of the allocation requiring such screening, as Council officers themselves suggested in their report to the Council's Cabinet Planning and Parking Panel on 17<sup>th</sup> November 2020 (paras. 2.12 and 4.105; and p.41 of Appendix A to that report).
23. Further details concerning that screening and phasing are contained in the attached report by Tarmac's retained landscape consultant, David Jarvis Associates, which is presented as **Appendix 2** to this response. We commend that professional analysis to the Inspector in providing reassurance that the full BGS allocation meets the tests of soundness.
24. For all these reasons, the full BGS allocation should be retained.