



Stage 9

Response to EX232

SADM32 – HS24/BrP7

Little Heath

Prepared by Aurora Properties Limited

Submitted – 12 February 2021

Response to EX232 (HS24/BrP7) – SADM32

1. The Inspector has invited submissions in respect of EX232, which contains a Statement of Common Ground (SOCG) between WHBC and the Royal Veterinary College (RVC).
2. The release of HS24/BrP7 from the Green Belt would cause High harm and it should not be released from the Green Belt unless all other, less harmful, alternatives have been exhausted.
3. HS24/BrP7 is at the highest topographical point between London and York, in open countryside, with long, medium and local views into that site from numerous receptors. NPPF makes clear that protecting the openness and permanence of the Green Belt is the fundamental aim.
4. The RVC suggests in the SOCG that the harm to the openness of the Green Belt can be resolved by:

“A defensible boundary and associated GI corridor would be defined on its western edge by a 2 metre high hedge with hedgerow trees of traditional species.”
5. In the Calverton High Court judgment (Number: [2015] EWHC 1078 (Admin)) Mr Justice Jay grapples with those matters which should be taken into consideration when releasing land from the Green Belt. Paragraph 51 is relevant to the circumstances at HS24/BrP7, where he offers clear guidance that the material test is (i) the harm to *“this”* Green Belt if boundaries were to be reviewed and (ii) the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.
6. It is highly improbable that Mr Justice Jay had in mind a 2 metre high hedge when he gave his judgment.
7. It is also inconceivable that the NPPF or PPG envisaged that fundamental harm to the openness or permanence of the Green Belt could be resolved by planting a new a 2 metre high hedge. Such a proposition would undermine the need to compare the likely harm to *“this”* Green Belt when assessing whether, or not, *“exceptional circumstances”* exist.
8. The Council makes clear in the SOCG that it has formally resolved to delete HS24/BrP7 from its submitted Plan. There are other more suitable and sustainable sites in the local area which the Council has not allocated. Therefore, to maintain the allocation of HS24/BrP7 in preference to alternative sites, which cause less harm if released from the Green Belt, would be irrational and unsound.

9. The SOCG states;

*“The Council agreed to request that a number of the sites in the submitted local plan should be removed from the plan through main modifications on the basis that **exceptional circumstances no longer exist for the release of sites resulting in high harm to the Green Belt.**”*

Welwyn Hatfield Borough Council no longer support the allocation of this [HS24/BrP7] site”.

10. HS24/BrP7 should be deleted from the submitted Plan and Policy SADM32 modified accordingly.

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Aurora Properties Limited
12 February 2021