

Welwyn Hatfield Borough Council Local Plan Examination in Public 2017 Stage 2

Matters 4 and 5: Green Belt Review and Green Belt Exceptional Circumstances

Representations prepared by Lichfields on behalf of the Homes and Communities Agency and Mariposa Ltd

1.0 Introduction

- 1.1 This Statement responds to matters raised by the Inspector ahead of public hearings on the Overarching Strategy of the Local Plan. Our clients, Mariposa Limited and the Homes and Communities Agency, are the promoters of Land to the North East of Welwyn Garden City (WGC4).
- 1.2 This Statement deals specifically with the Inspector's questions on Green Belt Review and Green Belt Exceptional Circumstances. We deal with the Inspector's questions in turn below.

2.0 Matter 4: Green Belt Review

Has an objective assessment of the contribution land makes to the purposes of the GB been undertaken?

- 2.1 Whilst the Council has undertaken an objective assessment of the contribution land makes to the purposes of the Green Belt, it is considered that the Council has not had full regard to the findings in preparing the Local plan.
- 2.2 The Housing White Paper (Fixing our Broken Housing Market, 2017) states, at paragraph 1.39, that "*authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements*". In this regard, it is recognised that the Council must look to the Green Belt to find suitable sites to meet their objectively assessed housing need. The Council has had an objectively assessed Green Belt Review (GB/1) undertaken, but it is considered that the Council has not correctly applied the findings of this assessment fully.
- 2.3 By way of example, within examination document GB/1, the Green Belt Site 'GB55 – Green Belt Land northeast of Welwyn Garden City' comprises an area of land located along the north eastern edge of Welwyn Garden City that includes sites WGC4 and WGC7 (referenced on page 39 of the HELAA (HOU/19p). GB55, including land within the Green Belt of sites WGC4 and WGC7, is assessed within the Green Belt Review (GB/1) paragraph 8.2.11 as 'land contributing least towards Green Belt purposes'.
- 2.4 The HELAA (examination document HOU/19p page 39) provides the Council's assessment of Site reference WGC4 & WGC7 'Panshanger'. The map clearly shows a site area of 52ha as an integrated proposal of both WGC4 and WGC 7. This 52ha site comprises the Area of Special Restraint from the 1993 District Plan (safeguarded land) to the south (outside of the Green Belt) and land within the Green Belt to the north. The Council's assessment of the three scenarios for these sites is set out within this summary.
- 2.5 The HELAA Stage 2 Assessment (examination document HOU/19b) confirms that both sites WGC4/7 Scenario 2 and 3 are considered suitable, available and achievable and capable of delivering 650 dwellings (25dph) and 725 dwellings (25dph) respectively and pass the Stage 2

Assessment. Scenario 3 includes an additional 75 dwellings on land within the Green Belt that is considered to contribute least towards Green Belt purposes within the Borough.

- 2.6 However, there would appear to be a discrepancy between the map drawn up for the HELAA Results Map (HOU/19f) which shows a reduced area for WGC4 comprising solely the area of safeguarded land for WGC4, rather than the extended area within the land ownership (it is noted that WGC9 is not within the landownership and failed the HELAA Stage 2). It is considered that this is an error in production of the Results Map as, logically, the Area of Special Restraint is not within the Green Belt and hence the conclusions of the Council's assessment regarding Scenario 2 and 3, notably amending the Green Belt boundary, would not apply.
- 2.7 **Appendix 1** comprises Settlement Policy 18 and figure SDS1 'North East of Welwyn Garden City' identifying the 52ha site allocation and extended Green Belt boundary, that is largely consistent with Scenario 3 considered by the HELAA, albeit land to the east has been put into the Green Belt (discussed further below). However, it does not show a Green belt boundary defined by natural features.
- 2.8 In this regard, it will be noted from the Printed Minutes from the Cabinet Housing and Planning Panel 13 June 2016, pg 13 (**Appendix 2**) that:
- "The need for housing and the importance of preparing a sound Local Plan outweighed the desire of some residents to see the airfield retained and it was acknowledged too that there were many people living in Digswell who were pleased that planes no longer flew over their community."*
- 2.9 Notwithstanding this, the Cabinet Housing and Planning Panel 20 July 2016 determined that Policy SP18 for North East of Welwyn Garden City and Policies Map be amended to state that the land currently designated as an Area of Special Restraint be allocated for 650 dwellings, that the Green Belt boundary to the north remained as currently defined on the District Plan Proposals Map.
- 2.10 The resultant Settlement Policy SP18, as detailed within the Local Plan Proposed Submission includes a reduced area of land for housing that comprises solely the area of land previously Area of Special Restraint. This disregards the Council's Objective Assessment of the Green Belt Review and requirement to release Green Belt sites that are most sustainably located and contribute least to Green Belt purposes in order to meet their objectively assessed housing need.
- 2.11 It is requested that the Green Belt boundary be amended to reflect the Objective Assessment as explained below.

Do the proposed revisions to GB boundaries result in stronger boundaries that will endure well beyond the life of this plan?

- 2.12 No. The proposed revision to the Green Belt boundary does not result in stronger Green Belt boundaries, with specific reference to Land to the North East of Welwyn Garden City (site WGC4 in the draft Local Plan). As such, in this regard, it is not considered to be sound without modification.
- 2.13 Paragraph 83 of the NPPF confirms that when undertaking a review of Green Belt boundaries, local planning authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so they should be capable of enduring beyond the Plan period. Significantly, paragraph 85 of the NPPF states that boundaries should be defined *"clearly, using physical features that are readily recognisable and likely to be permanent"*.
- 2.14 The Plan is not consistent with the NPPF as the proposed Green Belt boundary to the northern edge of WGC4 does not meet the guidance as set out in the NPPF. The boundary is arbitrary and is not a readily recognisable boundary defined by physical features that would ensure the longevity of the boundary beyond the Plan period. There is a more readily recognisable

boundary defined by physical features (hedges and trees) further north as shown on the plan prepared and attached (**Appendix 3**).

- 2.15 In addition, land to the east has been added to the Green Belt. There is no justification as to why it is considered necessary to include this land within the Green Belt and no explanation as to the Green Belt purposes that it meets.
- 2.16 Paragraph 82 of the NPPF confirms that *“The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances”*. It goes on to state that local planning authorities should *“demonstrate why normal planning and development management policies would not be adequate”*.
- 2.17 It is noted that the Council has responded to heritage guidance (examination document HIS/3) which assessed the redevelopment of the site and stated at paragraph 4.1.14 that:
“Consideration should also be given to the provision of open space on the site and how this could be used to best reflect the existing aerodrome character of the site and perhaps help to mitigate the impact of development on Panshanger Park and Marden Hill particularly. Two potential options present themselves. Firstly, a linear park along the line of the existing airstrip could be considered and secondly, an area of open space at the eastern end of the site, nearest Panshanger Park, or at least a sparser development pattern at this end, would help to mitigate the loss of openness at this end of the site and the resultant impact this has on the setting of Panshanger Park and the wider setting of Marden Hill.”
- 2.18 Figure 20 of examination document HIS/3 clearly indicates land to the east being ‘Suggested areas of open space’ as opposed to advising that this land should be designated as Green Belt.
- 2.19 As stated in the NPPF, it is not the purpose of the Green Belt to achieve these ends. It is still possible to seek to retain land as open for a specified reason, such as the setting of a heritage asset, without imposing the very strict limitations imposed by Green belt policy. By including this land within the Green Belt it imposes unnecessary restriction on potential development in this area.
- 2.20 The Housing Sites Selection – Background Paper 2016 (examination document HOU/20a) Appendix A Welwyn Garden City (page 19) states in column 4 (Green Belt Boundary Appraisal) that the existing Green Belt boundary for WGC4 to the north *“has no physical features (weak). Western boundary consists of an established tree belt (moderate). Eastern boundary consists of established hedgerow with minor gaps (moderate)”*.
- 2.21 In respect of the Council’s proposed Green Belt boundary (as taken forward on the Settlement Policy SP18) it states *“Alternative boundaries within the site, based upon a landscape and ecological buffer area outlined in the HELAA assessment, would largely be drawn along areas of grassland and therefore would be absent of any definable features (weak), with a stretch of tree belt and Hens Lane to the west (moderate) forming a minority of the boundary”*.
- 2.22 The summary states that the proposed boundary, as proposed by the applicant and extending to the 52ha of the site, *“would be stronger overall than the existing boundaries and would be clearly defined and defensible. These boundaries are attributed significant weight in favour of the site. Alternative reduced boundaries within the site would be similar in strength to the existing boundaries. These boundaries are attributed moderate weight in favour of the site. On balance, the reduced boundaries are recommended as they are consistent with the landscape and ecological mitigation measures recommended within the HELAA”*. The Council is therefore acknowledging that the Green Belt boundary proposed within the Local Plan Proposed Submission is weak but the boundaries are amended in line with advice received. As stated above, whilst the historic evidence confirms open space is suggested, there is no requirement for this land to be within the Green Belt.

- 2.23 In respect of landscape, the Landscape Sensitivity and Capacity Study (October 2012) Appendix 2 (examination document ENV/5b) assesses the site and confirms that it is of medium sensitivity, recommending mitigation to offset any negative effects that development would have on the quality and value of the landscape. Whilst the principles of creating landscape mitigation buffers for what are recognised is not disagreed with, the NPPF makes it clear that the land does need to be designated as Green Belt to address these issues, particularly as precise development would be subject to a planning application. As detailed above, this can be addressed by development management policies, and does not merit being included within the Green Belt. It is of note that there is very limited ecology on the site, and there is no known ecological mitigation measures required, particularly none that would require designation as part of the Green Belt to address.
- 2.24 In addition, importantly, to add land to the Green Belt should, in accordance with the NPPF, only be established in exceptional circumstances. Landscape and ecological buffer areas are not an exceptional circumstance to add land to the Green Belt, particularly where normal planning and development management policies would be adequate and where the Council has determined that it is necessary to release land from the Green Belt.
- 2.25 Overall, the NPPF is clear that Councils should ensure that the Green Belt boundaries can endure beyond the Plan period. There is an acute housing need within WHBC and where sites cannot be found within urban areas, the Council should look to sustainable Green Belt sites that have been objectively assessed in respect of their contribution to the Green Belt purposes.
- 2.26 We therefore request that the Green Belt boundary should be extended north for WGC4, in accordance with the plan in **Appendix 3**. This would be in accordance with the objectively assessed Green Belt Review that identifies Site GB55 as land within the Borough that contributes least towards the Green Belt purposes. In addition, land to the east should be taken back out of the Green Belt and the boundary reinstated to that identified in the adopted Local Plan Proposals Map.

3.0 Matter 5: Green Belt Exceptional Circumstances.

**What should constitute exceptional circumstances for removing land from the GB?
Has the choice of land to be lost from the GB been objectively derived?**

i) Housing.

ii) Employment.

- 3.1 Paragraph 83 of the NPPF states that “Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan”.
- 3.2 ‘Exceptional circumstances’ is not defined within the NPPF, however the Housing White Paper (Fixing our Broken Housing Market, 2017) states at paragraph 1.39 that “*authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements*”.
- 3.3 In this regard, WHBC acknowledge that they must look to the Green Belt to find suitable sites to meet their objectively assessed housing need.
- 3.4 Exceptional circumstances for removing land from the Green Belt should therefore be where brownfield and urban sites are exhausted, and where the Green Belt sites are sustainably located and have been objectively assessed to not contribute significantly to the Green Belt purposes.
- 3.5 It is considered that the objectively assessed housing need is an exceptional circumstance, where all other alternatives have been considered, for removing land from the Green Belt.

Appendix 1

Welwyn Garden City

Justification

14.28 Broadwater Road West is a former industrial site, across the East Coast mainline railway from Welwyn Garden City Town Centre. The site adjoins Welwyn Garden City Railway Station which serves as an interchange between frequent trains, the local bus network and walking and cycling facilities. This highly accessible location presents the opportunity for high density development. The provision of employment here is an important component of the plan's strategy to provide employment in highly accessible locations. This mixed use development site (as set out on the Policies Map) is the subject of the Broadwater Road West Supplementary Planning Document, December 2008. The council's vision for Broadwater Road West is to deliver an energetic and pioneering scheme of development which integrates the spirit of the garden city with the very best of high quality 21st Century design, seizing the opportunity to enhance the local environment and create a sustainable, supported neighbourhood of an appropriate scale, which successfully integrates with the local community.

Implementation

14.29 The masterplan framework and design guidance for development of this site set out in the Broadwater Road West Supplementary Planning Document, December 2008 will be used in the consideration of planning applications for development on this site. The quanta of development set out in Policy SP19 reflect the council's latest information and evidence.

14.4.2 North East of Welwyn Garden City

14.30 This policy allocates land north east of Welwyn Garden City for development in accordance with the growth and settlement strategy of the Plan.

Policy SP 18

North East of Welwyn Garden City (SDS1)

Land to the north east of Welwyn Garden City, at Panshanger, is allocated for development to accommodate approximately 725 new homes over the plan period.

A Masterplan setting out the quantum and distribution of land uses, access, sustainable design and layout principles prepared by Council, working with the landowner and other key stakeholders. The Strategy Diagram in Figure 10 below will inform the Masterplan which will form the basis of a Supplementary Planning Document to provide further guidance on site specific matters. Any application for development should be preceded by, and consistent with, the Masterplan.

The site will be planned comprehensively to create a new extension to the neighbourhood of Panshanger, incorporating Garden City principles.

In accordance with the relevant Local Plan policies the site will provide:

- A wide mix of housing types, sizes and tenures, including a minimum of 30% of all units as affordable housing unless it can be robustly demonstrated that such a proportion would not be viable; housing for older people; and serviced plots of land

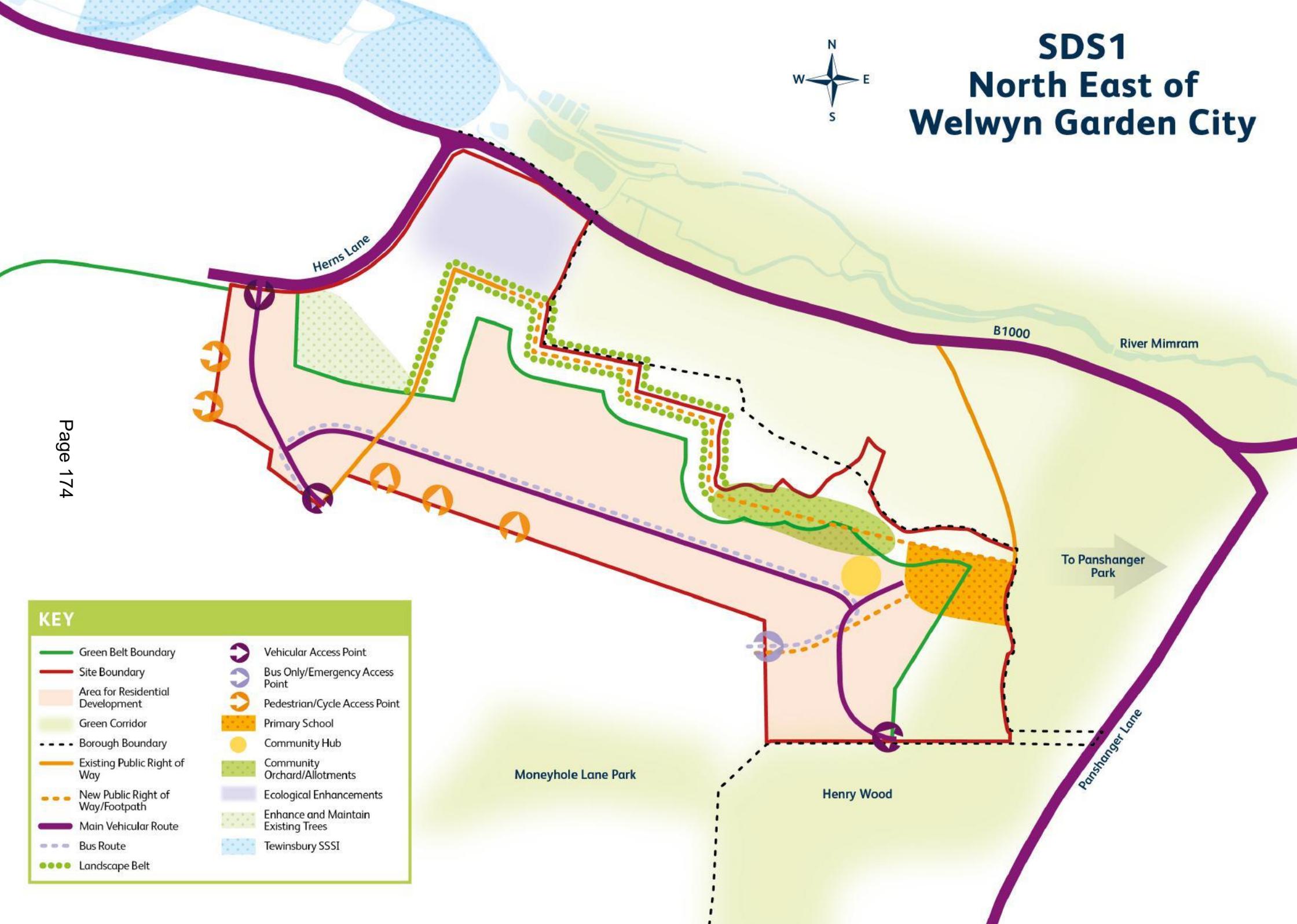
to contribute towards meeting evidenced demand for self-build and custom housebuilding;

- Gypsy and Traveller provision sufficient to accommodate a total of 6 pitches;
- A new small convenience shop in an accessible location to meet the day-to-day convenience shopping needs of new residents and to include community facilities including a community hall. This will augment the existing neighbourhood centre at Moors Walk;
- A 2 form entry primary entry school that allows for dual use for community purposes;
- Sustainable transport measures including the improvement of pedestrian links, cycle paths, passenger transport and community transport initiatives;
- Suitable access arrangements and any necessary wider strategic and local highway mitigation measures;
- Formal and informal open spaces for leisure and recreation, including play areas, sports fields, allotments and community orchards. Spaces will contribute to wider ecological networks including a strategic green infrastructure corridor from St Albans through to Hertford. As such, spaces should:
 - be accessible to new and existing communities;
 - provide upgraded routes for walkers and cyclists, including the a route around the periphery of the development;
 - provide safe routes for wildlife, protecting and enhancing wildlife assets;
 - balance the needs of recreation and nature, providing animal infrastructure and undisturbed areas
- Protection and enhancement of heritage assets, both on-site and in the wider area through appropriate mitigation measures;
- Landscaping and planting;
- An area of ecological enhancements in the north west of the site;
- A structural landscaping area on the northern edge of the site in advance of any development to minimise its visual impact on the surrounding landscape, heritage assets and long distance views including views from and across the Mimram valley;
- Necessary utilities, including integrated communications infrastructure to facilitate home-working; and
- Sustainable drainage and provision for flood mitigation.

In order to ensure that the site is planned and delivered comprehensively, any application for development on part of the site will be assessed against its contribution to the Masterplan, and will not prejudice the implementation of the site as a whole.

The developer will need to demonstrate that the 'opportunistic' use of some minerals on-site within the site itself has been fully considered, subject to it not prejudicing the delivery of housing within the plan period.

SDS1 North East of Welwyn Garden City



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KEY			
	Green Belt Boundary		Vehicular Access Point
	Site Boundary		Bus Only/Emergency Access Point
	Area for Residential Development		Pedestrian/Cycle Access Point
	Green Corridor		Primary School
	Borough Boundary		Community Hub
	Existing Public Right of Way		Community Orchard/Allotments
	New Public Right of Way/Footpath		Ecological Enhancements
	Main Vehicular Route		Enhance and Maintain Existing Trees
	Bus Route		Tewinsbury SSSI
	Landscape Belt		

Appendix 2

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WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CABINET HOUSING AND PLANNING PANEL held on Monday, 13th June, 2016 at 7.30 pm in the Cypress Room, Salvation House, 2 Sterling Court, Mundells, Welwyn Garden City, Herts, AL7 1FT

PRESENT: Councillors S Boulton (Chairman)
M Perkins (Vice-Chairman)

D Bell, D Bennett, H Bromley, M Cowan, G Hayes,
M Holloway, P Shah and M Spinks

ALSO PRESENT: Councillors J Dean (Leader of the Council), J Beckerman, J Cragg,
B Fitzsimon, S Johnston, T Kingsbury, M Larkins,
S Markiewicz, H Morgan, H Quenet, B Sarson, R Trigg
and P Zukowskyj.

OFFICIALS
PRESENT: Head of Planning (C Haigh)
Planning Policy and Implementation Manager (S Tiley)
Principal Planner (C Hyland)
Principal Planner (P Everard)
Governance Services Officer (R Burbidge)

1. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN:

It was noted that the Cabinet had appointed Councillors S Boulton and M Perkins as Chairman and Vice-Chairman of the Panel respectively for the 2016/17 Municipal Year.

2. MINUTES:

The Minutes of the meeting held on 21 April 2016 were confirmed as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST BY MEMBERS:

Councillor M Cowan declared an interest in items on the Agenda as appropriate by virtue of being a member of Hertfordshire County Council.

4. PUBLIC QUESTION TIME AND PETITIONS:

The Chairman reported that a petition had been received from residents of Marshmoor Crescent and Marshmoor Lane objecting to the proposed commercial and residential development of WeG4b.

The Chairman also reported that fourteen public questions had been received in accordance with Council Procedure Rule No. 31 and a number of others had been received after the deadline for submission. In accordance with Council Procedure Rules a period of fifteen minutes would be allowed and questions would be asked in the order notice was received of them. Any questions which could not be dealt with during public question time because of lack of time would be dealt with by a written answer.

1. Question to the Chairman Councillor Stephen Boulton from Mr. N. Bennett

Why is it that in the Officer's assessment of Cuf5 (and Cuf12), there is no mention whatsoever of the unique opportunity for the Borough to provide a zero carbon development through its linkage to the nearby Anaerobic Digestion Plant (at Cattlegate Farm within the same ownership), since this is of fundamental importance under 'sustainability considerations' and has been promoted accordingly as part of our 'exceptional circumstances' case?

The Chairman read the following answer to the question:

The Housing and Employment Land Availability Assessment does reflect the fact that an opportunity exists to link development on Cuf5 to a nearby anaerobic digestion plant within the same ownership, connecting the two sites via an underground heat network to deliver renewable heat to all houses and non-domestic buildings on site to provide a 'zero carbon' development. Site Cuf12 is a smaller part of Cuf5.

The Sustainability Appraisal assesses all reasonable key sites being considered for inclusion in the Local Plan having regard to the location of development and the evidence available about the potential impact upon the environment. It does not include potential energy schemes, as this is a detailed matter which will need to be considered at the planning application stage, when specific proposals are put forward.

The Site Selection Background Paper does note that the Sustainability Appraisal assessed Cuf5 as having more than twice as many double positive scores than double negatives scores and is weighted as 'moderate in favour' in light of this. However, this is just one component of the overall balancing exercise when selecting sites.

2. Question to the Chairman Councillor Stephen Boulton from Mr. A. Buckle

I note that the Director reports in paragraph 7.3 that there is a risk of the Local Plan being found unsound if it does not meet the OAN, despite reporting further increases in population forecasts and a large shortfall in the provision of affordable housing. In light of this, wouldn't you agree that the Panel must consider including more robustly deliverable sites such as those mentioned in paragraph 3.47 and cannot rule Hat2 out at this stage

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based on incorrect information on the provisions of the S106, which, for the record, was specifically drafted to make provision to enable future development should it be consented?"

The Chairman read the following answer to the question:

There has been a dialogue between officers and the landowner's representatives concerning the effect of the existing Section 106 agreement for this land on the potential delivery of site Hat 2. The Council has also taken legal advice on this.

Although there are provisions in the Section 106 relating to a potential termination of any lease of the country park to a managing trust, in the event that planning permission for housing is obtained on some or all of the land, there is no provision in the Section 106 itself to permit housing development without a formal variation to that deed. The site could therefore only be made available for housing if there is agreement to a formal variation to the existing Section 106 in respect of the provisions for the delivery of Ellenbrook Park. That variation would need the agreement of the landowner and the local authority parties to the original Section 106, Hertfordshire County Council, Welwyn Hatfield Borough Council and St Albans District Council.

St Albans District Council has serious concerns about entering into a variation to the Section 106 without assurance that an area of satisfactory size and quality will be made available as a country park in place of the land which would be lost to the proposed housing development. In addition officers of this Council have set out concerns in the report before Panel tonight that the housing development would also be taking place in a context where minerals are being extracted over a long period on the remainder of the country park. Proposals have been made by the landowner to seek to address this but these do not make provision for an adequate alternative to the existing section 106 arrangements for the park, which has been open to the public since 2010. The report to this Panel is therefore not incorrect to refer to this difficulty.

3. Question to the Chairman Councillor Stephen Boulton from Mr. M. Aylward

"We note that the HELAA is an evidence base document for the emerging Local Plan and that consultation opportunities will follow. We note that officers are supportive of the principle of allocating site Wel3 which is accessed off School Lane. In terms of site Wel16 we have provided a feasibility scheme that shows that the identified impediment can be overcome, and will allow the Council to meet local housing needs and address existing highways issues on School Lane. We are willing to reconsider the quantum of development to more closely reflect the residual objectively assessed need for Welwyn. We would respectfully request that Members to direct their officers to provide an opportunity to work positively

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in the coming weeks, so that they could reconsider their conclusions in respect of site Wel16.

The Chairman read the following answer to the question:

Site Wel16 is one of the few instances where Hertfordshire County Council, as the Highway Authority, has raised significant concerns. A scheme of around 250 dwellings has been promoted and the Highway Authority has highlighted the presence of a narrow pinch point within the highway, which lies close to the village centre where the highway boundary is significantly constrained with no opportunity for widening. The level of intensification that would arise through the provision of an additional 250 dwellings is likely to result in traffic backing up in both directions around the pinch point with a concern that a severe highway impact in the proximity of the junction with School Lane and the High Street would arise.

Wel3 is a previously developed site and the suggested allocation is limited to just 7 dwellings (net), which also reflects the Highway Authority's concerns about School Lane.

4. Question to the Chairman Councillor Stephen Boulton from Mr. A. Denoronha

Please could this question be asked at the meeting of the planning committee on Monday 13th June 2016 at 7:30pm We know there is a rich and diverse wildlife population in the proposed hat15 site including badger sets bees newts owls and many others please can you tell me how they will be protected and which of the local wildlife trusts and groups have you spoke to about this issue and what has been there reaction?

The Chairman read the following answer to the question:

Hertfordshire Ecology, our regular advisers on such matters, has confirmed that there are no recognised ecology sites within the boundaries of Hat 15 but that the presence of bats has previously been recorded and the site is also attractive to a variety of nesting birds and other species.. There are three local wildlife sites adjacent to Hat 15, including Symondshyde Great Wood. This all forms part of the assessment in the HELAA.

If the site is to be developed, a preliminary ecological appraisal of habitats will need to be carried out to assess ecological value. The site is large and should offer opportunities for biodiversity enhancements and the dwelling capacity of the site reflects the need to provide adequate buffer zones to the adjoining woodland. Existing mature trees and hedgerow would be preserved wherever possible. Any works likely to affect protected species will need to be covered by the terms of an appropriate licence from Natural England.

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5. Question to the Chairman Councillor Stephen Boulton from Mr. P. Miller

In the HELAA June 2016 Appendix G Brookmans Park, the surrounding land uses and character for Site BrP4 is described as “*Railway to the east with Brookmans Park **beyond**; woodland to the west with open fields and Water End **beyond**; open fields to the north with Welham Green **beyond** and River and open fields to the south*”. Please note that there is no mention of the Royal Veterinary College Major Developed Site a short distance beyond the river to the south.

The RVC has recently unveiled their intended masterplan to substantially increase the size of the existing site.

Site BrP6 has been afforded significant weight against the site because new Green Belt boundaries would significantly physically and visually shorten the fragile gap between Brookmans Park and Potters Bar.

BrP6 and the RVC share the same alignment and are the same distance from Potters Bar.

Can the Panel please consider the fact that even allowing for the extremely narrow and incredibly fragile proposed gap between BrP4 and the RVC to the south, the new Green Belt boundaries for BrP4 would also significantly physically and visually shorten the fragile gap between Brookmans Park and Potters Bar when combined with the RVC MDS boundaries and the net result would be virtually the same as the new Green Belt boundaries for BrP6.

BrP4 should therefore also be similarly afforded significant weight against for Green Belt boundary.

The Chairman read the following answer to the question:

The contribution that site BrP4 makes to the purposes of including land in the Green Belt is acknowledged. However, the site itself does not project beyond the southern settlement edge of Brookmans Park and does not physically shorten the gap between the existing urban boundaries of Potters Bar and Brookmans Park.

BrP6 however would physically reduce the gap between the existing urban boundaries of Potters Bar and Brookmans Park by around 40%. This is a significant reduction, which has been afforded significant weight against site BrP6.

6. Question to the Chairman Councillor Stephen Boulton from Mr. W. Davis

We are soon to go into this council's fourth consultation asking us where new homes should go. The council had a lot of feedback in the last three consultations asking for more balance in the distribution of homes.

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However, yet again things are heavily focused on WGC and Hatfield, with Welwyn Garden being 'objectively assessed' as needing almost 45% of all new homes until 2032. Although your current distribution proposals don't manage that 45% what is clear is that other parts of the borough fail to meet their even there much lower percentage contribution by a massive margin.

Cuffley for example is deemed to require only 4% of all new homes, and yet the new proposals show that only about a fifth of that 4% is currently projected. Brookmans Park is similar with a contribution of only 3% required, but these proposals show only about a tenth of that amount is currently projected.

Yet again I strongly question whether a fair and balanced approach is achieved in the plans you will be discussing tonight and Wednesday. Does this panel agree that even at the fourth iteration of the local plan process, a fair balance across the borough is still not evident?

The Chairman read the following answer to the question:

The Housing Background Paper to this report explains that the purpose of the planning system is to contribute to the achievement of sustainable development and Local Plans must respond to the different opportunities for achieving sustainable development in different areas.

A proportionate distribution of growth across the borough is a mathematical starting point. Assessments are then carried out to inform the plan making process. If insufficient suitable, available and achievable sites are promoted in and around the boroughs' settlements or if infrastructure constraints limit the scale of growth, then a proportionate distribution of growth will not be possible or necessarily represent the most appropriate distribution pattern.

7. Question to the Chairman Councillor Stephen Boulton from Mr. J. Gardener

Given the late addition of Hat15 and now also, GTLAA09, to the previously proposed Hat1, Hat2 & Hat13. What protection will be provided to prevent the emergent urban sprawl joining Hatfield Garden Village and Hatfield Business Park to Stanborough, Lemsford and on towards Wheathampsted, and the associated destruction of the green belt and the Hertfordshire Green Corridor?

The Chairman read the following answer to the question:

Should these sites come forward a strategic green corridor as indicated in the Local Plan Consultation Document can be delivered in conjunction with the delivery of strategic sites. The Green Belt boundary would be redrawn

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to exclude these sites whilst the land in between would still lie in the Green Belt which would continue its role of preventing the coalescence of towns.

(Fifteen minutes having elapsed since its commencement, Public Question Time ended at this juncture those questions which had not been reached would be dealt with by written answers).

5. WELWYN HATFIELD RETAIL AND TOWN CENTRE NEEDS ASSESSMENT UPDATE, MAY 2016:

The report of the Director (Governance) advised the Panel that as part of the evidence for the Local Plan the Council needed to have an up to date assessment of the need for additional retail floors pace over the Plan period.

Members noted that the Welwyn Hatfield Retail and Town Centre Needs Assessment updated previous information on the market shares of the borough's centres and carried out health checks of those centres. It applied assessments of future spending trends to the borough's centres to arrive at retail capacity forecasts for food and non-food shopping taking into account the growing influence of internet shopping. It also assessed likely commercial leisure requirements. As such it was an important part of the evidence to be used to inform the strategies and policies contained in the Local Plan.

Members having expressed some scepticism about the results of the retail capacity assessment set out in Table 1 in the report, clarification was sought of whether there would be any implications of setting figures higher or lower than those shown. Officers advised that much of the growth projected was accounted for by the Welwyn Garden City Town Centre North proposals and the trends were thought to be accurate for the next ten years. The danger of including capacity figures which were too high was that it might result in some new shopping provision being made in out of centre locations.

RESOLVED:

That the report be noted.

6. LOCAL PLAN: SELECTION OF SITES AND HOUSING TARGET:

The report of the Director (Governance) brought to the attention of Members the results of the Housing and Employment Land Availability Assessment (HELAA), and considered any policy implications associated with sites which were considered to be technically 'suitable' coming forward as well as the cumulative impact associated with combinations of sites and to consider which sites should be included in the Local Plan.

Appendix A (Employment Sites Selection – Background Paper 2016) and Appendix B (Housing Sites Selection - Background Paper 2016) to the report considered the results of the Green Belt Sites Review, the implications for defining a new Green Belt boundary, the conclusions of the HELAA,

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infrastructure issues, the sequential test, the extent to which the site would help to deliver strategic objectives, and the interim sustainability appraisal of the site.

The Panel then received a presentation from Colin Haigh (Head of Planning) and noted that the Council had a duty to prepare a Local Plan and to co-operate with adjoining authorities and other bodies. The Local Plan would cover the period 2013-2032 and would contain a strategic vision, strategic policies, site allocations and development management policies plus a Policies Map which would show allocations and designations. Once adopted, planning applications would have to be determined in accordance with Local Plan policies (unless material considerations indicate otherwise).

The Panel was informed that the National Planning Policy Framework (NPPF) expected Local Plans to deliver sustainable pattern of development and it stated that "Local Plans should meet objectively assessed need for development, unless any adverse impacts would significantly and demonstrably outweigh benefits, when assessed against policies in the Framework as a whole or specific policies indicate development should be restricted". Consultation responses to Emerging Core Strategy (2012) favoured that growth be more fairly distributed to towns and villages around the Borough while consultation responses to Draft Local Plan (2015) had raised concerns about the impact of growth on green belt and infrastructure, and had warned against the risk of settlements merging and suggested the potential for a new settlement should be considered for inclusion in the Local Plan.

An assessment of the need for additional employment land and the potential for jobs growth had been made in the Economy Study which had been conducted by independent consultants. This assessment results in the need for an additional 5.4 hectares of Class B (office, general industry, warehousing) employment land over the plan period, as well as protection of all existing designated employment land. A Strategic Housing Market Assessment (SHMA) had also been conducted by independent consultants taking into account the results of the Economy Study and had concluded an Objective Assessment of Housing Need of 12,616 - 13,433 new homes over the plan period. It was considered that a target at the lower end of the OAN range would best meet the needs of the borough taking account of evidence and consultation responses but would represent a considerable increase in housing supply.

Table 4 in the report identified that completions, sites under construction, permissions and windfall sites could deliver 3,905 homes which would leave 8,711 homes to find against the lower OAN and 9,528 against the upper OAN.

The Housing and Employment Land Availability Assessment (HELAA) was an objective analysis of the suitability, availability and achievability of all promoted urban and green belt sites, using methodology that followed

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national best practice guidance. The analysis divided the sites into 3 categories –

- **Stage 1 Fail** = site is unsuitable because: subject to policy constraint or environmental designation, in flood zone 3, there is significant physical barrier to development, not contiguous with urban settlement boundary
- **Stage 2 Fail** = site is not suitable, available, achievable for development
- **Stage 2 Pass** = site is suitable, available, achievable for development

All sites were shown on maps in Appendices A-K of the report and all sites big enough to be allocated in Local Plan were accompanied by an appraisal table. The HELAA had identified suitable sites with potential for **11,789 dwellings** and they could be considered as a “menu of options.”

The Housing Sites Selection Background Paper set out at Appendix C to the report was a subjective review of “menu of options” sites which weighed up impact on green belt purposes, green belt boundaries, transport issues, flood risk, infrastructure capacity, school provision, sustainability appraisal, any strategic advantages or disadvantages and cumulative impacts. It was estimated that current sources of supply together with suitable urban sites after a subjective weighing up exercise and suitable safeguarded land after subjective weighing up exercise could total 6,554 which would leave 6,062 to find against the lower OAN and 6,879 to find against the upper OAN.

With regard to the identification of employment sites (Appendix A), independent consultants had recommended a need for additional **5.4 hectares** of employment land, equivalent to about 138,000 square metres (sqm) of floor space and the Panel was informed that the sites listed below could deliver the following levels of floorspace:

▪ Vacant sites*	47,300 sqm
▪ Planning permissions	95,400 sqm
▪ Development sites**	54,400 sqm
▪ Estimated losses (from office-to-housing schemes)	-80,700 sqm

Net Total 116,400 sqm

- *includes 17,700 sqm at Broadwater Road West
- ** includes 13,900 sqm at Hat1 North West Hatfield and 40,500 sqm at WeG4b Marshmoor

This represented a slight shortfall against the OAN, but projections were subject to uncertainty and there was no direct correlation between floor space and jobs.

The position with regard to infrastructure could be summarised as follows –

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- Herts CC as highway authority highlighted that growth would create congestion that must be mitigated but did not anticipate any 'showstoppers'
- Rail companies planned to improve East Coast mainline with more frequent services
- Herts CC as transport body were planning for more public transport and walking/cycling opportunities
- Utility companies anticipated that growth could be accommodated but suggested that schemes might need to be phased to allow utilities to be upgraded/provided
- Herts CC as education authority had advised on new school provision
- NHS was likely to seek financial contributions to invest in clinical care in Herts and highlighted that growth was likely to create need for two new GP surgeries

School provision had been an important factor in the subjective weighing up exercise with the following conclusions -

- Likely growth levels would require three new secondary schools in borough
- Welwyn Garden City and northern villages required two new schools and expansion of existing schools by 1 form of entry each
- Hatfield required one new secondary school
- Primary school provision constrained growth options in some settlements
- Welwyn school was a listed building
- Welham Green school was next to ancient woodland and wildlife site and cannot be expanded
- Brookmans Park school could only expand by ½ form of entry
- A new school was needed in the south of Welwyn Garden City

The risks facing the Council were that the Government had threatened to intervene where Councils had not submitted their Local Plans by early 2017. That duty to co-operate bodies would object to a Local Plan which did not meet the Objective Assessment of Need. Also, a risk of Local Plan being found unsound if it did not meet the Objective Assessment of Need. The Examination Inspector might require that modifications be made to Local Plan by adding additional sites in order to achieve Objective Assessment of Need and the risk of planning applications for rejected/refused green belt sites being won on appeal.

The timetable for the next stages of the Local Plan consideration were -

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CHPP Proposed Submission Local Plan	20 July 2016
Cabinet Proposed Submission Local Plan	2 August 2016
Public consultation for 8 weeks	August - October 2016
Analyse consultation responses	Late 2016
Submission Local Plan	Early 2017
Public Examination	Mid 2017
Inspector's Report	Late 2017
Adoption	Late 2017

The Chairman thanked Colin Haigh for the presentation and officers for the work they had carried out to date on the Local Plan.

Members of the Panel and, with the consent of the Chairman, other Councillors then asked questions and commented on the report during which the following points were made –

- Good that the issue of proportionality had been addressed to achieve a better spread of sites
- Good that Hat-2 was not being suggested for inclusion and that a combination of Hat1 and Hat-15 was a less worse scenario than Hat-1 and Hat-2 would have been.
- Although Hat-2 was considered to be beyond the Plan period would the site be safeguarded for future consideration
- Appropriateness of having gypsy settlements too near major development questioned
- Should site GTLAA09 shown on the map at page 221 also be shown on the map at page 148
- Improvements to existing road infrastructure were required including to the Coopers Green Lane/Green Lanes junction
- Lessons needed to be learned from the Hatfield Garden Village and Salisbury Village developments to ensure that Herts CC adopted any new roads at an early stage
- Had consideration been given to development proposals for WGC4 and WGC-7 which would involve both the retention of an airstrip and a housing development
- Had the implications of the development proposals for WGC4 and WGC 7 for Sir Frederic Osborn school been considered
- Was the total number of gypsy and travellers pitches sufficient
- Had road infrastructure and the impact on the A1-(M) of the Council's proposals together with those of other authorities been given sufficient consideration and would the infrastructure be put in place first.
- On what basis was it proposed that only 2 new GP surgeries be provided
- Could employment land be protected for that purpose
- Had an impact assessment of traffic been carried out of the Gosling site where it was proposed to build 250 new homes
- Why was the site at Hat15 being favoured when it was too isolated and small with only 1 shop and a shortage of public transport.

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- Why wasn't the idea of a new town or garden city considered
- Site BRP4 was shown as favoured but had issues relating to assessment by Natural England and the potential for flooding been considered.
- Site GTLAA01 where it was being proposed that the Foxes Lane site being expanded from 4 pitches to 12 when residents were wishing for enforcement of the original numbers. Also, was a travellers site appropriate at what was a gateway site to Welham Green village
- Site WeG4b had drainage issues there been considered and was the site deliverable
- Secondary school provision in Welwyn Garden City had been reduced from 6 to 3 but even with the planned expansion of the remaining schools would there be sufficient capacity now that it was proposed that the City's boundaries were being pushed out still further. Providing additional primary school spaces by expanding existing schools was not altogether desirable
- Site WGC4 Panshanger: had consideration been given to a realignment of the airfield, would a travellers site be appropriate there, and would the development proposed result in a shortage of green space
- Woolmer Green (and the problem of travellers exceeding the number of pitches permitted and the need to consider sites which could not be over occupied). Also the proposal to develop 150 homes there should take into account development proposals from North Herts District Council for Knebworth and the combined impact on infrastructure locally particularly the B197 road.
- If Green Belt sites Cuf4, Cuf5 and Cuf12 were all to be considered suitable for allocation then it would increase the size of the existing village by 57% and have major implications for the road network.
- Haldens residents had expressed concerns about the difficulty of recruitment of GPs for the proposed new surgeries. Also, the impact of developments on nursery school placements and worsening of existing traffic problems.
- Although there were no development sites in Handside there would still be an impact there and infrastructure improvements were essential. Schooling had to be available with minimum travelling while the style of housing, dwelling mix and dwelling type should be subject to careful consideration.
- Concern that taken together both Hat1 and Hat15 would result in too much development for Hatfield while other parts of the borough could take more and that the response from Herts CC as highways authority was disappointing in relation to the likely impact on roads and how to mitigate it.
- Hatfield Villages and while the comment in relation to site Hat2 that it was beyond the Plan period was welcome should the site be permanently omitted

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Councillor Perkins (as Executive Member for Planning, Housing and Community) pointed out that the Council had a responsibility to prepare a Local Plan, so that planning decisions about the future of the Borough and where development would occur, was not taken out of the Council's hands. Planning officers had done an enormous amount of work to ensure that sites had been properly assessed and that infrastructure issues associated with each site were understood, as has been explained to the Panel by the Head of Planning.

However, the need to take into account the views of residents was acknowledged while still having regard to the number of houses and amount of employment land that had been objectively assessed as being needed. Also, developers and landowners needed to be sure that this process has been carried out in a transparent way, in accordance with the National Planning Policy Framework and Guidelines.

The Panel's attention was drawn to the Risk Management Implications on pages 18 and 19 of the report of the Director (Governance), in particular the need to have prepared a Local Plan by early 2017. With regard to the various sites the following comments were made -

Welwyn Garden City and the northern villages

The idea of a criteria-based policy for the selection of an additional secondary school site to serve growth in Welwyn Garden City and the northern villages should be supported. This would be a pragmatic way of progressing the Plan, rather than pausing the process and waiting for a suitable site to be identified, as the Government had threatened to intervene if we do not submit our Local Plan by early 2017.

WGC4 Panshanger

As far back as 1993, Panshanger Aerodrome had been identified by an Inspector as safeguarded for future potential growth needs, and it was released from the Green Belt for this purpose.

With regard to the continuance of the Aerodrome, business cases from third parties had not been conclusive in demonstrating that rent and capital investment could be paid back within a reasonable number of years. There had to be severe reservations about delaying the Local Plan to investigate the very late proposal by Mr Fitch, when that proposal relied on a number of landowners being willing to redevelop their land. Indeed, the Council had previously decided that it did not want Panshanger golf course to be redeveloped for housing as it was a well-used community facility.

The need for housing and the importance of preparing a sound Local Plan outweighed the desire of some residents to see the airfield retained and it was acknowledged too that there were many people living in Digswell who were pleased that planes no longer flew over their community.

Hat2 West of Hatfield

Officers had advised that Hat2 was considered suitable for development, but only beyond the plan period. Herts CC, as the mineral authority, had received a planning application for the extraction of minerals along St Albans Road West and it could take up to 30 years before the land could be fully remediated.

However, the development of Hat2 would result in the loss of country park land that was master planned as part of Hatfield Business Park and it would not be right to take this valuable asset away from local residents until new country park provision had been made. Because of the uncertainty of how long it would take for minerals to be extracted and the land to be remediated as a country park, it was suggested that Hat2 should not be considered suitable at this stage, not even beyond the Plan period. This view was further compounded by Herts CC advice that the cumulative selection of Hat1, Hat2 and Hat15 would make local congestion worse, even with mitigation, such that one site might be rejected at this stage to provide more time to consider the transport constraints and improvement options.

Hat5 and Hat19

Officers advise that Hat5 and Hat19 could be considered to help achieve the Objective Assessment of Need, but they would impact on Green Belt purposes and narrow the gap between Hatfield and Smallford in St Albans and should not be included.

Hat11 Southway

It was noted that Officers' advice was that Hat11 was in a fragile gap between Hatfield and Welham Green, but were of the view that it could be reconsidered as suitable for housing.

The gap between Hatfield and Welham Green was already partly compromised by existing employment development along Travellers Lane and by the presence of the New Barnfield site. The understanding of the NPPF was that New Barnfield was a brown field site that could be suitable for redevelopment even if it was not allocated for a particular use/activity and would be considered as "windfall".

The promoters of Hat11 had identified scope to expand the Lawn cemetery on Southway and the Borough needed to find new land for this purpose, so the opportunity for extra cemetery space was a strategic advantage that should be given more weight. Consequently, Hat11 should be added to the list of suitable sites for 120 dwellings, with an assumption that its master planning included a strong landscape belt to separate it from Welham Green.

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Welham Green

It was suggested that the officer's opinion that the level of growth in Welham Green should be limited to match the capacity of the existing primary school be endorsed. The level of growth needed to justify a new primary school would be far greater than the proportionate amount for Welham Green and would put enormous stress on its road network and other community facilities.

Brookmans Park

The level of growth in Brookmans Park should be limited to match the capacity of the existing primary school to expand by ½ form of entry, as this was Herts CC's preference as education authority, and this had been well articulated in the report of the Director (Governance).

However, further consideration should be given to the weighing-up exercise as development of the site BrP12 would reduce the gap between Brookmans Park and Welham Green and residents had made it very clear in their consultation responses that they did not wish to see settlements merge. There would also be concerns about traffic volumes along Bradmore Way if BrP12 if it were to accommodate 110 dwellings and a 2 FE primary school.

Cuffley

There was no question that Cuf4 and Cuf5 would represent a significantly disproportionate increase to the size of Cuffley which would place a great deal of stress on its road network and community facilities.

In summary there was disappointment that it had not been able to identify enough suitable sites for housing to meet the Objective Assessment of Need, as there was a risk that the Local Plan would not be found sound or the Inspector would ask the Council to consider the inclusion of additional sites. However, as elected Councillors there was a responsibility to listen to the views of residents, who had repeatedly told Members that they were concerned about too much development taking place on Green Belt land, about the merging of distinct settlements and the loss of identity as a consequence, as well as concerns about the pressure of growth on the road network and vital community facilities such as schools and GP surgeries.

The fact that sites for some 12,000 new homes had been identified should be recognised as this would represent a 26% increase on the current housing stock over the next 15 years. It was also important to note that the selection and release of Green Belt sites for about 5,400 new homes, although something the Council would not choose to do, equated to a loss of only 4% of the Green Belt land in the borough. Even with these difficult decisions, over 75% of the borough would continue to be designated as Green Belt land, where development would only be able to take place in very special circumstances.

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The Panel having thanked Officers for their work over many months in getting to this stage in the process it was

RESOLVED:

That having considered all of the information provided that the sites proposed by Officers be approved with the addition of site Hat11 and the deletion of any reference to site Hat2 and that the Head of Planning now draft the proposed submission Local Plan on the basis of these sites.

Meeting ended at 9.50 pm

Appendix 3

Proposed Modification to Local Plan

The plan below proposes an amended green belt following clearly defined features and boundaries, Herts Lane to the west, Hertford Road and the woodland edge to the site to the north.



Scenario 3: Concept